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MEMORANDUM

TO: Members of the Long Island Delegation to the New York State Senate
Members of the Long Island Delegation to the New York State Assembly

FROM: Dr. Alan B. Groveman, President

DATE: January 5, 2012

RE: An Advocacy Agenda for 2012 and Beyond

The Suffolk County School Superintendents Association appreciates your recent support for revising the tax code in order to assure a greater level of state support for our schools. Our legislative chairperson, Mr. Gary D. Bixhorn, spoke on behalf of all of our members when he acknowledged this in the attached op-ed piece that appeared in *Newsday* last month.

In order to assist you in preparing for the upcoming legislative session, the Association has prepared the attached "Advocacy Agenda for 2012 and Beyond." The "Agenda" includes 13 specific mandate relief proposals that were prepared in conjunction with Nassau County and Lower Hudson region superintendents of schools. It also includes several proposals to promote the sustainability of our schools as we restructure to confront today's fiscal challenges. These are proposals, that if enacted, will change the way we staff our schools and establish terms and conditions of employment for our employees.

Our embedded state aid proposal is designed to assure that the restoration of aid lost last year will be done in a manner that is fair to our region's schools. This short-term "fix" does not truly address the real problem – a state aid formula that continues to shortchange our region year after year. A new formula that recognizes the cost of doing business on Long Island and Long Island's total tax effort should be developed and enacted into law.

The time for aggressive legislative and regulatory reform has come. The Suffolk County school superintendents are prepared to work with you as you address the challenges of today and tomorrow.

ABG/GDB/jc
Attachments

c: The Honorable Andrew Cuomo, Governor, State of New York
The Honorable Dean Skelos, Majority Leader, New York State Senate
The Honorable Sheldon Silver, Speaker, New York State Assembly
Suffolk County School Superintendents Association Members

Bixhorn: LI needs fair share of school aid

December 15, 2011 by GARY D. BIXHORN



Gary D. Bixhorn is chief operating officer of Eastern Suffolk BOCES and legislative chairperson of the Suffolk County School Superintendents Association.

Long Island's representatives in Albany took an important step toward improving the state's financial footing last week in supporting efforts to revise the tax code. The additional revenues that will result will significantly reduce next year's projected budget deficit of \$3.5 billion, and enable Gov. Andrew M. Cuomo to fund the \$805 million school-aid increase he announced last spring as part of a two-year plan. The increase ultimately agreed to during the upcoming state budget negotiations will be welcome after three years of freezes and reductions.

Our elected officials also did well by reducing the burden of the MTA payroll tax, which has been so onerous to our business community as well as local governments. While school districts were reimbursed for their tax payments, Long Island BOCES and municipalities were not. Annual payments of about \$1.2 million by the three Long Island BOCES, which were funded by local school districts, were not reimbursed. The recently enacted legislation will eliminate these payments and reduce the burden for our schools.

These steps are an excellent start to what promises to be a challenging legislative session. Because while the promised additional school aid is good news, it will only help Long Island property taxpayers if it is distributed fairly.

Unfortunately, the formulas used to distribute state aid already shortchange Long Island. And they will become even less sensitive to our needs if the 2012-2013 Board of Regents state aid proposal is adopted.

The Regents have proposed eliminating aid categories that support schools in high-cost regions like Long Island. In the overall state aid picture, these categories represent very little -- less than 1.1 percent. But 70 percent of these funds come to Long Island. We can't afford to lose this money.

Complicating matters, school leaders from other parts of the state affiliated with the Statewide School Finance Consortium are engaged in a campaign to redirect aid from Long Island school districts to other regions. They believe that too much money continues to "flow to the wealthiest communities," several of which are in our region.

Many of the school districts represented by the consortium are among the poorest in the state and are in dire financial straits. They should be advocating for the funding they need. But their approach is misguided; they shouldn't be arguing that our aid be sent elsewhere.

Their efforts ignore the facts about Long Island. Our wealthiest schools -- those they target -- receive minimal state support to begin with. On average, less than 10 percent of their budgets are funded by the state, leaving more than 90 percent to be funded with local property taxes. If all of these districts lost all their aid, and it was redistributed to all the other districts in the state, it would amount to only a \$39 per pupil increase.

The bottom line is that you can't take what isn't there. In order to redirect a significant amount of funding, appropriations to mid- and even some low-wealth districts would have to be reduced. Districts in these categories, which enroll over 80 percent of our region's students, are already struggling due to a lack of aid.

Simply stated, it would be unfair and counterproductive to channel any of Long Island's existing school funding to other parts of the state, and we must be assured of a fair share of any new funding that becomes available. Long Island schools, especially those that are less wealthy, cut back dramatically this year as a result of financial constraints, eliminating 1,455 staff positions Islandwide between last year and this one. Rather than further reductions in state funding to districts that are already overdependent on property taxes, we need formulas that are fair to all communities.

Our elected officials will have their hands full during the upcoming legislative session. They need to make the case for funding our schools. They did a good job rewriting the tax code. Now they need our support to finish the job they started.

This is a corrected version of the essay. Due to an editing error, an earlier version gave the wrong date for the Board of Regents state aid proposal.

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An Advocacy Agenda For 2012 and Beyond

The members of the Suffolk County School Superintendents Association (SCSSA) have accepted the challenge of managing our region's schools during these exceptionally difficult times. The state fiscal crisis continues to impact our schools. Over the past three years, school aid has been frozen or reduced as the state has struggled with falling revenues and rising costs. Even as state support has decreased, schools have managed to minimize property tax increases by controlling expenses, using reserves, and cutting back on services.

Throughout this difficult period, Long Island communities have supported their school districts. Only one of 69 Suffolk County school districts has been forced to adopt a contingency budget as the result of a budget defeat over the last two years.

Unfortunately, the state's difficulties do not appear to be subsiding. Recent revised budget estimates indicate that the deficit will be \$350 million higher this year than originally anticipated and \$3.5 billion next year.

As these circumstances persist, the SCSSA will continue to lead efforts to help school districts cope and make every effort to continue providing the outstanding public education that our children deserve and our communities expect.

In order to be successful, we all have to work together. We all have to be aware of the facts and be ready to stand up for our region. We cannot allow our success to become an excuse for reducing our already disproportionately low level of state support.

The SCSSA has an advocacy agenda that, if enacted, will smooth out some but not nearly all of the bumps in the road before us.

This brochure lays out the facts as well as the agenda we believe should be embraced by all Long Islanders.

Long Island: The Reality

Long Island is perceived as being uniformly affluent by many who influence state policy. However, the reality differs significantly from this perception. An examination of the facts indicates that while our schools continue to outperform the rest of the state, conditions do not match perceptions.

- Long Island students outperform their peers from across the rest of the state on every assessment administered by the State Education Department.
- Long Island schools eliminated 1,455 positions between 2010-11 and 2011-12, resulting in 773 staff members being laid off.
- Nearly 40% of the students on Long Island are enrolled in school districts that fall below the state wealth average (37.7%). Only 16% are enrolled in the wealthiest districts (CWR > 2.0).
- Due to higher regional costs, \$1 purchases only \$.65 worth of goods and services on Long Island, according to the SED cost index.
- Long Island's income wealth per pupil has dropped dramatically since 1999-2000, from nearly 40% to just 13% above the state average.
- New York State funds only \$1 of every \$5 spent on Long Island education (21.4%).
- If every penny of aid allocated to the wealthiest Long Island school districts were redistributed to the rest of the state, it would result in just a \$39 per pupil increase. These districts fund nearly 90% of their budgets with local property taxes.
- Over 20% of students on Long Island qualify for Free/Reduced Price Lunch according to federal guidelines.
- Between 2010-11 and 2011-12, the percentage of low-wealth school districts with an average class size over 25 grew from 15% to 25% at the elementary school level, 45% to 75% at the middle school level, and 60% to 75% at the high school level.
- One-third of low-wealth districts significantly (10%+) reduced career and technical education (CTE) opportunities for students, while one-fifth of these districts made similar cuts to alternative education programs.
- Suffolk County schools eliminated 175 Interscholastic Athletic Teams between 2010-2011 and 2011-2012.

State Aid

State aid for Long Island schools was cut by \$90 million between 2009-10 and 2010-11. In fact, our schools will receive less this year than they did five years ago. If as planned, school aid is increased in 2012-13, the following are our priorities for restoration:

- Fully fund all expense-driven formulas which offset school expenses and reduce the tax levy.
- Reduce the Gap Elimination Adjustment (GEA) by applying an across-the-board minimum percentage aid increase, supplemented with a regionally adjusted, wealth-sensitive allocation.

The reality is that much more must be done. The Foundation Formula that drives nearly 80% of all state aid short changes our region's schools. The school aid formulas must be overhauled to assure that the "cost of doing business" in high-cost regions of the state is recognized.

Promote Sustainability

Structural change must occur in order to assure that our schools are sustainable. In order to preserve the excellence that our students deserve and our communities expect, laws and regulations must be modified to promote the following:

- Authorize an expanded role for teacher assistants, or a team of teacher assistants, to provide instructional services under the direction of a master teacher. Schools can be staffed differently today than in the past.
- Establish a regionally sensitive statewide collective bargaining agreement for teachers. Teaching personnel across the state should have common working conditions and patterns of compensation.
- Change staffing requirements to maximize cost savings resulting from the expanded use of technology to provide instructional services.
- Evaluate the long-term impact of Tier 5 and consider the creation of Tier 6 if warranted.
- Establish a separate funding mechanism for charter schools. Public schools should not be the source of funds for charter school businesses.
- Provide meaningful financial incentives to promote school district consolidation.

Mandate Relief

State mandates drive local school costs. Mandate relief has been promised, but not delivered. The SCSSA joins the Lower Hudson Council of School Superintendents and the Nassau County Council of School Superintendents (LHCSS and NCCSS) in supporting the mandate relief proposals:

- Require a “review” of new mandates that includes a comprehensive cost analysis and the definitive funding source
- Freeze and review all currently proposed and pending mandates
- Fund or reduce mileage limits (15 to 5 miles) for private school out-of-district transportation
- Allow consolidation of services under established contracts
- Limit special education out-of-district transportation when Free Appropriate Education is provided
- Allow districts to establish TRS reserve fund
- Legislate pension reform/TRS contribution restoration (pre 1998)
- Establish a 55/25 “exit clause” for Tier 3/4 members who are 55 and older (in 2011) to create “entry” opportunities for new Tier 5 and “6” TRS contributors
- Cap/control health care premium costs with a statewide plan and limited employer contributions
- Utilize federal class size standards for students with disabilities and resource rooms while maintaining a continuum of services and supports for students
- Amend Education Law 3602 that creates entitlement to special education for students parentally placed in private schools, and cap district contributions to out-of-district placements while ensuring that comparable programs are offered by the district of residence
- Eliminate the requirement that an individual evaluation includes specific assessments as prescribed by education law 4402(1)9b(3)(a)
- Amend the law (A.5396-A/S.5972-A;Chapter 583) that shifted the burden of proof from parents to schools and that is counter to the 2007 Supreme Court decision

