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Long Island Coalition of School Superintendents

# 2018-2019 LEGISLATIVE PRIORITIES

*Providing Safe, Sustainable,  
High-Quality Equitable Education*

- School Safety
- Sustainable and Predictable School Funding
- Providing the High-Quality Education Our Region Expects and Our Students Deserve
- Supporting Shifting Student Needs

## School Safety

We are in need of a comprehensive approach to school safety that addresses the complexity of the issues. The challenges surrounding school safety require coordinated efforts across towns, villages and county law enforcement; changes in legislation at the state and federal level; a plan to support the social, emotional and mental health of students; and institutional support to finance changes needed.

Specific legislative actions that are needed include:

- Establishment of a new expense-driven categorical aid designation, "School Security Aid," to partially reimburse school districts for expenditures related to school security in a wealth-sensitive manner.
- Remove the earnings limit for retired law enforcement officers working as school security individuals.
- Amending Election Law Section 4-104(3) to add public school buildings to the list of groups that can file written requests for cancellations of polling places.
- Expediting the review period for submission of Smart Schools funding to assist school districts in making essential upgrades to safety-related items within districts.
- Modifying the tax levy limit calculation to exclude expenses related to school safety.
- Amending the relevant sections of the New York State Criminal Procedure law dealing with setting bail, including Sections 510 and 530, to include "red flag" provisions.

## Sustainable and Predictable School Funding

### Multiyear, Formula-Driven School Aid

A significant public policy accomplishment, Foundation Aid, was enacted in 2007. This law instituted a predictable, needs-based formula to drive state aid to schools. A multiyear formula provided for much-needed predictability to allow school districts to plan into the future. However, the formula was neglected for several years, frozen for three years and minimally increased in subsequent years. Year after year, school districts wait for the completion of the state budget to learn what their state aid numbers will be, in order to have the ability to finalize their budgets for the following school year. Given the present constraints on school districts to raise local money under the tax levy cap, a multiyear, formula-driven school aid would greatly assist school districts with long-term planning and budgeting.

## NEW YORK STATE'S LEAST WEALTHY & WEALTHIEST SCHOOL DISTRICTS – DEMOGRAPHIC AND STATE AID SHARE

	Long Island Least Wealthy Districts (9 Districts)		Long Island Wealthiest Districts (9 Districts)		Rest of State (excl. LI & NYC) Least Wealthy Districts (22 Districts)		Rest of State (excl. LI & NYC) Wealthiest Districts (22 Districts)		New York State (excl. NYC, incl. LI) Least Wealthy Districts (31 Districts)		New York State (excl. NYC, incl. LI) Wealthiest Districts (31 Districts)	
	N	%	N	%	N	%	N	%	N	%	N	%
Total Enrollment	65,257		22,936		146,466		66,082		198,898		97,580	
Average Enrollment Per School District	7,251		2,548		6,658		3,004		6,416		3,148	
<b>Demographics of Students</b>												
% White	6,862	10.5%	12,978	56.6%	54,859	37.5%	43,150	65.3%	64,770	32.6%	64,375	66.0%
% Black	13,250	20.3%	924	4.0%	50,174	34.3%	2,871	4.3%	59,471	29.9%	3,088	3.2%
% Hispanic	43,181	66.2%	4,979	21.7%	25,027	17.1%	12,270	18.6%	56,614	28.5%	14,133	14.5%
% Asian/Pacific Islander	1,104	1.7%	3,509	15.3%	9,421	6.4%	5,545	8.4%	10,125	5.1%	13,364	13.7%
% American Indian/Alaskan	160	0.2%	134	0.6%	1,117	0.8%	56	0.1%	1,229	0.6%	207	0.2%
% Multi-Racial	700	1.1%	412	1.8%	5,868	4.0%	2,190	3.3%	6,689	3.4%	2,413	2.5%
% Free/Reduced Lunch	46,901	71.9%	6,012	26.2%	109,360	74.7%	9,262	14.0%	146,983	73.9%	14,913	15.3%
% English Language Learners (ELL)	17,298	26.5%	1,845	8.0%	15,974	10.9%	3,269	4.9%	29,123	14.6%	4,818	4.9%
% Dropout Rate *	815	4.5%	84	1.3%	2,684	6.3%	55	0.9%	3,442	6.1%	165	0.9%
% Students with Disabilities	8,209	12.6%	3,266	14.2%	27,602	18.8%	8,299	12.6%	34,473	17.3%	12,460	12.8%
State Aid Share (State Aid as % of Total Aid)		54.7%		5.6%		71.2%		7.7%		68.9%		6.4%
State Aid with STAR (State Aid & STAR as % of Total Aid)		59.1%		8.6%		73.9%		14.8%		71.9%		11.0%

Description: Total and average enrollment, percentage of students by race/ethnicity, Free/Reduced Lunch (FRL) eligibility, English Language Learners (ELL), and Dropout Rate for the least-wealthy and the wealthiest districts in New York State in 2016-17. Also, the state aid share (state aid as a percent of Total Aid), the state share with STAR (the total of State Aid and STAR as a percent of Total Aid)

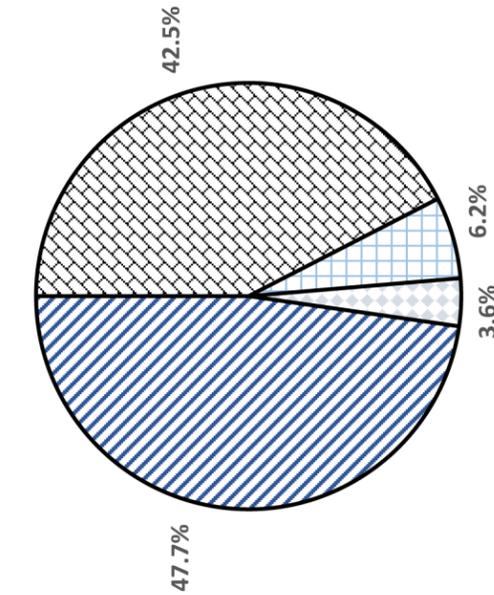
\* Long Island - 8 of 9 least-wealthy districts and 6 of 9 wealthiest districts reported data. Rest of State - 21 of 22 least-wealthy districts and 5 of 22 wealthiest districts - 5 of 22 reported data. New York State - 29 of 31 least-wealthy districts and 14 of 31 wealthiest districts reported data

Source: New York State Education Department, 2016-17 School Report Card database. Fiscal Analysis and Research Unit Fiscal Reporting System, 2015-16.

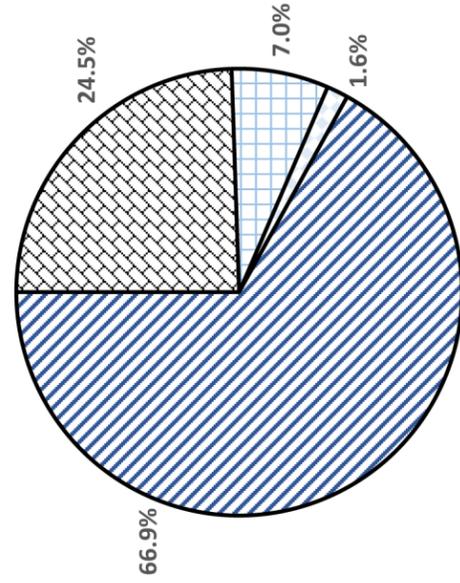
	State Aid Receipts	STAR Subsidy Receipts	Total Receipts from State	Federal Aid Receipts	Property Tax Levy & Other Revenue	Total Revenue
<b>Long Island</b>	\$2,939,926,519	\$846,461,283	\$3,786,387,802	\$186,908,888	\$8,046,062,135	\$12,019,358,825
<b>% of Total Revenue</b>	24.5%	7.0%	31.5%	1.6%	66.9%	
<b>New York City</b>	\$9,845,352,340	\$813,718,607	\$10,659,070,947	\$1,270,342,417	\$14,982,034,252	\$26,911,447,616
<b>% of Total Revenue</b>	36.6%	3.0%	39.6%	4.7%	55.7%	
<b>New York State (including NYC and LI)</b>	\$24,106,969,236	\$3,315,377,188	\$27,422,346,424	\$2,418,751,332	\$35,757,767,557	\$65,598,865,313
<b>% of Total Revenue</b>	36.7%	5.1%	41.8%	3.7%	54.5%	
<b>Rest of State (excluding NYC and LI)</b>	\$11,321,690,377	\$1,655,197,298	\$12,976,887,675	\$961,500,027	\$12,729,671,170	\$26,668,058,872
<b>% of Total Revenue</b>	42.5%	6.2%	48.7%	3.6%	47.7%	
<b>New York State (excl. NYC, but incl. LI)</b>	\$14,261,616,896	\$2,501,658,581	\$16,763,275,477	\$1,148,408,915	\$20,775,733,305	\$38,687,417,697
<b>% of Total Revenue</b>	36.9%	6.5%	43.3%	3.0%	53.7%	

Total Receipts from State = State Aid Receipts + STAR Subsidy Receipts

Rest of State (excluding NYC and LI)



Long Island



Total Revenue = Total Receipts from State + Federal Aid Receipts + Property Tax Levy and Other Revenue  
 Source: New York State Education Department Fiscal Analysis and Research Unit, 2015-16.

### Prudent Modifications to the Tax Levy Cap

There is no argument that the tax levy cap instituted by the governor has curbed the rise of taxes across the state. However, as is the case with many laws that are well meaning, there are, at times, unintended consequences. We recommend the following, which will allow the state to maintain the tax benefits of controlled school spending, while addressing some of those unintended consequences, and provide more effective multiyear financial planning by schools, which is an important goal:

- Make the tax levy cap a fixed two percent, rather than the lesser of two percent, or the change in CPI.
- Exempt the cost of new government mandates from the tax levy cap.
- Exempt the cost of community-approved school safety initiatives from the tax levy cap.
- Provide an exclusion for pension costs when the cost increase to the district is more than two percent.
- Include BOCES capital costs to school districts in their tax levy cap calculations.
- Eliminate negative tax levy caps.
- Include properties covered by PILOTS in the tax base growth factor that is used in determining a school district's tax levy cap.

### Teachers Retirement System (TRS) Reserve

Currently, the law allows school districts and local governments to use a reserve for retirement contributions for public employees who fall under the Employee Retirement System. This allows those entities to set aside funds for future obligations. However, school districts are not allowed to do the same fiscal planning for their obligations related to staff who fall under the Teachers Retirement System (TRS). These employees account for the majority of public school employees (approximately 80 percent). Mandated pension contributions from school districts can vary from year to year. School districts pay an employer contribution rate that is volatile, creating significant budgeting challenges. Authorizing schools to save money to meet future pension obligations is sensible fiscal planning and helps to avoid or reduce the need for cuts in services or staff. A TRS reserve is a responsible tool that would help school districts manage challenging budgets due to an unpredictable annual state appropriation process and caps on revenue.

## Providing the High-Quality Education That Our Region Expects and Our Students Deserve

### ***APPR – “It’s About the Narrative not the Number”***

Highly effective teachers and principals are key drivers of student success, and therefore critical to the future of this state. One of the key roles of school leaders is to hire, train, supervise, and retain highly qualified staff. Meaningful evaluations improve instruction in the classroom, and the performance of teachers and principals in our schools. The present system, which is mandated by legislation, is convoluted at best, and harmful at worst. The moratorium that was established to protect both teachers’ and principals’ Annual Professional Performance Review scores from the unintended harmful impact of the state law sunsets at the close of this school year. The time is upon us to make meaningful changes in this law so that we can refocus on the timely and important work in front of us of educating students and preparing them for successful and productive futures. Return the responsibility for evaluating teachers and principals to the local level.

Ultimately, the goal of teacher and principal evaluations must be to improve instructional practices and increase student learning. As a result, student learning must remain a key determinant in these evaluations. However, reducing student assessment data to a number entered into a formula has detracted from the ability to utilize evaluations to improve instruction. The importance of student learning must be reflected through the use of multiple and diverse measures of student learning in the evaluation process. By blending information about student learning with insight about instructional practices gained from observations, a narrative can be developed to determine an evaluation of a teacher or principal’s effectiveness that can be used to advance their development and improve student growth across all domains.

## Supporting Shifting Student Needs

Long Island is documented to be one of the most segregated regions in the country. This segregation happens across varied racial, ethnic, and socio-economic categories, and is reflected in the makeup of the student populations in our public schools.

Long Island, historically known as one of the wealthiest parts of the state, has a student population that looks less and less different than other parts of the state.

- Overall, 46.8 percent of the students on Long Island are enrolled in school districts of below average wealth. This consists of 60.8 percent of the students

in Suffolk County and 30.0 percent of the students in Nassau County.

- According to the NYSED 2016-17 report cards, the nine least-wealthy school districts on Long Island, enrolling 65,257 students, included 26.5 percent English language learners (ELLs) and 71.9 percent of students eligible for free and reduced-price lunch.
- As a comparison, the wealthiest Long Island school districts had 8.0 percent of their students as ELLs, and 26.2 percent of their students eligible for free and reduced-price lunch. Eligibility

## Supporting Shifting Student Needs (Cont’d)

requirements for free and reduced-price lunch are not regionally adjusted, so families on Long Island meeting those standards are likely struggling more to live in a high-cost region of the state.

- During the same time period, the least-wealthy school districts in the rest of the state report 10.9 percent of their population as ELLs and 74.7 percent of their students as eligible for free and reduced-price lunch.
- Wealthy school districts in the remainder of the state had a lower percentage of ELLs (4.9 percent) and a smaller percentage of students eligible for free and reduced-price lunch (14 percent) when compared to Long Island’s wealthy school districts.

Over the past 10 years, we have seen demographic shifts related to increases in both poverty and the number of students for whom English is not their first language.

- Four of the top 10 school districts educating the highest number of ELLs outside of New York City are on Long Island.
- The vast majority of ELLs on Long Island (76.1 percent in Nassau County and 66.96 percent in Suffolk County) are in the newcomer group (attending our schools for three years or less), indicating the need for more intensive services.
- More than 1,600 ELLs on Long Island are classified as Students with Inconsistent/Interrupted Formal Education (students who have been in the U.S. for less than 12 months and who, upon initial enrollment, are two or more years below grade level in

literacy in their home language, and in math). These students’ academic and social-emotional challenges are often intensive.

Long Island, as a region, has seen unprecedented shifts in the population of students with more challenging needs. While we have embraced these challenges and provided programs to address these shifting needs, more needs to be done.

The share of state aid to Long Island needs to be adjusted to reflect the well documented shifts in student needs.

- The share of state aid directed to Long Island (12.2 percent) is less than the percentage of the students being educated on Long Island (17.3 percent), even before accounting for shifts in student needs.
- These struggles, when combined with a well-established Regional Cost Index, which shows that the purchasing power of \$1,000 in upstate New York is the equivalent of only \$702 on Long Island, further increase the challenges.
- Long Island’s least-wealthy school districts receive significantly less state aid (54.7 percent of total aid) than the least-wealthy school districts in New York State (71.2 percent of total aid).

Long Island taxpayers dig much deeper into their pockets to pay their taxes than taxpayers in other parts of the state.

- The state share of school funding on Long Island is just 24.5 percent. State aid in the rest of the state funds 42.5 percent of school revenues.
- Long Island ranks as the third-highest region in the state in the percentage of household income paid to property taxes.