

## Where They Stand: 2019-20 State Budget Negotiations and Public Schools

Issue	Governor	Senate <sup>1</sup>	Assembly <sup>2</sup>	Council Comments
<b>School Aid</b>				
Overall School Aid	<p>\$956 million (3.6%) increase, including:</p> <ul style="list-style-type: none"> <li>• \$338 million increase in Foundation Aid (2.0%)</li> <li>• \$ Funds expense-based and other aids according to current law for 2019-20</li> <li>• \$157 million Fiscal Stabilization Fund to be allocated in final budget</li> <li>• \$50 million for categorical initiatives (explained below)</li> </ul>	<p>\$1.62 billion (6%) increase, including:</p> <ul style="list-style-type: none"> <li>• \$1.2 billion million increase in Foundation Aid</li> <li>• Funds expense-based and other aids according to current law for 2019-20</li> <li>• Reduces or revises some Governor’s categorical funding proposals (explained below)</li> <li>• Provides \$25 million to support English Language Learners</li> <li>• Allocates Fiscal Stabilization Fund to help pay for School Aid increase</li> </ul>	<p>\$1.6 billion (6%) increase, including:</p> <ul style="list-style-type: none"> <li>• \$1.16 billion increase in Foundation Aid</li> <li>• Funds expense-based and other aids according to current law for 2018-19</li> <li>• Creates a new aid category, “Homelessness Aid”</li> <li>• Reduces or revises some Governor’s categorical funding proposals (explained below)</li> <li>• Allocates Fiscal Stabilization Fund to help pay for School Aid increase</li> </ul>	<p>The legislative proposals make education funding a priority in a context with high uncertainty over state revenues</p>
Foundation Aid	<ul style="list-style-type: none"> <li>• Would use a 4-part formula to allocate increase described above</li> <li>• All districts guaranteed a minimum increase of 0.25%</li> <li>• 74 districts would receive funding through an additional Community Schools set-aside totaling \$50 million</li> </ul>	<ul style="list-style-type: none"> <li>• Provides a full phase-in of Foundation Aid by 2021-22</li> <li>• Uses “direct certification” as a measure of student need in allocating part of proposed increase.</li> </ul>	<ul style="list-style-type: none"> <li>• Would allocate the increase over the Executive taking into account growth in enrollment and student needs</li> <li>• All districts would receive at least 53% of their full phase-in aid</li> <li>• Provide for full phase-in of Foundation Aid by 2023-24</li> </ul>	<p>Support making a commitment to phase-in and update Foundation Aid</p>
Expense-based and Other Aids for 2019-20	<ul style="list-style-type: none"> <li>• Continue current law for expense-based and categorical formulas for 2019-20</li> </ul>	<ul style="list-style-type: none"> <li>• Accept Executive proposal</li> </ul>	<ul style="list-style-type: none"> <li>• Accept Executive proposal</li> </ul>	<p>The Council supports continuing <i>at least</i> current law funding for expense-based and other aids for 2019-20</p>

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“Services Aid”	<ul style="list-style-type: none"> <li>Beginning with 2020-21 aid, merge 11 aid categories into “Services Aid,” limit future growth to the change in CPI plus change in Resident Weighted Average Daily Attendance</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal</li> </ul>	Strongly opposes the Executive proposal to consolidate aid categories into “Services Aid.”
Building Aid	<ul style="list-style-type: none"> <li>Continue current law for 2019-20 aid</li> <li>For projects locally approved on or after July 1, 2019:               <ul style="list-style-type: none"> <li>Eliminate choice of aid ratios</li> <li>Wealth-adjust 10% incentive decimal</li> <li>Limit incidental cost allowance based on actual project cost</li> </ul> </li> <li>For 2020-21 aid, reduce minimum aid ratio from 10% to 5%</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposals</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposals</li> <li>Authorizes Building Aid for health and mental health clinics</li> </ul>	<p>The Council strongly opposes the Executive proposal.</p> <p>Supports authorizing Building Aid for health and mental health clinics</p>
Community Schools	<ul style="list-style-type: none"> <li>Add \$50 million set-aside to bring total Community Schools set-asides to \$250 million</li> <li>Increase minimum allocation from \$10,000 to \$75,000</li> <li>Would not allow use of increase for “other costs incurred to maximize students’ academic achievement as has been permitted with set-asides thus far</li> </ul>	<ul style="list-style-type: none"> <li>Would maintain prior year language regarding use of funding</li> </ul>	<ul style="list-style-type: none"> <li>Would cap amount that can be required to be set-aside</li> <li>Would maintain prior year language regarding use of funding</li> </ul>	While supporting Community Schools, the Council opposes using Foundation set-asides for funding and supports retaining the flexibility permitted under current law

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Prekinder-garten*	<ul style="list-style-type: none"> <li>Provides \$15 million to expand half- and full-day programs for 3 &amp; 4 year-olds in high need districts</li> </ul>	<ul style="list-style-type: none"> <li>Would increase funding by \$5 million over the Executive</li> </ul>	<ul style="list-style-type: none"> <li>Would increase funding by \$15 million over the Executive</li> <li>Proposes 5-year appropriation for Full-Day Pre-K, totaling \$1.36 billion</li> </ul>	Support increased funding but adequate general funding must be assured.
After-School Programs*	<ul style="list-style-type: none"> <li>Increase of \$10 million; target to school districts with high rates of childhood homelessness and communities vulnerable or at-risk to gang activity*</li> </ul>	<ul style="list-style-type: none"> <li>Accepts Executive proposal, with a \$4 million set-aside for Long Island school districts</li> </ul>	<ul style="list-style-type: none"> <li>Would reduce increase from \$10 million to \$5 million and use savings to restore Advantage After School Program</li> </ul>	Support after-school programs but adequate general funding must be assured
Early College High Schools*	<ul style="list-style-type: none"> <li>Proposes \$9 million to fund new 15 new early College High Schools*</li> </ul>	<ul style="list-style-type: none"> <li>Provides an additional \$2 million</li> </ul>	<ul style="list-style-type: none"> <li>Accepts Executive funding level, would remove public infrastructure as a focus</li> </ul>	Support initiatives which promote more effective transitions between high school and what follows
Access to Advanced Classes*	<ul style="list-style-type: none"> <li>Proposes \$5.8 million to support waivers to enable low income students to participate in Advanced Placement and International Baccalaureate programs (Increase from \$4 million)*</li> <li>Proposes \$1 million for “start-up” grants to districts with limited advanced class offerings*</li> </ul>	<ul style="list-style-type: none"> <li>Accepts Executive proposal</li> <li>Rejects Executive proposal in favor of larger Foundation aid increase</li> </ul>	<ul style="list-style-type: none"> <li>Accept Executive proposals</li> </ul>	Support initiatives which promote more effective transitions between high school and what follows
Alternative Discipline Training*	<ul style="list-style-type: none"> <li>\$3 million for training in alternatives to suspension and expulsion, including restorative practices</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal in favor of larger Foundation aid increase</li> </ul>	<ul style="list-style-type: none"> <li>Accepts proposed funding level, would remove requirement for Education Commissioner to prepare a report on statewide school discipline reform recommendations in order for</li> </ul>	Support Assembly position

\* Included within \$50 million for categorical programs within School Aid

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			alternative school discipline grants to be distributed to school districts	
“We Teach” (Funding to Increase Educator Diversity)*	<ul style="list-style-type: none"> <li>Proposes \$3 million to recruit and prepare a corps of 250 teachers who are of color and would work in high need communities</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal in favor of larger Foundation aid increase</li> </ul>	<ul style="list-style-type: none"> <li>Accepts Executive Proposal</li> </ul>	Support initiatives to increase educator diversity
Mathematics Fluency*	<ul style="list-style-type: none"> <li>Proposes \$1.5 million to improve math fluency among elementary school students by providing them with access to fun online math learning games</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal in favor of larger Foundation aid increase</li> </ul>	<ul style="list-style-type: none"> <li>Accepts proposed funding level, would remove for-profit entities from eligibility as providers</li> </ul>	Support Senate position
Refugee and Immigrant Student Welcome Grants*	<ul style="list-style-type: none"> <li>Proposes \$1.5 million to support “wrap-around” services in communities with large or increasing populations of immigrant children</li> </ul>	<ul style="list-style-type: none"> <li>Accepts Executive proposal, with \$500,000 dedicated to high need Long Island school districts</li> </ul>	<ul style="list-style-type: none"> <li>Accepts Executive proposal</li> </ul>	No objection
Teacher Awards*	<ul style="list-style-type: none"> <li>Proposes \$1.5 million to expand Master Teacher Program (\$15,000 annual grants over 4 years to teachers to lead mentoring and professional development activities)*</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal in favor of larger Foundation aid increase</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>	Support legislative re-direction of funding
Mental Health Grants*	<ul style="list-style-type: none"> <li>Proposes \$1.5 million to improve mental health services and school climate in middle and junior high schools*</li> </ul>	<ul style="list-style-type: none"> <li>Concurs with Executive proposals</li> </ul>	<ul style="list-style-type: none"> <li>Would add \$1.5 million to Executive proposal</li> </ul>	Support increased funding for mental health services
Recovery High Schools*	<ul style="list-style-type: none"> <li>Proposes \$1 million for start-up funding</li> </ul>	<ul style="list-style-type: none"> <li>Accepts Executive proposal</li> </ul>	<ul style="list-style-type: none"> <li>Accepts Executive proposal</li> </ul>	Support three-way position

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School Aid Data Freeze	<ul style="list-style-type: none"> <li>Freeze calculation of 2018-19 and 2019-20 aid based on data as of release of the Executive Budget</li> <li>Limit prior year aid claims – require data changes to be submitted by November 1 of applicable school year.</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposals</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposals</li> </ul>	Support Assembly and Senate position
Career and Technical Education		<ul style="list-style-type: none"> <li>Would increase aidable salary cap on CTE teachers and phase-in reimbursement for 9<sup>th</sup> grade student programs in Special Services Aid</li> </ul>	<ul style="list-style-type: none"> <li>Would increase aidable salary cap on CTE teachers and phase-in reimbursement for 9<sup>th</sup> grade student programs in Special Services Aid</li> </ul>	Strongly support Assembly and Senate positions
School Aid Growth Cap	<ul style="list-style-type: none"> <li>Use 10-year average change in statewide personal income, not one year, beginning with 2019-20 aid</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal</li> </ul>	<ul style="list-style-type: none"> <li>Modifies Executive proposal, to apply 10-year average beginning with 2020-21 aid</li> </ul>	Oppose a School Aid cap, but if there is to be a cap, using a 10-year average would provide more predictability
<b>Other Education Funding Items</b>				
Charter Schools	<ul style="list-style-type: none"> <li>Increases New York City charter school funding by \$24.9 million (3.6%)</li> </ul>	<ul style="list-style-type: none"> <li>Accepts Executive proposal</li> <li>Accelerate reimbursement for supplemental tuition to school districts for the 2019-20 school year</li> </ul>	<ul style="list-style-type: none"> <li>Rejects \$24.9 million in direct funding to New York City charter schools</li> <li>Accelerate reimbursement for supplemental tuition to school districts for the 2019-20 school year</li> </ul>	Support Assembly reprogramming of New York City charter school funding. Support accelerating payments of supplemental charter school tuition.
STAR Benefits	<ul style="list-style-type: none"> <li>Cap STAR exemption benefits at the previous year's amount, allow credit benefit to grow by up to 2%</li> <li>Reduce income eligibility for exemption program</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal</li> </ul>	Oppose restructuring STAR benefits, particularly given concern over effect of federal cap on SALT deductions. Changes should be deferred at least until SALT issues are further clarified.

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Teacher Centers	<ul style="list-style-type: none"> <li>Eliminates funding; a cut of \$14.3 million</li> </ul>	<ul style="list-style-type: none"> <li>Restores \$9.98 million</li> </ul>	<ul style="list-style-type: none"> <li>Restores \$14.3 million</li> </ul>	Some superintendents value the professional development offered by local teacher centers
State Education Department Operating Budget	<ul style="list-style-type: none"> <li>Funding would remain essentially flat and the number full-time equivalent positions would be unchanged</li> </ul>	<ul style="list-style-type: none"> <li>Accepts Executive proposal with modification to continue funding for East Ramapo monitors</li> </ul>	<ul style="list-style-type: none"> <li>Adds \$4.34 million for the development and implementation of the translation of Regents exams, as well as grades 3-8 Math and ELA state assessments</li> </ul>	No position
Aid to Nonpublic Schools	<ul style="list-style-type: none"> <li>Increase of \$5.4 million</li> <li>Additional \$5 million for STEM instruction</li> <li>Eliminates \$7 million for immunization document checks</li> </ul>	<ul style="list-style-type: none"> <li>Adds \$996,000 for immunization recordkeeping</li> <li>Accepts Executive proposal for STEM funding and adds \$5 million</li> </ul>	<ul style="list-style-type: none"> <li>Accepts Executive proposal for STEM funding and adds \$5 million</li> </ul>	No position
Schools in Receivership		<ul style="list-style-type: none"> <li>Proposes \$20 million to support schools placed in receivership</li> </ul>		Support additional help to receivership schools
Supportive Schools Grants			<ul style="list-style-type: none"> <li>Restores \$2 million to help school districts improve school climates, safety, and to implement the Dignity for All Students Act</li> </ul>	
Bilingual/Multi-lingual Teacher Professional Development			<ul style="list-style-type: none"> <li>Provide \$770,000 for training programs to increase the number of teachers providing bilingual or multi-lingual education</li> </ul>	

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<b>Budget Legislation</b>				
Property Tax Cap	<ul style="list-style-type: none"> <li>Proposes to make the property tax cap permanent</li> </ul>	<ul style="list-style-type: none"> <li>Makes permanent</li> </ul>	<ul style="list-style-type: none"> <li>Does not include Executive proposal</li> </ul>	Support amendments to the tax cap
New York City Mayoral Control	<ul style="list-style-type: none"> <li>Proposes to extend mayoral control for three years</li> </ul>	<ul style="list-style-type: none"> <li>Accepts Executive proposal and commits to holding public hearings and informational forums on effectiveness of mayoral control</li> </ul>	<ul style="list-style-type: none"> <li>Accepts Executive proposal and commits to holding public hearings and informational forums on effectiveness of mayoral control</li> </ul>	Support Assembly and Senate position
Annual Professional Performance Reviews	<ul style="list-style-type: none"> <li>Proposes to make use of state assessments in teacher and principal evaluations optional; require selection and use of student performance measures subject to negotiation</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal as identical bill has already passed both houses</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal as identical bill has already passed both houses</li> </ul>	Either by law or by State Education Department action, further improvements should be made to APPR
“Equity Plans” – State control over school building allocations	<ul style="list-style-type: none"> <li>Proposes to require districts deemed to have “underfunded high-need schools” to use part of any Foundation Aid increase to increase per pupil expenditures in those schools</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal</li> <li>Would repeal state school spending allocation reporting requirement enacted last year</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal</li> </ul>	Strongly oppose the Executive proposal <i>and</i> support repealing the state reporting requirement as duplicative of federal Every Student Succeeds Act
Special Education Waivers	<ul style="list-style-type: none"> <li>Proposes authorizing school districts to receive waivers from special education requirements to initiate innovative programs</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal</li> </ul>	Support authorizing waivers from special education mandates
Division of Human Rights Jurisdiction	<ul style="list-style-type: none"> <li>Proposes to give the Division of Human Rights jurisdiction over alleged discriminatory practices against students attending public schools.</li> </ul>	<ul style="list-style-type: none"> <li>Accepts Executive proposal</li> </ul>	<ul style="list-style-type: none"> <li>Does not include Executive proposal – has already passed free-standing bill</li> </ul>	Oppose proposal. Student rights are protected by federal and state civil rights statutes and the state Dignity for All Students Act. Proposal would unnecessarily increase litigation costs.

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Healthy Relationships	<ul style="list-style-type: none"> <li>Proposes a new instructional program</li> </ul>	<ul style="list-style-type: none"> <li>Accepts Executive proposal, with modification to limit opt-outs</li> </ul>	<ul style="list-style-type: none"> <li>Does not include Executive proposal</li> </ul>	
Stop Arm Cameras on School Buses	<ul style="list-style-type: none"> <li>Would authorize school districts to install stop-arm cameras to record drivers unlawfully passing stopped school buses and to receive resulting ticket revenue or enter into sharing agreements with law enforcement agencies</li> </ul>	Accepts Executive proposal but provides that purchase of cameras shall be eligible for state aid reimbursement	<ul style="list-style-type: none"> <li>Does not include Executive proposal</li> </ul>	Support local option and aidability
Mandated Seatbelt Use	<ul style="list-style-type: none"> <li>Mandates seatbelt use on school buses</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal</li> </ul>	Oppose Executive proposal
Sexual Discrimination Policy	<ul style="list-style-type: none"> <li>Would require districts to adopt a policy on sexual discrimination, expressly referencing pregnant and parenting students</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal, already required by law</li> </ul>	<ul style="list-style-type: none"> <li>Does not include Executive proposal</li> </ul>	Oppose Executive proposal
McKinney-Vento Reporting (Homeless Students)	<ul style="list-style-type: none"> <li>Would require additional reporting of uses of funds by school districts</li> </ul>	<ul style="list-style-type: none"> <li>Rejects Executive proposal as duplicative of current reporting</li> </ul>	<ul style="list-style-type: none"> <li>Does not include Executive proposal</li> </ul>	Oppose Executive proposal
Contracts for Excellence (C4E)	<ul style="list-style-type: none"> <li>Proposes requiring districts which submitted contracts in 2018-19 to do so in 2019-20</li> </ul>	<ul style="list-style-type: none"> <li>Would end C4E</li> </ul>	<ul style="list-style-type: none"> <li>Would end C4E</li> </ul>	Support ending C4E
School District Memoranda of Understanding for Employment of School	<ul style="list-style-type: none"> <li>Proposes to require school districts to enter into MOUs for employment of school security or law enforcement personnel</li> </ul>	<ul style="list-style-type: none"> <li>Accepts Executive proposal</li> </ul>	<ul style="list-style-type: none"> <li>Does not include executive proposal</li> </ul>	Oppose Executive proposal. Districts already carefully enter into these agreements and properly designate disciplinary authority. This overcomplicates an issue without justification.



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Security Personnel				
Regional STEM High Schools	Proposes to authorize BOCES to establish Regional STEM High Schools	<ul style="list-style-type: none"> <li>• Accepts Executive proposal</li> </ul>	<ul style="list-style-type: none"> <li>• Does not include Executive proposal</li> </ul>	The Executive opposes giving a tax cap exclusion for BOCES capital expenses impeding construction for the proposed high schools
“Election Day a Holiday”	<ul style="list-style-type: none"> <li>• Proposes to increase from two to three hours time off from work to vote without loss of pay; removes standard for determining eligibility</li> </ul>	<ul style="list-style-type: none"> <li>• Rejects Executive proposal</li> </ul>	<ul style="list-style-type: none"> <li>• Rejects Executive proposal</li> </ul>	Oppose removal of standard for determining eligibility for time off; no objection to expanded time to vote
Update BOCES Superintendent Salary Cap		<ul style="list-style-type: none"> <li>• Propose to increase cap</li> </ul>	<ul style="list-style-type: none"> <li>• Propose to increase cap</li> </ul>	Support updating caps on salaries to recruit and retain highly qualified individuals
Prior Year Adjustments		<ul style="list-style-type: none"> <li>• Apply prior year adjustments owed to districts against state aid recoveries from districts</li> </ul>		Support action to dramatically reduce payback period, currently over 15 years
Building Aid Final Cost Reports Amnesty		<ul style="list-style-type: none"> <li>• Proposes amnesty for Building and Transportation Aid penalties</li> </ul>	<ul style="list-style-type: none"> <li>• Proposes amnesty for Building and Transportation Aid penalties</li> </ul>	Support eliminating aid losses for paperwork errors – penalty is often out proportion to mistake
853 Schools, 4410 Schools, Special Act School Districts		<ul style="list-style-type: none"> <li>• Increase tuition rates by at least 4%</li> </ul>	<ul style="list-style-type: none"> <li>• Increase rates for 853 Schools and Special Act School Districts by 4%, for 4410 Schools by 5%</li> </ul>	Support increasing funding for Special Act School Districts
Universal Prekindergarten Teacher Certification		<ul style="list-style-type: none"> <li>• Would extend for one year teacher certification provisions</li> </ul>	<ul style="list-style-type: none"> <li>• Would extend for one year teacher certification provisions</li> </ul>	Support Assembly and Senate position

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Teachers Retirement System Reserve		<ul style="list-style-type: none"> <li>• Would authorize school districts to establish a reserve for TRS obligations</li> </ul>	<ul style="list-style-type: none"> <li>• Would authorize school districts to establish a reserve for TRS obligations</li> </ul>	Strongly support authorizing a TRS reserve
Tax Certioraris		<ul style="list-style-type: none"> <li>• Would permit districts to receive Building Aid to assist in making bonded payments for tax certiorari claims greater which are greater than the district's annual budget</li> </ul>	<ul style="list-style-type: none"> <li>• Would permit districts to receive Building Aid to assist in making bonded payments for tax certiorari claims greater which are greater than the district's annual budget</li> </ul>	Support Assembly and Senate initiative
Transportation Contracts			<ul style="list-style-type: none"> <li>• Would allow districts to negotiate certain riders on transportation contracts</li> </ul>	Support permitting Transportation "piggy-backing"
Building Condition Surveys		<ul style="list-style-type: none"> <li>• Would stagger requirement over five years starting with next round of surveys</li> </ul>	<ul style="list-style-type: none"> <li>• Would stagger requirement over five years <i>after</i> next round of surveys</li> </ul>	Strongly support staggering the requirement; prefer Senate language

<sup>1</sup> See <https://legislation.nysenate.gov/pdf/bills/2019/R672>

<sup>2</sup> See: [https://nyassembly.gov/Reports/WAM/20190312/budget\\_summary\\_2019.pdf](https://nyassembly.gov/Reports/WAM/20190312/budget_summary_2019.pdf)