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NEW YORK STATE
SCHOOL FACILITIES ASSOCIATION

TESTIMONY

By

NEW YORK STATE SCHOOL FACILITIES ASSOCIATION
(FKA, NYS Association of Superintendents of School Buildings & Grounds)

Joint Fiscal Committees of the New York State Legislature
Hearing on the FY 2020-21 Executive Budget

February 11, 2020

On behalf of New York State School Facilities Association (NYSSFA) and our 600 School Facilities Professional members working in the State's public school districts and BOCES, we are grateful for the opportunity to share our recommendations regarding the 2020-21 Executive Budget and present our 2020 priorities.

NYSSFA is a professional organization of the dedicated men and women responsible for maintaining and operating thousands of school buildings and facilities across New York. NYSSFA members are committed to ensuring the safety, health and comfort of the students and staff.

School buildings are the places of learning and growth for New York students. Our schools are also our communities. They are the place where families gather to support their children's learning and achievements. Schools are our communities; providing adult literacy classes in the evening and sporting events on the weekend. Our schools must be tailored to the needs of our children, our families and our community. This means they must have adequate space, equipment and capacity. They must be clean, bright, safe and appropriately maintained. Schools are here for today's generation and tomorrow's. Investing in our school buildings and grounds is an investment in our communities for many years.

In education, the school is constantly evolving and as a facility professional we must be planning for tomorrow today. What a "school" is has moved beyond square footage and seating, to how to develop spaces that allow teachers to facilitate student-driven instruction. New York State invests tremendously in school facilities and grounds and while we are discovering and planning for innovations in tomorrow's classroom, it is also our responsibility to respect the investment and maintain our facilities. This balance is necessary to meet the needs of our students today and in years to come.

On any given day, a school facilities professional might work creating new infrastructure, maintaining quality spaces, or repairing complex equipment. Our members pride themselves on solving problems and apply that logic in our advocacy. We work hard every day to maintain facilities that are inviting and suitable places of learning; that communicate to our students and staff that what they do in these rooms is important.

THANK YOU

In last year's enacted budget you supported legislation to stagger the building condition survey. Thank you for supporting that initiative. The New York State Education Department has issued regulations to establish the new schedule. We look forward to working with you and NYSED to make sure school districts are aware of the changes and help to make the transition as seamless as possible.

Schools are also conducting the 2nd round of lead in water testing. NYSFSA takes seriously the dangers of lead in our drinking water. Our schools have remediated the infrastructure necessary to ensure our water meets the standards set in the regulations. As we test again this year, we will continue to replace or repair as necessary to ensure that our drinking water is safe for our

students, staff and community visitors. Unfortunately, the additional building aid that was provided during the initial round of testing is no longer available to offset costs associated with any further remediation. NYSFSA would support reinstating that aid provision in the 2020-21 budget.

EXECUTIVE BUDGET PROPOSALS

The Executive budget includes a variety of changes to expense-based aids. Collectively, these proposals either reduced the amount provided in aid for projects and expenses substantially, or eliminate the aid categories completely. NYSSFA has several concerns regarding these proposals.

Regarding the changes to building aid, NYSSFA is concerned that the effective date, July 1, 2020, will disrupt existing projects which are being planned for the 2020 community vote. These projects have been in the planning process for many months, involving budget projections and project design. We are concerned that such a quick implementation date will derail these projects, leading to higher cost estimates and reduced aid.

NYSSFA is concerned that as school districts are required to support more of the building construction costs, investments in maintenance will be reduced. Our members are concerned that if maintenance is not sustained we will be shortening the lifespan of our capital investments.

Finally, NYSSFA is concerned that changes to the allowable incidental expenses will inadvertently prevent aid of projects and services directly related to the initial capital project.

Regarding transportation aid, NYSSFA is concerned that capping aid at the rate of inflation simply shifts the costs of transportation onto communities that may not have the ability to pay. Transportation is a right of the child. School districts are unable to deny transportation to a student. Students with disabilities who require transportation to their schools cannot be denied simply because the cost increases beyond the rate of inflation. The State should continue to support the transportation of student in earnest as it is an essential aspect of access.

Finally, NYSSFA can see no value in merging expense based aids – especially BOCES aid – into Foundation aid. Eliminating support for career and technical education, special education, and shared services that save resources hinders the ability of a component school district to provide essential mandated services and innovative programming. Merging the aids into Foundation aid decreases transparency and clouds the Foundation aid with important expenditures that improve outcomes. NYSSFA encourages the Legislature to reject these proposals.

INCREASING CAPITAL OUTLAY PROGRAM THRESHOLDS

NYSSFA supports proposals to increase the cost threshold for school construction projects. This measure would provide cost and administrative relief to districts, as well as a cost savings to the State.

Under current law, for projects wholly funded through capital outlay and which have a total cost of no more than \$100,000, districts' base year capital outlay expenses can be reimbursed through building aid. This allows districts to avoid being subject to lengthy assumed amortization schedules of ten, fifteen, and twenty years and instead receive the amount they spend as they spend it. This is helpful for districts, as they receive funding when they need it, and for the state, which then avoids paying interest on the reimbursement.

However, costs are rising, technological advances are creating greater demand for capital improvements, and districts are finding it difficult to fund these projects in real time. Less than 200 school districts take advantage of the program. Few high-needs schools take advantage of the program. We ask that the FY2020-21 State Budget contain provisions to increase the \$100,000 threshold for eligibility to a more reasonable \$250,000 in order to help districts meet these demands and to achieve savings on interest payments to the state.¹

NYSSFA recommends that the following language be added to the 2020-21 budget:

Subparagraph 1 of paragraph b of subdivision 6-f of section 3602 of the education law, as added by section 19 of part H of chapter 83 of the laws of 2002, is amended to read as follows:

(1) has a total project cost of [~~one hundred~~] two hundred fifty thousand dollars or less; provided however, that for any district, no more than one project shall be eligible pursuant to this subparagraph for an apportionment within the same school year;

CONCLUSION

On behalf of the New York State School Facilities Association (NYSSFA), we would like to thank you for your continued support of clean, healthy, well-maintained school facilities and the opportunity to offer our professional insight.

¹ As proposed in A.5341 Thiele/S.7372 Martinez, Little