

Where They Stand: 2017-18 State Budget Negotiations and Public Schools

Issue	Governor	Senate*	Assembly**	Council Comments
School Aid				
Overall School Aid	<p>\$961 million increase, including</p> <ul style="list-style-type: none"> \$428 million Foundation Aid increase (includes new \$50 million set aside for Community Schools) \$340 million increase in other aids appearing on School Aid runs \$150 million Fiscal Stabilization Fund to be allocated in final state budget \$50 million for new categorical programs Net \$7 million reduction in ongoing categorical programs due to operation of existing formulas (not policy changes) 	<p>Proposes \$1.2 billion (5%) increase. Reallocates Fiscal Stabilization Fund. Includes \$906 million increase in Foundation Aid, which includes a \$125 million Community Schools set aside. Fully funds expense-based aids.</p>	<p>Proposes \$1.8 billion (7.4%) increase, including \$1.4 billion increase in Foundation Aid. Reallocates Fiscal Stabilization Fund to Foundation Aid. Fully funds expense-based aids.</p>	<p>Increase of <i>at least</i> \$1.5 billion in traditional School Aid over 2016-17 is needed to allow schools to maintain current services.</p> <p>Additional funding should be provided for Struggling Schools, Career and Technical Education, Prekindergarten, Professional Development, enrollment growth, and services to English Language Learners.</p>
Foundation Aid	<p>Would repeal existing Foundation Aid formula and create new two-part formula to allocate \$428 million increase described above.</p> <ul style="list-style-type: none"> All districts would receive a “base increase” of not less than 1% nor more than 15% over 2016-17 Foundation Aid. Formula would use factors similar to current formula; would eliminate .650 Income Wealth Index floor. 	<ul style="list-style-type: none"> Rejects proposal to repeal Foundation Aid but would not use that formula in allocating proposed 2017-18 aid increase. All districts would receive at least a 2.2% increase over their 2016-17 aid or amount proposed by Governor plus, if meeting eligibility criteria, Community Schools, English Language Learner, Small 	<ul style="list-style-type: none"> Rejects proposal to repeal current formula. Would phase-in formula over 4 years and provide districts at least 1% increase over 2016-17, or greatest of (1) amount proposed by Governor, (2) 50% of full phase-in amount, or (3) for districts with poverty rate greater than 10%, a 3.25% increase over 2016-17. 	<p>Oppose repeal of existing formula, support Educational Conference Board recommendations for a three-year phase-in and efforts to update formula elements – per pupil amount based on cost of providing general education in successful schools; weightings for student needs.</p>

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	<p>Increases for New York City would be “prescribed” (2.93% for NYC; 2.165% for other 4 cities), rather than calculated based on need and ability to pay factors.</p> <ul style="list-style-type: none"> • 24 districts would receive a “Community Schools increase” of not less than \$150,000 each – <i>see below</i>. • There would be no continuing formula enabling districts to estimate aid in future years. 	<p>Cities, Large City, Small Schools, and Sparsity payments.</p>	<ul style="list-style-type: none"> • Would accept or modify some data changes proposed by Executive. • Would eliminate .650 floor on the Income Wealth Index. 	
Community Schools	<ul style="list-style-type: none"> • Continue \$100 million Community Schools set aside enacted in 2016-17 budget. • Establish new \$50 million set aside within Foundation Aid targeted to 24 districts with Struggling or Persistently Struggling Schools or concentrations of English Language Learners. Funds would be restricted in use. • Would impose stricter requirements on use of new set aside than applied in 2016-17. 	<p>Would provide for \$125 million Community Schools set aside, including new amount proposed in Executive Budget and provide that districts may use funds for co-located or school-linked academic and family services, after-school programs, dual language programs, and other services to maximize student achievement.</p>	<p>Would remove proposed \$50 million Community Schools set-aside and 2016-17 set aside from Foundation Aid and establish separate \$150 million Community Schools Aid category. Would continue use of more flexible 2016-17 program requirements.</p>	<p>Support Community Schools but oppose directing use of Foundation Aid through set asides. Also, adequate funding must be assured for regular School Aid.</p>

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Prekinder-garten	Proposes new \$5 million competitive grant program to expand full and half day pre-k programs in high need school districts. Proposes to begin consolidation of state's 7 pre-k programs by merging Universal, Priority Full-Day and Expanded Half Day Prekindergarten programs.	<ul style="list-style-type: none"> • Rejects proposed \$5 million expansion of programs in high need districts. • Would consolidate all state pre-k programs into a single funding stream over six years. • Would extend existing pre-k grants for three year-olds to include four year-olds. 	<ul style="list-style-type: none"> • Would modify Executive proposal to merge programs to assure no district would lose aid. • Would increase proposed funding for expanded 3 and 4 year-old program from \$5 million to \$50 million. • Would permit SED to allocate based on need, rather than through competitive process. • Would reject Executive proposal to create minimum daily time requirements. 	Support effort to consolidate existing seven funding streams if it will enable districts to construct programs best-suited to local needs.
After-School Programs	Proposes \$35 million to support after-school programs in districts targeted based on poverty measures.	Rejects proposal.	Would slightly modify eligibility criteria and permit SED to allocate based on need, rather than through competitive process.	Support concept, but program availability should be expanded. Adequate funding for regular School Aid must be assured.
Early College High Schools	Proposes \$5.3 million to add at least 10 Early College High Schools, with priority for schools leading to careers in computer science.	Rejects proposal.	Accepts funding; would permit SED to allocate based on need, rather than through competitive process.	Support efforts to promote better transitions between high school and college or work.
Advanced Placement Fee Waivers	Proposes \$2 million to support fee waivers for economically disadvantaged students to complete AP exams.	Reduces Executive proposal by \$1.5 million.	Accepts proposal.	Support efforts to promote better transitions between high school and college or work, including funding for AP waivers and participation in International Baccalaureate courses.

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School Aid Data Freeze	Proposes to freeze data used in School Aid calculations, allowing lesser of aid calculated for Executive Budget or aid calculated with updated data	Rejects proposal to freeze aid calculations	Rejects proposal to freeze aid calculations	Oppose freezing aid calculations
Career and Technical Education	No change	Proposes increasing cap for reimbursement of BOCES CTE teacher salaries from \$30,000 to \$50,000 in BOCES Aid over five years.	Proposes increasing funding for Career and Technical Education (CTE) by \$25 million. Would phase-in reimbursement for ninth graders in Special Services Aid and increase cap for reimbursement of BOCES teacher salaries from \$30,000 to \$52,000 in BOCES Aid over four years.	Support increasing aidable salary cap and special services aid for non-component districts.
Current year Special Education Aid	Not included.	Would accelerate state aid payments into current year for special education students enroll after start of the school year.	Not included.	Support Senate proposal.
Other Funding Items				
Struggling and Persistently Struggling Schools	Would eliminate \$75 million appropriated in 2016-17 for Community School grants to schools designated as “struggling” or “persistently struggling.”	Accepts proposal.	Would require remaining funds first appropriated for Transformation Grants in 2015-16 to be made immediately available.	Support providing funding, as previously appropriated, in an expeditious manner.
Teacher Recognition Programs	<ul style="list-style-type: none"> Proposes \$400,000 to fund “Excellence in Teaching”: awards of up to \$5,000 each to high-performing teachers. 	Rejects proposals.	<ul style="list-style-type: none"> Would re-program \$400,000 for Excellence in Teaching awards to support additional National Board for Professional Teaching Standards certification awards. 	Rewarding exceptional educators is appropriate, but it should be done at the local level and these categorical program appropriations should be rolled into

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	<ul style="list-style-type: none"> Proposes \$2 million to expand Master Teacher Program, giving awards of \$15,000 per year to over four years to high-performing teachers in computer science or a related field. 		<ul style="list-style-type: none"> Would re-program \$2 million for Master Teacher Program to support professional development. 	Foundation Aid or used to fund professional development.
Teacher Centers	Proposes to eliminate funding after 2016-17 school year.	Accepts Executive proposal.	Proposes \$14,260,000 (same as in 2015-16 school year)	Some superintendents report local Teacher Centers are effective professional development providers.
Cyberbullying	Proposes \$300,000 to fund a prevent cyberbullying initiative.	Accepts Executive proposal.	Accepts proposal	Support.
English Language Learners	No change from 2016-17.	Accepts Executive proposal. Includes component in Foundation Aid to generate \$20.5 million in aid for non-Big 5 City districts with concentrations of ELL students.	Would provide \$15 million for grants to school districts with growing ELL populations, to improve graduation rates	Support additional supplementary funding to support for ELL educational opportunities.
State Education Department Operating Budget	Proposes flat funding for State Education Department operating budget.	Accepts Executive proposal.	Would add a revenue fund to allow SED to collect and spend fees charged to colleges for accreditation. Rejects proposal to set aside \$500,000 in SED budget to provide confidential legal assistance to Governor and Legislature.	Support enabling SED to fill authorized positions.
Education Tax Credit	Not included in Executive Budget.	Proposes credits totaling \$150 million in 2018, rising to \$300 million in 2020, including	Rejects education tax credits	Oppose education tax credits

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		<ul style="list-style-type: none"> 90% credit on donations by taxpayers with incomes under \$300,000 with a cap of \$875,000. 75% credit on donations by taxpayers with incomes \$300,000 or more on donations up to a cap of \$875,000. \$200 credit toward teacher or home school parents' purchases of instructional materials Private school tuition tax credit of up to \$600 for taxpayers with incomes of up to 720 percent of the federal poverty line (approximately \$175,000). 		
Full-day K Transition Aid	Not included in Executive Budget.	No change.	Proposes five year phase-down of transition aid for full-day kindergarten (currently ends after first year)	Support efforts to ensure every district can offer full-day kindergarten.
Tax Certiorari Payments	Not included in Executive Budget	Proposes special financing authorization for districts with extreme tax certiorari payments	Proposes Building Aid for debt service on bonds for tax certiorari payments where bond exceeds district total general fund expenditures in prior year.	Support Assembly Building Aid proposal.
Aid to Nonpublic Schools	Increases mandated services aid by 3.9% to \$181 million and includes \$25 million for connectivity projects.	<ul style="list-style-type: none"> Proposes allocating up to \$34 million to nonpublic schools to improve security based upon 	No change.	Adequate funding for public schools must be assured.

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		<p>recommendations by the State Police.</p> <ul style="list-style-type: none"> Proposes \$25 million for grants to nonpublic schools that hire certain STEM teachers. Proposes \$7.7 million for costs of complying with state school immunization requirements. 		
My Brother's Keeper	Proposes \$18 million in funding.	Reject funding.	Accepts proposal and would restore additional \$1.2 million in funding.	Support initiative.
4201 Schools (private schools for students with disabilities)	Proposes \$2.3 million in additional funding.	Accepts Executive proposal.	Accepts Executive proposal.	
Special Act School District and special education program funding	No change.	Propose \$6.2 million to support Special Act school districts and private special education programs in funding costs associated with December 31, 2016 minimum wage increase.	<ul style="list-style-type: none"> Proposes 4% increase in tuition rates for Special Act school districts and preschool and private school-age special education programs. Would authorize SED to establish different methodologies for Special Act and private program tuition rates. 	Support increases in tuition rates.
Capital funding for Special Act, Schools for the	No change.	Would provide \$10 million each for Chapter 853 and Section 4201	Proposes \$5 million in capital funding.	Support additional capital funding.

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Blind and Deaf (4201s), and private schools serving students with disabilities (853s)		private school programs for students with disabilities.		
Policy Issues				
Budget Division Authority to impose mid-year cuts	Proposes to authorize the Director of the Budget to impose reductions in amounts available for payment from appropriations for School Aid and other programs in event state receipts fall below budgeted levels.	Rejects proposal.	Rejects proposal.	Oppose proposal; Legislature should have a role in enacting any budget adjustments which may become necessary.
Charter Schools	<ul style="list-style-type: none"> Proposes to eliminate cap on charter schools to be authorized in New York City. Proposes to unfreeze charter school tuition rates (frozen since 2010-11) and partially reimburse districts for cost increase on a year lag, with reimbursement phasing-out over three years (NYC would not be eligible for reimbursement). Authorize awarding of charters to replace closed charter schools. 	<ul style="list-style-type: none"> Eliminates statewide cap Accepts all of the Executive proposals Increases tuition costs to fund certain charter school staff Provides Building Aid for charters. 	Rejects all proposed Executive changes and include numerous new oversight provisions and other provisions intended to level the playing field between school districts and charter schools.	Oppose all efforts by Senate and Executive to increase state and district support for charter schools and further expansion of charter schools. Support Assembly efforts to hold charter schools accountable for their fiscal and educational outcomes.

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	<ul style="list-style-type: none"> Strengthen the ability of charter schools to request co-location in NYC. 			
Recovery High Schools	Proposes to authorize BOCES to establish two “recovery high schools” to students coping with substance abuse who have demonstrated a commitment to recovery.	Proposes three recovery high schools, with one sited on Long Island.	Rejects proposal.	Support proposal; and Senate’s proposal to authorize additional sites.
Division of Human Rights jurisdiction	Proposes to give the Division of Human Rights jurisdiction over alleged discriminatory practices against students attending public schools.	Rejects proposal.	Accepts proposal.	Oppose proposal. Student rights are protected by federal and state civil rights statutes and the state Dignity for All Students Act.
Homeless Students	Proposes changes in state law to comply with amendments to the federal McKinney-Vento Act.	Accepts proposal.	<ul style="list-style-type: none"> Accepts proposal Proposes \$10 million in additional funding for services to homeless students 	Support with modification to assure state funding for transportation of children in residential programs for runaway and homeless youth.
Special Education Waivers	Proposes authorizing school districts to receive waivers from special education requirements to initiate innovative programs	Accepts proposal.	Rejects proposal.	Support authorizing waivers from special education mandates
Prior Year Claims List	No change.	Proposes offsetting prior year adjustments owed by a district with any prior year adjustments owed to the district.	No change.	Support efforts to payment of prior year adjustments to school districts, including lump sum appropriation from financial settlements.

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Transportation Aid Forgiveness	No change.	Proposes validating all transportation contracts filed prior to June 30, 2017 for which an aid adjustment has not been initiated except in certain limited circumstances.	No change.	Support proposals to forgive filing errors and other incidental omissions.
Building Aid Forgiveness	No change.	Proposes validating and ratifying building projects for which districts were notified between March 1, 2015 and July 1, 2017 that final cost report was late OR if the district was subject to an installment plan for certain building aid penalties. Districts would be ineligible to receive previously recovered aid.	No change.	Support proposals to forgive districts that filed late final cost reports.
Professional Development Through Textbook Flexibility	Proposes utilizing savings from free electronic materials to repurpose funds for professional development	Accepts proposal.	Rejects proposal.	Support Executive proposal.
School Food Purchasing Flexibility	Proposes to authorize school districts to purchase certain foods directly from farmers if total order is less than \$100,000, increased from \$25,000.	Accepts proposal.	Rejects proposal.	Support Executive proposal.
Part 154 Certification Flexibility	No change	Proposes providing additional flexibility for school district relating to Part 154 certification	No change	Support Senate proposals.

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		requirements. School districts that make a good-faith effort to hire a duly certified teacher could hire alternative teachers if a dual certified teacher could not be employed.		
Staff Training Waiver	No change.	Proposes authorizing the Commissioner to establish a waiver program enabling school districts to streamline staff training requirements.	No change.	Support efforts to assist school districts in maximizing resources
Child Sexual Abuse Instruction	No change	Proposes requiring the Board of Regents to consider mandated instruction on child sexual abuse to all students in K-8	No change	Board of Regents should consider altering or adding learning standards based on its educational expertise and should not be initiated for political reasons.
Partial Payment of Taxes	Proposes to authorize school districts to accept partial payments of property taxes	Rejects proposal.	Accepts proposal.	No objection.
Property Tax Cap	No change	Proposes to make cap permanent and to apply to New York City	Would require Commissioner of Tax and Finance to promulgate regulations excluding PILOTS and BOCES capital from the tax cap, and establish a minimum tax cap of zero percent, to prevent negative tax caps	Support making over-ride threshold 2%, rather than the lesser of 2% or prior year CPI; Support action to assure implementation of BOCES capital and PILOT exclusions enacted in 2015 and to prevent negative tax caps.

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STAR	Would cap STAR exemptions at 2016-17 amounts.	Reject Executive proposal. Proposes to repeal STAR credits under Personal Income Tax with close of 2017-18 school tax year, re-open STAR exemption program.	Reject Executive proposal. Proposes to repeal STAR credits under Personal Income Tax with close of 2017-18 school tax year, re-open STAR exemption program.	Support restoration of STAR exemptions, rather than PIT credits.
State Education Department Inspector General	Proposes to establish an Inspector General to investigate allegations of corruption, fraud, criminal activity, conflicts of interest, or abuse by any person within the State Education Department.		Rejects proposal.	Greater priority is to assure adequate SED staffing and resources.
Contracts for Excellence	Proposes requiring all districts which submitted Cogntracts for Excellence in 2016-17 to do so in 2017-18.	Propose requiring New York City to submit a Contract for Excellence for 2017-18.	Propose terminating Contract for Excellence (C4E) requirements after 2016-17 school year.	Support ending C4E requirements.
New York City Mayoral Control	Proposes to extend for 3 years.	Rejects extending Mayoral control at this time	Extends for 7 years	Support extending for 7 years
Transportation Contract Renewals	No change.	Proposes sales tax exemption for school bus purchases and other parts when purchased by private contractor and requires savings from such exemption to be reflected in the renewal price. No change to CPI-U	Proposes linking transportation renewal contracts to the Employer Cost Index, instead of the CPI-U for NYC. Proposes sales tax exemption for school bus purchases and other parts when purchased by private contractor and requires savings from such exemption to be reflected in the renewal price.	Oppose utilizing ECI instead of CPI-U.

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Internal Audit	No change.	Proposes to expand the exemption from the requirement to maintain an internal audit function to districts with up to 5,000 students (up from 1,500). Audit function would be required every five years, as opposed to annually.	No change	Support expanding exemption from internal audit mandate and requiring that they are conducted every five years.
Board of Regents Fiscal Notes	No change.	Require the Division of the Budget to file a fiscal note for Board of Regents regulations.	No change	Support greater fiscal transparency regarding Commissioner regulations and other agency regulations.
Prekindergarten Teacher Certification	No change.	Proposes delaying teacher certification date for full-day universal prekindergarten program by two years.	Proposes delaying teacher certification date for full-day universal prekindergarten program by two years.	Support providing districts flexibility in retaining qualified staff.
School Bus Driver Fingerprinting	No change.	Proposes eliminating duplicative fingerprinting requirements for school bus drivers.		Support, but note this language was vetoed in the past on constitutional grounds.

*See <http://linkis.com/www.nyscoss.org/img/pLa6X>, pp. 22 to 31

** See: http://assembly.state.ny.us/Reports/WAM/20170313/2017_budget_summary.pdf, pp. 33-1 to 33-7