

# Committee of 100

March 2016



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Dear Legislator,

NYSUT members from across the state are asking you to support important budget and policy priorities that affect our schools, campuses, workplaces and communities. Highlighted in this packet are the critical issues we believe the Legislature must address to best meet the needs of the people they represent. Among them: State support of K-12 schools is critical this year. This cannot be overstated. The devastating, near-zero tax cap will cripple school districts' ability to raise revenue; and for many districts, school aid will be the only source of additional revenue. School districts will need an estimated \$1.7 billion increase just to maintain current services and programs for students. Additional school aid is needed to provide students with much-needed enhancements to ensure they are college and career ready. NYSUT is advocating for a \$2.5 billion increase in education funding that would allow for a significant increase in Foundation Aid and allow for the elimination of the Gap Elimination Adjustment.

Students, parents and educators have been on a never-ending roller coaster of harmful, top-down changes in education law and policy. This has to stop. Only when we restore the joy of teaching and learning to our classrooms will we be able to reverse the demoralizing effect of the "test-and-punish" era. NYSUT members urge the Legislature to set a more positive course for public education by electing Regents who will listen to educators and parents and fully address their concerns about student assessments and the misuse of test scores. After that work is completed, the Legislature must enact the necessary changes to New York's laws governing standards, assessments and evaluations.

NYSUT is also advocating strongly for the repeal of the punitive school receivership statute and is urging the Legislature to provide the programmatic support and funds to transform our schools to community schools that will improve student learning, and make families stronger and communities healthier.

NYSUT is calling for the enactment of the Invest in Futures — Save Higher Education Initiative. This program will help ensure that any tuition increase would be used to enhance academic programs and services, not to fill budget gaps. For our community colleges, NYSUT is also supporting an increase of \$250 per full-time equivalent student to begin to fulfill the promise the state made 40 years ago to provide 40 percent of operating costs to community colleges.

The Parental Choice in Education Act should be rejected. This back-door voucher program will strip much-needed funding and support for public education, under the guise of charitable giving. Thank you for taking the time to meet with NYSUT's Committee of 100 members. We look forward to working with you so we can ensure the best possible education for all students — pre-K through post-graduate. In solidarity,



Andrew Pallotta  
Executive Vice President

## School Aid

The proposed 2016-17 Executive Budget allocates an increase of \$961 million. While this increase reflects a better starting point than in recent years, the amount is far below the estimated \$1.7 billion increase needed for districts to maintain current services and programs for students, and would not provide needed enhancements for student programming and services.

New York State must ensure each and every student receives a high quality education that prepares them for college and career. This year in particular, state support of schools is vital; school aid will be the sole source of additional revenue for many school districts.

The tax cap is near zero; set at a mere 0.12 percent – NOT 2 percent. This devastatingly low tax cap will cripple local school districts' ability to raise revenue. Under a true 2 percent tax cap, \$700 million would have been generated, which could have been used to offset the state's share of school funding.

Our schools must provide support for education and instruction and address the social and emotional needs of our students. Social and emotional development and learning play an important role in making schools safe, maintaining a caring school climate and enhancing student motivation. We need to ensure that trained professionals, such as certified school psychologists, school social workers and school counselors, are available in our schools to support students and provide appropriate clinical services when necessary.

New York public school students are still owed \$4.4 billion in Foundation Aid and \$434 million in Gap Elimination Adjustment (GEA) funding. The state should have a specific plan to address this underfunding to ensure children are not denied the opportunity to the sound basic education our State Constitution requires. Currently, one-third of New York's schools still receive less school aid than in 2009-10.

A significant increase in school aid can be supported by the state, since the state is running a surplus, not a budget deficit. A recent New York State Comptroller report anticipates a current year state surplus in the General Fund of \$5.4 billion. While a portion of this surplus is the result of a one-time financial settlement, more than half is generated by better-than- expected figures in recurring state revenue streams.

### **NYSUT Urges the Legislature to:**

- Support an increase of \$2.5 billion in general purpose school aid:
  - A \$2.04 billion increase in formula aid; with significant investment in the Foundation Aid formula, elimination of the GEA and full payment of expense-based aid; and
  - An additional \$500 million in targeted funds, to invest in: (1) continued support for struggling schools; (2) support for English language learners; (3) continued expansion of pre-kindergarten; (4) high quality professional development; and (5) expanded access and support for college and career pathways.
- Support full payment of \$318 million for public school prior year aid claims.

## **Annual Professional Performance Review/Testing**

The 2015-16 enacted State Budget made statutory changes in testing and evaluations that painfully exacerbated a “test-and-punish” philosophy that has been widely repudiated by parents, educators, researchers and the voting public. In the wake of the intense public outcry, the governor convened a task force whose 21 recommendations are essential first steps to fixing our state's broken system. The Regents subsequently enacted the task force's recommendation for a four-year moratorium on high-stakes consequences for students and educators, allowing for the difficult and necessary work that must take place as part of a complete overhaul. They also committed to a process that avoids the disastrously rushed implementation of the recent past. Meanwhile, groundbreaking changes in federal law, once they are fully implemented in 2017-18, will de-link funding from student test scores, further paving the way for permanent remedies to New York State's broken system.

## **NYSUT Urges the Legislature to:**

- Seize the immediate opportunity to set a new and positive course for public education in filling upcoming vacancies on the Board of Regents. We call on each legislator to work actively with colleagues to select Regents who will reject the failed test-and-punish policies of the past and create New York State learning standards developed by New York State educators; who will make major course corrections to the state's approach to student assessment, and will address concerns with the number and length of tests; the misuse of student test scores; the need for developmentally appropriate assessments; and the adoption of full transparency in testing to aid instruction and inform parents; and
- Enact any and all necessary statutory changes to New York's laws (Ed. Law, Section 3012-d, et al.) governing state learning standards, assessments and evaluations, once the work by the Regents, in consultation with educators and parents and in close coordination with upcoming federal ESSA changes, is completed. These statutory changes should conform with the 21 recommendations made by the Common Core Task Force.

## **Community Schools/Receivership**

NYSUT supports the Executive Budget proposal for \$100 million for struggling and high-needs schools. However, much more support, both funding and programmatic, is needed for community school transformation and school turnaround.

We call for an additional \$150 million to support existing and new community schools, as well as struggling schools. This additional funding could come from the funds set aside for the tax credits and back-door voucher proposal.

School districts facing receivership are owed more than \$2.6 billion in Foundation Aid and \$94 million in GEA funding –more than half of the nearly \$5 billion owed to public schools statewide. We should provide support for our teachers in these schools, rather than penalize them.

Continued expansion and investment in our community schools is critical. Community schools foster partnerships between the school and other community resources that focus on academics, services, supports and opportunities leading to improved student learning, stronger families and healthier communities.

More than 200 high-need districts are funded under this proposal, however, many of these schools are receiving far less than the amount required to create a community school. For example, a school in the Finger Lakes region, a high-needs rural district, may receive only \$22,000 — not enough funding to transform into a community school or provide the necessary resources to remove impediments to student learning.

Most importantly, we believe the state's punitive receivership law should be repealed.

New York should enact supportive models of school turnaround. Receivership attempts to centralize power, privatize public education and strip away local control from parents and their local, democratically elected, school boards. The law mislabels schools, students and educators based on the failed implementation of the Common Core and flawed state standardized test scores, without taking into account the progress made in existing local turnaround programs. This law blames educators, rather than addressing the real fundamental problems: chronic underfunding and high concentrations of students living in poverty.

New York should support policies that provide a realistic research-based timeframe to properly turn these schools around and offer research-based solutions and proven tools to close the achievement gap and accelerate student learning.

## **NYSUT Urges the Legislature to:**

- Repeal the punitive receivership law.

## Teacher Centers and other Professional Programs

The Executive Budget fails to fund Teacher Centers for the 2016-17 school year. Funding for these critical centers has not met the demand for continued and increased professional development for more than a quarter-million professional staff members who work in our schools. For example, the 2015-16 school year funding level for Teacher Centers (\$14.26 million) is less than it was nearly 20 years ago.

Teacher Centers were established by the state Legislature in 1984. They are the only state-funded vehicle guaranteed to support comprehensive, professional development for teachers in all school districts, including high-need schools and districts, Boards of Cooperative Educational Services (BOCES), non-public and charter schools.

At a time when we are asking educators to comply with higher learning standards to ensure all students are on track for college and career, we must first provide educators with the resources and tools they need to meet this demand.

Continued and increased support is needed to help ensure that educators are exposed to emerging techniques, practices and technologies to be increasingly effective in the classroom and help close the achievement gap.

We also fully support the Mentor/Intern Program that helps ensure new teachers receive the guidance and mentoring they need to increase student achievement and helps retain quality educators. We respectfully ask that funding for this program be increased to provide more opportunities and support services for new teachers.

We ask that funding to the National Board Certification Program be increased. National Board Certification is a highly respected, professional voluntary credential that provides numerous benefits to teachers, students and schools. The impact of National Board Certification on student learning, school climate and teacher effectiveness continues to be confirmed by numerous research studies and leading measures of teaching effectiveness.

### NYSUT Urges the Legislature to:

- Restore Teacher Center funding to \$40 million (2008-09 level) to provide continued and increased quality professional development opportunities;
- Increase the Mentor/Intern Program to \$10 million (2008-09 level) from \$2 million to provide more opportunities and support services for new teachers; and
- Increase funding to the National Board Certification Program to \$1 million to develop, retain and recognize accomplished educators.

## Tax Cap

The near-zero tax levy limit of 0.12 percent for 2016-17 will have serious negative effects on our students and their schools. Eliminating or amending the undemocratic tax cap continues to be a priority for NYSUT. Under the undemocratic tax cap, districts are forced to continually cut services and programs for students.

Under a true 2 percent tax cap, \$700 million would have been generated, which could have been used to offset the state share of school funding.

Living under a tax cap has hindered most districts' ability to restore cuts to classroom services. Without significant additional state aid, and a reasonable adjustment to the tax cap for costs beyond their control, many school districts will lack sufficient resources to fund existing programs. The tax cap hurts our poorest districts the most, placing severe limits on their ability to raise funds.

### NYSUT Urges the Legislature to:

- Change the allowable tax levy limit to 2 percent or CPI, whichever is greater;

- Eliminate the supermajority requirement; and
- Allow for exemptions to include items such as increased enrollment, spending on school security measures, BOCES capital expenses, and PILOTs (payments in lieu of taxes) in tax base growth factor determinations.

## **Charter Schools**

NYSUT opposes the Executive Budget proposal that, in New York City, unfreezes the charter school tuition formula and makes permanent the calculation of rental aid for charter schools. We also oppose the Executive Budget proposal to provide a separate funding increase for all charter schools by \$27 million.

We cannot support increased funding to charter schools since there continues to be a lack of accountability and transparency over the use of public funds. Real reform is still needed to ensure public dollars are being spent appropriately.

A recent report by the Center for Popular Democracy (CPD), estimates that charter school fraud has cost New York State taxpayers \$54 million this school year alone. The report notes, “Despite the tremendous investment of public dollars, New York has failed to implement a system that adequately monitors charters for fraud, waste, and mismanagement.”

New York schools are struggling with a near-zero percent property tax cap, and are owed billions of dollars, while charter schools are awash in a sea of cash. As of last year, charters had hundreds of millions of dollars on hand. In 2014, unrestricted net assets held by charters grew to \$392.1 million, up from \$298.5 million in 2012.

Eighty-two percent of the state’s charters held, on a percentage basis, cash well in excess of the 4 percent traditional school districts are permitted to keep in reserves. In 2014, 184 charter schools studied had, on average, 25 percent of their annual budgets in cash reserves – six times what traditional public school districts are permitted to hold.

Sadly, charter schools have no real accountability. Seventeen years after New York passed its first laws on charter schools, throughout the state, charters continue to underserve the neediest students and enroll a disproportionately low number of English language learners (ELLs) and students with disabilities.

Contrary to media reports, nothing in the Executive Budget strengthens accountability for charter schools to enroll and educate English language learners or student with special needs. No language in the Executive Budget addresses charter schools’ enrollment and retention issues.

### **NYSUT Urges the Legislature to:**

- Oppose the proposal that unfreezes the NYC charter school tuition formula and the \$27 million state increase, especially without real charter transparency and accountability reform;
- Oppose the permanency of the calculation of rental aid for charter schools in NYC until all public schools have adequate facilities and services for its students; and
- Enact a series of reforms to ensure charter management accountability and transparency, including: (1) ensuring charter schools educate the same number of English language learners, students with disabilities and students in temporary housing in the same community, (2) ensuring students are treated fairly, (3) providing for more transparency and accountability in the use of state funds, (4) restricting charters to hold the same percentage of reserves as public schools, and (5) the ability to audit monies sent to education management organizations and other outside charter entities.

## **Oppose School Voucher Schemes**

New York State has a constitutional obligation to provide every student with a sound basic education. The Parental Choice in Education Act is a thinly disguised voucher and would divert hundreds of millions of dollars from the state budget at a time when public schools are coping with the loss of educators, loss of vital programs, increased class sizes and the cumulative loss of promised school aid of nearly \$5 billion. Under this proposal, wealthy New Yorkers would be eligible to receive a tax credit of up to \$1 million, and avoid their tax liability.

This legislation is offered under the guise of charitable giving, but its intent is to use public funds to finance the costs of a non-public school education. Like directly funded vouchers, this tax loophole would do nothing to improve public schools; it actually reduces the amount of money available for proven school improvement strategies, such as community schools.

New York State mandates a free public education system, and the State Constitution prohibits direct or indirect financial aid to schools under the control of a religious denomination. New York has yet to meet its court-ordered obligation under the Campaign for Fiscal Equity lawsuit settlement. Currently, one-third of public schools are funded at levels below the 2009-10 school year.

### **NYSUT Urges the Legislature to:**

- Reject the Parental Choice in Education Act.

## **Pre-Kindergarten Expansion for 3-Year-Old Children**

NYSUT fully supports continued investment in full-day, universal prekindergarten and supports full investment for full-day kindergarten for every child.

Quality full-day pre-K opportunities lead to better outcomes in the academic and social development of children. Studies show these programs increase graduation rates, reduce retention in grades, increase reading and math proficiency and increase college participation and completion. The social and economic benefits are also striking. Quality pre-K experiences for children significantly reduce juvenile arrests, lower criminal activity, reduce teen pregnancies and result in healthier lifestyles. It is far more cost-effective and educationally sound to invest in school readiness at the front end rather than play catch-up on the back end after a student experiences hardships and frustration.

### **NYSUT Urges the Legislature to:**

- Support an increase in funding for high quality, school-based pre-K for both 3- and 4-year-olds.

## **Career and Technical Education and Early Career High School Expansion**

The state should support and expand access to critical Career and Technical Education (CTE) programs. For many students, CTE offers the most promising pathway to career success and we are pleased that students now have a 4-and-1 pathway to graduation.

NYSUT fully supports increasing the aidable salary for all CTE programs, BOCES CTE programs and increasing Special Services Aid. This will significantly improve CTE services and programs to all students and expand its access.

The current aid formula for BOCES CTE programs has not changed since 1990; the state provides aid only for the first \$30,000 of a BOCES instructor's salary. This has the effect of reducing state support for CTE programs and shifting the costs to local schools, resulting in the underinvestment of high quality programs that provide students with the skills employers demand. According to SED, more than 90 percent of CTE students graduate with a Regents diploma, some with Advanced Designation.

Special Services Aid is currently limited to grades 10-12 in the Big 5 School Districts. New York State should align itself with the Regents adoption for multiple pathways to graduation with the goal of expanding CTE programs.

#### **NYSUT Urges the Legislature to:**

- Support A.3885 (Nolan)/S.3897 (Ritchie), which increases the BOCES salary cap and the formula for Special Service Aid, and include this legislation in the State Budget; and
- Include 9<sup>th</sup> grade in Special Services Aid.

#### **Special Education Waivers**

The Executive Budget would allow school districts, BOCES and approved special education providers the ability to petition the State Education Department for flexibility in complying with certain special education requirements.

The Legislature has already provided mandate relief for students with special needs. The enactment of a waiver to current statutory and regulatory special education mandates may erode the quality of education offered to these students and diminish the protection these mandates provide.

#### **NYSUT Urges the Legislature to:**

- Reject this proposal.

#### **Equitable Funding for Special Act School Districts and Public Special Education (853 and 4201) Schools**

Students attending these schools have emotional and educational challenges or specialized educational needs that could not be served in another setting. These students are often forgotten, but if schools are given proper funding and the resources they require, they can make great progress in their education. The state needs these schools and should ensure they receive adequate funding increases so they can better plan and prepare for the future without the worry of financial insolvency.

While last year's increase of \$2.3 million for 4201 schools was maintained in the Executive Budget proposal, more support for these specialized schools is needed. Both Special Act schools and 853 schools received a modest increase in funding over the past three years as well. However, the many years of stagnate funding and the challenges of increased costs endanger the future of these institutions. Several Special Act school districts have been forced to close and others continue to face serious financial instability.

All three groups of specialized schools are funded through a rate-setting process rather than school aid formulas. They do not receive the same percentage increase from the state that is afforded to public school districts. In addition, these institutions have no taxing authority, so they rely entirely on the state tuition rate-making system to generate revenue for their operations. Specialized schools should have parity with the percentage of increases in funding given to our traditional public schools.

#### **NYSUT Urges the Legislature to:**

- Provide financial stability and annual increases to Special Act School Districts, 853 and 4201 schools so they are able to provide the educational services and support their students so desperately need;
- Establish educational funding parity between students who attend these schools and those in public school districts by providing them with the same percentage increase in funding each year;

- Provide an \$11 million fund dedicated to capital improvements and maintenance;
- Shorten the rate reconciliation process from two years to 120 days so providers are not forced to wait years to determine if they will have sufficient funding; and
- Allow for a \$15 million revolving loan fund that would authorize New York State to provide loans to these schools and programs in anticipation of the school's or program's revenue, which comes from the state.

### **Additional Support for 4410 Programs**

Unfortunately, 4410 programs have seen significant shortfalls, and providers will likely need to continue to rely on short-term borrowing until proper reimbursement is made. There continues to be uncertainty in funding for 4410 programs and funding to these programs should be increased to support the actual needs of students.

#### **NYSUT Urges the Legislature to:**

- Streamline the rate-making process regionally so providers with low reimbursement rates do not lose educators to schools with higher rates of reimbursement;
- Establish educational funding parity between students who attend 4410 schools and those in public school districts by providing them with the same percentage increase of funding each year; and
- Increase tuition rates systematically for these schools to allow their programs to operate properly.

### **Fully Fund New York State Libraries**

New York State libraries are an integral part of the education system. Keeping our libraries adequately funded means pre-school-aged children will continue to have opportunities for enrichment and creativity. Libraries remain open for school- aged children and families even after the school day and week are over. State library aid ensures that economically disadvantaged and rural communities have quality libraries.

#### **NYSUT Urges the Legislature to:**

- Fund state library aid for 2016-17 at \$102.6 million. Proposed library aid for 2016-17 is \$91.6 million, well below pre-2000 funding levels; and
- Provide \$30 million for library construction aid in order to address a backlog of deferred capital projects in public libraries throughout the state.

## **HIGHER EDUCATION**

### **Enact the Invest in Futures – Save Higher Education Initiative**

The Invest in Futures initiative is dedicated to ensuring quality, opportunity and access at public colleges and universities across New York State.

Our state's system of public higher education — the largest in the nation — is the essential path to economic opportunity and equality for our students. Yet, since 2008, SUNY and CUNY have suffered a loss of more than \$1.5 billion, attributed to self-funding mandatory costs and reduction in state support, which is driving up tuition, imperiling opportunities for students and threatening quality and access.

This initiative calls on the state to take the following actions:

### **Increase Funding to SUNY and CUNY Four-Year Institutions**

NYSUT strongly believes SUNY and CUNY four-year institutions should be fully funded. The Executive Budget provides flat funding for SUNY. New York state has both a moral obligation and financial economic incentive to ensure that all New Yorkers have access to quality public higher education.

Unfortunately, students are funding the majority of increases in SUNY's and CUNY's budgets through annual tuition hikes. Student tuition increases should be invested in student academic programs, services and faculty. However, much of that funding is going to pay for mandatory costs of the universities and colleges which are not covered by the current statutory definition of the state's maintenance of effort for funding SUNY and CUNY four-year campuses. We urge the Legislature to fully fund SUNY state-operated campuses

### **Reject the Proposal to Shift 30 Percent of the Cost of CUNY Four-Year Senior Colleges to New York City**

The Executive Budget shifts \$485 million in state-funded costs for CUNY senior colleges onto the NYC budget. That proposed reduction in state funds is paired in the Executive Budget with a critical \$240 million "to support retroactive salary increases needed to ensure fair and affordable agreements with CUNY's labor unions." We urge the Legislature to ensure that this collective bargaining funding is included in the enacted budget and to reject the fundamental restructuring of CUNY funding so CUNY senior colleges are funded by the state in the same way SUNY senior colleges are funded.

### **Provide \$101 Million for Increased Mandatory Costs for SUNY and CUNY Senior Colleges**

The Executive Budget does not provide funding for increased mandatory needs as requested by SUNY and CUNY. The shortfall amounts to \$101 million, which is needed to fund inflationary costs associated with energy, building rentals, technology and central administration, collective bargaining, fringe benefits and other non-personnel costs.

Tuition increases are not enough to cover increased mandatory costs and to provide needed additional faculty and staff necessary to provide New York's citizens with the quality higher education they deserve. The state should begin to reverse the trend of disinvestment in SUNY and CUNY. Without this public funding, virtually all of the additional new tuition revenue (or \$300 per student) will be needed to cover this gap, and students will be deprived of enhanced academic and career counseling and additional full-time faculty. Public funding of SUNY's and CUNY's mandatory needs were part of the promise made to students.

### **Provide Real Maintenance of Effort**

NYSUT and its higher education affiliates are once again calling on the state to modify the current statutory maintenance of effort provision within NY-SUNY 2020. The provision defines the state's minimum financial obligation for funding SUNY and CUNY. We urge the inclusion of amendments to the maintenance of effort definition included in A.5370-A (Glick)/S.281-A (LaValle) of 2015, to include mandatory costs, such as energy, inflationary collective bargaining costs and expenses for SUNY's hospitals. None of these items are part of the current inadequate provision. This legislation, which passed with overwhelming support, would have remedied the situation, but was unfortunately vetoed. This issue is too important to wait and we request that it be addressed in this year's budget.

We cannot expect our public universities to provide the quality education our students deserve with the same level of state funding year after year. It is wrong to charge students higher tuition every year only to have it go towards paying day-to-day operational costs that the state, at a minimum, should pay.

## **Reject Performance-Based Funding**

The Executive Budget continues to set-aside \$30 million (\$18 million for SUNY and \$12 million for CUNY) as part of the state operating support for SUNY and CUNY to use for pay-for-performance programs in both systems. In recent years, the state has shifted an unfair level of the burden and responsibility for paying for higher education to students. The money allocated for performance-based funding should go to the classrooms and fund a system where all students can succeed. Performance-based funding will not address SUNY's and CUNY's funding problems. Other states have implemented performance-based measures with little, if any, success and numerous studies have found no academic benefit of these decade old policy measures.

## **Increase SUNY and CUNY Community College Base Aid by \$250 per Full-Time Equivalent Student (FTE)**

The state is not living up to its statutory obligation of providing 40 percent of the operating costs to these institutions. Both SUNY and CUNY community college students are paying the lion's share of operating costs of these campuses. In fact, over the 10-year period from 2005-06 to 2015-16, SUNY community college students went from paying 38.7 percent of the operating costs to approximately 43 percent. At the same time, the state's contribution for these costs went from 29.3 percent to 26 percent with the local sponsor's share remaining fairly constant at 32 percent and 31 percent, respectively. When you look at CUNY's community colleges during the same time period, we see a similar story; the student share went up from about 37 percent to 41.8 percent while the state share went down from 31 percent to 26.1 percent. The local share has remained relatively constant at 32 percent.

Clearly, the burden of funding for these institutions has been placed on our students. Community colleges continue to operate with state base aid rates that are funded below the 2008-09 level. This underfunding has occurred over many years and the state should commit to a multi-year plan to address the funding needs of these campuses to ensure they are able to serve their communities.

NYSUT supports SUNY's and CUNY's budget request to increase state base aid by \$250 per FTE student and asks it be provided in this year's enacted budget. This increased funding should obviate the need for an increase in tuition, which our students cannot afford.

## **The Excelsior Excellence Fund — Public Higher Education Endowment**

NYSUT and its higher education affiliates are calling on the state to establish an endowment for the sole purpose of hiring additional full-time faculty and professional staff at SUNY, CUNY and their community colleges. We ask that a one-shot investment of \$250 million be provided from the \$5.4 billion state surplus. The ultimate goal is for SUNY and CUNY to achieve a 70 percent to 30 percent full-time to part-time faculty ratio, which will enhance the quality of academic programs and services offered to students. As part of the endowment proposal, we want to ensure that current part-time faculty members are given consideration in filling new full-time faculty lines.

We have great faculty at our public higher education institutions. We have also lost great faculty to other universities across the country. The state needs to invest resources in full-time faculty to enable SUNY and CUNY to recruit and retain the best and the brightest faculty. Annual tuition increases are not an adequate source of revenue to enhance full-time faculty and professional staff lines. An endowment provides long-term financial stability in providing the annual resources needed to enhance our academic departments. If we are serious about revitalizing regional economies across the state, we need to invest in intellectual capital.

## **SUNY Hospitals and Health Science Centers**

The Executive Budget proposes a \$19 million cut in state funding for these institutions from the prior fiscal year. We urge the Legislature to provide an increase of \$59 million in this year's budget to bring them back to the 2010-11 SFY funding level of \$128 million.

SUNY's teaching hospitals open their doors to everyone, regardless of their ability to pay. This includes accepting and caring for hard-to-treat patients, many referred by private hospitals. These hospitals provide the safety-net health care services their communities depend on and provide unique life-saving services often not found in other hospitals. They also generate more than \$250 million in annual revenue for the operating budgets of SUNY's medical schools, which produce thousands of physicians and other health care professionals for our state's health care system.

## **Teacher Preparation**

We urge immediate steps be taken to address pressing problems with the four high-stakes teacher certification requirements. Since 2014, students have paid to take and retake what are clearly faulty teacher certification exams, with their initial teaching certification held hostage by a rushed and poorly designed transition to new certification requirements.

We urge the enactment of legislation to eliminate edTPA as a requirement for initial certification. New York is one of two states that decided to use the edTPA for high-stakes purposes and was the only state to do so without adequate trials. Additionally, we urge the enactment of legislation to amend the state's procurement law to prohibit educational testing companies or vendors from profiting from student exam fees associated with any educational product or service provided by a testing company to the State Education Department.

## **Pass the NY DREAM Act and Reform the Tuition Assistance Program (TAP)**

The Legislature should pass the NY DREAM Act this session. We also urge the enactment of the reforms called for by the Coalition to Reform the New York State Tuition Assistance Program. The 40-year old program has afforded so many students the ability to obtain a higher education in this state, but it needs to be updated. Too many students are excluded from or are underserved by the current program.

## **Restore Opportunity Programs and other Initiatives to Ensure Student Access and Success**

Restore and increase funding to SUNY and CUNY programs that are proven to increase access, retention and graduation rates. For example: the Educational Opportunity Program (EOP) and Educational Opportunity Centers (EOC) at SUNY; SEEK and College Discovery at CUNY; CUNY's Accelerated Study in Associate Programs (ASAP); CUNY LEADS; and other programs. While the Executive Budget included last year's legislative adds for some opportunity programs, they were not carried over for all programs. We support the restoration of funding to all opportunity programs.

We also seek the restoration of funding to child care centers on SUNY and CUNY campuses. Legislative adds from last year were not carried over in the Executive Budget and funding for some programs was eliminated. We urge the restoration of this funding for these centers, which are necessary to support many parents who attend SUNY and CUNY.

### **NYSUT Urges the Legislature to:**

- Enact the Invest in Futures — Save Higher Education Initiative, which would:
  - Provide increased funding and a real maintenance of effort for SUNY and CUNY four-year campuses that includes mandatory costs (collective bargaining, energy and other inflationary costs).

- Reject the proposal to shift 30 percent (\$485 million) of the operating costs for CUNY senior colleges from the state to New York City. We also urge the Legislature to maintain \$240 million in the final enacted budget to support retroactive salary increases to ensure fair and affordable agreements with CUNY’s labor unions.
- Provide an increase of \$250 per full-time equivalent student to begin to move towards the promise made by the state 40 years ago to provide 40 percent of operating costs to community colleges.
- Reject performance-based funding that would short-change students and has no track record of success.
- Create an endowment to restore and rebuild SUNY and CUNY academic departments by allowing for the addition of full-time faculty and professional staff and the conversion of part-time faculty to full-time in academic departments, enhancing the quality of courses, programs and increasing student mentoring.
- Reject the Executive Budget’s cuts to SUNY hospitals and restore funding back to the 2010-11 level of \$128 million.
- Prohibit the use of edTPA for initial teacher certification and restrict educational testing companies or vendors from profiting from student exam fees associated with any educational product or service provided by a testing company to the State Education Department.
- Enact the NY Dream Act, invest strongly in student financial aid and opportunity programs, update and reform the state’s Tuition Assistance Program and increase support for child care centers on SUNY and CUNY campuses.

## **PENSION, RETIREMENT AND LABOR**

### **Credit for All Military Service**

Existing state statute affords New Yorkers who are former military personnel, the option to purchase service credit in a public retirement system for service rendered during various conflicts, including World War II, Korea, Vietnam and for hostilities in the Persian Gulf, Lebanon, Grenada and Panama. Service outside of these specific timeframes is not eligible for credit toward retirement under current law.

By limiting this benefit to specified periods, thousands of public employees who served our nation with distinction have been prevented from obtaining service credit toward their retirement in the same manner as their brothers and sisters in arms who served during times of conflict.

The state should recognize that all of our citizens who choose to serve in our nation’s volunteer armed services are ready to put their lives in danger to protect and defend the United States and its people. These brave individuals risk death and injury in service to our nation and should be afforded the same benefits as those who served during times of conflict.

This change honors those who served by extending this credit purchase opportunity to all veterans, and recognizes the personal sacrifices our military personnel make to ensure the continued security of our nation. It is just and right that all of our military personnel should be allowed to receive service credit in New York State’s public retirement systems for their service, regardless of when and where they were stationed.

### **NYSUT Urges the Legislature to:**

- Include language in the final enacted budget to allow all veterans to purchase service credits.

## **Pension Forfeiture for Public Officials**

The Executive Budget proposes an amendment to the State Constitution that would allow public officials convicted of a crime to be stripped of their pension. The proposed amendment references the broadest definition of “public official,” which includes all public employees, instead of limiting the impact only to elected officials and commissioner level appointees. As drafted, this change has the potential to endanger not just a public employee, but the financial security of spouses and dependents as well.

Additionally, the proposal will appear before voters in 2017 on the same ballot as the required Constitutional Convention question if passed in this two-year bill cycle. This timing issue could impact the outcome of that important vote.

### **NYSUT Urges the Legislature:**

- To address these important concerns concerning the definition of “public official” before moving forward with this issue.

## **Paid Family Leave**

The Executive Budget seeks to create 12 weeks of job-protected, employee-funded leave to care for a sick family member or newborn child. This program would be mandatory for all private employers and optional for public employers through negotiations within the collective bargaining process.

The benefit would begin in 2018 with the employee receiving 50 percent of the state’s average weekly wage and climb to 67 percent of the average weekly wage by 2021. Costs associated with the new benefit would be supported through a small payroll deduction. The proposal would also provide employees with protections from retaliatory actions by an employer.

### **NYSUT Urges the Legislature to:**

- Support this proposal.

## **Increase the State’s Minimum Wage to \$15 per hour**

The Executive Budget seeks to increase the state’s minimum wage from the current \$9 per hour to \$15 per hour. This increase would be phased-in on a regional basis over several years with the wage increase taking full effect in New York City by 2018 and the remainder of the state by 2021.

Increasing the minimum wage to \$15 per hour will benefit workers and their families, and will directly benefit the state’s overall economy. It is widely proven in consumer trends that lower-wage earners are more likely to re-invest disposable income into their local economy.

### **NYSUT Urges the Legislature to:**

- Support this proposal.

## **Good Government and Ethics Reform Budget Proposal**

The Executive Budget proposal includes changes to the Freedom of Information Law (FOIL) that require terms of a public sector collective bargaining agreement be released to the public prior to the ratification of an agreement by an employee organization.

Subjecting the terms of an unratified labor/management agreement to FOIL is an unprecedented move and will make collective bargaining by public employee organizations an impossible task.

### **NYSUT Urges the Legislature to:**

- Oppose this proposal.

## **Constitutional Convention Study Commission**

The Executive Budget includes a set aside of \$1 million to create a commission to study, report and make recommend changes to the Constitutional Convention process.

NYSUT opposes this funding allocation and sees it as an unnecessary expense for a public referendum vote that will not take place until the fall of 2017. Additionally, the outcome of the scheduled public vote is unclear, making the \$1 million set aside for this commission an unnecessary expenditure at this time.

### **NYSUT Urges the Legislature to:**

- Oppose this appropriation.

## **Workers' Compensation Rollback**

The Executive Budget includes various amendments to the workers' compensation law, public authorities' law and the insurance law that would dramatically alter the workers' compensation system.

Adopting the proposed changes will harm injured workers in New York State by reducing due process, oversight and transparency at the Workers' Compensation Board. The changes also grant unprecedented levels of discretion to the executive staff of the Board when handling and deciding cases; even eliminating the Board's decision-making authority in some instances.

In addition, the plan calls for the elimination of the Aggregate Trust Fund, which exists to ensure benefit payments to permanently injured workers and the families and dependents of workers killed on the job.

These changes, along with other proposals, will reduce protections provided to injured workers here in New York State, which is unacceptable to NYSUT.

### **NYSUT Urges the Legislature to:**

- Reject the proposed changes to the worker's compensation law that are included in the Executive Budget proposal.

### Increased Health Insurance Premiums of NYSHIP Retirees

NYSUT opposes the Executive Budget proposal that increases health insurance premiums for state employees who are enrolled in NYSHIP and planning to retire on or after Oct. 1, 2016.

Under this proposal, a person who wants to retire, on or after Oct. 1, 2016, with a minimum of 10 years of service, would pay a significantly higher rate than those who have already retired. While the premium payments are progressively less with each additional year of service until they reach 30 years, the aggressively abrupt hike in the initial year of health insurance premium payments for new retirees would be financially crippling for them.

Saving for retirement can be an extremely difficult and complex undertaking for most people. As health insurance premiums rise faster than personal incomes, potential retirees worry they might never be able to afford to retire. In addition, retirees are among the state's population who are most in need of affordable, comprehensive and stable health insurance plans (for both themselves and their dependents). If enacted, the Executive Budget proposal will add a significant and unplanned cost to retirees.

#### **NYSUT Urges the Legislature to:**

- Preserve the current NYS health insurance reimbursement system for NYSHIP retirees (individual and dependent contribution rates) by rejecting the Executive Budget proposal to increase such rates.

### Income-Related Monthly Adjustment Amount (IRMAA) — Medicare Part B

NYSUT opposes the 2016-17 Executive Budget language that alters Section 167-A of the civil services law with two proposals that would impact retirees enrolled in the New York State Health Insurance program (NYSHIP) and retirees receiving Medicare reimbursements through their former school districts and who are enrolled in the NYSHIP program.

The Executive Budget proposal freezes the reimbursement of Medicare Part B to \$104.90 for those enrolled in NYSHIP. We believe this will result in additional out-of-pocket costs for retirees; and the proposed language, if adopted, would constitute a diminishment of established health care benefits. The proposed change would affect state retirees for whom Medicare is their primary insurance, and harm some school district and local government retirees.

The proposal also eliminates the reimbursement of the Medicare Part B Income Related Monthly Adjustment Amount (IRMAA), which is paid by retirees receiving a certain income. This change would affect state retirees for whom Medicare is their primary insurance and retirees with Medicare from school districts and local municipal retirees who are enrolled in the NYSHIP Empire Plan for health insurance.

#### **NYSUT Urges the Legislature to:**

- Preserve current reimbursement language for Medicare Part B premiums by rejecting the Executive Budget proposal.

*For more information on any of the above issues, call the  
Legislative and Poll Department at (518) 213-6000.*



# TEACHER CENTERS

Working to ensure students are college and career ready

*Teacher Center funding provides the following services:*

## Smart use of technology to increase student learning

- Professional technology training sessions for proficient use in resources purchased with Smart Bonds funds
- Sharing and modeling of strategies proven that use technology in classrooms to enhance student learning
- Instruction for educators to introduce and support STEM and STEAM initiatives

## Leadership for struggling schools

- Ongoing and intensive professional development classes, which meet the needs of teachers and schools districts, that were created analyzing and interpreting local data
- Established collaborations among colleges, universities, museums, youth bureaus, early childhood agencies and workforce investment boards that promote a community-based approach to learning

## Development of educational leaders

- Professional development of instructional leadership practices that promote academic achievement AND social and emotional welfare
- Demonstrated success in supporting teachers pursuing National Board Certification – the gold standard in teaching
- Coordinating and consolidating professional development opportunities for school districts and educators statewide, thereby maximizing the impact of dollars received

## Established infrastructure to support expanded Pre-K

- Teacher center policy boards already include early childhood educators and college faculty that research effective Pre-K practices
- Professional development that enhances the quality and relevance of Pre-K instruction



At a time when NYS is re-examining educational priorities, it makes sense to invest in organizations that have proven, over decades, that their programs positively impact instruction at the classroom level. The Executive Budget fails to fund Teacher Centers. Funding should be restored to at least the 2008-09 level of \$40 million.



NYSUT supports the important work of the Teacher Resource and Computer Training Centers, as we have since 1984.

# NYS TEACHER CENTERS

## Companies That Partner for Success in Teacher Centers

### Increasing Student Performance While Lowering Taxpayer Burden



**Google Apps for Education:** Teachers can receive support and training through NYS Certified Google Trainers and get customized training from their Teacher Centers.



**symbaloo**  
start simple

**Symbaloo:** A visual bookmarking tool. With an account, one can access their bookmarks from anywhere with any device and share online resources with others.



well as other PD resources to improve instructional practice.

**iTunes U New York:** Through iTunes U New York, educators, students, and parents can access exemplar learning resources that align to the NYS CCLS as well as other PD resources to improve instructional practice.



**Intel Teach Program:** A program that helps K-12 teachers integrate technology effectively into classrooms and promote student-centered approaches, engaging students in learning and preparing them with critical skills for success in our digital world.



**myON Reader:** A literacy solution that combines personalized reading, breathtaking content, and scientifically-based assessments to leverage technology for multiple delivery methods.



gap between how students live their lives and how they learn in school.

**Edmodo:** An online environment that helps teachers and students safely connect in online classrooms, collaborate on assignments, and discover new resources. A tool that can close the



**Esri GIS:** A statewide license gives unlimited use of Esri's ArcGIS software to students who now have the opportunity to learn and apply geospatial concepts.



**Boardshare:** Transforms any surface into an interactive learning space which enables delivery capabilities to educators and creates an engaging and collaborative environment for students.



**National Center for Missing & Exploited Children**  
The program offers free, age-appropriate resources including videos, games, e-books, webcomics, presentations, classroom lessons, and tip sheets to help children learn how to protect themselves and their friends online. During this webinar, attendees learn about easy-to-use resources, online professional development training available, how to use NetSmartz tools and efforts to encourage good digital citizenship in schools.



**Amazon Inspire:** Work with Amazon to develop a free system for the distribution of Open Educational Resources, district generated content and other free resources to schools using the Amazon analytical/predicative engines and rating systems.



**Morphi:** Creator of an application designed to help students visualize, manipulate and create objects in 3D.

**Professor Garfield:** A partnership that brings to schools the sophisticated learning tools and content bundled in the charm and whimsy of Garfield the Cat. Resources include support materials for reading, math, cyber-safety, graphic novel creation.



**Nearpod:** Allows educators to easily take existing presentations, convert them into mobile-friendly content, and engage all users to make them part of the action. Teachers can then deliver existing content through mobile devices and get instant feedback from students.



**Microsoft** is working with the NYSTC to provide assistance with streamlining the access to licensed software, rolling out Office 365, training on Windows 8. They have donated a number of Windows 8 devices for use in the NYIT STEAMed vehicle which is visiting districts statewide.



MEASURE. ANALYZE. LEARN.™

**Vernier:** Providing training to support a comprehensive compliment of probes and related sensor equipment and curriculum to accompany the STEAMed vehicle. Provides professional development support to Teacher Centers.



**Brain Pop:** Creates animated, curricular content that engages students, supports educators, and bolsters achievement.



**SAS Curriculum Pathways:** An innovative platform that organizes content in core disciplines which has been curated by teachers, developers, designers, and other specialists.



**Makers Empire:** Creator of the 3D Printing Software which works on iPads, Android tablets and Windows 8 devices. Brings the fun and excitement of easily designing and printing in 3D to the classroom, preparing students for the jobs of tomorrow.



**RobotsLAB BOX:** A revolutionary teaching-aid demonstrating math and science core concepts, using robots.



**EduCanon:** Realize student engagement through interactive video. Our tool - scaffolded for tech familiarity, flexible to any workflow, and robust in content. Empowers teachers and students to author and consume interactive content built into the timeline of online video.



## NOTES



*Karen E. Magee, President*  
*Andrew Pallotta, Executive Vice President*  
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