



New York State Catholic Conference

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Testimony
of the
New York State Catholic Conference
regarding the
2013 - 2014
Elementary and Secondary Education Budget

Presented by

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Introduction

Good afternoon. Chairman DeFrancisco, Chairman Farrell, Chairman Flanagan, Chairwoman Nolan and honorable members, my name is Jim Cultrara, Director for Education at the New York State Catholic Conference. As co-chairmen of the NYS Coalition for Independent and Religious Schools, I speak today on behalf of the administrators, teachers, parents and nearly a half million students enrolled in nearly 2,000 religious and independent schools across the state.

We are grateful for this opportunity to share our views regarding the education provisions outlined in Governor Andrew Cuomo's 2013-2014 Executive Budget. Though our written testimony contains a number of areas of great importance to religious and independent schools, we will focus our oral comments today on only three.

First is the area of Mandated Services and Comprehensive Attendance Policy (CAP) Reimbursement:

Let me reiterate our profound gratitude to you for the agreement you reached last year to begin to resolve the long-standing MSR / CAP debt owed to our schools. The agreement, as embodied in last year's 2012-2013 State Budget, required SED to submit a plan to satisfy the state's obligation under the program. The enacted budget also required the restoration of the original CAP reimbursement formula beginning with the 2013-14 fiscal year (2011-12 school-year expenses). Specifically, the agreement calls for CAP expenses henceforth to be calculated based on the original reimbursement parameters used to generate the initial CAP claims for reimbursement (2005-06 school year / 2007-08 SFY). It is presumed that the department's CAP obligations for the preceding school years will be calculated based on the department's "efficiency" parameters.

Although the department has yet to produce its plan, its April 2011 analysis allows us to reasonably project that the state's unmet obligations are approximately \$180 million for CAP and \$30 million for MSR – a total of approximately \$210 million in delinquent reimbursement.

As you know, the Governor 2013-14 Executive Budget proposes a total in MSR and CAP appropriations of \$128,565,000, representing a total increase of \$4,945,000 – or 4 percent. The recommendation, however, falls approximately \$20 million short of the nearly \$150 million that is needed to keep the state's prior-year debt from growing beyond the total estimated debt of \$210 million. In short, the Governor's recommendation, while providing a modest increase in funding, still increases the state's debt to religious and independent schools by some \$20 million to a total of approximately \$230 million.

The Governor's recommended appropriations are broken down in two parts:

MSR: \$94,016,000 is recommended for Mandated Services Reimbursement, an increase of \$3,616,000 over last year and likely more than what is needed to cover the 2012-13 school year MSR expenses. We anticipate that the additional funds will be used to partially pay down the more than \$30 million in debt under the regular MSR program.

CAP: \$34,549,000 is recommended for CAP Reimbursement. While this represents an increase of \$1,329,000 over last year, it remains approximately \$24 million short of the estimated \$58 million that is needed to reimburse schools for their 2011-12 school year CAP expenses based on the restored formula. The Governor's recommended appropriation not only fails to meet the obligation established by last year's agreement, his budget language for CAP actually limits the state's liability for the 2011-12 school year to his recommended \$34,549,000 appropriation – a complete reversal of the agreement enacted last year. We've been told that this particular language was in error and will be fixed during the 20-day amendment period.

While the Governor's recommended increase is a step in the right direction, and assuming his 20-day amendments correct the language to reflect last year's agreement, our schools simply cannot afford anything less than full reimbursement. Accordingly, we urge you to:

- increase the CAP appropriation to \$58 million in order to keep the debt from growing further and to ensure that current year claims can be fully reimbursed; and
- appropriate additional funds to begin the longer-term process of satisfying the state's unmet obligation of \$210 million for prior-year expenses.

The second area of concern is the **Health, Safety and Security of our Schools:**

The gun control legislation enacted two weeks ago and the Governor's Executive Budget rightly include additional funds for schools to provide enhanced safety measures. The gun control measure also creates new School Safety Improvement Teams charged with reviewing the safety plans for schools. Sadly, these initiatives are limited to public schools – leaving the parents, administrators and teachers of the nearly half million children in religious and independent schools puzzled and angry. The horrific shooting in Newtown, Connecticut, is a startling reminder to all of us that senseless violence can occur at any school. No school is immune from the latent dangers that may exist within that community; no school can say it is free of mentally-disturbed or disgruntled individuals – whether they are workers, parents, administrators, teachers or even students; and no school should be discriminated against when public funds are provided to protect school children.

We urge therefore, in the strongest possible terms, that you appropriate an equitable level of additional funding for Health, Safety and Security grants to enable religious and independent schools to enhance their safety provisions. We also urge you to amend the new gun control statute (Chapter 1 of the Laws of 2013) to include the review of religious and independent school safety plans by the School Safety Improvement Teams established by the new law.

The third and most fundamental area is that of **Parental Choice**:

As Cardinal Timothy Dolan articulated to you from this very table, “It is in the area of parental choice that we see the gravest injustice perpetrated on families, whether it’s a family with children in public school or a family with children in a Catholic school, Yeshiva, or other independent school.”

Opponents of parental choice programs argue that New York cannot afford such a proposal while keeping its commitment to public school funding. On the contrary, it simply cannot be refuted that independent and religious are a financial boon to the state’s taxpayers. As acknowledged in the Governor’s 2012-13 budget proposal, it costs taxpayers, on average, \$18,126 annually to send a single child to a public school. The parents of the nearly half million children in independent and religious schools, who not only pay public school taxes but also shoulder the extra burden of tuition, save taxpayers approximately \$9 billion each year through their sacrifice.

Encouraging more parents to choose religious and independent schools will save the state significantly more money, thereby enabling even greater financial support of public schools.

It is not news to you that some faith-based schools are disappearing at an alarming rate. The Archdiocese on New York alone has been forced to close approximately 60 schools in the last three years. The New York Times, this past Saturday, quoted Supreme Court Justice Sonia Sotomayor, who lamented the closing of her own alma mater, Blessed Sacrament School in the Bronx, saying “I am heartbroken. You know how important those eight years were? It’s symbolic of what it means for all our families, like my mother, who were dirt-poor. She watched what happened to my cousins in public school and worried if we went there, we might not get out. So she scrimped and saved. It was a road of opportunity for kids with no other alternative.” David Gonzalez, the story’s author, concluded that “...those schools could make the difference between becoming a judge or appearing before one.”

Moreover, each time a family is unable to continue to afford tuition and each time an independent or religious school is forced to close, the burden on taxpayers is increased as these children enroll in public schools, whether traditional or charter. We urge you to reverse this trend by enacting a scholarship or education tax credit program that will provide meaningful assistance to enable parents to choose the school best suited for their children. You can afford to do no less.

While this concludes my oral remarks, we offer additional comments in our written testimony. Thank you for your time and consideration and we are more than happy to answer any questions you may have.

Nursing Services: An increasing number of children have acute and chronic health problems that require the daily attention and care of professional school nurses. Yet the shortage of school nurses leaves school administrators and teachers in the untenable position of having to respond to health emergencies and manage chronic health problems. School administrators and teachers are not health professionals and simply cannot and should not be forced to manage and respond to their students' asthma, diabetes, food allergies and other health conditions.

In some cases, these health conditions can be life-threatening. A child who ingests or is otherwise exposed to a food allergen, for instance, can experience anaphylaxis and die without the timely and professional administration of an epi-pen injection. An asthmatic student can easily experience respiratory distress requiring the administration of nebulized medication. Typical playground, athletic and even classroom accidents and injuries often require immediate professional medical attention.

The protracted nursing shortage is well documented, both nationally and in New York State. The shortage of school nurses is due, in large measure, to inadequate pay. In some cases, the salary of school bus drivers and custodial employees exceeds that of school nurses. For parents, as well as for the school staff to whom children have been entrusted, there is nothing more important than the health and safety of their children. It is simply unconscionable to put the lives and well-being of children at risk.

We urge the Governor and Legislature to ensure that a full-time nurse is available for every public, independent and religious school that needs one.

Energy Efficiency and Capital Improvements: Advances in technology and construction techniques enable our schools to be healthier, safer, more accessible and more energy efficient than ever before. This not only benefits the students, teachers and administrators who occupy school buildings every day, but also benefit utility rate payers and the community at large. Public schools are able to finance these projects with their local tax levy authority coupled with state building aid. Religious and independent students, teachers and administrators are no less deserving of the highest quality facilities, yet these schools do not have the same means to finance such projects. We urge you to appropriate seed money that would enable religious and independent schools to initiate these worthy projects.

Academic Intervention Services: Currently only \$922,000 is appropriated annually to independent and religious schools to implement the Academic Intervention Services (AIS) regulations promulgated by the Board of Regents – far below the \$20 million that is needed. Without adequate funding now, these at-risk children may easily fall behind even more - thus requiring more expensive academic interventions later. AIS funding should be increased so that, like public schools, our schools are able to provide these services to our children who are most in need.

Transportation: Next to their ability to afford tuition, the second most common challenge faced by parents in enrolling their children in religious or independent schools is their ability to have their children transported to school. When parents are denied their choice of a religious or an independent school because transportation services are not available, are unreasonable or are unreliable, the burden on taxpayers increases as more of these children are enrolled in public schools. It makes financial sense to enable more parents to enroll their children in religious and independent schools and thus we strongly urge the following: (1) Return to the long-standing practice of 90 percent state reimbursement of school district transportation costs; (2) increase the maximum distance school districts are required to transport children to school from 15 to 25 miles; (3) allow parents the option to pay for the cost of transportation beyond 25 miles; (4) ensure that transportation is provided for schools with disparate schedules and calendars – and not denied to religious and independent schools when public schools are closed or when they make mid-year calendar changes; and (5) require small city school districts to transport children up to the maximum mileage limit rather than city limits.

Teacher Training and Mentoring: The Regents have mandated 87.5 hours of continuing education every five years for certified teachers employed by independent and religious schools. In addition, the regulations of the Board of Regents require new teachers to obtain a mentoring experience in their first year of employment. Despite the difficult fiscal situation, it is imperative that we provide the means for all teachers to obtain and maintain the highest level of professional competence. We urge you to include \$10 million in Mandated Services Aid to reimburse independent and religious schools for their expenses in providing the mandated continuing education to certified teachers and \$5 million in funding to reimburse schools for their expenses in mentoring new teachers.

Learning Technology Grants: The Governor proposes \$3.3 million for Learning Technology grants. The limited funding for this valuable program, however, serves only 50 school districts along with their independent and religious school partners. We strongly urge you to increase the appropriation to a level sufficient to enable all needy schools to benefit from this program.