

SUPPORT

Special Act School District Rate Setting S.4530 (Murphy)/A.5618 (Abinanti) Assembly One-House Budget Proposal

THE COUNCIL urges the Legislature to authorize a separate tuition rate setting methodology for Special Act school districts

Due to financial challenges, the state only has ten special act school districts that remain open. These public school districts were established by individual act of the legislature to serve some of New York's most vulnerable students. At the high water mark, there were 20 of these schools in existence. Down to half that level, actions must be taken to stem the tide of closures and ensure that public school districts have a place to send students that are in need of educational opportunities outside of the traditional public classroom setting.

The State Education Department currently utilizes a rate-setting manual that establishes the tuition rate methodology by which Special Act school districts and privately operated 853 schools are funded. Public school districts pay tuition for the students that they send to these schools. The conundrum that Special Act school districts find themselves in is the fact that they are bound by law to utilize the same methodology as the 853 schools, yet they are distinctly different entities.

Because Special Act school districts are public entities, they are subject to all of the laws that traditional public schools are subject to. This includes provisions such as the Triborough amendment to the Taylor law and required participation in the Teacher Retirement System. Yet they have the same reimbursement methodology as 853 schools. This is inherently unfair. This legislation would rectify this injustice and simply authorize the State Education Department to utilize a different methodology for Special Act school districts.

The Council support this proposal and urges its approval.