



**TESTIMONY OF
THE UNITED FEDERATION OF TEACHERS
PRESIDENT MICHAEL MULGREW**

**BEFORE THE
NEW YORK STATE SENATE & ASSEMBLY
COMMITTEES ON FINANCE, WAYS & MEANS, AND EDUCATION**

REGARDING THE PROPOSED FY23 EXECUTIVE BUDGET

JANUARY 26, 2022

Good morning. My name is Michael Mulgrew, and I am the president of the United Federation of Teachers (UFT). I want to thank both the Senate and the Assembly for this opportunity to discuss the proposed FY23 Executive Budget and share our perspective on several key initiatives. Joining me today is Cassie Prugh, assistant to the president and political director of the UFT; Andy Pallotta, president of the New York State United Teachers (NYSUT); and Alithia Rodriguez-Rolon, NYSUT's director of legislation.

On behalf of my members, I want to recognize Majority Leader Andrea Stewart-Cousins and Speaker Carl Heastie for their strong leadership. I also want to recognize the support, guidance and commitment of their colleagues Senate Finance Chair Liz Kreuger, Assembly Ways & Means Chair Helene Weinstein, Senate Education Chair Shelley Mayer, Senate New York City (NYC) Education Chair John Liu, and Assembly Education Chair Michael Benedetto.

I would like to thank all the members of the Legislature for their support and leadership during these challenging times. As we enter the third year of this pandemic and lay out our plan for the future of our state, I think it's also important for us to reflect on all that we have accomplished. In NYC, we have kept our school doors open to our students and their families during this school year, even during the most recent surge in omicron cases; 74% of NYC residents are fully vaccinated, and 84% have received at least one dose; and, because of our advocacy work at the federal level combined with state revenue generators implemented last year, our state budget is strong and healthy.

We are encouraged by the budget proposed by Gov. Hochul, and I wish to share our feedback.

School Aid and Educator Workforce

We applaud Gov. Hochul's commitment to fully fund our public schools. We are pleased to see that the promise to fulfill the needs espoused in the Campaign for Fiscal Equity has been kept, and we are no longer playing political football with our state's school aid. We also want to acknowledge that the members of these chambers have always been champions for the full funding of our public schools. When no one else saw the need to prioritize public education, it was this Legislature who relentlessly continued this pursuit.

We are encouraged by the governor's proposal to increase support for teachers, address the teacher shortage and expand the workforce with a focus on diversity and mental health professionals including counselors, psychologists and social workers. We have always championed teacher residency programs and appreciate the governor's mention of working with SUNY, CUNY, the community colleges and other colleges and universities in the state to partner with local school districts as we advance this part of the agenda. We appreciate the governor's overall commitment to workforce development in our state.

We applaud the governor's proposal to authorize a cost-of-living adjustment (COLA) of 11 percent for school year 2023 tuition rates for 4201, 4410, Special Act and 853 school programs. These education programs serve our most handicapped preschoolers and need to be properly supported. For years, we have lost members of the workforce who serve in these programs because of poor salaries and wages. We need to retain our experts and recruit passionate professionals who can serve our neediest.

Mayoral Control

As you are aware, the mayoral control system was created under former Mayor Michael Bloomberg to replace a fractured and often corrupt collection of school boards across the city. Of course, we cannot go back to that system, but parents and advocates have long criticized this structure for not including their voices in major decisions that have shaped the school district in the past two decades — a feeling that appeared to grow during the pandemic and the disruption of in-person learning.

This year's executive budget proposes a four-year extension of the current form of mayoral control until June 30, 2026. However, our union does not believe the current version of mayoral control works for students and parents. In the past, we have publicly recommended modifications that would help restore checks and balances to the system. Here are three reforms we believe should be considered:

1. Balance the composition of the Panel for Educational Policy by adding an additional two parent members elected by the presidents of the Community Education Councils.

2. Have members of the Panel for Educational Policy serve staggered, fixed three-year terms.
3. Allow members of the Panel for Educational Policy have the option for appointment renewal, and not at the discretion of the person who appointed them.

We see the governor's proposal as a starting point and hope we can engage in a meaningful conversation around possible reforms to the current system to reassure our union members and the parents of NYC schoolchildren that their concerns are properly addressed.

United Community Schools and Community Schools Categorical Aid

Our United Community Schools (UCS) serve as a lifeline for students and families. Our UCS schools provide academic, social-emotional and health and wellness support. Our success was recognized by the federal government in January 2020, before the start of the pandemic, when the U.S. Department of Education cited UCS among “nationally significant programs” and awarded UCS one of eight national grants to provide additional mental health services, restorative practices and after-school programming at three of its Bronx schools.

During the 2021-2022 school year, we fed more than 6,000 families through a strong network of community partners; provided more than 1,500 counseling and wellness check-ins, with social workers, counselors and professionals in our school-based health centers at the helm; and worked to foster professional development with a focus on trauma recovery, culturally responsive sustained education (CRSE) and social-emotional learning (SEL).

For the upcoming school year, our goal is to place a social worker in every UCS school, continue to combat inequity with professional development focused on CRSE, and add to the existing community partners we have brought in to support schools. Studies of our work in UCS schools has shown that every \$1 we invest in our schools results in \$6 in outside resources from community partners. That means investing \$100,000 in a community school director would result in \$600,000 in outside resources for the schools.

To accomplish these goals in the upcoming school year, we are requesting the enacted budget include a \$4 million grant for UCS. In addition, and independently, we are requesting that the state consider a \$100 million allocation in the form of categorical aid for community schools statewide. In addition, UCS should be provided with an additional \$5 million to work with the state and use our model and our expertise to provide technical assistance statewide.

Teacher Center

For more than 40 years, the UFT Teacher Center has been a guiding light for NYC educators, a statement that could not be more true during these past two years of the pandemic. Whether it was building out teachers’ Google classrooms at the onset of the pandemic; supporting students,

teacher and parents with remote instruction; or preparing educators to address unfinished learning caused by the challenges of the pandemic, the UFT Teacher Center has always stepped up and delivered in any moment of crisis.

We are proud to share with you that in the 2020-2021 school year, we worked across 118 teacher center sites, including 13 new sites. We worked with more than 281,000 educators, principals and parents; we provided more than 126,000 hours of transformative professional development; and 99% of our participating educators reported that the seminars improved their practices.

The UFT Teacher Center is focused on what NYC educators, parents and students need most right now. We are fostering the well-being of students and teachers while promoting safe and inclusive school environments; we are ensuring educators and students have the training and skills to use available online tools and platforms; and we are ensuring educators, administrators and staff can work effectively in their diverse environments to foster fairness and the full participation of all members.

We commend the governor for including \$14 million in funding for Teacher Centers statewide in the executive budget. This is the first time in more than a decade that a governor has included funding for this program in the proposed budget. Now we ask the Legislature to join the governor and add to the funding for this valuable program to double that funding to \$28.5 million, remembering our funding was \$40 million before the Great Recession of 2007-2009.

With added funding, we can expand our UFT Teacher Center by 10-15 new sites and ensure every community school district in NYC has at least one site; develop new ways to assist teachers in helping students catch up from the challenges of the pandemic; evolve our partnership with Google and expand our work with Apple to keep our teachers on the forefront of educational technology; support paraprofessionals in addressing the needs of our students with disabilities and English language learners; and increase culturally responsive and sustaining education (CRSE) offerings to combat inequity.

Positive Learning Collaborative and Mental Health Supports in Schools

Our Positive Learning Collaborative (PLC) program strives to transform schools by empowering educators to bring equity to education. For nearly a decade, PLC schools have successfully used social-emotional strategies, evidence-based training and healing practice to overcome systemic barriers that hinder learning and to turn schools into joyful communities in which to learn and grow.

Our work in schools before the pandemic successfully changed school culture by transforming punitive disciplinary systems, reducing the reliance on suspensions and creating new ways for adults and students to interact.

During the pandemic, our PLC schools continue to have access to an expert team of clinicians, social workers and counselors, psychologists, behavior specialists and teachers. Our multi-tiered

integrated model of best practices includes culturally and historically responsive education, therapeutic crisis intervention in schools, restorative behavior systems, mindfulness and wellness practices, and restorative and healing circles.

The result is that educators are given the tools, support and coaching they need to better address students' social, emotional, behavioral and academic needs during the pandemic.

In the 2020-2021 school year, PLC placed 10,642 sensory toolkits in NYC schools; served 9,800 participants in our vital "Healing Centered Classrooms" workshop; provided more than 500 in-person and remote school support and coaching visits; and partnered with 50 schools to engage in a new groundbreaking culturally and historically responsive education program.

Our PLC schools have access to an expert team of clinicians and educators, including social workers and counselors, psychologists, behavior specialists and teachers. Our multi-tiered integrated model of best practices includes culturally and historically responsive education, therapeutic crisis intervention in schools, restorative behavior systems, mindfulness and wellness practices, and restorative and healing circles.

This year we ask the state to consider an allocation of \$2 million for PLC. With these funds, our PLC schools could continue to provide school communities with access to expert clinicians and educators; help parents cope with stress, grief and trauma through ongoing support groups; continue our highly successful workshop series focused on health-centered classrooms; ensure all administrators and educators understand racial disparities and implement anti-racist policies and accountability systems; and help schools transform curriculum with Dr. Gholdy Muhammad's Culturally and Historically Responsive Curriculum program.

We would also like to commend the governor for including in the executive budget \$100 million for the new "Recover from COVID Schools Program." It is encouraging to see our state leadership understand that the best way to support our students, especially during this pandemic, is by providing them with the right professionals in schools. With this funding, we would be able to hire more mental health professionals to expand school-based mental health services and other evidence-based mental health supports to help students and school staff with social-emotional recovery.

We appreciate the inclusion of two proposals, totaling \$5 million in grants, for school districts to increase the use of alternative approaches to school discipline and to improve school climate.

Career and Technical Education

While the executive budget includes programs to expand our state's workforce, we find there are long-standing issues that remain unresolved in the executive budget as it relates to Career and Technical Education (CTE). CTE programs have proven highly effective in helping students with the essential skills they require to successfully transition to college and career. CTE programs help

ensure that businesses have skilled workers, which is essential to their success and that of our economy.

Currently, NYC receives state funding for CTE programs through Special Services Aid. However, the \$3,900 per pupil formula-based funding cap falls short of meeting the cost of CTE programs and excludes funding for 9th-grade students. To better support our city's CTE programs, we urge the state to consider increasing the per pupil cap and expanding funding to 9th-grade students for special services aid that is provided to the Big 5 school districts.

Child care

We are encouraged to see that the governor's executive budget prioritizes the expansion of subsidized child care seats available across the state. Our union membership includes 6,000 home-based child care providers who would benefit from an increase in enrollment and a boost in state funding.

We are also interested in the Universal Child Care Act proposed by Sen. Jabari Brisport and Assembly Member Andrew Hevesi. Of particular interest in the legislation is the proposal to transition our state payment process to child care providers from attendance-based to enrollment-based. We believe to assist in the transition to a “pay for enrollment” system, our state first must increase the market rate payment to child care providers to the 90th percentile, up from the current 69th percentile determined by the “market rate survey.” We cannot continue to financially penalize child care providers for matters that are out of their control.

We look forward to working with the administration and the Legislature on ways to solve our child care crisis. Too many parents cannot afford child care and too many providers cannot sustain their services due to the exorbitant costs of resources and a depleted workforce. We are at a crisis point and need to come together to find a solution.

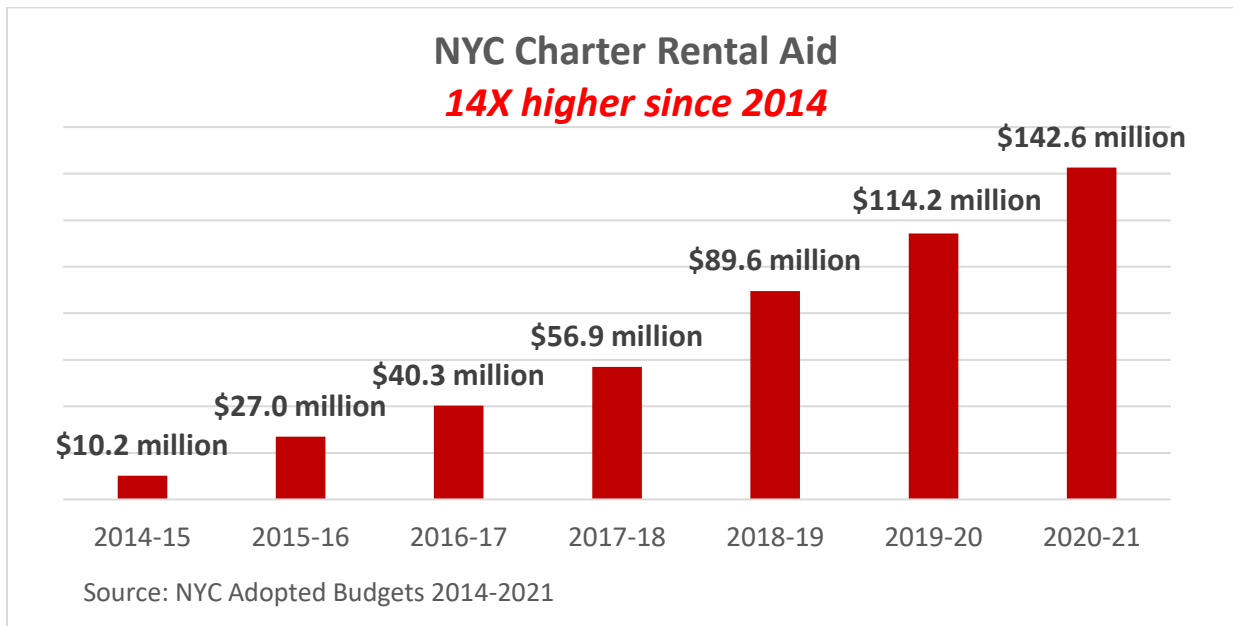
Charter Schools

New York City charter school facilities aid continues to remain a serious concern. This year's executive budget proposes to nearly double NYC charter school facilities aid from \$51.5 million in FY22 to \$100 million this year. I would like to make clear once again that these are public taxpayer dollars that we are actively siphoning to private real estate developers.

As noted in the graph below, the total spent by the city Department of Education (DOE) on charter rental aid was 14 times higher in the 2020-2021 school year than in the 2014-2015 school year. According to the FY21 Charter School Lease Report made public by the NYC Council, the DOE spent a total of \$4.5 million in annual lease costs for Success Academy school spaces in Union Square and Hudson Yards¹.

¹ New York City Council (2021). *Department of Education – Charter School Lease Report*. New York City Council. [Copy-of-Department-of-Education-Charter-School-Lease-Report.xlsx \(live.com\)](#)

It's time to end this practice. We cannot continue to give out public taxpayer dollars to the private real estate sector. We encourage the Legislature to consider passing S.1098/A.5191, sponsored by Chairs John Liu and Michael Benedetto, to eliminate NYC charter school facilities aid altogether.



We also remain concerned about the workaround charters use to expand their footprint by adding grade levels to their original charter. We have cases in which a charter is, for example, approved to serve as a middle school, but over the years seeks revisions to its charter to expand into grades below grade 6 and above grade 8. This allows for one authorized charter to serve as an elementary, middle and high school.

This issue is made worse by SUNY serving as a final charter authorizer. We have cases in which a charter network, notably Success Academy, authorized under SUNY, has applied for a revision to a charter to expand the grades it serves and be granted the charter revision in direct opposition to the recommendations submitted by the Board of Regents (BOR) on the application. New York State education law requires the Board of Regents to oversee all charter schools, yet a loophole in the charter school statute allows for SUNY to circumvent the oversight. It's time to close the loophole.

The charter industry must acknowledge that there is a charter cap in place, and it should stop looking for loopholes and workarounds in order to expand. There are many changes we need to make to the state's charter school law, including improvements to transparency and accountability and allowing the state comptroller to conduct audits of NYC charter schools. We must level the playing field between charter schools and traditional public schools.

For these reasons, we urge the legislature to consider the following bills:

1. S.676 & A5117 (Mayer & Benedetto) to limit charter school grade-level expansions
2. S.7666A/A8801 (Liu/Benedetto) to provide the Board of Regents with the final approval authority over all proposed and renewed charter schools
3. S.4200/A.5135 (Hoylman/Benedetto) to require the transparency and accountability of charter schools
4. S.1117-A/A.5118-A (Liu/Benedetto) to allow the state comptroller to conduct audits of New York City charter schools

Closing Thoughts

I would like to conclude by thanking, once again, all members of the Senate Finance, Assembly Ways and Means, Senate Education, Senate NYC Education and Assembly Education committees for hosting today's K-12 education budget hearing. The executive budget proposed by Gov. Hochul is very encouraging and includes many proposals we have all been championing for years, including the full funding of our public schools.

My hope is that I have successfully provided you with a summary of the work our union members and programs have completed and the work we seek to complete in the future. The COVID-19 pandemic has been challenging, but our members and programs have always stepped up to meet the needs of this moment.

We look forward to working with the Legislature this year as we continue to do the best we can to provide all our students with access to an excellent public education that prepares our state's residents for the future.

Thank you.

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