

1 BEFORE THE NEW YORK STATE SENATE FINANCE  
AND ASSEMBLY WAYS AND MEANS COMMITTEES

2 -----

3 JOINT LEGISLATIVE HEARING  
4 In the Matter of the  
2021-2022 EXECUTIVE BUDGET ON  
ELEMENTARY AND SECONDARY EDUCATION

5 -----

6 Virtual Hearing  
7 Conducted Online via Zoom

8 January 28, 2021  
9 9:36 a.m.

10 PRESIDING:

11 Senator Liz Krueger  
Chair, Senate Finance Committee  
12 Assemblywoman Helene E. Weinstein  
Chair, Assembly Ways & Means Committee

13 PRESENT:

14 Senator Thomas F. O'Mara  
15 Senate Finance Committee (RM)  
16 Assemblyman Edward P. Ra  
Assembly Ways & Means Committee (RM)  
17 Assemblyman Michael Benedetto  
18 Chair, Assembly Education Committee  
19 Senator Shelley Mayer  
Chair, Senate Education Committee  
20 Assemblywoman Kimberly Jean-Pierre  
21 Chair, Assembly Committee on Libraries  
and Education Technology  
22 Senator Sean M. Ryan  
23 Chair, Senate Committee on Libraries

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1 2021-2022 Executive Budget  
Elementary & Secondary Education  
2 1-28-21

3 PRESENT: (Continued)

4 Senator John Liu  
Chair, Senate Committee on New York City  
5 Education

6 Assemblywoman Deborah J. Glick

7 Assemblyman Michael Reilly

8 Senator Robert Jackson

9 Assemblyman Steven Otis

10 Assemblywoman Alicia Hyndman

11 Assemblyman Harry B. Bronson

12 Senator James Tedisco

13 Assemblywoman Jo Anne Simon

14 Assemblywoman Mary Beth Walsh

15 Assemblyman Harvey Epstein

16 Assemblywoman Rebecca A. Seawright

17 Assemblywoman Marianne Buttenschon

18 Senator Samra Brouk

19 Assemblyman Erik M. Dilan

20 Senator Daniel G. Stec

21 Assemblywoman Vivian E. Cook

22 Senator Gustavo Rivera

23 Assemblyman Michael Cusick

24 Assemblywoman Sarah Clark

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3 PRESENT: (Continued)

4 Assemblyman Mark Walczyk  
5 Senator John E. Brooks  
6 Assemblyman Josh Jensen  
7 Assemblywoman Patricia Fahy  
8 Senator Diane J. Savino  
9 Assemblywoman Inez E. Dickens  
10 Senator Brad Hoylman  
11 Assemblywoman Rodneyse Bichotte Hermelyn  
12 Senator Patrick M. Gallivan  
13 Assemblyman Jeffrion L. Aubry  
14 Assemblywoman Judy Griffin  
15 Senator Pete Harckham  
16 Assemblyman Jake Ashby  
17 Assemblywoman Chantel Jackson  
18 Assemblyman Ron Kim  
19 Senator Leroy Comrie  
20 Assemblyman Philip A. Palmesano  
21 Assemblywoman Latoya Joyner  
22 Assemblyman Kenneth Zebrowski  
23 Senator John W. Mannion  
24 Assemblywoman Jennifer Lunsford

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3 PRESENT: (Continued)

4 Assemblyman Steve Englebright

5 Assemblywoman Marcela Mitaynes

6 Assemblyman Doug Smith

7 Senator Simcha Felder

8 Assemblyman Kevin M. Byrne

9 Senator Jessica Ramos

10 Assemblywoman Yuh-Line Niou

11 Assemblyman Mike Lawler

12 Senator Alexis Weik

13 Assemblyman William Conrad

14 Assemblyman Nader J. Sayegh

15 Senator Elijah Reichlin-Melnick

16 Assemblywoman Melissa Miller

17 Assemblyman David G. McDonough

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1                   CHAIRWOMAN WEINSTEIN: Good morning.  
2                   I'm Helene Weinstein, chair of the New York  
3                   Assembly's Ways and Means Committee, and  
4                   cochair of today's hearing.

5                   Today we begin the third in a series  
6                   of hearings conducted by the joint fiscal  
7                   committees of the Legislature regarding the  
8                   Governor's proposed budget for fiscal year  
9                   2021-2022. The hearings are conducted  
10                  pursuant to the New York State Constitution  
11                  and the Legislative Law.

12                  And today our committees will hear  
13                  testimony concerning the Governor's budget  
14                  proposal for education.

15                  So I will introduce members from the  
16                  Assembly. Senator Krueger, chair of Senate  
17                  Finance, will introduce members from the  
18                  Senate. And then our ranking respective  
19                  members, Assemblyman Ra and Senator O'Mara,  
20                  will introduce the members from their  
21                  conferences.

22                  And just before we get started, I just  
23                  want to remind all witnesses testifying today  
24                  to keep your statements within the allotted

1 time -- there's a clock on the screen -- so  
2 everyone can be afforded an opportunity to  
3 speak. It's really even more important now  
4 that the hearings are being conducted  
5 virtually.

6 Just to go over the time limits again  
7 for governmental entities, witnesses, public  
8 authorities, you have 10 minutes to make an  
9 oral presentation. We will be starting today  
10 with a presentation from the interim  
11 commissioner of the New York State Education  
12 Department, Commissioner Rosa. They will get  
13 10 minutes. The New York City Department of  
14 Education's chancellor, later, will get  
15 10 minutes. And then we'll proceed to hear  
16 other, typically nongovernmental witnesses  
17 who have asked to testify today. They will  
18 each get three minutes to make an oral  
19 presentation to us. We already have their  
20 testimony that's been distributed. People  
21 are asked to highlight their important parts,  
22 since we do have the testimony.

23 And, you know, again, I mentioned  
24 about the countdown clock, not only for your

1 witnesses but, importantly, also for the  
2 members. The time is -- for when a member  
3 gets the time put up, it is for both to ask  
4 the question and to give the witness time to  
5 answer the question.

6 We had some issues with this with some  
7 yesterday, so hopefully today people will be  
8 a little more mindful of the countdown clock.

9 Just to reiterate what I think  
10 committee chairs know, the chairs will have  
11 10 minutes to ask questions, receive answers;  
12 ranking members of the committees five  
13 minutes each. All other members who are  
14 here -- Assemblymembers, Senators -- three  
15 minutes. No second round of questions except  
16 for the relevant committee chairs.

17 And if we adhere to these guidelines,  
18 we can have another productive hearing today.  
19 Last night, just shy of 12 hours ago, we  
20 ended our hearing of yesterday. So we're not  
21 looking, as Assemblyman Benedetto said, to  
22 set any records today.

23 But with that, let me introduce some  
24 of the Assemblymembers and then, Senator

1 Krueger, you can introduce your conference.  
2 And periodically we'll update it, because we  
3 have to just keep track of who's coming.

4 So we have Assemblyman Benedetto,  
5 chair of our Education Committee;  
6 Assemblywoman Glick, chair of our Higher Ed  
7 Committee; Assemblyman Bronson, Assemblywoman  
8 Clark, Assemblyman Cusick, Assemblyman  
9 Englebright, Assemblyman Epstein,  
10 Assemblywoman Griffin, Assemblywoman Hyndman,  
11 Assemblywoman Joyner, Assemblywoman Lunsford,  
12 Assemblywoman Mitaynes. And for the moment  
13 that's who I see.

14 I'm going to go to Senator Krueger to  
15 introduce your members, and we'll come back  
16 for additional members.

17 CHAIRWOMAN KRUEGER: Thank you. All  
18 right. So trying to get everybody on the  
19 Democratic side here first, Senator Shelley  
20 Mayer, Senator John Mannion, Senator Robert  
21 Jackson, Senator Samra Brouk, Senator Diane  
22 Savino, Senator Gustavo Rivera -- I'm reading  
23 off a funny system here -- Senator John  
24 Brooks, Senator Sean Ryan, Senator Pete

1 Harckham. I think that's it for the  
2 Democratic Senators.

3 Should I turn it over to Tom O'Mara to  
4 introduce the Republican Conference members?

5 CHAIRWOMAN WEINSTEIN: Yes, makes  
6 sense.

7 CHAIRWOMAN KRUEGER: Thank you.

8 SENATOR O'MARA: Thank you,  
9 Chairwomen --

10 CHAIRWOMAN KRUEGER: Senator Simcha  
11 Felder also just got on. Sorry.

12 SENATOR O'MARA: I'm going to take  
13 him, for old time's sake.

14 (Laughter.)

15 CHAIRWOMAN KRUEGER: We'll talk later.

16 (Laughter.)

17 SENATOR O'MARA: I on our side would  
18 like to recognize our ranking Republican  
19 member, Jim Tedisco, and two of our new  
20 Senators, Peter Oberacker and Dan Stec.  
21 Thank you.

22 CHAIRWOMAN WEINSTEIN: Thank you.  
23 Before I turn it over to Assemblyman Ra, we  
24 also have been joined by Assemblyman Aubry,

1 Assemblywoman Buttenschon, Assemblyman  
2 Zebrowski, Assemblyman Otis. And I assume  
3 we'll have some members joining us as --  
4 Assemblywoman Fahy, Assemblywoman Seawright,  
5 Assemblywoman Cook, Assemblyman Dilan,  
6 Assemblywoman Simon, Assemblywoman Bichotte  
7 Hermelyn, Assemblyman Conrad.

8 And I believe -- Assemblyman Ra, why  
9 don't we go to you for your conference  
10 members.

11 ASSEMBLYMAN RA: Thank you. We're  
12 joined this morning by Assemblyman Jensen,  
13 who is our ranking member on our Libraries  
14 committee; Assemblymembers Walsh, Byrne,  
15 Lawler, Reilly and Ashby, as well as  
16 Assemblyman Walczyk, who is our ranker on  
17 Higher Education. I believe our Education  
18 ranker, Doug Smith, should be joining us  
19 momentarily. Thank you.

20 CHAIRWOMAN WEINSTEIN: Okay. So with  
21 that, I'd like to begin the hearing and ask  
22 Commissioner Rosa, with 10 minutes on the  
23 clock, to -- you're welcome to begin your  
24 testimony.

1 NYSED COMMISSIONER ROSA: Good  
2 morning, and thank you. Good morning, Chairs  
3 Krueger, Weinstein, Mayer and Benedetto, and  
4 members of the Senate and Assembly here  
5 today. My name is Dr. Betty Rosa, and I'm  
6 the Interim Commissioner of Education. I am  
7 joined by Chief Financial Officer Phyllis  
8 Morris, Deputy Commissioner Dr. Kim Wilkins,  
9 as well as Assistant Commissioners Kathleen  
10 DeCataldo, Christina Coughlin, and Chris  
11 Suriano.

12 I also want to thank Chancellor Young  
13 and our Board of Regents, who are watching  
14 today.

15 As you know, 2020 was a year like no  
16 other, with the Governor ordering all schools  
17 to abruptly close in March due to the  
18 pandemic. This mandatory closure forced all  
19 our schools to undertake an unprecedented  
20 transformation, shifting from in-person  
21 instruction to all-remote learning almost  
22 overnight.

23 I want to thank and commend our  
24 students and their families, educators,



1 support staff, school bus drivers, school  
2 building leaders, superintendents and school  
3 board members across New York State for their  
4 heroic efforts. This experience has not been  
5 easy, yet there are so many examples of  
6 people rising to the occasion, being  
7 innovative, supporting students, and working  
8 through complex challenges.

9 We know too many families are  
10 struggling, and there's continued need to  
11 address the issue of equity. This is why we  
12 need to support our schools, as their needs  
13 and challenges have only increased during  
14 this time.

15 In last year's enacted budget, state  
16 support for schools was reduced by  
17 \$1.1 billion and partially replaced with  
18 federal CARES Act funds. While we understand  
19 the current fiscal realities our state is  
20 facing, however, we cannot balance the  
21 state budget on the backs of our students by  
22 forcing school districts to use federal  
23 funding to fill the holes left in their  
24 budgets by a further decrease in state aid in

1 this year's proposed budget.

2 As we laid out in our Regents budget  
3 and legislative priorities -- please see  
4 Slides 2 through 4 -- we are opposed to  
5 one-shot federal funding replacing needed  
6 state dollars for schools.

7 It is vital that the Biden  
8 administration and our congressional  
9 delegation provide much-needed state and  
10 fiscal relief. However, this one-shot  
11 federal funding should be used to help school  
12 districts meet the enormous additional costs  
13 of the pandemic and to address learning loss  
14 and other adverse student impacts, rather  
15 than for day-to-day expenses.

16 Federal CARES Act 2 language directs  
17 that funding is supposed to go to districts  
18 to, for example, address learning loss among  
19 students, including low-income students,  
20 children with disabilities, English language  
21 learners, racial and ethnic students,  
22 students experiencing homelessness, and  
23 children and youth in foster care of the  
24 local educational agency.

1           In addition, CARES Act 2 should be  
2           used to administer and use high-quality  
3           assessments that are diagnostic in nature,  
4           interim, formative, and curriculum-based to  
5           accurately assess students' academic progress  
6           and assist educators in meeting students'  
7           academic needs, including through  
8           differentiating instruction.

9           Further, funds should help to  
10          implement evidence-based activities to meet  
11          comprehensive needs of students and provide  
12          information and assistance to parents and  
13          families on how they can effectively support  
14          students, including in a distance-learning  
15          environment.

16          Finally, districts should use this  
17          funding to track students' attendance and  
18          improve student engagement in distance  
19          education.

20          We are also opposed to other proposals  
21          contained in the Executive Budget that would  
22          negatively impact school districts and the  
23          overall funding that they would receive, such  
24          as the consolidation of 11 existing aid

1 categories into a new aid category called  
2 services aid. Funding for these aids in the  
3 2021-2022 school year and into the future is  
4 reduced by nearly \$700 million, leaving  
5 school districts with ongoing, unreimbursed  
6 expenses that will not be covered with this  
7 one-time federal stimulus funding moving  
8 forward.

9 We also do not support a local  
10 district funding adjustment via a reduction  
11 to the STAR exemption reimbursements to  
12 school districts in the 2021-2022 school  
13 year. This would be a \$1.35 billion hit for  
14 districts and would impose a permanent  
15 recurring 70 percent local share on a program  
16 that was initiated by the Executive and has  
17 always been 100 percent state-funded in the  
18 past.

19 With a property tax levy limit of  
20 1.23 percent, few districts will be able to  
21 make up for this lost revenue after one-time  
22 federal stimulus funds are exhausted. For  
23 the Big 5 city school districts, the STAR  
24 reduction impacts city budgets rather than

1 district budgets, without the ability for the  
2 city to offset the reduction with federal  
3 education stimulus funding.

4 A bright spot in the Executive Budget  
5 is the proposal which the Board of Regents  
6 and the department have advocated for since  
7 last spring to reimburse schools for using  
8 buses to deliver meals, WiFi access, and  
9 needed educational materials to support  
10 students engaged in remote learning in the  
11 2019-2020 school year.

12 This proposal, however, does not  
13 include paying for critical standby  
14 transportation costs that districts incurred  
15 during the pandemic or to reimburse districts  
16 for meal and materials delivery in the  
17 '20-'21 school year, as was proposed by the  
18 Board of Regents; please see Slide 5.

19 There are stark inequities among our  
20 students and families who lack access to  
21 devices as well as access to and affordable  
22 broadband. Further, many of those who do  
23 have access lack the digital literacy skills  
24 needed to successfully navigate remote

1 learning.

2 Through the recent release of our fall  
3 2020 Digital Equity Survey results, our  
4 upcoming Digital Equity Summit meetings and  
5 digital literacy budget proposal on Slide 6,  
6 we want to work with you to address these  
7 challenges. As you know, there are concerns  
8 with our teacher pipeline shortage as well as  
9 an absolute need to address teacher  
10 diversity. Therefore, it would be a major  
11 step backward to cut important programs like  
12 Teachers of Tomorrow, the Mentor Teacher  
13 Internship Program, Teacher Center, and the  
14 Shanker Grants for teachers pursuing national  
15 board certification.

16 Moving forward post-pandemic, there is  
17 an opportunity to examine what worked and  
18 what did not work. We're in an age, when it  
19 comes to teaching and learning, the need for  
20 remote learning will not go away  
21 post-pandemic, and it shouldn't. We will  
22 work with our partners in higher education to  
23 provide the tools and support for our future  
24 educators that they deserve to be successful

1 in this era.

2 Finally, because of school closures  
3 last spring, the Board of Regents and the  
4 department took action to ensure the safety  
5 and well-being of all students, while making  
6 certain that students continue to progress  
7 academically. The June and August 2020 as  
8 well as the January 2021 Regents exams were  
9 canceled, and exemptions were put in place so  
10 students could earn Regents credits towards  
11 their diploma. That is why we just announced  
12 two federal waivers we will send to the U.S.  
13 Department of Education to allow us to forego  
14 the spring 2021 state assessment and  
15 accountability.

16 Our first priority continues to be the  
17 physical and mental health, safety, and  
18 well-being of the children and adults in our  
19 schools. Before I end my testimony, I would  
20 be remiss not to thank our staff who have  
21 worked so hard on behalf of students in the  
22 districts across New York.

23 Thank you, and I look forward to your  
24 questions.

1           CHAIRWOMAN WEINSTEIN: Thank you,  
2 Commissioner. I'm not sure, when we get  
3 through 20 members, you'll still be saying  
4 you look forward to it, but we will do that.

5           I just want to acknowledge a few  
6 members who joined us -- actually, who we  
7 missed early on. Assemblyman Palmesano is  
8 here; Assemblywoman Kimberly Jean-Pierre,  
9 chair of the Assembly Libraries Committee.  
10 And our new member who I missed, Chantel  
11 Jackson from the Bronx, is also here.

12           So we now will jump into questions,  
13 and we will ask the chair of the Assembly  
14 Education Committee, Assemblyman Benedetto,  
15 to begin for 10 minutes.

16           ASSEMBLYMAN BENEDETTO: Thank you,  
17 Chairman Weinstein.

18           And Commissioner, thanks so much for  
19 being here and thank you for all you do  
20 during these difficult times. It's been a  
21 nice transition for you, from going to the  
22 Regents to where you are now, and we hope it  
23 continues for a long time.

24           Listen, this has been a crazy year,



1 and it's almost been a year. Some kids are  
2 going to school full-time, some kids are home  
3 remote, it's a mess. Kids have been  
4 impacted, there's no doubt about it. How do  
5 you measure, how do we look at and make a  
6 measurement of what we've lost this  
7 particular year?

8 NYSED COMMISSIONER ROSA: Sure. So  
9 first and foremost, I just want to start with  
10 the fact that obviously I'm going to  
11 contextualize it in the -- in this obviously  
12 landscape of the pandemic.

13 And again, as I said in my opening  
14 remarks, communities, teachers, principals,  
15 superintendents and all other individuals  
16 that impact the lives of children, including  
17 parents, have really, really met an  
18 incredible challenging situation and made the  
19 kind of transition to support not only their  
20 children as parents, but school staff, in  
21 terms of making sure that we were making  
22 adjustments to going from a -- what I would  
23 call in-person to in some cases a hybrid  
24 combination, which many school districts

1 immediately attempted, into the remote.

2 Obviously for those communities and  
3 school districts that were already  
4 comfortable with using the technology to  
5 enhance and to support student learning, that  
6 became an opportunity to continue that work.  
7 But we also had school districts that really  
8 struggle on many levels. We also had  
9 communities that really had the unevenness of  
10 not having the devices. We -- obviously in  
11 New York State we don't have the kind of  
12 infrastructure -- devices, broadband -- I  
13 mean, I think the survey that we just  
14 recently did, by the way, which we had about  
15 98, almost 99 percent of school-specific  
16 responses, really has helped us to not only  
17 take stock of, you know, from the original  
18 survey, which only gave us about 50 percent,  
19 but helped us to take stock of what our  
20 schools look like, responded, both in terms  
21 of devices but also in terms of  
22 responsiveness to the teaching and learning  
23 process.

24 Because as you know -- and I was

1           blessed to visit some schools here in the  
2           Albany area as well as other school  
3           districts. And to watch how school districts  
4           and schools responded to this issue by  
5           immediately transferring their teaching and  
6           learning and supporting students, was  
7           remarkable.

8                     And so we ended up with seeing -- in  
9           not all communities, in many communities --  
10          that people began to innovate and began to  
11          use ways of continuing and creating the  
12          continuity of supporting their students in  
13          the teaching and learning process. While  
14          keeping, at the same time -- as you know,  
15          this was not just about teaching and  
16          learning. We had to also respond to issues  
17          of health and safety. You know, schools had  
18          to immediately go into the issue of  
19          distancing, the issue of, you know, using the  
20          mask, issues of creating the -- you know,  
21          in-person when we had the classrooms, how to  
22          keep kids safe.

23                     And so the demand has been massive.  
24          But I do have to say that people have really

1 used their resources and have used the  
2 opportunity to expand the learning process.

3 And one of the things that in the  
4 department we have done is really focus on  
5 capturing lessons learned to continue to  
6 support our students into the new landscape  
7 post-pandemic.

8 ASSEMBLYMAN BENEDETTO: Yeah, we do  
9 have -- you're absolutely correct about the  
10 transition that has to be made in teaching  
11 techniques. And all of a sudden teachers  
12 found themselves in their homes trying to  
13 teach their students remotely using -- using  
14 their computers and techniques that they'd  
15 never used before. It was a monster  
16 transition.

17 Where are we in that? Do we have best  
18 practices for remote learning? Are we  
19 looking at it for the future and where are we  
20 going to go with remote learning? And is  
21 this viable for kids who maybe -- we used to  
22 have the home school -- probably still do --  
23 the home school program in New York City,  
24 where maybe now they can be continuing their

1 schoolwork. Do we -- have we made progress  
2 in this area, basically, and where do we  
3 stand, in your opinion?

4 NYSED COMMISSIONER ROSA: Well, I  
5 think -- so let me break this down into  
6 the -- by starting out by saying I think all  
7 of us collectively know that there's nothing  
8 like connecting -- the human connection for  
9 our children in terms of in-school. Schools  
10 are places for not only supporting students  
11 socially, emotionally, having the opportunity  
12 for students to gather with their friends and  
13 to really exchange ideas and to work on  
14 collective projects and so forth and so on.

15 So I want to emphasize that in my  
16 personal, professional opinion -- and I think  
17 most educators understand the importance of  
18 that human connection. So the in-school  
19 connection still continues to be a major  
20 priority.

21 I think, given the pandemic, I think  
22 we have obviously learned to look at the  
23 various modalities, one of them, of course,  
24 the in-person, the other one the hybrid, and

1 the third one the remote under certain  
2 circumstances.

3 We've also taken stock of the various  
4 different children and their needs,  
5 particularly the special needs children.  
6 There are some major disadvantages for some  
7 of them, particularly the children that  
8 really need -- or have difficulty with the  
9 remote approach. It doesn't necessarily work  
10 for everybody, and I think we know that. But  
11 there are adjustments, there are equipment  
12 issues that we have to obviously incorporate  
13 into this process.

14 At the same time, I think with the  
15 department, with the staff, what we've all  
16 been focused on -- and I think district  
17 superintendents as well -- is in looking at  
18 this process in terms of what has worked and  
19 what has not and how do we -- how do we move  
20 the difficult situations and challenges into  
21 perhaps a different way of teaching.

22 One of the -- one of the things that  
23 we did early on was our Rethink grant, which  
24 was a grant that we wrote in terms of looking

1 at support systems for our schools to learn  
2 this process, to support our teachers in the  
3 remote learning modality. So our Rethink  
4 grant really -- from the feds -- is one that  
5 we are already out there putting into place  
6 because we know, as I said, post-pandemic  
7 there are going to be some benefits to extend  
8 this educational platform, because this is  
9 going to be an opportunity to use, as you  
10 said, to use your example, if a child is home  
11 and isn't feeling well, that they can  
12 continue, 24/7, their education.

13 But even with that, we really have a  
14 lot of work to do in teacher development,  
15 teacher training. We have a lot of work to  
16 do in how do we take this modality and this  
17 tool of remote and really bring it to a level  
18 that supports all children. How do we use it  
19 for English language learners, how do we use  
20 it for ways of, again, supporting --  
21 understanding that we've had a lot of  
22 challenges. We have had schools that put in  
23 orders for devices in May and June, and  
24 opening bell in September, they still were

1 waiting for these devices.

2 So I think overall we've had many  
3 challenges, but putting what I would call the  
4 positive spin on this pandemic, what are the  
5 opportunities, what are the lessons learned,  
6 what are the things that we are going to take  
7 with us, as I said earlier, into the  
8 post-pandemic landscape. And the staff has  
9 been very judicious in looking at this and  
10 making sure that we have those conversations  
11 and that we continue to incorporate those  
12 into our next-phase opportunities for  
13 teaching and learning.

14 CHAIRWOMAN WEINSTEIN: Thank you --

15 ASSEMBLYMAN BENEDETTO: Thank you very  
16 much, Commissioner.

17 CHAIRWOMAN WEINSTEIN: We can go back  
18 to Assemblyman Benedetto for a second round.

19 Before I call on the next member on  
20 the Assembly side, we've been joined by  
21 Assemblyman Kim, Assemblywoman Simon,  
22 Assemblyman Dilan, Assemblyman Sayegh, and  
23 Assemblywoman Niou.

24 Now I would go for five minutes to the



1 ranker of Education, Assemblyman Smith.

2 CHAIRWOMAN KRUEGER: Wait, don't we go  
3 to the Senate first?

4 CHAIRWOMAN WEINSTEIN: Oh, I'm -- no,  
5 this is the -- yes, why not?

6 (Laughter.)

7 CHAIRWOMAN WEINSTEIN: Okay.

8 CHAIRWOMAN KRUEGER: I don't know,  
9 Shelley Mayer was here, I thought we should  
10 give her her -- the chair of Education. Call  
11 me crazy.

12 CHAIRWOMAN WEINSTEIN: You know, I  
13 still think of her as an Assemblymember.

14 CHAIRWOMAN KRUEGER: She means that  
15 only with the highest respect, Shelley Mayer.

16 But before you start --

17 CHAIRWOMAN WEINSTEIN: We didn't know  
18 each other very long. I'm sorry, Liz, I am  
19 not a morning person. Okay, the Senate.

20 CHAIRWOMAN KRUEGER: Don't worry about  
21 it, Helene.

22 I also just want to announce that we  
23 have been joined by Senator Brad Hoylman and  
24 Senator -- brand-new Senator, excuse me,

1 Alexis Weik, W-E-I-K. I hope I said that  
2 correctly.

3 And now the chair of Education,  
4 Shelley Mayer, for 10 minutes. Thank you.

5 SENATOR MAYER: Thank you. Thank you,  
6 Chairwoman -- both Chairwomen. And thank  
7 you, Commissioner. And thank you for your  
8 strong comments that we can't balance the  
9 State Budget on the backs of our children,  
10 particularly this year.

11 I wanted to ask you if you could  
12 outline some of the things you reference in  
13 generalities about the use of the federal  
14 second CARES Act money, or SERSA {ph}. You  
15 mentioned three sort of categories. One,  
16 specific expenses districts incurred during  
17 the pandemic, either, you know, actual  
18 expenses of PPE, closure, additional  
19 overtime. Secondly, you mentioned the costs  
20 of compensatory learning, which I would  
21 appreciate if you could outline so that we  
22 all understand the costs that will be  
23 associated for children who lost learning  
24 opportunities during this period. Thirdly,

1           you reference something that gets very little  
2           conversation, but the need to use some of  
3           these federal funds -- which as you point out  
4           should supplement, not supplant the state's  
5           commitment to public education -- in helping  
6           parents and families deal with distance  
7           learning.

8                     Can you {inaudible} the real costs  
9           that you think districts have incurred and  
10          families have incurred where we should use  
11          these federal funds, instead of taking the  
12          place of the state's commitment, but to  
13          really recover from the impact of COVID on  
14          our kids and on our schools?

15                    NYSED COMMISSIONER ROSA:   Sure.  Thank  
16          you, Senator Mayer.

17                    First and foremost, let me answer the  
18          first part.  So just to give you a concrete  
19          example, when the Governor, as you know, in  
20          March, March 17th, 18th, pretty much closed  
21          the schools -- and we closed the school  
22          buildings, but we didn't close the education,  
23          so let's -- you know, I think it's so  
24          important to be clear, because I think

1 sometimes that gets lost in the conversation.

2 And so in closing the school  
3 buildings, we were -- we were in a  
4 wait-and-see situation. And so -- and if  
5 most us recall, it was on a kind of a  
6 two-week basis. There was a period of time  
7 that we would -- it was kind of a stop-and-go  
8 situation. We didn't know if we would  
9 reopen.

10 And so part of what happened was that  
11 during that period of time, as you well know,  
12 the Governor did ask school districts to  
13 provide certain services -- meals,  
14 particularly in the educational arena, for  
15 districts that were struggling with  
16 receiving -- not having necessarily access to  
17 broadband and devices and -- you know, those  
18 things were being planned -- you know, we  
19 were sort of building the plane while we were  
20 flying it.

21 So there were certain expectations  
22 that I think the Executive asked communities  
23 to fulfill, and many of those were through  
24 the use of -- in terms of transportation. So

1 that in the area of transportation, people  
2 who had, you know, busing contracts and -- so  
3 they used their resources, districts used  
4 their resources to comply, to support, to  
5 clearly respond, I would say, to a request.

6 As a result of it, to just use that  
7 one concrete example, as a result of it when  
8 we -- when we were asking -- you know,  
9 obviously we know that the issue of  
10 transportation is only, you know, aidable if  
11 you transport children. So this was kind of  
12 a shift. And our assumption was that -- you  
13 know, we're asking people to do something; we  
14 assume that they will be reimbursed.

15 We really did hit a bit of a hiccup,  
16 right, a bit of a concern. And in asking, as  
17 a department, there was a period of silence.  
18 You know, we were not clear as to what would  
19 happen.

20 As a result, as you notice in my  
21 statement, DOB did respond in terms of -- you  
22 know, I call it the good news, but it's an  
23 incomplete good news. And by that I mean,  
24 you know, during that period of time, yes,

1           you know, we will -- people will get  
2           reimbursed. But that process is continuing.  
3           When people have to go from being in-person,  
4           hybrid, to remote, you know, you just don't  
5           have a contract and ask, you know,  
6           transportation workers to kind of go home and  
7           then come back two weeks later.

8                         So that there are real expenses that  
9           have been incurred, and as a result of it --  
10          you know, even with the WiFi, we had  
11          communities that didn't have it. So we were  
12          asking people to do -- provide a service,  
13          provide a response, and yet at the same time  
14          the districts would then put into place that  
15          they were being asked to incur that. So  
16          that -- that is one.

17                        The second issue to your response is  
18          really the issue of CARES Act 2, the federal  
19          funding, is a one-time -- you heard me in my  
20          testimony, it is a one-time initiative. You  
21          really -- you have to use that. And we --  
22          you know, in the department we've dissected  
23          what was the intent. You know, you always  
24          have to look. We received the money; there

1 was an intent behind the dollars. We need to  
2 use that for that purpose.

3 And that -- some of that was for --  
4 you know, understanding that we were going to  
5 have learning loss because of the closures.  
6 Understanding that, you know, we needed to  
7 support families and communities, we needed  
8 to support our school system to really do a  
9 great deal of work in addition to the normal  
10 work to enhance, to expand the instructional  
11 day and what that would look like.

12 So those dollars were dollars that  
13 were added on for a very specific purpose.  
14 They were never intended to supplant, they  
15 were never intended to be used for anything  
16 other than adding on during this pandemic to  
17 ensure that the most impacted students --  
18 communities of color, English language  
19 learners, students with disabilities, poor  
20 communities, communities that we knew were  
21 going to be -- they're normally impacted, now  
22 they're -- this has exacerbated it -- that  
23 those dollars would be used for that purpose  
24 and not to be used to supplant.

1           Because what ends up happening is if  
2           you take a one-shot deal and you reduce  
3           permanent dollars, you know, over a period of  
4           time, it's creating another problem on top  
5           of, you know, the problem that you're not  
6           using them for that purpose.

7           So that, to us, was something that we  
8           really -- when we looked at the budget, we  
9           looked at it, you know, as I said, you know,  
10          on prima facie it looks like, you know, yes,  
11          you can say there's a 7 percent increase.  
12          But when you combine dollars and you combine  
13          a one-time amount, yes, you can -- you know,  
14          you -- a narrative can be told that makes it  
15          look better than what it is.

16          And again, we oppose the idea of using  
17          these dollars for anything other than what  
18          the dollars were intended to provide for our  
19          schools, our communities, our parents.

20          SENATOR MAYER: Just in my brief time,  
21          you referenced the Executive's proposal to  
22          withhold the STAR payment, which  
23          traditionally has not been counted as a  
24          traditional form of school aid, and the



1 impact this would have outside the Big 5  
2 particularly -- and then we can talk about  
3 the Big 5 later. But outside the Big 5, this  
4 permanent removal of STAR funding you  
5 referenced would have a serious impact on  
6 districts and was never anticipated. Can you  
7 just elaborate on that in the time we have  
8 left?

9 NYSED COMMISSIONER ROSA: Sure. Very  
10 quickly, again, our staff, we took a deep  
11 dive into looking at it. And by the way, we  
12 did do the Big 5, and I will highlight the  
13 fact that a place like -- I think Yonkers  
14 gets hit by 29 million.

15 SENATOR MAYER: Okay.

16 NYSED COMMISSIONER ROSA: So it is --  
17 it's one of those situations that it -- you  
18 know, this was an initiative, right, to --  
19 for an exemption -- but, you know, however --  
20 for people over 65. And, you know, we know  
21 what the STAR -- the intent of the STAR. But  
22 the state would reimburse, right, for the  
23 difference to the districts.

24 So those dollars add up. And when

1 districts do not receive that, you know --  
2 and so you have community people receiving a  
3 benefit, but at the same time, you know, as I  
4 said, if you remove those on a permanent  
5 basis, those dollars clearly have a major  
6 impact on school districts. And as I said,  
7 it's not -- we separated out, we looked at  
8 districts across the board, but we also  
9 looked at the Big 5. We took into account so  
10 that we would be able to share and have the  
11 knowledge of the individual -- you know, the  
12 Big 4, the Big 5, plus all the other  
13 districts.

14 I can give you specifics if you need.  
15 Phyllis would be more than glad to review  
16 those as well.

17 SENATOR MAYER: Thank you. Thank you  
18 so much. Thank you, Madam Chair.

19 CHAIRWOMAN WEINSTEIN: Now -- now we  
20 go back to the Assembly, to our Education  
21 ranker, Assemblyman Smith.

22 ASSEMBLYMAN SMITH: Thank you so much,  
23 Madam Chair.

24 I want to thank Commissioner Rosa

1 for -- first of all, for staying on to lead  
2 the department during this tumultuous time.  
3 I think all of us have such great confidence  
4 in you.

5 Now, I've spoken with a number of my  
6 school districts down here on Long Island,  
7 and school districts across the state, and  
8 you touched on this issue, the issue of  
9 digital equity. So now that we know that at  
10 least 5 percent of families across the  
11 state -- and I'm sure it's actually higher --  
12 are at a serious technological disadvantage  
13 during this pandemic, how are we going to  
14 provide students with the technology that we  
15 know that they need? Now my districts have  
16 been, here on Long Island, thinking about  
17 this, and they're wondering if might  
18 something along a Title I formula be the most  
19 equitable way to get these much-needed funds  
20 to the hands of the district.

21 There used to be a hardware line in  
22 the budget, so perhaps would you -- what are  
23 your thoughts on a digital equity line? And  
24 the thought -- and we've talked about this,

1           doing -- for example, like doing a second  
2           Smart Schools Bond Act. Our districts are  
3           very fearful that that would just take so  
4           much time, or anything along that nature  
5           where the voters would have to approve it.  
6           But with federal funds coming in, are there  
7           any thoughts on that?

8                     NYSED COMMISSIONER ROSA: Sure. Thank  
9           you for that question. Because we have spent  
10          a great deal of time, obviously, jumping into  
11          remote learning. You can't jump into remote  
12          learning without three things:  
13          Infrastructure, broadband, and devices.  
14          Actually, four. The fourth is really in  
15          our -- I call it in our wheelhouse big time,  
16          which is professional development. Right?  
17          The best use of it, how you make the  
18          adaptations so that the learning continues in  
19          a way that is useful.

20                    With devices that are also devices  
21          that are appropriate as well. Because it's  
22          not just any -- you know, it's not an issue  
23          of just any device. Right? Which is  
24          something that in our own survey, we define,

1           you know, appropriate devices. Not just a  
2           phone. You know, it's hard for -- to have a  
3           student a whole day on a phone.

4                        So let me -- let me go to the -- you  
5           said about Long Island. We actually did an  
6           absolute -- you know, the survey -- which  
7           again, we will share, because you will see  
8           school by school specifically -- and Kim, I'd  
9           like you to correct me if I'm wrong. It was  
10          something like 16 percent, I think, in our  
11          survey that showed -- we were looking at in  
12          terms of devices, what it -- you know, what  
13          school -- what homes look like in terms of  
14          devices, what schools look like.

15                       And again, the principals of the  
16          schools responded to our amazing survey with  
17          98 percent responses. So there's really a  
18          great deal of interest in this area.

19                       The other thing with the -- you know,  
20          as you talked about, the Smart Bond. And  
21          this is something that, you know, again  
22          internally we talked about. Because I think  
23          the -- and again, Christina, you can correct  
24          me. The last meeting was last July. But the

1 good news is that the -- that there's been a  
2 really high-level response to this issue, so  
3 that's been excellent.

4 But again, I don't think that we can  
5 stop there, because as you know, these  
6 devices need repair, these -- you know. So  
7 it's got to have a comprehensive way of --

8 ASSEMBLYMAN SMITH: That's actually a  
9 difficult point now as well, because our  
10 districts, if they are to consider even  
11 bonding for these devices, the life of these  
12 devices is not very long --

13 NYSED COMMISSIONER ROSA: exactly.

14 ASSEMBLYMAN SMITH: -- durability is a  
15 questionable thing.

16 Now, the other thing I wanted to bring  
17 up, do we -- and I only have about a minute  
18 left, so I'm going to touch on two things.  
19 I'm glad that the issue of busing has been  
20 brought up. In my district in Ronkonkoma,  
21 New York, a bus company, Baumann Bus Company,  
22 went out of business, 1400 employees in my  
23 district, 900 bus drivers and associated  
24 staff, because school districts had no real

1 clarity of whether or not they may or may not  
2 be reimbursed for contractual expenses that  
3 would not be able to actually be, you know,  
4 happening at that time.

5 The last thing -- so I'm glad that  
6 that's being discussed. And if I could just  
7 end off -- what are our plans for academic  
8 intervention services that will be necessary  
9 for many of our students across the state?  
10 They'll definitely need some funding on that.

11 NYSED COMMISSIONER ROSA: Absolutely.  
12 And that hits the point of the CARES Act 2.  
13 That is exactly what the CARES Act 2 -- the  
14 intent of the CARES Act 2 is specifically for  
15 that learning loss, for expanding that  
16 learning, and for purposes of really zooming  
17 in and targeting our children that we know --  
18 many of them were already struggling, right?  
19 And this has exacerbated that struggle.

20 So it's really, to your point, using  
21 this funding for the intent of the funding is  
22 critical. And that's why our advocacy is so  
23 strong along those issues.

24 ASSEMBLYMAN SMITH: Thank you so much,

1 Commissioner. I really look forward to  
2 working with you during this tough time.  
3 Thank you.

4 And thank you, Madam Chair.

5 NYSED COMMISSIONER ROSA: Thank you.

6 CHAIRWOMAN WEINSTEIN: Thank you.

7 Back to the Senate now.

8 CHAIRWOMAN KRUEGER: Thank you. Since  
9 our last introduction we have been joined by  
10 Senator Diane Savino. And I would also like  
11 to introduce -- oh, excuse me, Senator Leroy  
12 Comrie, Senator Sean Ryan. I think that's it  
13 for new Senators.

14 But the next speaker is Senator Jim  
15 Tedisco, ranker, five minutes.

16 SENATOR TEDISCO: Thank you so much.

17 Thank you, Commissioner, for taking  
18 the time to be here today and taking on this  
19 challenging role. And thank you for the  
20 great work you've done as our Regents leader,  
21 in your role as a Regent. And we appreciate  
22 your guidance today in very much answering  
23 some of our important questions from us and  
24 our constituents.



1           I have a question as it relates to the  
2           formula for education and funding within that  
3           formula. First of all, we all know we want  
4           full Foundation Aid -- at least many of us  
5           do -- and that seems a long way away right  
6           now. But we'd also like to see, many of us,  
7           because we have diverse districts, is maybe  
8           more parity in that formula for all school  
9           districts -- not only high-wealth, but  
10          low-wealth, high-need districts. And in that  
11          light, more autonomy. More autonomy for  
12          school boards, more autonomy for  
13          administrations.

14           I'll give you an example of why I say  
15          that: Because of the diversity of the  
16          49th Senatorial District. In that district I  
17          represent five counties: Schenectady,  
18          Saratoga, Hamilton, Fulton, and Herkimer, up  
19          into the Adirondacks. But it's urban, it's  
20          rural, it's suburban. Different environments  
21          taking place in those areas, with limited  
22          funding, of which it seems we're going to  
23          have for a while now.

24           And even if we had full funding, I

1 think many of those groups -- the school  
2 boards, the administrators, in conjunction  
3 with the educators there -- really know their  
4 district best. And could there possibly be  
5 some consideration, with the parity issue,  
6 for autonomy as it relates to those different  
7 individual districts with the financing and  
8 the money? In other words, a carve-out -- I  
9 know there are a tremendous number of niches.  
10 It's said that there's about two people who  
11 understand the school aid formula. I'm  
12 certainly not one. I know some of it. But  
13 very difficult, very complex.

14 But I think if we provided more  
15 autonomy for individuals who know the best  
16 way to use portions of their money -- and of  
17 course there's a lot of talk about the  
18 mandates for schools, and that's a real  
19 concern for administrators and for school  
20 boards. But if there was a carve-out for  
21 some funding within that formula, based on  
22 the unique environments of different school  
23 districts, they could really use that in the  
24 best way possible with that limited amount of

1           autonomy funding they had, to probably create  
2           a better atmosphere in their schools.

3                     Now, I have, with some of my  
4           colleagues over there, a leg up in many  
5           instances on what takes place in schools  
6           because, and tongue in cheek, I like to say I  
7           had a real job at one time, I was an  
8           educator. Ten years. I ran a resource room,  
9           special education. And I know the challenges  
10          and the successes that can take place in a  
11          school, especially the challenges and the  
12          frustrations of students, of parents, of  
13          educators, and of administrators.

14                    So I think a good look at that  
15          formula -- I think it's really time for an  
16          overhauling of that, to do some things that  
17          give more opportunities for the environments  
18          that individuals are placed in who are  
19          leaders in these school districts, and do  
20          some things that, with limited funding, could  
21          create a better direction for their  
22          educational process.

23                    I'm just wondering what you think  
24          about the potential for some of that.

1           NYSED COMMISSIONER ROSA: Well, first  
2           and foremost, let me just say as a former  
3           superintendent obviously I believe to a great  
4           extent that the closer you get to the local  
5           decision-making and understanding the local  
6           context, the better the decisions are made.

7           And yes, while I understand sometimes  
8           you have to look at, you know, what I call  
9           the big picture in many of these issues --  
10          but we have many conversations with rural,  
11          small city school districts -- I mean, our  
12          stakeholders really bring to the table many  
13          of the concerns that you just raised about  
14          the efficiencies and ways of looking at our  
15          budgets and ways of looking at  
16          decision-making that are much more efficient  
17          than we currently have.

18          So I would stand with you in  
19          revisiting this issue, because personally I  
20          think that this notion of one-size-fits-all,  
21          this notion that we should treat -- you know,  
22          obviously there are very specific issues that  
23          do impact poor communities that need -- you  
24          know, rural communities that need additional

1 dollars, additional support, and we have to  
2 take those, you know, weighted issues into  
3 account in our formulas.

4 But at the same time, the closer we  
5 get to a local solution for a local issue, I  
6 think as a state we will be in a better  
7 place.

8 So thank you for the question, and I  
9 look forward to exploring these potential  
10 possibilities.

11 SENATOR TEDISCO: Thank you,  
12 Commissioner Rosa. And we're proud of you,  
13 we're thankful for your service, and we truly  
14 appreciate being able to work with you, both  
15 of our committees.

16 And by the way, I want to thank  
17 Assemblyman Benedetto and Senator Mayer and  
18 all our committee people for the great work I  
19 think we're going to do under very difficult  
20 circumstances.

21 So -- and thank you once again.

22 NYSED COMMISSIONER ROSA: Thank you.

23 CHAIRWOMAN WEINSTEIN: Now we go to  
24 the Assembly. And we go to

1 Assemblyman Jensen, who is the ranker on the  
2 Libraries Committee, so he gets five minutes  
3 on the clock.

4 ASSEMBLYMAN JENSEN: Thank you very  
5 much, Madam Chair.

6 And thank you to Commissioner Rosa for  
7 joining us and taking our questions today.  
8 This is my first budget hearing, being a  
9 freshman member, so forgive me as I learn on  
10 the job.

11 I was disappointed in the Governor's  
12 budget proposal to see Library Aid cut by  
13 \$4.6 million. But certainly I'm looking  
14 forward to working with my colleagues on both  
15 sides of the aisle in both chambers to get  
16 that money restored.

17 And just to piggyback on something  
18 Mr. Smith brought up about technology, he  
19 spoke of technology in the schools  
20 themselves. But my question really pertains  
21 towards our libraries. You talked about how,  
22 in your testimony, that remote learning,  
23 distance learning isn't going anywhere  
24 anytime soon and that it's critically

1 important that we have -- in technology we  
2 have the infrastructure, we have broadband  
3 access and professional development. And it  
4 seems to me that libraries already, which are  
5 a fabric of communities across our state,  
6 have a lot of those things in place.

7 So my question being, with the  
8 Governor announcing that he wants to increase  
9 broadband access into rural areas of the  
10 state, areas with more poverty, is there a  
11 commitment from State Ed to ensure that we're  
12 bringing broadband access, high-speed  
13 internet access to our community libraries  
14 and additionally, not just having  
15 construction aid available for them, but  
16 looking at ways that we can make funding  
17 available to help our local municipalities  
18 afford the latest technology, bringing that  
19 access and making sure that students who may  
20 not have that technology in their own homes  
21 can go to their local library and have all  
22 the resources, the support from the  
23 librarians there, to continue their education  
24 as long as they have to do it remotely.

1           NYSED COMMISSIONER ROSA: Well, let me  
2 start by saying that, first of all, in our  
3 department we recognize during this pandemic  
4 the role that the libraries have played in  
5 terms of support. And not only that, but  
6 this summit that we're doing of February 5th  
7 is really -- was really an outgrowth of our  
8 library person within the state, because of  
9 the understanding of the importance of that  
10 connectivity, to use that word.

11           It's a place where we know families --  
12 it really connects the extension of  
13 schooling. Right? And many, many children,  
14 even the youngest children, find a safe  
15 haven, right, in those spaces. And so we see  
16 the library as an extension, we see it as a  
17 place where families create opportunities for  
18 learning beyond schools.

19           And so our department is very not only  
20 committed but understanding and quite -- as  
21 he said, quite disappointed that these  
22 dollars that we know are so critical, that  
23 expand those learning opportunities into the  
24 libraries -- we have sometimes parents -- I'm



1           sure you know this from your own communities,  
2           that the library, you know, is a place where  
3           they go to, you know, not only to support  
4           their students sometimes with the work, but  
5           also for their own purposes. You know, we've  
6           had parents that have gone in to try to use  
7           the technology support to, in some cases, do  
8           some research about an entrepreneur venture;  
9           because they don't have the technology;  
10          sometimes they don't have the broadband at  
11          home.

12                        So these are places and spaces that  
13           truly enhance, support, and give  
14           opportunities for our communities. And  
15           they're extensions. So I truly believe that  
16           we not only have to continue this, but we  
17           have to expand those opportunities because  
18           they're rich environments for our students,  
19           our parents, and our communities.

20                        And again, we are very supportive  
21           and -- disappointed, but supportive of  
22           knowing that we will find other ways to  
23           enhance and to continue the great work that  
24           our librarians do in supporting our hubs in

1           our communities and expanded learning  
2           opportunities.

3                   ASSEMBLYMAN JENSEN: Thank you,  
4           Commissioner Rosa.

5                   Thank you, Chairwoman Weinstein.

6                   CHAIRWOMAN WEINSTEIN: Thank you. Now  
7           we go to the Senate.

8                   CHAIRWOMAN KRUEGER: Thank you. I'm  
9           here. Thank you, thank you.

10                   And the next questioner is new Senator  
11           John Mannion -- new to the Senate, not new to  
12           education, as a retired teacher.

13                   SENATOR MANNION: Thank you,  
14           Commissioner Rosa, on behalf of a lot of  
15           people that I represented over a long period  
16           of time: My students, my children, my wife,  
17           who is an educator. I can't say enough how  
18           happy that I am and the people I mentioned  
19           are that you are in the position that you  
20           are, and also in your former role. We  
21           couldn't be happier; we understand that you  
22           get it.

23                   And I'm happy to serve with so many  
24           members on the Education Committee in the

1 Senate and also the Assembly that come from  
2 the world of public education and understand  
3 it.

4 I know I'm going to eat up most of my  
5 time here with a compliment, but I will say I  
6 am wearing my colors of my school here,  
7 West Genesee, which I served for 25 years.  
8 But I am here, and it's great to hear all the  
9 great things that you have to say about the  
10 budget, that your concerns are our concerns.

11 But I will flag one issue, which is  
12 that some of our school districts, and  
13 specifically one that I represent, which is  
14 Auburn, is at the wrong end of that funding  
15 formula, and even these federal stimulus  
16 dollars that are coming are  
17 disproportionately hurtful to that district  
18 as it compares to other neighboring districts  
19 where their cost-per-pupil is much higher and  
20 really for no good reason.

21 So I'm wondering if there's any  
22 movement within the budget to flag some of  
23 these most-impacted districts that again are  
24 being forgotten and are at the wrong end of

1 this funding spectrum. Thank you again.

2 NYSED COMMISSIONER ROSA: Sure. So  
3 Phyllis can tell you one of the exercises we  
4 go through all the time is exactly this issue  
5 of looking at districts. And we know that --  
6 for example, we focus on the Big 5, we focus  
7 on rural, we focus on sometimes what you call  
8 those districts that may be small but for  
9 various ways that the formula somehow, you  
10 know, doesn't account for some of the needs,  
11 that they are in many ways highlighted in a  
12 negative kind of way.

13 And so part of what we try to do --  
14 and I know that Phyllis and her team and  
15 others -- because our team works not only in  
16 terms of looking at the funding, but looking  
17 at the impact that the funding has on  
18 instruction, looking at the impact that the  
19 funding has on communities, right, so that if  
20 in fact we have schools and school districts  
21 that for whatever the reason they're not  
22 receiving these resources -- and sometimes it  
23 is, you know, it's the way the formula is set  
24 up -- we tend to figure out what are the

1 other ways that we can create an evenness, if  
2 you will. Just like, you know, a lot of  
3 times we say, well, because, you know,  
4 certain districts get 60 to 70 percent of  
5 their aid through state aid, right, you know,  
6 if you -- if you create a situation that the  
7 state kind of gets caught or, you know,  
8 whatever, you know you're going to have a  
9 major impact to this district.

10 But we can't just look at it through  
11 that lens alone, we have to -- you know, as a  
12 classroom teacher, and I relate to this, you  
13 looked at all your students individually, you  
14 looked at their needs individually. You  
15 know, they were -- you know, the  
16 differentiation of their needs, whether they  
17 were visual learners or their learning was  
18 one that was based on -- you know, the kid  
19 who needed to touch it, smell it, hear it,  
20 and put all of their comprehensive ways to  
21 respond to learning.

22 We have to do the same with our  
23 districts. We cannot just create these  
24 formulas that are very generic and respond to

1 one group and another group and then  
2 everything in between becomes like, well, you  
3 know, this is what it is.

4 So I totally agree that as we look at  
5 our formula, we have to take into account  
6 differentiation, we have to take into account  
7 how the formula impacts, how our  
8 decision-making impacts our districts and  
9 creates the kind of, you know, schisms,  
10 sometimes, that, you know, end up hurting  
11 individual communities.

12 So I do think that this -- the formula  
13 cannot be a formula that is just taken across  
14 the board and that is it, but rather a  
15 formula that responds to the various  
16 communities and the various needs.

17 And while I think you know it's very  
18 easy to have a generic model, a generic  
19 formula, to do it without really taking a  
20 deeper dive and keeping it as -- my staff  
21 always laughs when I say snorkeling versus  
22 scuba diving. No, in this formula we have to  
23 really go into a scuba diving approach and  
24 realize, you know, and do the various models

1 to find out why it's hurting that school that  
2 you were talking about and those communities.

3 Because that pain is eventually -- you  
4 know, I always say we're in the business of  
5 making an investment in our future economic  
6 development. Well, the investment is -- it  
7 comes through because the investment is our  
8 children. If we don't invest in our  
9 children, we are not investing in the future  
10 of our economic development.

11 CHAIRWOMAN WEINSTEIN: Thank -- thank  
12 you.

13 NYSED COMMISSIONER ROSA: And then  
14 that's something we have to understand.

15 Thank you.

16 CHAIRWOMAN WEINSTEIN: Thank you,  
17 Commissioner. We're going to move on to our  
18 next questioner from the Assembly, the Ways  
19 and Means ranker, Assemblyman Ra.

20 ASSEMBLYMAN RA: Thank you, Chair.

21 Good morning, Commissioner. Good to  
22 see you.

23 I know that one of the areas that  
24 you've been, you know, very passionate about

1 and have always worked on, both as  
2 commissioner and previously as chancellor and  
3 throughout your educational career, has been  
4 trying to provide, you know, opportunities  
5 for all students. And I have some concerns  
6 about how the consolidation could impact  
7 BOCES that I want to get to in a moment if I  
8 have time.

9 But with regard to 853 schools and,  
10 you know, how this pandemic may impact them  
11 and the rate-setting going forward -- you  
12 know, I'm aware of kind of issues that may  
13 have happened with aid that they may have  
14 gotten that then won't be there that could  
15 impact their rates going forward, and then  
16 also for, you know, 853s and 4410 preschool  
17 programs. You know, reductions in enrollment  
18 because evaluations weren't going on during  
19 the height of this to refer the students  
20 there.

21 So I'm just wondering if you have any  
22 thoughts on how that can be handled going  
23 forward.

24 NYSED COMMISSIONER ROSA: Sure. Once



1           again -- and, you know, another major  
2           discussion for us. As you know, we have been  
3           -- the Board of Regents, you know, haven't  
4           been on that side, we've always talked about  
5           the need to invest to help us in terms of the  
6           department, to revisit our rate-setting  
7           process. It's one that I think you hear  
8           almost every year, right? We talk about we  
9           need to make a change. We need to have  
10          experts come in and help us to do this work.

11                   And obviously, without that, you know,  
12          we keep -- you know, we keep going through  
13          having this issue of the rate-setting being  
14          such a problem all the way around.

15                   So to be very specific, I'm going to  
16          turn to Phyllis and talk about some of the  
17          things that not only are we proposing, which  
18          we did in our Regents proposal, but some of  
19          the specifics of how we're looking to our  
20          rate-setting. Phyllis?

21                   NYSED CFO MORRIS: Thank you,  
22          commissioner.

23                   So our Regents proposal does propose  
24          additional resources for the department to

1 hire staff and consultants; it's 1.25 million  
2 that we're requesting to really do a deep  
3 dive, to scuba dive into the rate-setting  
4 methodology and develop a methodology that is  
5 more responsive to the needs of the 853  
6 schools, the 4410 preschool special education  
7 providers, Special Act school districts, and  
8 all of the approved special education  
9 providers that we rely on so greatly and  
10 heavily to support our students with  
11 disabilities.

12 This is critical. We are really  
13 trying to deal with enrollment issues, as you  
14 raised, through the tuition waiver process,  
15 which was never intended for that purpose.  
16 And we don't have the staffing resources to  
17 be responsive to providers through that  
18 waiver process; they are cumbersome, require  
19 lots of justification and approval by the  
20 Division of the Budget.

21 What we need is a rate-setting  
22 methodology that is responsive to the needs  
23 of providers and doesn't require a waiver to  
24 meet that need.

1           And with regard to the enrollment  
2           issue that you raise, yes, we're --  
3           especially for the preschool special  
4           education program, with delays in early  
5           intervention evaluations, that has impacted  
6           the enrollment. And we would definitely  
7           support changes to the methodology to be more  
8           responsive in that way.

9           ASSEMBLYMAN RA: Great. Thank you  
10          very much for that answer.

11          And, you know, I think we're at a  
12          unique time, you have chairs in Chair Mayer  
13          and Chair Benedetto who are very attuned to  
14          the issue. And certainly I know the  
15          commissioner is. So hopefully this is a  
16          moment in time that despite the difficulties,  
17          we can finally maybe modernize that process  
18          and help put these schools on a more solid  
19          footing.

20          NYSED COMMISSIONER ROSA: And let me  
21          just note the fact that we have ongoing -- we  
22          just had this past week a meeting of a school  
23          in Rochester because of the waiver issue.  
24          And then to have to tell them now it's going

1 to take them, you know, a while to even get  
2 the funding that they so desperately need to  
3 exist day-to-day, as they say.

4 ASSEMBLYMAN RA: Thank you. So I know  
5 I'm running out of time, but again -- and I  
6 know, you know, you guys have expressed  
7 concerns with the consolidations. But I'm  
8 very concerned about how that impacts our  
9 BOCES programs, which I think are very  
10 important to, you know, equitably provide a  
11 lot of those special programs to our  
12 students.

13 So, you know, I look forward to  
14 advocating with my colleagues, hopefully, to  
15 again reject that.

16 NYSED COMMISSIONER ROSA: Thank you.

17 CHAIRWOMAN WEINSTEIN: Thank you. We  
18 move on to the Senate now.

19 CHAIRWOMAN KRUEGER: Thank you.

20 Senator Robert Jackson.

21 SENATOR JACKSON: Well, thank you.

22 And good morning, everyone, to all of the  
23 chairs and rankers and to the commissioner,  
24 Betty Rosa, congratulations.

1           I have a couple of real quick  
2 questions, and I would like to see if I can  
3 get these answers very quick.

4           How much money is owed to New York  
5 State students under the Foundation Aid  
6 formula in order to make sure that our  
7 children receive the basic minimum education  
8 requirement guaranteed by the New York State  
9 Constitution? That's one question.

10           And the second question is, how many  
11 students are engaged in remote learning in  
12 New York State? And how many of those  
13 students still don't have devices, if you or  
14 your staff has that. And how many students  
15 still need access to high-speed internet at  
16 home? If you can just answer those two  
17 quickly, I only have two and a half minutes,  
18 I'm sorry.

19           NYSED COMMISSIONER ROSA: Sure. So  
20 what we're going to do is give you the actual  
21 survey that really lays it all out for you.  
22 Devices, rather than -- you know, so I can  
23 save you your two minutes, we're going to  
24 give you the complete -- it's school by

1 school so you'll have the comprehensive  
2 response to that. So we'll get that to you,  
3 you'll see it.

4 SENATOR JACKSON: Great.

5 NYSED COMMISSIONER ROSA: The other  
6 one we'll also get to you in terms of --  
7 we'll let Phyllis just jump in for a  
8 second -- in terms of you asked specifically  
9 what kind of money is owed. I mean, I'm sure  
10 Phyllis is going to give you a number. I  
11 probably would add to that number. But  
12 Phyllis?

13 NYSED CFO MORRIS: So what I would say  
14 is that the Regents have long supported the  
15 full phase-in of the Foundation Aid formula.  
16 I think -- and we can certainly provide more  
17 specifics to you directly. But I think with  
18 the pandemic and the state's fiscal situation  
19 and the way in which the 2021 enacted budget  
20 used the first CARES Act funding to adjust --  
21 as a pandemic adjustment to basically offset  
22 state aid to schools, I think our focus with  
23 the Regents has been on, as the commissioner  
24 said, making sure the new federal stimulus

1 funding is used not to supplant, but to  
2 support, and allow school districts to use  
3 that money for all of their additional needs  
4 and not -- not as a backfill for state aid  
5 cuts.

6 So I think we're -- you know, the  
7 Regents in the past have had proposals that  
8 have called for the full phase-in of the  
9 Foundation Aid formula. I think with the  
10 Regents proposal this year, we're focused  
11 more on trying to replace the cuts that were  
12 in the current-year budget and preclude cuts  
13 from happening in next year's budget.

14 SENATOR JACKSON: I hear you.

15 Let me just say quickly, tell me how  
16 much we're entitled to under the Foundation  
17 Aid, and then how much do we need in order to  
18 make sure we meet the needs of our students  
19 this year? So that's two different things.  
20 Quickly, because my time has basically gone.  
21 Sorry.

22 NYSED CFO MORRIS: Right. I think,  
23 you know, we can follow up with specific  
24 dollar figures to your office directly on

1 both of those.

2 SENATOR JACKSON: But we need to know  
3 that with all the other members. They need  
4 to know it in framing their questions to the  
5 commissioner.

6 NYSED COMMISSIONER ROSA: Sure. So we  
7 received, just so you know, from the feds the  
8 one -- you know, CARES Act 1, CARES Act 2,  
9 which we asked for the pandemic adjustment.  
10 You're looking right then and there, you're  
11 looking at 6 billion, just to get us to that.

12 Obviously, if you looked at last year,  
13 where we had a supplant situation, right,  
14 you're also looking at about another  
15 billion-plus.

16 So just in the last two years -- and  
17 remember that the pandemic adjustment of  
18 before could be used for two years. So it  
19 would be two -- we really could have spread  
20 that over two years as well.

21 CHAIRWOMAN KRUEGER: Commissioner  
22 Rosa, just because we're biting into other  
23 time -- this is Senator Krueger -- I know  
24 that Helene Weinstein and I both would



1 request anything your office gets back to any  
2 individual member on, send to us as well, and  
3 we will make sure all members get it. And  
4 such relevant data such as this we'll also  
5 make sure goes online with the testimony so  
6 that the public can see it as well.

7 So thank you very much.

8 SENATOR JACKSON: Thank you.

9 CHAIRWOMAN KRUEGER: Helene.

10 CHAIRWOMAN WEINSTEIN: Yes. So now we  
11 go to our Higher Ed chair, Assemblywoman  
12 Glick, for five minutes.

13 ASSEMBLYWOMAN GLICK: Thank you.  
14 Thank you very much.

15 THE MODERATOR: The Assemblymember  
16 seems to be having a connectivity issue.

17 CHAIRWOMAN KRUEGER: She's frozen.

18 CHAIRWOMAN WEINSTEIN: We can give it  
19 a minute, Betty, we can -- if Deborah doesn't  
20 recover -- she did say she had snow. If  
21 Deborah doesn't recover, let's go to  
22 Assemblyman -- is she back in?

23 ASSEMBLYWOMAN GLICK: Am I here?

24 CHAIRWOMAN WEINSTEIN: Yes.

1 CHAIRWOMAN KRUEGER: Yes, now you are.

2 CHAIRWOMAN WEINSTEIN: You froze for a  
3 sec.

4 ASSEMBLYWOMAN GLICK: Well, bandwidth  
5 is low and my connection is unstable. I love  
6 those two signals.

7 Okay. Opportunity Programs, they're  
8 at level funding. And hopefully, if we get  
9 federal dollars, we can add to those because  
10 those programs --

11 CHAIRWOMAN KRUEGER: You froze again,  
12 Deborah.

13 CHAIRWOMAN WEINSTEIN: So why don't we  
14 go to Assemblyman Walczyk, and I'll speak  
15 with Deborah and we'll get her back in after  
16 the next Senate round. Assemblyman Walczyk  
17 is the ranker on Higher Ed. If we can go to  
18 him for five minutes, then --

19 ASSEMBLYWOMAN GLICK: -- by SED of  
20 the --

21 CHAIRWOMAN WEINSTEIN: Oh.

22 ASSEMBLYWOMAN GLICK: Okay, I'm  
23 turning off my video to hopefully support  
24 this a little better.

1 CHAIRWOMAN WEINSTEIN: Okay. Okay.

2 ASSEMBLYMAN WALCZYK: I'll stand by,  
3 Madam Chair.

4 CHAIRWOMAN WEINSTEIN: Okay.

5 ASSEMBLYWOMAN GLICK: The SED, there's  
6 an Article VII that would reduce SED's review  
7 for program approval for colleges to 30 days.  
8 How is that going to impact, one, SED's  
9 ability to review and, two, the ability of  
10 students to know that their programs that are  
11 being offered by their colleges are actually  
12 up to snuff?

13 And then the second question has to do  
14 with a veto that the Governor did of a bill  
15 that would have eliminated the hard 3.0 GPA  
16 to enter a graduate ed program.

17 There is a 15 percent exemption, but  
18 that creates a problem for programs to  
19 ascertain how many students actually need  
20 that accommodation and will accept an offer  
21 at a particular school. So what metrics  
22 actually make sense?

23 NYSED COMMISSIONER ROSA: So let me  
24 started with the metric. Obviously we know

1           that to look at a student's record and their  
2           potential, and clearly supporting them, we  
3           really should use a much more comprehensive  
4           composite than just the three -- you know,  
5           this is just the way I feel.

6                     We have many students that are on that  
7           border or slightly below that we really  
8           should -- we should expand, you know, beyond  
9           the 3.0. And we know that many students can  
10          be supported and will be successful. And so  
11          that's only one indicator that we really  
12          should revisit for sure.

13                    And I think your other question, I  
14          heard only part of it.

15                    ASSEMBLYWOMAN GLICK: If I could just  
16          quickly repeat it, it has to do with an  
17          Article VII proposal by the Governor in his  
18          budget that would reduce SED's review time to  
19          30 days for college programs, new -- school  
20          never offered a BA in biology, now they want  
21          to, and the program review would be limited  
22          to 30 days. It seems that that's  
23          problematic.

24                    NYSED COMMISSIONER ROSA: Yes, and it

1 is.

2 We have -- you know, we're reduced in  
3 terms of staff, as you know. And any time  
4 that you shorten the review time, trying to  
5 do a third job is problematic. So, you know,  
6 we looked at this and we really have a lot of  
7 concern over this issue, particularly in our  
8 higher ed in terms of staff.

9 ASSEMBLYWOMAN GLICK: Would this  
10 perhaps undermine the ability of a student to  
11 have confidence that a school is offering a  
12 full, robust program in a particular area?

13 NYSED COMMISSIONER ROSA: Absolutely.  
14 Yeah, absolutely. I think you -- you know,  
15 you've highlighted a key problem in that kind  
16 of a situation beyond the time of review.  
17 It's also, you know, the impact that it's  
18 going to have on the student in terms of, you  
19 know, the program.

20 ASSEMBLYWOMAN GLICK: Thank you very  
21 much.

22 NYSED COMMISSIONER ROSA: Thank you  
23 for your support.

24 CHAIRWOMAN WEINSTEIN: Back to the

1 Senate.

2 CHAIRWOMAN KRUEGER: Thank you. And  
3 our next questioner is new Senator Samra  
4 Brouk, from Rochester.

5 SENATOR BROUK: Thank you, Chairwoman.  
6 Can everyone see me okay? I hope you  
7 can.

8 Good morning, Commissioner. Thank you  
9 so much for taking the time with us today and  
10 for all of the information you have been  
11 sharing. I personally think this is one of  
12 the most important conversations we're going  
13 to have this year around how we are, as you  
14 said, investing in our future.

15 And as one of the Senators from  
16 Rochester, New York, and the surrounding  
17 areas, and as a product of our schools here  
18 in the 55th District, you know, for some time  
19 I've been very troubled about the amount of  
20 Foundation Aid owed to our schools already.  
21 And that is compounding my troubles, seeing  
22 that we are essentially supplanting this  
23 federal funding that's come into our schools  
24 so in fact we're not getting many gains.

1           So my question to you is about the  
2 fact that so much of the state cuts are  
3 really just mirroring the federal gains that  
4 we will make for this year. And I'm  
5 wondering if you can speak on what you think  
6 the effect is going to be on schools like the  
7 City of Rochester, but a lot of the schools  
8 here in the 55th District, who really right  
9 now have no certainty in terms of what even  
10 their future might look like, knowing that  
11 these are one-time federal funds but these  
12 may be permanent state cuts.

13           Can you speak on that, please?

14           NYSED COMMISSIONER ROSA: Sure,  
15 absolutely. I think you've summarized it  
16 well in the sense that anytime that you rely  
17 on dollars that are one-time shots, and at  
18 the same time that you're doing that you're  
19 also cutting dollars that you know the  
20 reoccurring issue is going to happen, then  
21 what you're creating is clearly a situation  
22 that is going to hurt many communities and  
23 it's going to -- the end result, as you said,  
24 we're in challenging times even -- we were in

1           challenging times pre-pandemic. This has  
2           obviously created additional issues such as,  
3           you know -- and some of it is not just the  
4           academic part of this, some of it is the  
5           trauma, the isolation, the kinds of  
6           social-emotional needs that our children are  
7           going through, our families are going  
8           through. So all of those issues have to be  
9           addressed through funding.

10                    You know, we obviously are going to  
11           need additional resources to have everything  
12           from, you know, social workers,  
13           psychologists, you know, counseling, support  
14           systems for our schools, our children, our  
15           communities to really come through this  
16           process in a way that really would allow  
17           students to even maintain and go back to what  
18           I would call the new reality.

19                    So anytime that you -- you know, as  
20           you said, you take this investment and you  
21           use that investment, but at the same time  
22           that you're using that investment you're  
23           making other kinds of decisions that hurt  
24           long-term, what you're in essence doing is



1           creating a plan for -- what I would call for  
2           long-term problems for our communities.

3                        So again, I keep emphasizing, yes, I  
4           am very grateful for the one-time infusion of  
5           dollars from the feds, but we have to think  
6           about what the implications are on the other  
7           side of the ledger in terms of the permanent  
8           cuts. That is going to hurt us beyond now  
9           and tomorrow. We really cannot have the kind  
10          of conversations that we think that these  
11          dollars, replacing these dollars are going to  
12          advance the needs that our communities have.

13                       And the needs go beyond, in this  
14          pandemic, go beyond the academic needs. As I  
15          said, the social-emotional, the trauma,  
16          the -- you know, the needs for -- you know,  
17          we just saw our Higher Ed chair having  
18          difficulty with the unevenness of broadband.  
19          So can you imagine, you know, how disruptive  
20          learning can be in a remote setting where  
21          that's happening?

22                       So I really think we have to really  
23          think about our long-term investments. And  
24          as I said earlier, and that's investment,

1 investing in our development -- you know,  
2 looking at our economic development, our  
3 children. Our children are our -- you know,  
4 our future, and we have to invest. And we  
5 can't just say that we're looking to invest  
6 while on the other side, you know, as an  
7 agency, we've -- you know, we've taken a hit.  
8 And I am -- I am a voice and I have to be a  
9 voice on behalf of our children and our  
10 communities.

11 CHAIRWOMAN KRUEGER:

12 CHAIRWOMAN WEINSTEIN: Thank you,  
13 Commissioner. If we can move on to the  
14 Senate -- from the Senate to the Assembly:  
15 Assemblyman Walczyk, the ranker on Higher Ed,  
16 for five minutes.

17 ASSEMBLYMAN WALCZYK: Thanks very  
18 much. Hopefully it won't take up the whole  
19 five minutes.

20 I was just wondering, if you can give  
21 some perspective, how does this budget impact  
22 rural schools, in your estimation?

23 NYSED COMMISSIONER ROSA: Thank you  
24 for the question.

1           Again, we've looked at it. We do  
2           have, as you know, some of our Regents -- and  
3           I'm going to name one of them, Regent  
4           Ouderkirk, as well as Mittler and others --  
5           they give voice to this concern and this  
6           issue. Particularly, you know, many of them  
7           had to move, you know -- through this  
8           process, as you know, they had to move buses  
9           or WiFi. In many of their communities, also  
10          delivering of packets, not even having  
11          devices.

12                 So they were at a major disadvantage  
13          in terms of the -- you know, everything from  
14          delivering meals, delivering materials. And  
15          also the connectivity. We've had  
16          conversations with several of the  
17          superintendents from the rural, and sharing  
18          with us some of their stories about the issue  
19          of connectivity, the issue of -- you know,  
20          also the broadband issue in terms of  
21          affordability.

22                 So yes, this has -- you know, the -- a  
23          lot of times we talk about the urban centers,  
24          but the rurals have also experienced similar

1           pains in terms of the communities, and we  
2           have really looked at those as well.

3                     ASSEMBLYMAN WALCZYK: Commissioner,  
4           I'm glad that you brought up rural broadband.  
5           That's one that is near and dear to my heart  
6           for sure, as we have a lot of areas in my  
7           district that still don't have access. So  
8           look forward to working with you on that  
9           issue.

10                    You also brought up busing. And this  
11           has come up with a number of my schools who  
12           stepped up to the plate in huge ways,  
13           providing critical meals to students who were  
14           in need throughout the pandemic, and  
15           resources to families. They stepped up in a  
16           way that -- you know, schools are the beating  
17           heart of many of our communities.

18                    They're telling me that they're not  
19           going to be reimbursed for some of those  
20           additional costs that they saw. Is there  
21           something in this budget that changes that  
22           language?

23                    NYSED COMMISSIONER ROSA: Yes, the --  
24           in the budget you have, as I said earlier,

1 the bright light of getting reimbursed for a  
2 portion of this. But it's an incomplete  
3 story because the standby issue, the costs --  
4 currently we really have to revisit that  
5 issue because that is not included.

6 So the Board of Regents advanced the  
7 issue of trying to pay through this year.  
8 Because we're still continuing to go through  
9 this. This was just not, you know, to the  
10 end of last year, but through this year. So  
11 you are correct in hearing what you're  
12 hearing from your districts in terms of the  
13 incompleteness of the payments.

14 ASSEMBLYMAN WALCZYK: Well, it's  
15 disappointing to see that. I know that  
16 school districts will have a budget that they  
17 have to put together, and they have a  
18 timeline, and they certainly need to know  
19 what they're going to get reimbursed for this  
20 year before they move forward, so I would  
21 just -- and this is to you, but we're kind of  
22 past that proposal already.

23 But also to our legislative leaders, I  
24 think it's something that we really should be

1 focused on in our one-house budgets,  
2 remedying and bringing back to the table to  
3 put some pressure on the Governor.

4 Moving on, long-term effects of  
5 eliminating BOCES aid. What do you  
6 anticipate that the long-term effects will  
7 be?

8 NYSED COMMISSIONER ROSA: Well, I  
9 think -- as you know, our BOCES really  
10 support a great deal of the work, right, that  
11 gets done in terms of the communities and the  
12 superintendents. And so we are very  
13 concerned -- beyond concerned about this  
14 issue.

15 And Phyllis, if you want to add the  
16 specifics to what the dollars look like.

17 NYSED CFO MORRIS: Sure. So this is  
18 actually a \$693 million reduction, and it's  
19 in terms of the consolidation of the  
20 expense-based aids that include BOCES aid.  
21 And it's a permanent reduction, so it recurs  
22 in the outyears.

23 Again, as the commissioner has  
24 mentioned, the federal stimulus dollars are

1 one-time, but the STAR reduction and the  
2 services aid block grant consolidation and  
3 reduction are both permanent reductions.

4 In terms of this expense-based aids  
5 reduction, including the BOCES aid, we're  
6 very concerned about, you know, the negative  
7 impact to important programs such as Career  
8 and Technical Education that are offered by  
9 BOCES, by basically eliminating the  
10 reimbursement-based aspect of these aids and  
11 having them be block-granted and reduced  
12 going forward.

13 ASSEMBLYMAN WALCZYK: Yeah, thank you,  
14 Phyllis, I know my time is quickly expiring.  
15 But I would just advocate once again to our  
16 legislative leaders that lumping those  
17 expense-based aids together really doesn't  
18 make sense -- there's a reason they were  
19 lined out in the first place -- and continue  
20 to advocate for BOCES aid.

21 So thanks very much for your time.

22 NYSED COMMISSIONER ROSA: And we agree  
23 with you.

24 CHAIRWOMAN WEINSTEIN: Thank you. Now

1 we move on to the Senate.

2 CHAIRWOMAN KRUEGER: Thank you very  
3 much.

4 We've been joined by Senator  
5 Reichlin-Melnick and Senator John Liu, and  
6 our next questioner is Senator Ron Stec --  
7 Dan Stec, excuse me.

8 THE MODERATOR: We are trying to get  
9 him to start his audio and video.

10 CHAIRWOMAN KRUEGER: Okay. If not, I  
11 can come back to him.

12 THE MODERATOR: He seems to have  
13 stepped away.

14 CHAIRWOMAN KRUEGER: Oh, okay. So we  
15 will return to him a little later, and we  
16 will shift instead to Senator Hoylman.

17 Are you there, Brad?

18 THE MODERATOR: Also trying to get him  
19 to start his video and audio.

20 CHAIRWOMAN KRUEGER: All right. We  
21 don't want to take up everyone's time, we  
22 apologize. We're going to then jump to  
23 Senator Reichlin-Melnick.

24 Oh, you know what, I apologize. Wait,



1 wait, wait. Senator Ramos, are you there?

2 She was next in line.

3 SENATOR RAMOS: I'm here and ready.

4 CHAIRWOMAN KRUEGER: Okay. Excellent.

5 SENATOR RAMOS: Good morning,  
6 everybody. Good morning to the chairs, to  
7 Commissioner Rosa. Great to see you guys.

8 I have a very quick question. I know  
9 I'm new to the committee this session. I'm  
10 not a educator, but I am a public school  
11 graduate, and I'm a public school mom twice  
12 over. And I'm wondering if I can ask about  
13 the immigrant child's experience during this  
14 whole ordeal.

15 You know, I represent northwestern  
16 Queens, where two-thirds of the kids in my  
17 district are English language learners,  
18 whether they were born here or not. I  
19 learned English once I went into school. And  
20 I want to talk about teacher development  
21 programs that are suggested to have reduced  
22 funding or complete elimination, even,  
23 through the Executive Budget that would  
24 affect the quality of teachers in districts

1           like mine. Among these programs, of course,  
2           is the Bilingual Teacher Institute and the  
3           Teacher Diversity Pipeline pilot, which has a  
4           proposed decrease in funding of \$385,000.

5                        So if we're reducing these programs,  
6           what's the department's plan to promote  
7           culturally competent and linguistically  
8           competent education for students in school  
9           districts with a highly diverse student body?  
10          What's the plan to assure a quality education  
11          for the growing number of students that are  
12          learning English that is constitutionally  
13          guaranteed to them?

14                        NYSED COMMISSIONER ROSA: Right. So  
15          let me start. Similar to you, I learned  
16          English as my second language at the age of  
17          nine. So I am extremely -- similar to  
18          special ed, I'm extremely focused on the  
19          language acquisition issue, and so is our  
20          board.

21                        We obviously have the Auburns, we  
22          continue to advocate for funding to ensure  
23          that really teachers become teachers of not  
24          only teaching all children, but also

1 understanding the plight, both from  
2 culturally responsive, linguistically  
3 responsive ways of working in classrooms and  
4 understanding how to work with students to  
5 acquire the language.

6 As you well know, having experienced  
7 your own learning process in terms of  
8 language acquisition, it takes five to seven  
9 years and even longer for students to really  
10 become pretty comfortable with tackling  
11 content --

12 SENATOR RAMOS: Right. But I have  
13 10 -- I have 10 more seconds. So how do we  
14 justify this cut? You're telling me --

15 NYSSED COMMISSIONER ROSA: We cannot.  
16 You know, so we are strongly advocating for  
17 the fact that we cannot justify that kind of  
18 a cut.

19 So when we opposed -- you know,  
20 obviously during these conversions we put  
21 out, you know, our position in terms of  
22 things that we cannot support, that we don't  
23 support. These are -- remember, keep in mind  
24 this is the Executive Budget and then we go

1 in through a whole phase of -- of -- from  
2 this point.

3 So the department in no way or shape  
4 advocates any cuts that will impact on ELL  
5 students or students that are in -- fall into  
6 that context, so -- and to your second  
7 question about teachers, we also do not  
8 support any funding that cuts teachers,  
9 because of the issue of increasing diversity  
10 of our teachers and also creating and  
11 extending the pipeline in terms of our  
12 teachers. So we are not supporting those  
13 cuts.

14 SENATOR RAMOS: Thank you.

15 CHAIRWOMAN KRUEGER: Thank you.

16 Assembly.

17 CHAIRWOMAN WEINSTEIN: Yes, we're  
18 going to move on to -- I think we are  
19 finished with our chairs and rankers. We  
20 have quite a few members of the Assembly with  
21 questions. And I would just ask,  
22 Commissioner Rosa, as we move along, just to  
23 be mindful of clocks. We do have many  
24 members, and instead of ending tonight's

1 hearing on Tu Bishvat, I don't want to end on  
2 Tisha B'Av. So --

3 (Laughter.)

4 CHAIRWOMAN WEINSTEIN: And with  
5 that -- a few of us got that -- Assemblyman  
6 Byrne for three minutes.

7 ASSEMBLYMAN BYRNE: Thank you,  
8 Chairwoman. And thank you, Commissioner.

9 I had a couple of questions. I'm  
10 sorry to be juggling a lot at the minute  
11 (rustling papers). I'll start with one  
12 question I had is there's some legislation  
13 that my colleagues and I have supported in  
14 the past, there's a statewide proposal and  
15 there are local school district proposals  
16 that grant forgiveness to various districts  
17 that had ministerial errors. The Governor  
18 has vetoed some of them in the past.

19 I'm fortunate that while the Governor  
20 vetoed a bill that helped the Mahopac Central  
21 School District a couple of years ago,  
22 Senator Harckham did help negotiate to get  
23 that in the budget. So for my district, we  
24 benefited by that forgiveness. However, many

1 other school districts across the state had  
2 not received such a benefit. And my  
3 understanding is your predecessor -- I'm  
4 looking at an article in the Post Journal.  
5 Former State Education Commissioner Tahoe  
6 said at a hearing, and I hope this is  
7 correct: "As part of our mandate review  
8 bill, we actually proposed some similar  
9 legislation for blanket forgiveness for late  
10 cost reports. It doesn't make sense to pass  
11 bills one at a time for different districts.  
12 We believe that all districts should be  
13 treated equally and have the same blanket  
14 forgiveness on those late cost reports." And  
15 that's the end of that quote in that online  
16 article.

17 My colleagues I think have similar  
18 situations -- Clymer School District,  
19 Mr. Goodell, Fulton City School District.  
20 Would you support a legislative effort for  
21 statewide forgiveness legislation for those  
22 districts as well?

23 NYSED COMMISSIONER ROSA: Yes. The  
24 answer is yes. And I'm going to turn to

1 Phyllis for the rationale. Go ahead.

2 NYSED CFO MORRIS: Yes, absolutely.

3 So in our Regents legislative  
4 proposals we have a mandate relief package,  
5 and one of the proposals in that package is  
6 to forgive penalties associated with a late  
7 filing of final cost reports for all school  
8 district construction projects that were  
9 approved by the commissioner prior to July 1,  
10 2011.

11 So yes, as a department and as the  
12 Board of Regents, we do support that.

13 ASSEMBLYMAN BYRNE: Thank you. That's  
14 important. Because I know, again, while the  
15 folks I represent -- and I live in the  
16 Mahopac School District, so as a taxpayer I  
17 appreciated that forgiveness -- I also know  
18 my neighbors have a heart and feel for many  
19 of the other taxpayers across the state that  
20 are going through similar circumstances. And  
21 I'd like to see my colleagues from both  
22 political parties and both conferences have  
23 that same benefit. It doesn't make sense to  
24 be selective about that type of forgiveness.

1           There's another proposal that I'm  
2 going to be introducing; it's been effective  
3 in some other states -- Ohio, Texas,  
4 Virginia. It's called a Purple Star Schools  
5 program. I'm not sure if you're familiar  
6 with it. It's not a mandate on school  
7 districts, but would help recognize various  
8 school districts that work to partner with  
9 active-duty military families specifically by  
10 designating school staff as a point of  
11 contact for military students and their  
12 families, require professional development  
13 for staff assigned as a point of contact for  
14 the military, designated page on their  
15 website featuring various resources, and  
16 other supplemental activities.

17           Again, it's not a mandate, but it's a  
18 way to recognize various school districts  
19 that take that extra step to help our  
20 military families.

21           Is that something you think your  
22 department would be supportive of? I mean,  
23 I'd like to see this happen through  
24 legislation by myself or a colleague, but it



1 probably could also happen through regulation  
2 within the department.

3 NYSED COMMISSIONER ROSA: Well, first  
4 and foremost, I'd like to have an offline  
5 conversation just to really -- rather than  
6 just give you an answer, to really have a  
7 deeper conversation and understanding.

8 Because a lot of times, just so you  
9 know, we tend to support a lot of the bills,  
10 but there are times when we don't have the  
11 staffing and, you know, it creates all kinds  
12 of added issues.

13 So I definitely would love to have the  
14 conversation and move forward on it.

15 ASSEMBLYMAN BYRNE: Certainly,  
16 Commissioner, I appreciate that. And I know  
17 we've introduced it, haven't gotten a bill  
18 number yet, but I can --

19 THE MODERATOR: Time has expired.

20 ASSEMBLYMAN BYRNE: And I'm running  
21 out of time, but thank you.

22 CHAIRWOMAN KRUEGER: Thank you.

23 If you're throwing it back to the  
24 Senate, Helene, we've been joined by the

1 chair of our New York City Education  
2 Committee, so I'd like him to be slid in now  
3 for five minutes, thank you.

4 Senator John Liu.

5 SENATOR LIU: Thank you, Madam Chair.  
6 I apologize for my delay in getting to this  
7 meeting. I have class myself on Thursday  
8 mornings from 9 to 11.

9 But nonetheless, I'm very happy to  
10 see, as always, all of our chairs, and  
11 especially the inimitable Betty Rosa and her  
12 team. Commissioner, nice to see you, as  
13 always.

14 I have a quick question about the  
15 federal waiver that's being applied for right  
16 now, you're seeking comment. I think the  
17 larger -- I think most people understand the  
18 need for dispensing with certain exams,  
19 especially when it's just been impossible or  
20 at least very difficult for many families and  
21 students to be able to learn remotely and to  
22 be able to do reasonably well on these  
23 measurements.

24 The bigger question is, what is the

1 State Education Department thinking in terms  
2 of exams in general? Because before this  
3 COVID crisis hit, the Regents were already  
4 having town halls across the state on the  
5 issue of exams.

6 NYSED COMMISSIONER ROSA: Sure --

7 SENATOR LIU: And a related question  
8 is, are exams necessary or do -- can we  
9 actually get rid of all of them?

10 NYSED COMMISSIONER ROSA: Okay. So  
11 you're right that we had started our grad  
12 measures and we were going around the state  
13 to gather information. By the way, we will  
14 resume those in the -- our hope is to resume  
15 those during the summer into next fall,  
16 because that is a bigger issue that we want  
17 to get to in terms of exams and, to your  
18 question, what exams are necessary, what's  
19 their purpose, and how do they fall into a  
20 composite of demonstrating what students  
21 know, particularly in some cases where we  
22 look at project-based learning as well. So  
23 that's one issue.

24 But to your other issue is that even

1 this morning you know that we did send out --  
2 and we'll share it. Once again, we'll share  
3 with everybody --

4 (Audio interruption.)

5 NYSED COMMISSIONER ROSA: I'm sorry?

6 SENATOR LIU: Helene's not muted.

7 NYSED COMMISSIONER ROSA: Oh, okay.

8 So we have been -- we've put out a  
9 survey a couple of days ago to really get to  
10 the heart of asking parents, educators,  
11 advocate groups -- as of this morning we had  
12 information on over 10,000 individuals that  
13 responded to our survey. That's in public  
14 space, and we will share that with you.

15 We will end the survey next week, and  
16 it's asking these specific questions about  
17 the exams and their positions on the tests,  
18 because that's required by the feds when we  
19 do ask for a waiver -- with, you know, our  
20 request for the waiver. So that information  
21 of the survey we will share with you and  
22 others.

23 But we're very interested in trying to  
24 respond to the needs of our students during

1 this crisis. And obviously you know that the  
2 testing issue -- instruction has been uneven,  
3 and that the testing will be very challenging  
4 and difficult both from 3-8 and potentially  
5 the Regents exams as well.

6 SENATOR LIU: Yeah, I mean -- thank  
7 you. Thank you, Commissioner Rosa. I -- by  
8 the way, I like the term "Chancellor Rosa" a  
9 lot also, but I'm very happy to see our new  
10 chancellor, Chancellor Young, in place now.

11 The question of testing, what does it  
12 really mean, and the question of grades  
13 themselves has been a big dilemma for many  
14 people involved in education for a while now.  
15 COVID has just kind of like laid bare a lot  
16 of issues. But once we get beyond COVID --  
17 and I do believe we at some point will get  
18 beyond this -- we need to have real  
19 heart-to-heart talks, these town halls, about  
20 what grades mean, do grades even matter, is  
21 there -- does there necessarily need to be a  
22 tradeoff between equity and excellence. I  
23 don't profess to know the answers to those  
24 questions myself, but I -- honestly, every

1 day I'm thinking about those questions.

2 There's also a big concern about how  
3 students catch up, because learning  
4 definitely has not been what it normally  
5 would be this past year, and probably for at  
6 least another half-year if not another full  
7 academic year.

8 The question is -- and this comes from  
9 a lot of parents -- how do their kids catch  
10 up? And then I as an instructor myself, you  
11 know, it's hard to catch up -- it's almost  
12 like we're leaving behind -- I don't want to  
13 say leave behind. But every single grade has  
14 been affected, from pre-kindergarten all the  
15 way through to high school and college and  
16 graduate school, one entire year of learning  
17 so far is not the same as the amount of  
18 learning that would have been achieved in  
19 previous years.

20 So do we really just proceed as best  
21 as we can, or is there going to be some kind  
22 of effort to catch up for what may have been  
23 lost this past year?

24 NYSED COMMISSIONER ROSA: Right. So

1           previously I talked about the federal new  
2           funding, CARES Act 2, is for learning loss  
3           and how to execute that. During this process  
4           the extended learning platform we're -- we've  
5           examined and we continue to use it as a way  
6           of informing how we will proceed to close the  
7           learning loss gap. Which we will have a  
8           learning loss gap.

9                     But I think that the process has  
10           helped us think about learning not as a  
11           defined confined process, but rather an  
12           expanded opportunity. So I think that's a  
13           good thing, as a result of using different  
14           modalities and ways of expanding that  
15           learning. So our hope is to take those  
16           lessons learned that we are capturing through  
17           this process and, in the post-pandemic, use  
18           those opportunities to hopefully fill the  
19           gaps.

20                    Because there are some -- in some  
21           areas, as you know, mathematics and other  
22           areas, you have to fill those gaps, because  
23           it informs the next -- you know, the  
24           instruction at the next level. But we have

1 to use different creative, innovative ways of  
2 filling those gaps for students.

3 SENATOR LIU: Yeah, thank you. I'm  
4 just concerned about how those gaps can be  
5 filled, just because -- you know, if we had a  
6 situation where like, for example, one grade  
7 was not able to achieve what they normally  
8 would be able to achieve, but all the other  
9 grades were intact, then there's a gap.

10 But when that gap exists for like  
11 every single grade, how can we ever catch up?  
12 I don't know the answer to that. But it's  
13 going to be an issue that we have to explore.

14 NYSED COMMISSIONER ROSA: Absolutely.

15 SENATOR LIU: In my remaining couple  
16 of minutes I would like to talk about  
17 New York City schools in particular. Mayor  
18 de Blasio was very proud to point out that  
19 New York City schools were the only major  
20 school district in the entire country,  
21 certainly from the beginning, to open up to  
22 in-person learning.

23 And, you know, that, in my opinion,  
24 was probably rushed at the expense of a lot



1 of remote learning, which all students in  
2 New York City were still subject to, and  
3 continue to be. And rather than focusing  
4 efforts on remote learning, getting it all  
5 right, there was just a real rush to be the  
6 first to open for in-person learning.

7 So my question, Chancellor Rosa, if  
8 you care to comment on this, is do you have  
9 some kind of opinion -- or maybe not your  
10 personal opinion, but State Education  
11 Department as a whole, their evaluation of  
12 New York City's rollout of the return to  
13 in-person learning. Was that the optimal  
14 solution, or did that come at the expense of  
15 things that should have been prioritized at a  
16 higher level?

17 NYSED COMMISSIONER ROSA: Right. So  
18 just so you know, and I think you do, we  
19 worked with the reopening plans with all the  
20 districts. And we obviously provided our  
21 guidance to help districts plan.

22 We did have a conversation with  
23 New York City when they had the original date  
24 that they selected for reopening. We did



1 (Laughter.)

2 NYSED COMMISSIONER ROSA: I -- let me

3 -- let me --

4 SENATOR LIU: Okay, I won't push that.

5 (Laughter.)

6 SENATOR LIU: My last comment, because  
7 I've run out of time, is that I don't want  
8 there to be any loss -- anything lost on the  
9 fact that I firmly believe you need more  
10 money; specifically, \$4 billion more.

11 And we need to get the Campaign for  
12 Fiscal Equity and the court decision finally  
13 fulfilled. Governor Cuomo is wrong in saying  
14 that that's been resolved. It's not been  
15 resolved. It's a debt that we owe to the  
16 students of New York State.

17 Thank you so much for your efforts,  
18 Commissioner, and for all of SED's efforts.

19 CHAIRWOMAN KRUEGER: Thank you.

20 SENATOR LIU: Thank you, Madam Chair.

21 CHAIRWOMAN KRUEGER: Assembly.

22 CHAIRWOMAN WEINSTEIN: We go to  
23 Assemblyman Reilly now.

24 ASSEMBLYMAN REILLY: Thank you,

1 Madam Chair.

2 Commissioner, thank you so much for  
3 your testimony. I am actually -- one of the  
4 questions I have is looking over the special  
5 education waiver part of the Executive  
6 Budget. It says here that the Executive  
7 Budget proposes to establish a waiver  
8 appearance to allow school districts,  
9 approved private schools, and BOCES programs  
10 to file an application with the State  
11 Education Department and provide flexibility  
12 from special education requirements.

13 Would you be able to go into a little  
14 detail about what that constitutes and how  
15 that may impact individual students in the  
16 classroom?

17 NYSED COMMISSIONER ROSA: Sure. I'm  
18 going to call on Chris Suriano, who's with  
19 us, to summarize the specifics on the waiver  
20 issue. Chris?

21 NYSED ASST. COMMR. SURIANO: Good  
22 morning -- still good morning. Good morning,  
23 everybody. Thank you, Commissioner.

24 Yeah, to summarize, as you just -- you

1 kind of summarized, as in prior years, the  
2 Executive Budget would authorize school  
3 districts, approved private schools and BOCES  
4 to apply to the commissioners for waivers  
5 from certain special ed requirements under  
6 4402 and 4403 of the Education Law, really to  
7 implement an innovative special education  
8 program.

9 From the State Education Department,  
10 it would be preferable for SED to review the  
11 flexibility relating to the New York State  
12 special education statutory requirements in a  
13 more comprehensive manner, versus on a  
14 case-by-case basis, as being proposed. And  
15 if there's merit to changing something for a  
16 district, it's something -- you know, like  
17 changing a legal requirement, that's  
18 something that's a statute we would want to  
19 consider to amend to allow all schools to  
20 benefit.

21 In the 2021 school year, NYSED will be  
22 engaging stakeholders in discussions  
23 regarding the recommendations for overall  
24 mandate relief and releasing a survey really

1 to obtain broad stakeholder input on what  
2 would be, from the field's perspective,  
3 mandate relief that would be useful and  
4 beneficial to schools.

5 And so everyone understands, there  
6 currently is in regulation existing  
7 regulatory waivers that will continue to be  
8 available, and that mechanism is to offer  
9 schools flexibility already with respect to  
10 the special education service delivery  
11 models. And current regulations also allow  
12 the State Education Department to issue  
13 waivers of certain special education  
14 requirements that are not mandated by federal  
15 and state law.

16 So we have existing waivers in  
17 regulation, but this particular one would  
18 expand it -- would be very broad and  
19 sweeping.

20 ASSEMBLYMAN REILLY: Would you be able  
21 to give an example on student -- a  
22 student-facing example real quick, in my last  
23 10 seconds, that it may impact?

24 NYSED ASST. COMMR. SURIANO: Well,

1 right now we have the waivers that would  
2 allow student programs, you could -- you  
3 could waive the number of students, for  
4 example, in a special class. So you can  
5 increase the number.

6 ASSEMBLYMAN REILLY: But like a  
7 12:1:1, or something like that?

8 NYSED ASST. COMMR. SURIANO: Right,  
9 like a 12:1:1 could -- you could exceed the  
10 number of students in 12. We already have  
11 those -- that availability on a case-by-case  
12 basis for districts to apply for that now.

13 ASSEMBLYMAN REILLY: So this will  
14 impact IEPs.

15 NYSED ASST. COMMR. SURIANO:  
16 (Inaudible.)

17 ASSEMBLYMAN REILLY: Okay, thank you  
18 so much.

19 CHAIRWOMAN WEINSTEIN: Thank you. We  
20 can move on to the Senate. We have many  
21 members.

22 CHAIRWOMAN KRUEGER: Thank you.  
23 Senator Brad Hoylman.

24 SENATOR HOYLMAN: Thank you, Madam

1 Chair.

2 Good morning, Commissioner. One of  
3 the issues I think a lot of us are concerned  
4 about, especially those who have kids right  
5 now and we see it in living color, is the  
6 mental health of our kids amid the pandemic.  
7 And I'm sure you saw the heartbreaking news  
8 story recently about the spate of student  
9 suicides in the Clark County -- Las Vegas,  
10 Nevada -- School District.

11 What is the state doing to address the  
12 mental health needs of school-age children  
13 during the pandemic?

14 NYSED COMMISSIONER ROSA: Sure. So  
15 during -- we've had several workshops, we've  
16 had several -- in our guidance, a major  
17 portion of our guidance had to do with mental  
18 health, social-emotional.

19 Looking at the science, we've done  
20 some -- actually some workshops with our  
21 sister agencies around this issue of  
22 identifying, recognizing the signs,  
23 supporting. Because even with remote, you  
24 know, just to be vigilant on those issues,



1 but continue to support, as our children are  
2 feeling the isolation, the trauma, the -- you  
3 know, the lack of connectedness.

4 So we are very much -- and also  
5 signs -- you know, you talked about suicide,  
6 recognizing. And Kathleen DeCataldo is on,  
7 and she's been working closely, very closely  
8 on --

9 SENATOR HOYLMAN: If I could ask  
10 you -- if I could ask, do you have a sense of  
11 how many school districts in New York have  
12 formal suicide prevention or intervention  
13 policies? Is there a number?

14 NYSED COMMISSIONER ROSA: Well, all of  
15 our -- all of our schools are required to  
16 have policies in -- you know, as a former  
17 superintendent, I can tell you that the issue  
18 of -- whether it's suicide or the issues of  
19 working on the social-emotional component and  
20 the science, and recognizing, is a  
21 requirement by districts. And that's  
22 something that's really -- even pre-pandemic  
23 was critical. Post-pandemic -- you know,  
24 during this pandemic and post-pandemic it's

1 going to be exceedingly. Which was why we  
2 asked for investments in the area of  
3 social --

4 SENATOR HOYLMAN: Is there a model  
5 policy from SED for school districts?

6 NYSED COMMISSIONER ROSA: Yeah, I'm  
7 going to turn to Kathleen, because we do  
8 have -- Kathleen DeCataldo -- we do have a  
9 great deal of work around -- around this  
10 specific area. Kathleen?

11 NYSED ASST. COMMR. DECATALDO: Yes.  
12 So, Commissioner, we are actually working  
13 with the Office of Mental Health, the state  
14 Office of Mental Health, on a model policy as  
15 we speak. So that is in process. Right now  
16 it's not -- we don't have a model policy.  
17 But districts are required, as part of their  
18 emergency response building plan, they're  
19 supposed to have policies in place now with  
20 regard to crisis intervention and suicide  
21 prevention.

22 SENATOR HOYLMAN: Thank you. I just  
23 wanted to note that I carry a bill with  
24 Assemblymember O'Donnell to require schools

1 to have those policies, and that SED create a  
2 model policy. So maybe you'll beat us to it.

3 Thank you so much.

4 CHAIRWOMAN WEINSTEIN: So we move on  
5 to the Assembly. The next questioner is  
6 Assemblywoman Lunsford.

7 ASSEMBLYWOMAN LUNSFORD: Thank you.

8 I wanted to address students with  
9 disabilities and those with IEPs. When we  
10 went remote last year, many students with  
11 IEPs were just not being served. So I'd like  
12 you to speak to what we're doing in the  
13 coming year to help address not just the  
14 current IEPs that are in place, but also  
15 helping those students catch up from the  
16 skills that deteriorated off of last year.

17 NYSED COMMISSIONER ROSA: Sure. So  
18 again -- before I turn it to Chris, because I  
19 know time is of essence, just so you know  
20 that that's a population that we were very  
21 clear even in our statewide guidance to make  
22 sure that we supported the in-person, because  
23 we know a lot of those children need -- and  
24 in my own school visits that I did up here in

1           Troy and other places, children were in fact  
2 brought in as a priority.

3           But at the same time, when we had to  
4 close the schools and go remote, there were  
5 many, many challenges. And those challenges  
6 we are -- we've been dissecting, we've been  
7 looking at it in ways of how we can respond  
8 to those not only instructional, because  
9 they're not all instructional. You know,  
10 some of them are OT, PT, speech -- I mean,  
11 all kinds of services that as you know are on  
12 the IEP.

13           Chris, if you want to add anything  
14 else to --

15           NYSED ASST. COMMR. SURIANO: Yes,  
16 thank you, Commissioner.

17           And quickly, in recognition of time,  
18 the commissioner is absolutely correct. When  
19 we look at that we have to prioritize  
20 in-person instruction -- and that has been  
21 our message for students with disabilities  
22 when possible -- and looking at since the  
23 school closure period and into the reopening  
24 this school year, we have been stressing a

1 point of progress monitoring, the progress  
2 students with disabilities are making towards  
3 their IEP goals and within their curriculum,  
4 and keeping track of that.

5 Because we know that this population  
6 of students, very vulnerable, really was  
7 impacted when we shifted to remote  
8 instruction, and we have to keep track of  
9 that regression and skill loss so that when  
10 we are able to maximize and return to normal  
11 in-person instruction, we know the regression  
12 measure that each student individually, case  
13 by case, is at, at the school level, and they  
14 are able to then look at what additional  
15 services as well as what compensatory  
16 services are going to be necessary to make up  
17 for that learning gap.

18 And it's critically important that  
19 right now it's the students -- when the  
20 district switches between manners, let's say  
21 they're in-person but they need to go to  
22 hybrid or remote, that they are going back to  
23 the CSE for those students that struggle in  
24 the different changes in manners, to really

1 look at the IEP and figure out ways to, when  
2 that manner switches, what would be the plan  
3 for that student when that happens to ensure  
4 that the level of services necessary to  
5 assist them in the different manners is  
6 appropriate.

7 So -- because some students just can't  
8 make that shift, particularly with students  
9 with disabilities.

10 ASSEMBLYWOMAN LUNSFORD: Thank you.  
11 And thank you, Commissioner, for stepping up  
12 during this difficult time. And thank you,  
13 Mr. Suriano.

14 NYSED COMMISSIONER ROSA: Thank you.

15 CHAIRWOMAN WEINSTEIN: Thank you.

16 To the Senate now.

17 CHAIRWOMAN KRUEGER: Thank you.

18 Senator Pete Harckham.

19 SENATOR HARCKHAM: Thank you, Madam  
20 Chair. And thank you, commissioner, for  
21 being here with your team.

22 Since my time is short, I want to get  
23 back to Special Acts, which you visited very  
24 briefly in earlier testimony. I have a

1 specific question and then a broader  
2 question.

3           The specific question is that our  
4 Special Act schools are severely capped on  
5 their indirect expenses. They've had to  
6 assume a large amount of indirect expenses in  
7 dealing with the COVID pandemic. Are there  
8 measures in place that will allow the lifting  
9 of that cap or additional funding for those  
10 indirect expenses?

11           And then the larger question is, when  
12 are we as a state going to reform really how  
13 we treat our Special Act schools? I think we  
14 all agree that these are our most vulnerable  
15 students, and yet we have such handcuffs on  
16 the people who try to do this special work.  
17 You know, we touched on the rate-setting  
18 before based on old enrollment numbers. We  
19 don't allow them to have appropriate  
20 reserves. We put handcuffs on the way they  
21 do capital projects. They don't have the  
22 same kind of property tax support.

23           So what is your vision long-term for  
24 how we reform, how we fund and operate our

1 Special Act schools?

2 NYSED COMMISSIONER ROSA: Well --  
3 thank you. So I'm going to start by saying  
4 that you're absolutely right, these are some  
5 of our most vulnerable students in settings  
6 that need so much support, and yet we  
7 continue -- you know, not just with the  
8 rate-setting, as you said, we continue to  
9 really, you know, do a disservice in many  
10 situations in terms of providing for them.

11 Phyllis, I'm going to turn it to some  
12 of the specifics of what -- some of the  
13 things that we're thinking and some of the  
14 concerns that we have that we -- like you  
15 said, that we really need to take action on,  
16 and action as of yesterday. Phyllis?

17 NYSED CFO MORRIS: Thank you, yes.

18 Just back with what we said previously  
19 about our Regents proposal to reform the  
20 tuition rate methodology. That's especially  
21 critical for the Special Acts that have the  
22 unique situation that you referenced. You  
23 know, they are public school districts and  
24 are subjected to the public school district



1 requirements in terms of collective  
2 bargaining and whatnot, but they aren't  
3 allowed to retain reserves like other public  
4 school districts. It's almost like they get  
5 the worst of both worlds. So that would be  
6 part of our tuition methodology review that  
7 we've requested funding for.

8 In terms of the question about the  
9 indirect/direct cost screen and the tuition  
10 methodology, that is something that once we  
11 see the data for the '19-'20 and the '20-'21  
12 school year, we'll be able to make a more  
13 informed recommendation as to how we would  
14 like to proceed with our recommendation to  
15 the Division of Budget for the treatment of  
16 those costs.

17 We do recognize and we are trying, to  
18 the extent possible, to have pandemic-related  
19 expenses, legitimate, necessary expenses such  
20 as masks, PPE, sanitation and things like  
21 that, counted as a direct care cost to avoid  
22 that very issue that you raise.

23 So thank you.

24 SENATOR HARCKHAM: All right, thank

1           you both very much. And when you do your  
2           review, I'd just appreciate it if you also  
3           include the issue of reserves and the issue  
4           of capital projects. Thanks so much.

5                    NYSED COMMISSIONER ROSA: Yes, thank  
6           you.

7                    CHAIRWOMAN KRUEGER: Thank you. And I  
8           know that we're all interested in that, so if  
9           you can make sure to get that to both Helene  
10          and myself, we also will distribute.

11                   Thank you.

12                   CHAIRWOMAN WEINSTEIN: Thank you. We  
13          go to Assemblywoman Buttenschon.

14                   ASSEMBLYWOMAN BUTTENSCHON: Thank you  
15          to the chairs for hosting today. And thank  
16          you, Commissioner, for your outstanding  
17          testimony.

18                   I represent the Mohawk Valley and have  
19          heard from many in my area. The question  
20          that I address first is the federal aid. I  
21          am confirming that you do not support that  
22          the aid be supplanted in the state aid.  
23          Currently, all the school districts that I  
24          represent have major decreases in state aid

1 for this year. And as you know, they're  
2 facing increased costs with PPE, testing,  
3 technology, et cetera.

4 Second, the compensatory services that  
5 were not provided through the pandemic, has  
6 SED provided guidance on how these services  
7 are to be made up? And if so, will there be  
8 state funding provided?

9 Third, I appreciate the proposal  
10 regarding full funding of expense aid and  
11 BOCES aid, and request that all these  
12 lines are maintained.

13 And finally, you stated that you have  
14 learned from the pandemic and would like to  
15 accumulate those best practices, as so many  
16 of us have looked at this. Do you have a  
17 plan on how to include all stakeholders in  
18 the best practices as we move forward? I  
19 have heard from many that the new mandates  
20 that had to be placed during the pandemic get  
21 somewhat confusing to those parents,  
22 teachers, administrators. And is there any  
23 thoughts of a possible chart or rubric that  
24 is dated, to provide those changes and when

1           they expire, et cetera?

2                     Thank you again, and I will wait for  
3           your responses.

4                     NYSED COMMISSIONER ROSA:   Okay.  So in  
5           terms of -- let me just go to the lessons  
6           learned and work backwards in terms of your  
7           questions.

8                     Lessons learned, we've started a  
9           process to try to gather some information  
10          from our stakeholders.  Obviously, you know  
11          that last year, with the reopening, we did do  
12          the task force and we had internal  
13          conversations with various communities,  
14          sharing -- and our plan is to really do  
15          something very similar so that at the end of  
16          the day, we come out with a report that  
17          really helps us, you know, look at, in a much  
18          more comprehensive kind of way, everything we  
19          experienced -- you know, from the social-  
20          emotional to, you know, even from some of the  
21          lessons that turned out to be positive and  
22          some of the lessons that we can take and move  
23          forward on.

24                     So our goal right now is to -- and

1 we've told many of our stakeholders to just  
2 really keep their own information so that we  
3 can start to gather that and then create  
4 almost town-hall kinds of conversation to  
5 gather that information. Because the town  
6 hall meetings are going to help in terms of  
7 various communities and the reflection of  
8 various communities, just like we did with  
9 the task force. We had, you know, architects  
10 as part of those conversations. We had  
11 different individuals from different places  
12 that have had the impact and have experienced  
13 it, so that we can create almost this  
14 mega-composite of that.

15 In terms of your other questions,  
16 Phyllis, I'm going to turn back to you in  
17 terms of the finances.

18 CHAIRWOMAN WEINSTEIN: Very briefly,  
19 if you can.

20 NYSED CFO MORRIS: Okay. No, just --  
21 we are aware that there are 157 districts  
22 that have a negative amount on their state  
23 aid runs, which is what I believe you were  
24 referencing. And we are supportive of, as

1 the commissioner has said, fully using --  
2 fully enabling the school districts to use  
3 their federal stimulus funds for their  
4 intended purpose and not as a reduction.

5 The one thing I would just point out  
6 in terms of the STAR cut, it does --  
7 85 percent of that amount negatively impacts  
8 high- and average-needs districts.

9 So thank you.

10 CHAIRWOMAN WEINSTEIN: Thank you. Now  
11 to the Senate.

12 CHAIRWOMAN KRUEGER: Sorry. Our new  
13 Senator, Elijah Reichlin-Melnick.

14 SENATOR REICHLIN-MELNICK: Hi, good  
15 morning, Commissioner Rosa, thank you very  
16 much.

17 So I represent the East Ramapo School  
18 District, which serves over 9,000 public  
19 school students and provides mandated  
20 services and transportation to the almost  
21 28,000 nonpublic students living within the  
22 district.

23 So I firstly want to thank you and  
24 your staff for the work you have done to

1 assist public school kids in this district.

2 I am incredibly concerned, though,  
3 about the level of state support for East  
4 Ramapo. As you know, the current budget was  
5 approved with a pandemic adjustment that  
6 removes state support from each district  
7 equaling the CARES Act allocation received by  
8 that district. And after the budget was  
9 passed in April, the federal Department of Ed  
10 issued rules that require public school  
11 districts to send funds to eligible nonpublic  
12 schools based on Title I, Part A allocations.

13 And so what this means for East Ramapo  
14 is that of the over \$22 million serving the  
15 over 38,000 students, the district needs to  
16 send over 15 million of the CARES Act  
17 allocation to support the nonpublic schools,  
18 to the detriment of the public school  
19 students, since the state has removed  
20 resources.

21 I wanted to ask, are you aware of this  
22 situation? And what will the Education  
23 Department do to ensure that state formulas  
24 adequately account for the unique nature of

1 the East Ramapo School District?

2 NYSED COMMISSIONER ROSA: Not only  
3 were we aware, but I know that you know we  
4 have a -- we have two monitors --

5 SENATOR REICHLIN-MELNICK: Of course,  
6 thank you.

7 NYSED COMMISSIONER ROSA: -- in place.  
8 One of them does the finances, so -- and we  
9 have our ongoing weekly meetings with the  
10 monitors as well as the superintendent.

11 And so yes, it is something that not  
12 only are we aware of, and obviously because  
13 of the structure the way the CARES Act 1 was  
14 set up, we realized the imperfection, as we  
15 would call it. We're also aware of the  
16 implication of -- in this current budget of  
17 some of the dollars that have been also  
18 removed and impacted.

19 So yes, and we can -- I think this is  
20 a great conversation. As a new person we are  
21 more than glad to meet with you to clearly  
22 share with you many, many of our activities  
23 and concerns and continue to work with you as  
24 well as other legislators that are very



1 committed to East Ramapo.

2 SENATOR REICHLIN-MELNICK:

3 Commissioner, thank you.

4 I have one other question about  
5 another district I represent, which is the  
6 Ossining School District, and it's one of  
7 these harmed suburban districts where the  
8 Foundation Aid formula is really not working  
9 well for them.

10 The enrollment has been increasing for  
11 over a decade, the community's wealth has  
12 been decreasing, and they're getting less  
13 than half of the Foundation Aid that they are  
14 entitled to. They were entitled to almost  
15 \$30 million and received just 14.3 as of  
16 November 2020.

17 So I just want to -- you know,  
18 obviously we're not going to be able to fully  
19 fund Foundation Aid at the moment with the  
20 budget. What can we do that's going to  
21 address the inequity for a district like  
22 Ossining that persistently is receiving less  
23 than they -- half or less of what they're  
24 entitled to?

1           NYSED COMMISSIONER ROSA: Sure. And  
2 very quickly, again, this is one that I am  
3 more than glad to meet with you because two  
4 years ago the Ossining superintendent did  
5 reach out to me, in my chancellor role. And  
6 as Phyllis would know, and Brian at the time,  
7 I did advance this conversation and we did  
8 address some of these issues. But it is a  
9 much more complicated response to this.

10           SENATOR REICHLIN-MELNICK: Understood.

11           NYSED COMMISSIONER ROSA: And again,  
12 glad to meet with you on it because I'm aware  
13 of it in terms of, you know, the increase in  
14 English language learners and the increase in  
15 poverty and the increase -- and again, it is  
16 one of the those districts that I'm concerned  
17 about. From even two years ago, we continue  
18 to see the -- how the formula does hurt a  
19 district.

20           SENATOR REICHLIN-MELNICK:  
21 Commissioner, thank you very much.

22           NYSED COMMISSIONER ROSA: Mm-hmm.

23           CHAIRWOMAN WEINSTEIN: We go to  
24 Assemblyman Lawer -- Lawler, rather. I'm

1           sorry.

2                   ASSEMBLYMAN LAWLER:   That's okay.

3           Thank you, Chairwoman.

4                   And thank you, Commissioner;  
5           appreciate your time.  I want to echo Senator  
6           Reichlin-Melnick's comments about the  
7           East Ramapo School District and certainly  
8           would very much look forward to sitting down  
9           with you and your team to discuss the funding  
10          levels for that district.

11                   Two quick comments.  Thank you for  
12          your comment on students with disabilities  
13          and in-person learning, as well as we had  
14          reached out to you a while back on the issue  
15          of getting children back into sports, so  
16          appreciate your support in that and getting  
17          the Department of Health and the Governor's  
18          administration to issue guidance on that.

19                   Two quick points.  Rockland County, we  
20          pay the second-highest property taxes in  
21          America, only behind Westchester.  It's  
22          primarily driven by school taxes.  For many,  
23          many years Rockland and Westchester have been  
24          shortchanged by the broken state school aid

1 formula, which treats our labor costs like  
2 upstate New York schools, as opposed to Long  
3 Island and New York City. I've put  
4 legislation in to change the Regional Cost  
5 Index to appropriately reflect the fact that  
6 our school districts do have high labor costs  
7 here in Rockland and also in Westchester.

8 I just want to know, do you support  
9 changing the Regional Cost Index so that  
10 Rockland County schools are not being  
11 shortchanged?

12 NYSED COMMISSIONER ROSA: Okay, I'm  
13 going to turn this over to Phyllis. But I am  
14 aware -- as somebody who also, just so you  
15 know, I have a condo in New York City and a  
16 house in Rockland County, so.

17 Phyllis?

18 NYSED CFO MORRIS: So what I would say  
19 to that is that in last year's Regents state  
20 aid proposal we did advance a request for  
21 \$1.2 million in funding for the department to  
22 look at the different aid formulas,  
23 specifically Foundation Aid but also other  
24 aid formulas as well. And I think, you know,

1 we really would need to engage in that work  
2 and really do -- scuba dive, a deep dive,  
3 because all of the aid formulas work together  
4 to result in the net aid amount for a  
5 district. So to just single out one  
6 particular aid formula without looking at  
7 everything in totality, I wouldn't be able to  
8 give you an answer right this minute. But  
9 again, we are open and willing to do that  
10 work with the proper resources.

11 ASSEMBLYMAN LAWLER: Okay, well, I  
12 appreciate that and very much want to work  
13 with you on that. I think when you look at  
14 the labor coefficient within the Regional  
15 Cost Index, it's very clear that Rockland and  
16 Westchester are shortchanged.

17 Second question, separate and apart  
18 from the federal aid that is offsetting the  
19 state cuts to school aid, can you explain why  
20 five out of six of the school districts in my  
21 Assembly district and why seven out of the  
22 eight school districts in Rockland County  
23 have a reduction in state school aid in the  
24 Governor's school aid runs?

1 NYSED COMMISSIONER ROSA: Phyllis?

2 NYSED CFO MORRIS: Yup. So as I  
3 mentioned before, there are 157 districts  
4 with negative amounts on their school aid  
5 runs. That is a combination of the way in  
6 which the Executive Budget implements the  
7 STAR reduction, the expense-based aid  
8 consolidation block grant reduction, and just  
9 -- and just normal fluctuations, year to year  
10 fluctuations in expense-based aids.

11 So the STAR reduction does -- as I  
12 mentioned previously, it's a \$1.35 billion  
13 hit for our districts. It does impose a  
14 permanent cut going forward. The reduction  
15 is the lesser of the district's federal  
16 stimulus allocation or the STAR payments the  
17 district would otherwise receive under  
18 current law. And because the federal  
19 stimulus dollars, the bulk of them are  
20 required by federal law to be allocated to  
21 districts based on the Title I, Part A  
22 formula, higher-need districts will receive a  
23 greater proportion of the stimulus funds and  
24 therefore have a greater proportion of the

1 STAR reduction.

2 ASSEMBLYMAN LAWLER: Thank you.

3 If I can just finish with the Rockland  
4 County schools are projected to be cut by  
5 6.7 million, so I would just ask you to  
6 really look at that and see what can be done  
7 to make sure that Rockland County schools are  
8 made whole.

9 NYSED COMMISSIONER ROSA: Thank you.

10 CHAIRWOMAN WEINSTEIN: We go now to  
11 the Senate.

12 CHAIRWOMAN KRUEGER: Ah, thank you.  
13 Our last Senator, as far as I know right now,  
14 Tom O'Mara, ranker for Finance.

15 SENATOR O'MARA: Thank you, Senator.

16 And thank you, Commissioner, for being  
17 with us today.

18 I have a question with regards to the  
19 proposed mobile sports betting and the  
20 revenue expected to be generated from that.

21 First of all, how much if any revenue  
22 from that is currently in this education  
23 portion of the budget? And what is your  
24 understanding of the dedication of the

1 revenue from mobile sports betting going  
2 forward to be solely for education and  
3 whether or not that additional money is just  
4 going to supplant current state spending and  
5 dedication to the education funding, or  
6 whether this will be in addition to what  
7 we've been spending on education?

8 NYSED COMMISSIONER ROSA: Phyllis?

9 NYSED CFO MORRIS: So I think we're  
10 probably going to need to get back to you  
11 with more details on this. But my  
12 understanding is that VLT, if that's what  
13 you're referring to, is included, you know,  
14 as a revenue stream for education. And I'm  
15 not aware of any changes in the Executive  
16 Budget that would change that. The changes  
17 in the Executive Budget --

18 {Phone interruption; inaudible.}

19 NYSED CFO MORRIS: -- and maybe I've  
20 overlooked something, because we've spent a  
21 lot of time and there's a lot of complicated  
22 proposals. But my understanding is that the  
23 Executive Budget doesn't make a change to  
24 those revenue streams, the change is on the



1 STAR payment side and the expense-based aid  
2 reduction side. So I'm not aware of any  
3 changes on that.

4 SENATOR O'MARA: But just to be clear,  
5 does the budget include anticipated revenues  
6 from the mobile sports betting?

7 NYSED CFO MORRIS: It includes VLT  
8 revenue. So I'm not sure if we're talking  
9 about the same thing, I'm sorry. And we're  
10 happy to take this back and get back to you  
11 with more detail.

12 SENATOR O'MARA: If you could, please,  
13 that would be great. And I would request  
14 from our chairs of this -- of our overall  
15 budget hearings that we request, because I  
16 don't see on the list today anybody from the  
17 Executive's Gaming and Wagering Board to give  
18 us real information on what's anticipated  
19 from mobile sports betting, how that's going  
20 to be impacting our education budget, and the  
21 real dedication of these additional funds  
22 towards education and not just supplanting  
23 our regular state aid. If our chairs could  
24 make a note of that.

1           CHAIRWOMAN WEINSTEIN:  Senator, I  
2           would just say that the revenue at our Tax  
3           Hearing, you will be able to -- we'll have a  
4           Governor's representative and we can talk  
5           about that issue.

6           SENATOR O'MARA:  Okay.  Good.

7           CHAIRWOMAN KRUEGER:  That was  
8           intended.  Thank you.

9           SENATOR O'MARA:  Great.  I hope they  
10          specifically come prepared to talk about  
11          mobile sports betting as well.  So thank you.

12          The -- and it's my understanding on  
13          your prior answers that the VLT funding is  
14          not the same as mobile sports betting funding  
15          that will come, so we should keep an eye on  
16          that.

17          Secondly, our Republican Conference  
18          reading of the budget shows that there is  
19          roughly a \$1,452 increase per student for  
20          New York City students, yet only a \$464  
21          increase on per-student spending throughout  
22          the rest of the state.  Can you explain that  
23          discrepancy and how there can be that much,  
24          three times as much going to New York City

1 per student than the rest of the state?

2 NYSED CFO MORRIS: Commissioner, would  
3 you like me to --

4 NYSED COMMISSIONER ROSA: No, go  
5 ahead, Phyllis. You go ahead.

6 NYSED CFO MORRIS: So we can take a  
7 look at the details, but I think from what I  
8 understand the difference is the amount of  
9 federal stimulus funding. Because the  
10 Executive Budget would program the new over  
11 \$4 billion in federal CARES Act 2 stimulus  
12 funding as part of the school aid runs.

13 New York City, because those funds are  
14 largely allocated based on the title 1 Part A  
15 formula, New York City's share of those funds  
16 is quite high. They are due to receive about  
17 two-point -- over \$2.1 billion of that  
18 amount.

19 So that is -- we can get into more of  
20 the details on that, but that is my initial  
21 thought on that.

22 SENATOR O'MARA: If you could address  
23 the stimulus funding, since that plays into  
24 that, apparently. All this extra federal

1 money coming in, yet the state is reducing  
2 its funding towards education. When this  
3 funding stream of federal stimulus dollars  
4 ends over the next two years, what's going to  
5 prevent a giant sucking sound of our  
6 education budget in this state to avoid a Gap  
7 Elimination Adjustment, as we saw a decade  
8 ago?

9 NYSED COMMISSIONER ROSA: And that's  
10 exact -- we've had this -- this has been both  
11 in my presentation and in the previous  
12 conversations. That is a mega-concern, to  
13 use these one-time-shot dollars and yet  
14 reduce what we know will be recurring  
15 conditions is going to have -- you're  
16 absolutely right, it's going to have a real  
17 devastating effect in terms of our education  
18 in terms of our budget. And that's a major  
19 concern that we have and how we've responded  
20 to the current Executive Budget.

21 SENATOR O'MARA: Okay. Thank you.

22 Chairwomen, I will want a brief second  
23 round, if you could put me on the list to go  
24 around again. Or I can do it now, whatever

1           you prefer.

2                   CHAIRWOMAN KRUEGER: You were our  
3 last, but we would need to wait till an  
4 Assembly member goes first.

5                   SENATOR O'MARA: Fine.

6                   CHAIRWOMAN KRUEGER: Thank you.

7                   CHAIRWOMAN WEINSTEIN: Okay, we go,  
8 for three minutes, Assemblyman Epstein.

9                   ASSEMBLYMAN EPSTEIN: Thank you, Madam  
10 Chair.

11                   And good morning, Commissioner. How  
12 are you doing today?

13                   NYSED COMMISSIONER ROSA: Good.

14                   ASSEMBLYMAN EPSTEIN: It's good seeing  
15 you.

16                   I want to thank you first on the  
17 waiver you submitted for testing. I think,  
18 as we know, these are really tough times to  
19 do standardized testing, so I appreciate and  
20 look forward to the waiver.

21                   What is your expectation of getting  
22 that waiver approved?

23                   NYSED COMMISSIONER ROSA: Well, we're  
24 still in the process, as you know. We've put

1 out the requirement in terms of the survey,  
2 and we're hoping to submit. And then we have  
3 no clue when the feds will give -- you know,  
4 give us a response.

5 We're hopeful because, you know, we  
6 did create a timeline for our assessment.  
7 And as you know, there are financial  
8 implications as we move forward, in terms of  
9 printing and things that we have to do to  
10 support not only our 3-8 but also our Regents  
11 exams. So there are financial considerations  
12 in this process, which is why we're doing  
13 this as quickly as we can. And we're hopeful  
14 that in the new administration we will get a  
15 response as quickly as possible so that,  
16 again, we can plan accordingly and that we  
17 don't incur some of these other financial  
18 situations that are connected to assessment.

19 ASSEMBLYMAN EPSTEIN: Well, if there's  
20 anything our offices can do, I'd be happy to  
21 be a support and to help, if there's letters  
22 or anything, we'd be happy to do --

23 NYSED COMMISSIONER ROSA: We're happy  
24 to reach out to you.

1           ASSEMBLYMAN EPSTEIN: Great. And just  
2 on the TSI/CSI school issue -- that is  
3 something we've talked about numerous  
4 times --

5           NYSED COMMISSIONER ROSA: Sure.

6           ASSEMBLYMAN EPSTEIN: I'm wondering,  
7 you know, that the testing is still off and I  
8 want to give some reprieve to some of these  
9 schools that are on this regimen, but there's  
10 no new data. This is now going to be  
11 potentially two years of testing that won't  
12 happen, and we're kind of under the thumb a  
13 little. I was wondering if there's a way  
14 that we can follow-up about that as well,  
15 longer than my one minute that I have left  
16 here.

17           NYSED COMMISSIONER ROSA: Very  
18 quickly, your last -- our last conversation  
19 generated some really good energy and really  
20 helped us -- you got us to a really good  
21 place in terms of really looking at our  
22 information with Jason and Dr. Wilkins. And  
23 guess what? We are strongly considering the  
24 whole issue of particularly schools that were

1 right at that edge and would have been --  
2 would have met their target, we are  
3 considering, strongly considering some  
4 action, which we will share with you and  
5 others, in terms of making decisions --  
6 despite the fact that, you know, that the  
7 tests are -- you know, have impacted on those  
8 decisions.

9 So we're hoping to have some really  
10 good information for you sooner than later.

11 ASSEMBLYMAN EPSTEIN: Great. Great.  
12 And I have 10 seconds, so I'll put on your  
13 radar the special ed waivers. I won't have  
14 time to raise that. But also the tutoring  
15 needs for students with special needs. I  
16 think, you know, that we're going to have to  
17 {inaudible}, that I'd love to follow up with  
18 you about that.

19 And finally, we need more money.  
20 That's -- we need more money, as much more  
21 money as we can get. These kids are going to  
22 struggle.

23 NYSED COMMISSIONER ROSA: Thank you.  
24 Thank you for all your support. Thank you.



1 ASSEMBLYMAN EPSTEIN: Thank you.

2 Thank you, Madam Chair.

3 CHAIRWOMAN WEINSTEIN: Thank you.

4 We're going back to the Senate. We're in a  
5 unique situation of having many  
6 Assemblymembers and not that many Senators  
7 who want to ask questions. So, you know, I  
8 think Senator O'Mara, the ranker on Ways and  
9 Means --

10 CHAIRWOMAN KRUEGER: Yes, thank you.  
11 Because in fact we had agreed no seconds  
12 today, but I had already just verbally said  
13 yes to Senator O'Mara. So I appreciate the  
14 opportunity.

15 SENATOR O'MARA: All right, I had  
16 forgotten that. So thank you.

17 I want to echo the comments of many  
18 prior speakers on local control and as much  
19 as flexibility as can be given there, because  
20 our districts are vastly different, even  
21 across upstate, from the types of districts  
22 we have.

23 But a real strong issue for me has  
24 been the Career and Technical Education for

1           our students in schools, and getting away  
2           from really the priority of college for  
3           everybody. And I'm concerned with this  
4           transferring of -- or the renaming of funds  
5           here from BOCES aid into a services aid, how  
6           that is going to impact dollars for CTE.

7                     And what is your and the department's  
8           overall priorities as it comes to Career and  
9           Technical Education?

10                    NYSED COMMISSIONER ROSA: Well, let me  
11           start by saying yes, \$696 million, you know,  
12           by creating that bundle obviously long-term  
13           is devastating, to say the least.

14                    As far as CTE, our position has always  
15           been college and career. And career, we know  
16           many of our children, particularly students  
17           that are focused on and are part of our CTE  
18           programs, this is their future, this is an  
19           investment for them. So we are -- we are  
20           extremely, exceedingly focused on our CTE  
21           programs and the importance of our CTE  
22           programs and really truly committed  
23           financially as well as expanding and making  
24           sure that we continue to support our CTE --

1           you know, CTE, P-TECH, all of the programs  
2           that we know our students need beyond the  
3           traditional programs, they are -- they are  
4           exceedingly important. And in the  
5           department, we're very much committed. And  
6           it is very painful to see the issue with the  
7           CTE, truly agree with you.

8                     SENATOR O'MARA: I thank you for your  
9           comments on that. I agree wholeheartedly  
10          with you, and I'm glad you've shared those  
11          concerns, because I really think we need to  
12          make sure that we have a very well-rounded  
13          and diverse student body coming out of high  
14          school, both those going to college as well  
15          as those going into career and technical  
16          fields. So thank you for your commitment  
17          towards that, and I look forward to working  
18          with you to advance those goals.

19                    NYSED COMMISSIONER ROSA: Thank you.

20                    SENATOR O'MARA: Thank you.

21                    CHAIRWOMAN KRUEGER: Thank you. And  
22          we have been joined by Senator Gallivan, but  
23          I'm told he has no questions. And so now the  
24          Senate is moving over to the Assembly, Madam

1 Chair.

2 CHAIRWOMAN WEINSTEIN: We -- actually,  
3 we're also joined by Assemblywoman Dickens,  
4 Assemblyman McDonough, Assemblywoman Melissa  
5 Miller, perhaps a few others may -- I may  
6 have missed, but we'll get back to that.

7 Let's just go to Assemblywoman Clark  
8 for three minutes.

9 ASSEMBLYWOMAN CLARK: Hello, thank  
10 you, Commissioner, for being here. Good  
11 morning. I first want -- or good afternoon,  
12 I guess I should say at this point.

13 I first want to thank you for your  
14 support in having the federal dollars coming  
15 in this time around augment school aid, not  
16 fund it. I do think it needs to go to the  
17 extra COVID-related costs and not be  
18 something we depend on as additional school  
19 aid.

20 I also want to thank you for your  
21 commitment to doing a deep dive into  
22 districts. The four I represent in my  
23 Assembly district all do have unique  
24 challenges, three of which have pretty low

1 reimbursements in the Foundation Aid:  
2 Brighton, around 50 percent, and my two in  
3 Irondequoit around 60 percent. So I really  
4 look forward to working to getting to  
5 100 percent fully funded Foundation Aid, if  
6 not a floor to help really uplift some of the  
7 money that they desperately need.

8 But then I also have the city school  
9 district in my region. I'm a proud graduate  
10 of the Rochester City Schools, and I really  
11 care about what is happening there,  
12 particularly as we're dealing with COVID and  
13 poverty and some other unique challenges.  
14 I'd love to hear your thoughts on aid -- or  
15 the formula for the Foundation Aid, what you  
16 think about updating it, particularly around  
17 census data, which would be easy and I think  
18 would make a big difference, but also  
19 capturing extreme poverty over general  
20 poverty, which the city has a lot of,  
21 including things like homelessness, the  
22 trauma of extreme poverty, and social and  
23 emotional needs of kids who experience that.

24 So I don't know if there's ever been

1           conversations around the Foundation Aid  
2           formula, how we can capture some of those  
3           unique things that happen in some of our  
4           Big 5 school districts where there's a lot of  
5           urban poverty. So I'd just love to hear your  
6           thoughts, and I look forward to working with  
7           you as we update that formula and other  
8           things like special service aids and other  
9           needed --

10                    NYSED COMMISSIONER ROSA: Sure. I  
11           think we've had some of those conversations  
12           already, and we are more than glad to  
13           continue those conversations with you  
14           personally, especially since you know  
15           Rochester has, you know, some other financial  
16           situations, as well as we put a monitor in  
17           that really zooms in on a weekly basis, we  
18           have these conversations around the fiscal  
19           conditions of the district.

20                    So we're more than glad to engage with  
21           you to share with you not only those specific  
22           conversations, but also to share some of the  
23           concerns we have about the students who are  
24           in those challenging conditions and also to

1 talk to you about the formula itself as well.

2 ASSEMBLYWOMAN CLARK: Wonderful.

3 Thank you so much.

4 CHAIRWOMAN WEINSTEIN: Thank you.

5 Next we have chair of our Libraries

6 Committee, Assemblywoman Kimberly

7 Jean-Pierre, for 10. Ten, yes.

8 ASSEMBLYWOMAN JEAN-PIERRE: Hello.

9 And is it morning still? No, it's afternoon  
10 now.

11 NYSED COMMISSIONER ROSA: No, good  
12 afternoon.

13 ASSEMBLYWOMAN JEAN-PIERRE: Well, good  
14 afternoon, everyone. And I want to thank all  
15 the chairs and everyone at Education, the  
16 Department of Education, for all they do and  
17 to all you did in Wyandanch, or your office,  
18 for our monitor that we have in Wyandanch.  
19 And to something new that we had an extensive  
20 amount of ballots for our school board  
21 elections, and we've seen record numbers of  
22 people who actually participated in school  
23 board election this is year. So I want to  
24 thank you for working with schools to ensure

1 that they're getting the training and  
2 everything.

3 But I have a few questions, and one of  
4 the questions would be diversity and how --  
5 you know, what efforts are -- is your  
6 department looking to do to diversify the  
7 workforce to reflect the children, the  
8 population? As we see in my district, we see  
9 a growing number of Hispanics and -- and  
10 what -- you know, what are we reflecting in  
11 the workforce?

12 And I have my 5-year-old who's  
13 actually right next to me doing remote  
14 learning, and often what I hear is, you know,  
15 "Can you turn on your camera? Turn on your  
16 camera." And getting students engaged and,  
17 you know, what's some of the things that you  
18 can advise the state to do to reflect some of  
19 these gaps that we're going to see coming  
20 forth?

21 NYSED COMMISSIONER ROSA: Sure. So  
22 let me start with in the department we have  
23 been, along with the -- the Regents have been  
24 very committed to the issue of not only



1 diversity in terms of in the pipeline of  
2 teachers, leadership.

3 We've been working -- as a matter of  
4 fact, we recently had a meeting with some of  
5 the legislators, you know, on Long Island to  
6 discuss this very issue of making sure that  
7 we increase the diversity, because many of  
8 our children, you know, their response is  
9 that they really need to see staff that looks  
10 like them. Right?

11 So part of the -- part of -- part of  
12 the commitment is working with various groups  
13 in the teacher pipeline and the leadership  
14 pipeline.

15 The second part of it is also working  
16 on the curriculum so that the single story  
17 shifts and it becomes a more inclusive  
18 curriculum.

19 And the third part of it is that the  
20 department currently, under the new  
21 leadership of Chancellor Young and others, is  
22 continuing the work with us to look at this  
23 entire situation from, you know, supporting  
24 the local school districts -- because that's

1 where the curriculum decisions are made --  
2 with staffing, with curriculum, with various  
3 different ways of raising the expectation and  
4 knowledge that a diverse school district  
5 reflecting the community is important.

6 So we clearly are extremely focused on  
7 that work both at the Regents level and at  
8 the department, and these are ongoing  
9 conversations just about -- if not every day,  
10 every week around this issue.

11 So -- and then to your second  
12 question, quickly, about the remote issue,  
13 you know, we've been talking all morning  
14 about all the different things that we need  
15 to do with obviously our federal funding to  
16 support our students, you know, in --  
17 currently and into the post-pandemic in terms  
18 of not only remote, but also closing the gap  
19 and many of the concerns that we have in  
20 terms of learning loss for our students.

21 ASSEMBLYWOMAN JEAN-PIERRE: And just  
22 to close with that, you know, I would like to  
23 extend, as chair of Libraries -- you hear  
24 them saying "bye" -- as chair of Libraries

1           that -- and if we can not only utilize, we  
2           can utilize the resources of the libraries  
3           and education to provide parents with some  
4           support and just resources that we can extend  
5           to the communities, particularly low-income  
6           communities, parents who don't have the  
7           option to sit next to their child while doing  
8           remote learning and to hear "bye" because  
9           that's going to interrupt their day-to-day  
10          job. So just to -- as a resource, I hope  
11          that arm can be extended to provide those  
12          tools to parents.

13                        NYSED COMMISSIONER ROSA: Right.  
14          Yeah, internally we have been. I think  
15          earlier we've been working with our -- our  
16          focus on the extension and the importance of  
17          libraries in this partnership process.

18                        And just so you know, I know we had a  
19          recent conversation with your superintendent  
20          and the monitor, and there is -- not only in  
21          your community but in other communities --  
22          the library as a focal point to support the  
23          communities and the parents and the richness  
24          of using the libraries to support -- as a

1 platform to support education.

2 So thank you for raising that.

3 ASSEMBLYWOMAN JEAN-PIERRE: Thank you.

4 Thank you.

5 CHAIRWOMAN WEINSTEIN: Thank you.

6 We go to Assemblyman Zebrowski for

7 three minutes.

8 ASSEMBLYMAN ZEBROWSKI: Thanks, Chair.

9 And thanks, Commissioner, great to see

10 you. You've been a champion for education

11 and a partner in this, and I appreciate that.

12 And certainly this is not your budget, so I

13 appreciate the conversations around how we

14 can improve it.

15 A few points. You know, not to mince

16 words, but I believe this budget is a

17 disaster for my district and a lot of

18 districts across the state. A couple of

19 things. You know, we talk a lot about

20 expense-based aids, but to break it down, we

21 take -- we consolidate 11 programs that

22 provide dollar-to-dollar reimbursements to

23 our districts and put it into a block grant.

24 Which will essentially mean that in

1 the future it will be severed, in my mind,  
2 from what they are doing, putting programs  
3 like BOCES at risk. No longer will school  
4 districts be able to count on the money they  
5 spent for important services being  
6 reimbursed.

7 Four of the five school districts I  
8 represent are seeing cuts despite increased  
9 costs, increased need. And the federal  
10 government supplying much-needed revenue, it  
11 is clawed back, once again, immediately from  
12 all of our school districts -- resulting now  
13 in them not being kept whole, but actually  
14 seeing cuts.

15 And the STAR funding. The STAR  
16 funding is just another insidious way, in my  
17 mind, of not only cutting school aid going  
18 forward, but also threatening the single most  
19 important property tax program that we have  
20 here in New York State.

21 My question would be, I noticed -- and  
22 when you're trying to compare last year to  
23 this year, that the STAR funding, because it  
24 was included in this year's run, had to be

1 sort of backfilled into last year's run. It  
2 was never there last year, but it's there  
3 this year. And is that not -- does that not  
4 show the disconnect between including a  
5 property tax relief program otherwise in a  
6 school aid funding program, a property tax  
7 relief program which has nothing to do with  
8 providing services to the students but  
9 provides very necessary relief to  
10 taxpayers -- but you're sort of like jamming  
11 it into the school aid funding formula, which  
12 will create future cuts, threaten the  
13 program, and really has nothing to do with  
14 the money that's used to directly support  
15 students.

16 Thank you.

17 NYSED COMMISSIONER ROSA: Well, I  
18 think all of the above, yes, yes, yes, yes,  
19 yes. I mean, you have articulated everything  
20 that we have discussed internally -- the  
21 long-term impacts, the short-term impacts  
22 and, more importantly, the fact that we  
23 really need to keep our districts  
24 functioning, and the only way we know how to

1 do that is to have honest transparency and  
2 knowing that we have the investments.

3 And I absolutely -- you know, you have  
4 been a champion for your districts as we  
5 continue, you know, our conversations. And  
6 clearly this is one that we really need to,  
7 on all different levels, address in terms of  
8 the finances and the fact that many of these  
9 issues are in many ways being -- the story's  
10 being told one way, and we have to sort  
11 through it to make sure that there's a  
12 complete understanding of the future  
13 impact -- the current, but the future impact  
14 of these decisions.

15 So I thank you for your advocacy.

16 ASSEMBLYMAN ZEBROWSKI: Thanks,  
17 Commissioner. I'll be there with you.

18 CHAIRWOMAN WEINSTEIN: Thank you,  
19 Commissioner.

20 Assemblyman Otis.

21 NYSED COMMISSIONER ROSA: Madam Chair?

22 CHAIRWOMAN WEINSTEIN: Yes.

23 NYSED COMMISSIONER ROSA: I hate to do  
24 this, but I just need a quick break.

1           CHAIRWOMAN WEINSTEIN: I was about to  
2 ask if we need to take a few-minute break.  
3 So that's fine.

4           NYSED COMMISSIONER ROSA: Okay. Is  
5 this okay to do it now?

6           CHAIRWOMAN WEINSTEIN: Yeah. Yeah,  
7 why don't you do it. We still have a list.  
8 You could shut off your camera if you want  
9 and just, when you come back, we will  
10 continue.

11           NYSED COMMISSIONER ROSA: Thank you.

12           (Brief recess taken.)

13           CHAIRWOMAN WEINSTEIN: We go to  
14 Assemblyman Otis for three minutes.

15           ASSEMBLYMAN OTIS: Commissioner, great  
16 to see you, and you have been a great  
17 educator in your teaching life, in your  
18 administrative life, in your chancellor life,  
19 and now in your commissioner life. So the  
20 kids of New York State are very, very lucky.

21           But my questions -- I have two  
22 questions that sort of relate -- they're  
23 curriculum-related in different ways. And  
24 one thing I'd say at the outset is I very



1 much believe that curriculum should be  
2 decided and mapped out by the Regents and not  
3 the Legislature.

4 That being said, very interested in  
5 technology, engineering, science curriculum.  
6 The technology and technological educators  
7 and Engineering Educators Association have  
8 put out a proposal about upgrading our  
9 curriculum for science and technology, which  
10 is so important. I do have a lot of the STEM  
11 folks in my district. And really a desire to  
12 get some of that going in earlier grades. So  
13 that's one question.

14 I'm going to ask my second question,  
15 and then you can try and fit both in.

16 The other curriculum issue is the need  
17 to get into our curriculum -- I'm hearing  
18 this from all over the state -- some of the  
19 history, some of the issues related to  
20 economic and racial justice in this country,  
21 and a feeling that a lot of the history of  
22 our country has been obscured in the  
23 curriculum. And we've deemphasized parts of  
24 history in the curriculum anyway, with the

1 Common Core testing and stuff like that.

2 So two different topics, and if you  
3 can give us a piece of both of those, and we  
4 can continue offline after this. But thank  
5 you, and thank you for all that you do.

6 NYSED COMMISSIONER ROSA: Sure. And  
7 thank you for raising the -- so I'm going to  
8 start with -- because we've been spending a  
9 great deal of work around this whole issue of  
10 the original inclusive curriculum that you  
11 know was way, way back and somehow it never  
12 got off the ground under Sobel.

13 And so we have started visiting and  
14 working on the issue of curricula because of  
15 the single-story concern, and because, like  
16 you said, the omission of many of the  
17 contributions by various groups. And so we  
18 are -- the Regents has been really focused on  
19 the fact that we have to move past that  
20 single story, that we have to look at civic,  
21 we have to look at contributions, we have to  
22 look at curriculum that's culturally  
23 responsive for our children.

24 So I couldn't agree with you more, and

1 I am delighted to share with you and the  
2 chairs and others some of the work that we're  
3 currently involved in in that arena, because  
4 that is absolutely going to get us to a  
5 better place when we can look at the  
6 inclusiveness and the importance of  
7 celebrating the contributions of various  
8 groups.

9 In terms of the science, I couldn't  
10 agree with you more. There is a need, both  
11 from the Regents perspective as well as  
12 looking at the local level, in infusing  
13 science, the technology, and literacy issues  
14 at a very young age. You know, as someone  
15 who had worked closely with the Algebra  
16 Project way, way back, introducing it in  
17 kindergarten/first grade, looking at the  
18 science and natural curiosity of children in  
19 the area of science, experiments -- all of  
20 those things are so critical to what I call  
21 critical thinking and development of  
22 innovation for our children.

23 So we're very excited about this.  
24 These two areas that you're bringing up are

1 two areas that are paramount and important to  
2 engagement, because these are two areas where  
3 children and young -- young -- as I call  
4 them, young adults, really truly have a  
5 future in terms of their investment.

6 So thank you for bringing it up.

7 ASSEMBLYMAN OTIS: Thank you again for  
8 what you've done on the Regents and now as  
9 commissioner.

10 NYSED COMMISSIONER ROSA: Thank you.

11 CHAIRWOMAN WEINSTEIN: Thank you.

12 We're going to go to Melissa Miller  
13 for three minutes, a quick question.

14 ASSEMBLYWOMAN MILLER: Yes. Hi, thank  
15 you so much. Thank you, Commissioner.

16 I just have a question, it's been  
17 touched on a little bit in the past here, but  
18 for those students with IEPs, there are many  
19 across this state that are struggling to  
20 fulfill those requirements. I can tell  
21 personally my own son has been on reduced  
22 therapy since March, with no end in sight.  
23 There are many that are still on a hybrid or  
24 virtual basis, or even those in full person

1 now are struggling to do the makeups that  
2 have, you know, resulted.

3 What is being -- oh, and also there's  
4 so many districts that are having to hire  
5 extra staff to try and help these children  
6 make up their missed therapies. So what is  
7 being discussed about this, and what can  
8 actually be done to help so that these  
9 students don't fall farther behind or  
10 regress?

11 NYSED COMMISSIONER ROSA: Right.  
12 Well, as you heard us say earlier, it is --  
13 this is one of -- early on when we knew we  
14 were going into the modalities, realizing --  
15 you know, my background as a principal of  
16 special ed, District 75 in New York City, and  
17 also residential program at St. Agatha's --  
18 you know, my background in special ed -- we  
19 had conversations around not only just the  
20 IEP in terms of identifying the placement and  
21 the needs and the services that our children  
22 need, but also, given our current modalities,  
23 the fact that we realized that we were going  
24 to have some challenges because of the

1 services that are provided in -- you know,  
2 when we have in-person instruction -- even  
3 for our most severe students, you know, the  
4 constant repetition, the hand over -- the  
5 issues that we know that our students need in  
6 terms of the stability, the continuity -- all  
7 of those things that are so critical for the  
8 learning process for our special-needs  
9 students are -- there's their feeling of  
10 being in a safe environment but also in a  
11 known, you know, type of situation.

12 But we clearly are constantly in our  
13 P-12 and in our higher ed, the special-needs  
14 population is one of the populations that we  
15 discuss all the time, we struggle with  
16 because these conditions are so challenging  
17 for them. Not in terms of just the related  
18 services part of it, but also overall  
19 instruction and their support of the  
20 social-emotional as well as the cognitive.

21 I'd like to -- Chris, if you have  
22 anything else that you want to add to it?

23 NYSED ASST. COMMR. SURIANO: Again,  
24 I'm going to stress the fact -- and I realize

1 we're over, but the progress monitoring that  
2 needs to be occurring at the district level  
3 to ensure that there's a record of the needs  
4 of the student when we return to full  
5 in-person or, you know, the return to normal  
6 conditions, to ensure that for the skills  
7 missed and the regression that may have  
8 occurred, there's data to show what  
9 additional services or compensatory services  
10 are going to be needed to move that student  
11 forward and make up that gap.

12 ASSEMBLYWOMAN MILLER: So it's a  
13 moving forward plan, nothing that -- okay, I  
14 get it. Thank you.

15 NYSED COMMISSIONER ROSA: Thank you.

16 CHAIRWOMAN WEINSTEIN: Thank you.

17 We go to Assemblyman Conrad.

18 ASSEMBLYMAN CONRAD: Thank you. Just  
19 a meeting here. Thank you, Chairs. Thank  
20 you, Commissioner.

21 First of all, I just want to say that  
22 I share my budgetary concerns with the rest  
23 of my colleagues here on the Assembly and  
24 Senate. I don't want the digital divide to

1           become a diploma divide, like many of my  
2           colleagues.

3                     I just have a couple of quick  
4           questions. Number one, I hope in our mental  
5           health assessment that addiction to nicotine,  
6           particularly vaping, is considered in that  
7           proposal.

8                     My also question is about -- because  
9           we are seeking the waiver from the federal  
10          government on testing, is there any  
11          discussion on changing APPR for this year?

12                    And lastly, I had taken part in a --  
13          taken a look at training programs in the  
14          past. I see teacher recruitment as a  
15          fundamental program for the long-term  
16          sustainability of education, especially in  
17          diversity. Have we taken a look at future  
18          teacher education clubs at the high school  
19          level as something to consider?

20                    Thank you.

21                    NYSED COMMISSIONER ROSA: Thank you.

22                    So let me start with the teacher  
23          diversity issue has been a conversation  
24          ongoing. We have partnered with various



1 different groups and organizations, including  
2 NYSUT recently has pulled together with us  
3 about teacher opportunities, teachers -- ways  
4 of, like you said, investing and elevating  
5 the fact that this is a noble profession and  
6 we really want individuals to really think  
7 about entering and thinking about the  
8 profession as they think about their future.

9           So your point about starting it  
10 younger, we absolutely encourage that,  
11 because I do think that that's -- planting  
12 those seeds for the garden to grow is  
13 critical as soon as possible.

14           Your other question -- and thank you  
15 for the financial support in terms of that.  
16 Your question about the diversity, that's  
17 just as important in this conversation. So  
18 as we're growing this, we're also looking, as  
19 I said earlier, issues of culturally  
20 responsive, issues of looking at the  
21 curricula and the curriculum to make sure  
22 that there's a reflection, that there's  
23 inclusiveness, to support the kinds of  
24 engagement so that all students really get to

1 understand the contributions that, you know,  
2 have been made over a period of time, and not  
3 isolating, not creating a curriculum that  
4 really in many ways has a particular bent and  
5 excludes some of the amazing contributions  
6 that various individuals have made to  
7 strengthen this country.

8 ASSEMBLYMAN CONRAD: I agree, and I  
9 think we're making some tremendous strides in  
10 social studies to address -- especially if  
11 you look at the Stanford Education Project,  
12 in New Visions. As a 21-year vet social  
13 studies teacher, the recent work has been  
14 amazing, and especially getting into the real  
15 art of history. So thank you for that work.

16 CHAIRWOMAN WEINSTEIN: Thank you. We  
17 now move to Assemblywoman Seawright.

18 Just so members are aware, the next  
19 order is going to be -- is Seawright,  
20 Griffin, Kim, and Fahy. So people should  
21 just be standing by the computers ready to  
22 unmute themselves. Is Rebecca here?

23 THE MODERATOR: She does not appear to  
24 be at her computer.

1 CHAIRWOMAN WEINSTEIN: Okay.

2 Ms. Griffin. Judy, are you here?

3 ASSEMBLYWOMAN GRIFFIN: Okay, great.

4 Thank you.

5 Thank you, Chairs Weinstein and  
6 Krueger, and good afternoon, Commissioner  
7 Rosa and team. I appreciate your diligence  
8 and dedication to the students of New York  
9 State.

10 I just want to first confirm that the  
11 waiver for the exemption for the Regents -- I  
12 couldn't remember if it -- or hear, did you  
13 also include a waiver for the state  
14 assessments for math and arts for Grades 1-8?

15 NYSED COMMISSIONER ROSA: I'm sorry,  
16 math --

17 ASSEMBLYWOMAN GRIFFIN: Yeah, math and  
18 language arts, is that also included in that  
19 waiver?

20 NYSED COMMISSIONER ROSA: Yeah, I'm  
21 going to turn to Kim because, you know, we  
22 just wrote -- and we will share it with you.  
23 There seems to be some confusion around the  
24 waiver itself.

1           So Kim, let's walk through it, because  
2 this was an issue that did come up with even  
3 one of our newspapers. Kim?

4           NYSED ASST. COMMR. WILKINS: Thank  
5 you, Commissioner. And thank you,  
6 Assemblywoman.

7           We did -- we're seeking a waiver for  
8 3-8 respecting accountability first. In the  
9 3-8 accountability with ESSA, that does  
10 include 4 and 8 science as well as the NYSAA,  
11 NYSAA slot, as well as the three Regents on  
12 requirements in high school. So that is the  
13 waiver that we're requesting right now.

14           Anything else regarding graduation  
15 will be the next step, and that goes to our  
16 commissioner, our chancellor, and the Board  
17 of Regents. I hope that clears it up.

18           ASSEMBLYWOMAN GRIFFIN: Okay, that  
19 does.

20           And then a follow-up to that is,  
21 when -- it's important that schools find out  
22 sooner than later, because there's so much  
23 prep time. Whether it's the Regents or  
24 whether it's the state assessments, there's

1 an awful lot of prep time, and the kids have  
2 lost so much that a lot of people in my  
3 district, you know, parents, you know, really  
4 have an issue with.

5 When do you expect that we will know?  
6 How soon will it be?

7 NYSED COMMISSIONER ROSA: Well,  
8 first -- and we did talk about this, and  
9 we'll share the information with you -- we've  
10 put out a survey, as you know --

11 ASSEMBLYWOMAN GRIFFIN: Yes.

12 NYSED COMMISSIONER ROSA: -- as  
13 parents and -- okay. And we just -- as of  
14 this morning we had over 10,000 responses  
15 from parents, and that's only a couple of  
16 days. So we will share the final results  
17 with everybody.

18 We set up a timeline early on, just  
19 because we know exactly what you said, people  
20 need to know. So we set up a timeline in  
21 terms of really this is the day -- we just  
22 recently did this. We had to order paper.  
23 It was going to cost us \$500,000 just to  
24 order that paper. We had to have storage,

1 and we took care of that.

2 So we're going through a timeline that  
3 we have shared with the Regents and a  
4 timeline that really gets us to that edge  
5 before we have to obviously make what we call  
6 those final decisions. So we're more than  
7 glad to share those timelines. At the same  
8 time, we will tell you that what's also going  
9 to be problematic for the 3-8 -- obviously,  
10 you know, in terms of the tests and the  
11 accountability -- will be the issue with the  
12 feds.

13 But in the meantime, with the others,  
14 obviously our Regents are also going to be  
15 involved in the Regents decision as well.

16 ASSEMBLYWOMAN GRIFFIN: Well, thank  
17 you very much. And if you could share any of  
18 that information with me going forward, that  
19 would be helpful. Thank you.

20 CHAIRWOMAN WEINSTEIN: Thank you.

21 So the next few members are -- on the  
22 Assembly side are Kim, Fahy, Bronson. And  
23 just to let people know, members, I'm  
24 announcing the names because if you are not

1 available when we call upon you, the way the  
2 system works, we're going to probably end up  
3 kicking you to the bottom of the list.

4 So if we could, Assemblyman Kim, as I  
5 said, then Fahy, Bronson, Simon and Mitaynes.

6 Ron, you're on. Assemblyman Kim, are  
7 you there?

8 (No response.)

9 SENATOR LIU: Ron is stepping out to  
10 speak at a different rally.

11 CHAIRWOMAN WEINSTEIN: Okay. We may  
12 not --

13 SENATOR LIU: Can you put him two --  
14 two more speakers down the list?

15 CHAIRWOMAN WEINSTEIN: We may not get  
16 back to people because, you know, we --  
17 Assemblywoman Fahy, then Bronson, Simon,  
18 Mitaynes.

19 Assemblywoman Fahy, are you here?

20 (No response.)

21 CHAIRWOMAN WEINSTEIN: A disadvantage  
22 for the length of the hearing.

23 Okay, Assemblyman Bronson. Harry,  
24 are -- there's Harry. Thank you.

1 ASSEMBLYMAN BRONSON: Here I am. It  
2 took me a while to open the screen.

3 But thank you, Madam Chair.

4 And thank you, Commissioner, for being  
5 here. And it's good to see you even though  
6 it's virtual right now.

7 And I also want to thank you -- you  
8 alluded to it earlier in your testimony, but  
9 your work and Phyllis and all on your team,  
10 and your efforts with Mary Cariola School, a  
11 special-needs school in my district, to help  
12 them with rebasing and making sure they're  
13 getting the reimbursement they need so they  
14 can serve some of our most vulnerable.

15 And I also want to add to the chorus  
16 of voices that we have a lot of work to do on  
17 this budget to remove the smoke and mirrors  
18 of the Executive's budget so all of our  
19 schools are appropriately funded in an  
20 equitable way. And I look forward to your  
21 deep dive so that we can really make this a  
22 good budget for our children.

23 And then another point, the mental and  
24 behavioral health services desperately needed



1 before COVID, and even more so now. And in  
2 order to meet that need, we need to make sure  
3 that we have reimbursements for additional  
4 providers in the mental and behavioral  
5 health, including the practitioners.

6 So -- and then lastly -- lastly, I  
7 want to thank you for your willingness to  
8 really fight for all of our children no  
9 matter the zip code that they live in. And  
10 in that regard, the Rochester City School  
11 District. As you know, we put a monitor in  
12 place; I fought hard for that, had your help  
13 in that. And the monitor is there to provide  
14 oversight and guidance and assist the  
15 superintendent and the school board.

16 I meet them on a regular basis. And,  
17 you know, I've been impressed with the work  
18 that they've been doing. But I'm interested  
19 in hearing your thoughts about how this  
20 monitoring approach is working, is there  
21 other things that we need to do. But, you  
22 know, we've got to get this right for our  
23 students. So I'm curious on your thoughts  
24 about that.

1 NYSED COMMISSIONER ROSA: Sure. So  
2 very quickly, you know, I'm a big supporter.  
3 I was not a supporter of takeover. I think  
4 you know that. I'm a big supporter of  
5 monitors as a way of making sure that as a  
6 state we can continue the support.

7 I do have to say that it is an  
8 enormous amount of time that both Kim Wilkins  
9 and her team and others -- this is every  
10 single day, every single week. I meet with  
11 the teams at least once a week just to really  
12 go through and we document all the issues  
13 that the monitor -- you happen to have an  
14 outstanding monitor in Rochester who's very  
15 committed to the work.

16 And the concept is something that we  
17 are obviously looking to use as a model in  
18 some of these conditions with our districts.  
19 And we're learning from -- how to fine-tune  
20 it. Unfortunately, we have no -- the state  
21 has no funding to do this work. This work is  
22 being done beyond our staff's regular work,  
23 because we did not receive --

24 CHAIRWOMAN WEINSTEIN: Thank you,

1 Commissioner. Thank you, Commissioner.

2 We're going to move on to -- Assemblywoman  
3 Seawright had a technical issue before.

4 NYSED COMMISSIONER ROSA: Sure.

5 CHAIRWOMAN WEINSTEIN: Rebecca,  
6 you're -- yeah.

7 ASSEMBLYWOMAN SEAWRIGHT: Thank you,  
8 Chairwoman. Yeah.

9 And thank you, Commissioner.

10 I have an LGBT curriculum bill;  
11 New Jersey passed this same legislation two  
12 years ago. And Senator Hoylman has it in  
13 the -- would just like to know the commitment  
14 of the state to this legislation. I know  
15 that curriculum is done at the local level,  
16 but would like to see some kind of commitment  
17 at the state level.

18 NYSED COMMISSIONER ROSA: Right.  
19 You're absolutely correct, it's at the local  
20 level. But it is a commitment that we have  
21 to the curriculum. So we will continue to  
22 work with you and through our legislative --  
23 you know, Jen Trowbridge and others, to  
24 support your good work. So you definitely

1 have our commitment.

2 ASSEMBLYWOMAN SEAWRIGHT: Thank you.

3 CHAIRWOMAN WEINSTEIN: Thank you.

4 We go to Assembly -- the next  
5 Assemblymembers are Simon, Mitaynes, Niou,  
6 and Sayegh. And just, you know, if  
7 members -- I'm giving you fair warning, if --  
8 you end up at the bottom and we may not have  
9 time to get to you if you're not available.

10 Jo Anne.

11 ASSEMBLYWOMAN SIMON: Thank you.  
12 Thank you very much to the chairs and to the  
13 Chancellor -- Commissioner, excuse me, and  
14 your staff, because I know you've been here a  
15 long time. And we very much appreciate your  
16 being here and your forthrightness and your  
17 dedication.

18 I want to just say that I agree with  
19 so many of my colleagues on the shortcomings  
20 of this budget. And, you know, I'm  
21 particularly concerned about the proposal to  
22 waive certain special education requirements.  
23 You know, mandate relief in one name or  
24 another comes up year after year after year

1 after year, and I think it's a very slippery  
2 slope, so I'm very concerned about that this  
3 year as well as, going forward, any efforts  
4 about that.

5 I want to also just address reading  
6 and the science of reading and the  
7 department's efforts to move people along to  
8 incorporating the science of reading in  
9 teacher education and professional  
10 development, how that's happening and how  
11 reading and teaching of reading is being  
12 affected by remote learning, and how or  
13 whether the department will start looking at  
14 assessing how remote learning affects kids in  
15 their process of learning.

16 So, for example, obviously we can  
17 think about attention, we can talk about the  
18 sort of two-dimensionality of screen time,  
19 but also things like the effect on working  
20 memory, other aspects of how children process  
21 learning in a remote environment that would  
22 be different than, for example, in an  
23 in-person environment.

24 NYSED COMMISSIONER ROSA: And to your

1 topic, because you and I have worked, you  
2 know, in even looking at dyslexia and some of  
3 the learning issues with our young children  
4 and all the way through. Obviously our work  
5 is informed by research. I wish -- you know,  
6 once upon a time we did have a research arm  
7 in this department. We no longer even have  
8 that. So -- but our decisions in terms of  
9 these issues and how we support districts,  
10 and the information that we provide, is  
11 definitely focused on the research that's  
12 being done, particularly around brain  
13 research.

14 And that's really -- you and I know  
15 this is a critical, a very critical  
16 component. And the effects of -- one of the  
17 things that we are absolutely looking at, the  
18 effects of the remote and how it's impacting  
19 on -- you know, in terms of brain research  
20 and the remote.

21 So we plan to take stock not only in  
22 terms of in our P-12 special ed component,  
23 but to answer you -- and again to engage in  
24 further conversations on this, we would look

1 forward to sharing some of those things with  
2 you as well.

3 ASSEMBLYWOMAN SIMON: Thank you. And  
4 if we're making pitches about curriculum  
5 bills, I have one on gun violence prevention  
6 that I would love to see instituted and  
7 applied. You know, obviously there are local  
8 issues. But, you know, gun violence is not  
9 something anybody wants, and we need to  
10 address that issue I think in a statewide  
11 basis. And it's really become quite  
12 problematic in a number of areas.

13 NYSED COMMISSIONER ROSA: Thank you.

14 ASSEMBLYWOMAN SIMON: Thank you.

15 CHAIRWOMAN WEINSTEIN: Thank you.

16 Assemblywoman Mitaynes, then Niou, Sage and  
17 then Hyndman.

18 Assemblywoman Mitaynes, are you here?

19 THE MODERATOR: She does not appear to  
20 be at her computer. Oh, wait, there she is.

21 CHAIRWOMAN WEINSTEIN: Okay, good.

22 ASSEMBLYWOMAN MITAYNES: Hello?

23 CHAIRWOMAN WEINSTEIN: Hi, Marcela,  
24 you're on.

1 ASSEMBLYWOMAN MITAYNES: All right,  
2 thank you.

3 I wanted to ask -- thank you, everyone  
4 for having me. I wanted to ask a specific  
5 question around charter schools. The  
6 Executive also proposed to allow the  
7 reissuance of charters where charter schools  
8 have closed, like the zombie charters,  
9 allowing charter schools to open in their  
10 place.

11 Please explain how many new charter  
12 schools are expected to open under this  
13 provision and the total number of funding  
14 expected to be allocated to these schools.

15 Thank you.

16 NYSED COMMISSIONER ROSA: Sure. The  
17 number is 20. And I would get back to you on  
18 the specific -- what's the actual cost. And  
19 it's something that we have a concern, and  
20 it's specific to New York City, obviously,  
21 because they're the ones that met the cap.

22 But we're more than glad to get you an  
23 exact number on the zombies. And, you know,  
24 we do have a concern about that, so we want



1 to share that with you as well.

2 CHAIRWOMAN WEINSTEIN: So I think we  
3 go on to Assemblywoman Niou.

4 Yes, you're on. You're in form.

5 ASSEMBLYWOMAN NIOU: Sorry, it takes a  
6 minute to unmute every single person.

7 Thank you so much for being patient  
8 with all of us and giving us some of your  
9 time today.

10 One of the things -- I just want to  
11 kind of say thank you also for the answers  
12 that you gave to a couple of my colleagues.  
13 They asked a lot of the questions that I'm  
14 just going to kind of follow up and piggyback  
15 on. In particular, about libraries because  
16 that's the committee that I'm representing  
17 right now.

18 You know, many of our students have  
19 faced a lot of the hardships that you were  
20 talking about. And do you know of or are you  
21 planning on creating plans to repurpose or  
22 maybe even open libraries at a limited  
23 capacity to provide some of the limited  
24 crucial services to our students, and maybe

1 as WiFi hubs or as, you know, quiet spaces  
2 for students to do homework or anything like  
3 that?

4 NYSED COMMISSIONER ROSA: Yeah, I --  
5 as you heard me say earlier, this is an  
6 extension, right, as you know. And we  
7 definitely want to make sure that we utilize  
8 these bases. I mean, these are rich  
9 opportunities for our students.

10 So we are definitely -- and as I said,  
11 we'll definitely get back to you specifically  
12 as to when and how we will repurpose, as you  
13 suggested, the use of these spaces to support  
14 our learning in terms of our students. And  
15 also the -- not just the learning, but also  
16 making sure that, you know, there's another  
17 environment that the children have an  
18 opportunity to be part of.

19 ASSEMBLYWOMAN NIOU: Thank you so  
20 much. The Executive Budget proposes cutting  
21 the entirety of the \$1 million budget  
22 allocated to culturally responsive education  
23 last year. You probably heard of that. I'm  
24 concerned that given our current political

1 climate and the potential social and cultural  
2 development impact of learning from home --  
3 which you did talk about -- what that will  
4 have, you know, on our students, our children  
5 who have not only been able to not receive  
6 like kind of the holistic education that they  
7 really need.

8           What are your thoughts on the impact  
9 that these cuts might actually have? Because  
10 I believe that, you know, a couple of  
11 different advocacy groups have suggested  
12 50 million for truly responsive programming.  
13 And I firmly follow -- you know, think that  
14 that's true; I would just like to know your  
15 opinion on that.

16           NYSED COMMISSIONER ROSA: Sure. Sure.  
17 Just so you know, in my role as chancellor I  
18 worked with New York City and I was cochair  
19 on the culturally responsive prior to asking  
20 Dr. Wilkins and Regents, a couple of the  
21 Regents, to be part of that conversation.

22           So that -- you know, we're very, very  
23 committed to this work. And as a matter of  
24 fact, if you look at the Regents priority, we

1           also put 250,000 with another 50 to really  
2           support this work. So clearly there is a  
3           tremendous commitment to the importance of a  
4           supportive system, a curriculum that is  
5           culturally responsive. So, you know, on our  
6           part we're concerned about that cut, but we  
7           are very committed to the importance of it.

8                     Thank you.

9                     ASSEMBLYWOMAN NIOU: And I know I'm  
10           out of time, but I just wanted to say thank  
11           you for, you know, really kind of fighting  
12           against these cuts. I think that, you know,  
13           we really need to make sure that we all stand  
14           firm on how these cuts are going to affect  
15           our students. So I appreciate your work  
16           today.

17                    NYSED COMMISSIONER ROSA: Thank you.  
18           I appreciate you. Thank you.

19                    CHAIRWOMAN WEINSTEIN: Thank you.

20                    So I'm going to just -- the next  
21           members: Assemblyman Sayegh, Assemblywoman  
22           Hyndman, Assemblywoman Joyner, Assemblywoman  
23           Dickens, Assemblywoman Solages, Assemblywoman  
24           Bichotte Hermelyn. And that will be it for

1 the Assemblymembers. The list is going to be  
2 closed.

3 THE MODERATOR: Assemblyman Sayegh,  
4 you can begin.

5 ASSEMBLYMAN SAYEGH: Okay. Thank you  
6 very much.

7 Commissioner, for me it was a pleasure  
8 during my some 40 years in education,  
9 especially in the Yonkers Public Schools,  
10 school board, the Big 5. And I for one  
11 understand and really have seen you in action  
12 on behalf of urban education, on behalf of  
13 special ed. And we've spoken about  
14 immigrants and English language learners.

15 During the discussions today we've  
16 heard a lot about inequity in education.  
17 We've heard about Foundation Aid formula  
18 concerns, Regional Cost Index concerns. My  
19 question to you is that in light of the fact  
20 that the New York State education funding  
21 formula has not been changed or modified in  
22 many years, what's the prognosis to consider  
23 and to support a change in the educational  
24 formula similar to what similar states like

1 Jersey did last year? And to support  
2 legislation.

3 I have a bill, Assembly Bill 2514, and  
4 what it does, it recognizes that urban school  
5 districts that are desperately dealing with  
6 inequity issues are largely because of issues  
7 concerning enrollment, of course the wealth  
8 of the county -- they live in the percentage  
9 of special ed population, percentage of free  
10 and reduced lunch population, and finally the  
11 percentage of English language learners.

12 And these are concerns that for many  
13 districts can't be addressed because of the  
14 2 percent tax cap. So what's the likelihood  
15 of truly looking to resolve funding issues  
16 and inequity issues across the state with a  
17 funding change in the formula?

18 NYSED COMMISSIONER ROSA: Well, I  
19 think that we -- definitely I think you've  
20 outlined many of the reasons why we do have  
21 to, you know, visit the formula. But I also  
22 think that -- there are two parts to my  
23 response. One is the formula itself and  
24 revisiting the areas where the formula really

1 does not do its job, as they say. And the  
2 second part is beyond the formula, I think we  
3 have some other structural issues that we  
4 have to work with that also impede. Because  
5 if it was just a change in the formula, I  
6 would say to you, you know, let's put all our  
7 energy in investing in the formula.

8 I think it's more than just the  
9 formula. It's the formula and it's the way  
10 that we execute our dollars. And many -- you  
11 heard many of the issues that impede getting  
12 those dollars to the communities and the  
13 students. So I think it's a combination of  
14 the formula, it's a combination of finding  
15 better structures of how the dollars flow.  
16 And it's also look at better -- building  
17 better systems. It's a system issue as well.  
18 Better systems to be responsive, responsible  
19 to the needs of our communities.

20 ASSEMBLYMAN SAYEGH: Well, thank you  
21 very much. And I just want to say this is  
22 really a crucial issue impacting our state.  
23 I think our colleagues agree that the efforts  
24 and the concerns are paramount when it comes

1 to budgeting concerns. And we're fortunate  
2 to have two Education chairs who are really  
3 strong advocates, in Senator Mayer and  
4 Assemblyman Benedetto. So, you know, we  
5 appreciate your --

6 CHAIRWOMAN WEINSTEIN: Thank you.  
7 Thank you, Assemblyman, but just mindful of  
8 the clock.

9 Assemblywoman Hyndman. I know Alicia  
10 is here. You're on.

11 ASSEMBLYWOMAN HYNDMAN: I'm here.  
12 Thank you, Chair Weinstein. Thank you,  
13 Commissioner Rosa.

14 I have several questions, and if  
15 Jennifer or Lindsay or someone can get back  
16 to me, I'd greatly appreciate it.

17 How many vacancies did SED have prior  
18 to the pandemic, how many vacancies has  
19 increased since the pandemic? And you  
20 talked -- a lot of my colleagues asked about  
21 teacher diversity, so ditto to everything  
22 that they said.

23 But one of the things that -- but my  
24 question is, is there something that SED



1           could do now which is changing the  
2           requirement that a graduate must come from a  
3           New York State-approved teacher education  
4           program? Even doing a pilot that would allow  
5           teachers to come in, as recruiting from HBCUs  
6           across the country.

7                     And another thing that I think we  
8           always look -- we don't pay attention to is  
9           that out of 730 school districts in the State  
10          of New York, 175 of them have no teachers of  
11          color or almost none at all. So it's not  
12          just communities in New York City or in the  
13          Big 5 that need teachers of color, it is  
14          entirely around the state. And in order to  
15          increase the pipeline I think this is  
16          something that SED can do now.

17                    I know I'm talking fast, but the time.  
18          And if you can get back to me, if not now,  
19          then later on, I would greatly appreciate it.

20                    And thank you, Commissioner. I think  
21          you're doing a fantastic job. Thank you.

22                    NYSED COMMISSIONER ROSA: Thank you.  
23          So I will get back to you, because that's a  
24          full dissertation request.

1           But I will say this. We have lost  
2 many staff members, and in the current budget  
3 proposal we are also looking at potentially  
4 losing even -- over 50 more additional staff.  
5 And so we are concerned that our work has  
6 expanded and our staff continues to decrease.

7           So -- but on the other issues of  
8 diversity throughout the state, love to have  
9 a comprehensive conversation because there's  
10 so much good work being done, both at the  
11 higher ed, when we do the higher ed, as well  
12 as our pipeline conversations about creating  
13 a diverse -- both teacher, leadership, and in  
14 our school districts. So thank you.

15           ASSEMBLYWOMAN HYNDMAN: Thank you.

16           CHAIRWOMAN WEINSTEIN: Thank you.

17           Assemblywoman Joyner. There you go.

18           ASSEMBLYWOMAN JOYNER: Oh, yes, great.

19           Okay, good afternoon. Good seeing  
20 you, Commissioner Rosa. I have a couple of  
21 questions.

22           So as was previously brought up by  
23 many of my colleagues, this lack of  
24 socialization during the pandemic has been

1 hard on all of us, and especially our kids.  
2 So I was just wondering, are there any steps  
3 or plans to expand our state's participation  
4 in the federal Medicaid reimbursement funding  
5 for mental health services for our children  
6 during COVID, especially our students with  
7 disabilities and at-risk students?

8 NYSED COMMISSIONER ROSA: Sure,  
9 absolutely. Kathleen, I think you're on.  
10 Because we have been looking at this issue  
11 of, you know, the mental health and also the  
12 impact of the trauma, as you pointed to.

13 Kathleen?

14 NYSED ASST. COMMR. DECATALDO: Yes,  
15 Commissioner.

16 So we do try to work very closely with  
17 the State Office of Mental Health to provide  
18 better access. We have a couple of current  
19 programs. We're trying to increase the  
20 connectivity between schools and  
21 community-based organizations that do provide  
22 those types of services.

23 But there's so much more that could  
24 happen and can happen. You know, we have a

1 call coming up with OMH about mental health  
2 clinics in schools as well. But all of that  
3 takes a lot of money. There's no specific  
4 funding for it. You know, schools aren't  
5 required to provide mental health services.  
6 We need more social workers in schools, more  
7 school counselors. Those are usually the  
8 first ones to be cut.

9 So I think it's a really important  
10 topic, but it's something that needs to be  
11 addressed.

12 NYSED COMMISSIONER ROSA: And  
13 community schools, as you well know because  
14 you're familiar with them, community schools  
15 are wonderful places because they do provide  
16 support systems for mental health services as  
17 part of the community school methodology.

18 ASSEMBLYWOMAN JOYNER: Okay. And I  
19 would definitely, as you know, just -- and  
20 I'm sure many of the schools are aware of  
21 like in -- you know, group therapy will  
22 probably be very helpful for our students  
23 during this time.

24 NYSED COMMISSIONER ROSA: Absolutely.

1 ASSEMBLYWOMAN JOYNER: So thank you.

2 NYSED COMMISSIONER ROSA: Thank you.

3 CHAIRWOMAN WEINSTEIN: Thank you.

4 We'll move on to Assemblywoman Dickens.

5 ASSEMBLYWOMAN DICKENS: Can you hear  
6 me?

7 CHAIRWOMAN WEINSTEIN: Yes, Inez,  
8 you're on.

9 ASSEMBLYWOMAN DICKENS: All right.  
10 Good afternoon, and thank you to the chairs  
11 and my colleagues and to the staff and to  
12 you, Commissioner Rosa.

13 Two quick questions. I understand the  
14 need for the waiver for the Regents, but I am  
15 concerned about whether our children will be  
16 capable of holding down quality jobs as they  
17 move forward. Remote learning was difficult  
18 not only for them, but for the educators as  
19 well. And so with all the cuts that's going  
20 on I have heard no one really address the  
21 need -- and my daughter is a teacher -- the  
22 need for the teachers to be educated in how  
23 to conduct remote learning.

24 This pandemic may be over quickly, but

1           there may be something else coming down the  
2           pike, and we need to be prepared and not be  
3           unprepared as we were this time. That's one.

4                     And the second thing is on the fields,  
5           the sports fields that are in the schools.  
6           Many of our youth, particularly Black and  
7           Brown youth, that's how they get to college,  
8           college is paid for. And with the sports  
9           fields being closed down but everything else  
10          opening up, what can you do about that?

11          Thank you.

12                     NYSED COMMISSIONER ROSA: Sure. So  
13          first I -- early on I spoke about this, so  
14          let me -- and we can get you some additional  
15          information. We wrote a grant early on which  
16          we received from the feds, a Rethink grant,  
17          that really focuses on professional  
18          development, particular for this remote  
19          learning. And so we're more than glad to  
20          share that with you and others.

21                     That is one of several initiatives  
22          that we're focused on to make sure that we  
23          prepare our teachers and our leaders in terms  
24          of knowing how to expand and enhance this

1 process. Because as I said earlier, this is  
2 not going away. This is a new platform, it's  
3 a new platform that people have to learn, get  
4 comfortable with, and use it as an extension  
5 of their work. So that is -- that is really  
6 one of our goals.

7 The second thing in terms of using --  
8 a lot of local school districts do allow the  
9 use of. And so these are locally decided in  
10 terms of the fields that are available to the  
11 communities.

12 ASSEMBLYWOMAN DICKENS: Thank you.

13 NYSED COMMISSIONER ROSA: Thank you.

14 CHAIRWOMAN WEINSTEIN: We go on to  
15 Assemblywoman Solages.

16 ASSEMBLYWOMAN SOLAGES: Thank you.

17 Thank you, Commissioner, and to the whole  
18 team for this interesting dialogue.

19 We know that many parents on  
20 Long Island struggle to find full-day pre-K.  
21 And unlike New York City, which offers  
22 full-day, high-quality early education for  
23 every 4-year-old, on Long Island it varies  
24 district by district. Currently the Long

1 Island region has the fewest amount of pre-K  
2 slots in the state. That's only 10 percent  
3 of 4-year-olds on the Island.

4 How do you believe that COVID-19, in  
5 conjunction with this Executive Budget, will  
6 affect the expansion of universal pre-K on  
7 Long Island?

8 NYSED COMMISSIONER ROSA: Sure. So  
9 I'm going to ask Phyllis just to give you  
10 the -- you know, the fiscal, and Kim to speak  
11 specifically to some of the -- so Phyllis,  
12 very quickly, just in terms of the --

13 NYSED CFO MORRIS: So the Executive  
14 Budget does not make any reductions to  
15 pre-kindergarten. There's over \$800 million  
16 assumed for that purpose. We have had some  
17 challenges with the pandemic. We did have 23  
18 districts that opted not to provide pre-K  
19 programs during the 2020-2021 school year  
20 because of the late approval in -- from  
21 Division of Budget in terms of our being able  
22 to move forward with grant awards for that  
23 program. But I don't know if Kim has  
24 anything else she'd like to add.



1 ASSEMBLYWOMAN SOLAGES: And what  
2 happened with the monies from that? So the  
3 school districts were not able to fulfill  
4 that, so where is those monies?

5 NYSED CFO MORRIS: So those monies  
6 right now are currently not programmed for  
7 any purpose, so we have advocated to have  
8 those monies go back into the program. I  
9 don't have -- I haven't received an answer on  
10 whether or not we're going to be allowed to  
11 do that.

12 NYSED ASST. COMMR. WILKINS: Thank  
13 you. And going back, Assemblywoman Solages,  
14 you said about the importance of pre-K in  
15 Long Island? The importance of pre-K across  
16 the state. We're heavily advocating for our  
17 districts to really set up the pre-K  
18 programs.

19 So again, I would love to have more  
20 information from you, so I would love to  
21 touch base with you afterwards. I'm very  
22 interested in your statement, because pre-K  
23 is so dear and near to our hearts at this  
24 point, and getting our babies in school at

1 the 3-and-4-year-olds, so.

2 ASSEMBLYWOMAN SOLAGES: And then also,  
3 in addition, you talked about language  
4 access. And we know that parent engagement  
5 is vitally important. It shows success and  
6 it shows it closing the achievement gap.

7 What can we do to support ELLs and  
8 close that language gap? What is the  
9 Department of Education doing?

10 NYSED COMMISSIONER ROSA: Well, we  
11 continuously work with -- in terms of, you  
12 know, we have our dedicated staff that works  
13 with various groups, whether it's NYSABE or  
14 various different groups to support parents  
15 and parent access, and the fact that  
16 materials are not only distributed in various  
17 languages but also --

18 ASSEMBLYWOMAN SOLAGES: Are all your  
19 documents translated in every single -- into  
20 the top five, six languages, including  
21 Haitian Creole?

22 NYSED COMMISSIONER ROSA: Not -- I  
23 wouldn't say all documents are translated.  
24 But I will tell you we usually -- and you can

1 see in the budget we ask for funding for  
2 translation. And that's the specific reason  
3 we do.

4 But many of our key documents are, and  
5 they're in our website. And also we do work  
6 with our Auburns and different groups to make  
7 sure that those documents are translated so  
8 that parents have access to them in our top  
9 languages, yes.

10 ASSEMBLYWOMAN SOLAGES: Thank you.

11 CHAIRWOMAN WEINSTEIN: Thank you. And  
12 she's up and ready. Now our final  
13 Assemblymember -- we saved one of our best  
14 for last -- Assemblywoman Rodneyse Bichotte  
15 Hermelyn.

16 ASSEMBLYWOMAN BICHOTTE HERMELYN:

17 Thank you so much, Chair Weinstein.

18 Thank you, Commissioner Rosa. Thank  
19 you for being here, and your whole team, to  
20 address our questions and concerns on the  
21 education budget. As you know, I am a  
22 product of the New York City public school  
23 system. So, you know, with my own  
24 experiences it showed me the shortcomings of

1           our system and also taught me that a quality  
2           education was one of the best investments  
3           that we can make in the future of our  
4           community.

5                     So with that said, I have a few  
6           questions and just concerns. So you can  
7           answer the questions and then you can address  
8           the concerns if we have time.

9                     I do want to say that in my -- in  
10          Brooklyn, the 11226 zip code was the hardest  
11          hit in terms of COVID-related issues --  
12          people getting affected, people were dying.  
13          We are very concerned, obviously, for all  
14          these cuts. But here are my questions.

15                    First, I notice that the expense-based  
16          aid consolidation, which is everything came  
17          together as a block grant, and there was a  
18          \$683 million cut. I wanted to know what  
19          categories were being affected the most in  
20          the cuts.

21                    Second, I did hear one of my  
22          colleagues, Assemblymember Mitaynes, talk  
23          about the charter schools, the 20 zombie  
24          sites. And they're looking to reissue

1 charter schools. I know with the Black and  
2 Latino and Asian Caucus, we talked about if  
3 those 20 zombie sites are available, we would  
4 want them to be set aside for minority-run  
5 independent charter schools.

6 I do also have a concern with the  
7 level of support -- the lack of a level of  
8 support for children with disabilities and  
9 special needs. I see there's limited  
10 resources -- one-to-one paraprofessionals.  
11 Where is the occupational, speech therapy?  
12 How many live special educations for remote  
13 days are available, how many hours? Those  
14 are -- those are things that we are concerned  
15 about.

16 I'm also concerned about the  
17 \$450 million cut on community schools. That  
18 also impacts the teacher diversity pipeline,  
19 especially with communities of color and  
20 low-income students suffering from remote  
21 learning the most. That's the problem.

22 And to my colleague, Assemblymember  
23 Solages, she mentioned about the bilingual  
24 programs. Certainly that's a big thing for

1           us here. We have Haitian Creole, Urdu  
2           speaking, Spanish speaking in my area, so  
3           that would be -- that would heavily impact a  
4           lot of the students here if we cut these  
5           programs.

6                     And although this is not in my  
7           district, I do want to shout out that East  
8           Ramapo, the \$2 million, that's a no-no for  
9           there. They've been struggling for a real  
10          long time.

11                    Teacher support elimination. I have a  
12          problem with that because a lot of teachers  
13          need support, they need support dealing and  
14          working with the situation at hand remotely.  
15          And so I do think they need more guidance and  
16          they need more workshops and professional  
17          development. So all of this is like  
18          comprehensive.

19                    And then lastly, I just wanted to  
20          understand where we are with testing overall,  
21          measuring our students remotely, state-based  
22          required testing. Thank you.

23                    CHAIRWOMAN WEINSTEIN: Commissioner  
24          and Assemblywoman, so we've run over the

1 time. You know, I think that there are many  
2 issues raised. Perhaps -- do you think you  
3 can respond offline to Assemblywoman Bichotte  
4 Hermelyn --

5 NYSED COMMISSIONER ROSA: Yes.

6 CHAIRWOMAN WEINSTEIN: -- and also  
7 share some of that? If you want to just  
8 briefly, you know, do a response. But I  
9 think, you know, there's a lot there and it  
10 will take more time than we have now.

11 (Inaudible comment.)

12 ASSEMBLYWOMAN BICHOTTE HERMELYN:

13 Thank you.

14 NYSED COMMISSIONER ROSA: Sure, I will  
15 definitely do it offline because you're  
16 absolutely right. But there are -- you know,  
17 we'll answer to the 11 -- you know, the way  
18 that that has been a composite there. We  
19 will meet with you on the bilingual and  
20 discuss some of the programs. And the final  
21 one that you said about testing, we'll share  
22 that with you as well.

23 And the zombie issue, I'm delighted to  
24 hear that you are having discussions and that

1 if these charters do have to come back, that  
2 you have a plan of a way that you would like  
3 to see that happen. So that would be  
4 something I would be interested for our  
5 charter school group to hear some of the  
6 concerns that you're sharing.

7 So definitely setting up a separate  
8 meeting offline, looking forward to it.  
9 Thank you.

10 CHAIRWOMAN WEINSTEIN: Great.

11 Thank you. Commissioner Rosa, thank  
12 you for spending all this time with us today.  
13 Clearly we have a lot of members that are  
14 very engaged and have raised some important  
15 issues. To the extent that people -- that  
16 you can be responding to some people, it  
17 would be good to share that with both  
18 Senator Krueger and myself. And I guess, you  
19 know, appropriately we say you are now  
20 dismissed from the Zoom hearing.

21 And we are -- we have Assemblyman --  
22 or, I'm sorry, we're going to go now to  
23 New York City Department of Education,  
24 Chancellor Richard Carranza.



1           And I would just ask members, both the  
2           Assembly and Senate, if you wish to ask a  
3           question -- I'm sure there are many who do, I  
4           see people -- please raise your hand in  
5           the -- use the raise your hand function, and  
6           then people can also chat. We will, after  
7           the chancellor, go to the chairs, the  
8           respective chairs of our committees.

9           So Chancellor, you are on. Hopefully  
10          you've had some time to rest up.

11          (Laughter.)

12          NYC DOE CHANCELLOR CARRANZA: Well, thank  
13          you so much, Madam Chair.

14          And I'd like to say good afternoon to  
15          all of the Senate and Assembly committee  
16          members and chairs. Thank you for the  
17          opportunity to testify before you today in my  
18          capacity as chancellor of New York City's  
19          Department of Education.

20          Joining me today is my colleague, our  
21          chief financial officer, Lindsey Oates, and  
22          she will be doing part of the presentation as  
23          well and answering some of your questions as  
24          well.

1           It truly is my honor and distinct  
2           pleasure to come before you today to advocate  
3           for New York City's public schools and our  
4           students and their families. But before I  
5           begin, I must thank all of our school staff  
6           and our support staff, as well as our  
7           parents, who have partnered with us to take  
8           on a larger role as co-educators throughout  
9           this time. This has been a challenging and  
10          truly painful time, and we are devastated by  
11          the lives lost throughout this crisis.

12           If I may take a point of personal  
13          privilege, I will share with you that I  
14          personally have lost nine relatives and close  
15          friends to this virus, so I know all too well  
16          firsthand the incredible impact that this is  
17          having in our communities.

18           But having seen firsthand the  
19          incredible resilience and commitment of our  
20          DOE staff, our students, our families, as  
21          well as New Yorkers generally, I know that we  
22          will get through this together. Prior to  
23          this pandemic we had achieved a significant  
24          amount, including Pre-K for All, 3-K for All,

1 record high graduation experienced by our  
2 school district of 78.8 percent, a deeper  
3 commitment to supporting the whole child  
4 through expanded access to social-emotional  
5 learning and mental health supports.

6 Before, during and even after this  
7 pandemic, Equity and Excellence for All has  
8 and will continue to be our focus. We have  
9 and will continue to use the same lens  
10 throughout this crisis and beyond. And you  
11 have a commitment from me that supporting our  
12 students will always come first.

13 And we have stretched every dollar we  
14 have to provide for our students -- not only  
15 academically, but taking into account the  
16 trauma that they've experienced. You can't  
17 truly have Blooms until you've taken care of  
18 Maslow.

19 So within a matter of days after the  
20 crisis began, we oversaw the complete  
21 transformation of our educational system. We  
22 created meal hubs, providing 65 million meals  
23 to date -- not only to students, but to their  
24 families and other New Yorkers in need. We

1 delivered over 450,000 iPads to our students,  
2 with an additional 50,000 devices on the way,  
3 bringing learning online for 1.1 million  
4 students.

5 We established regional education  
6 centers, rec centers, serving almost  
7 14,000 students when school buildings were  
8 closed last spring and summer and their  
9 parents or guardians were first responders or  
10 front-line workers.

11 We launched an extensive in-person  
12 COVID testing program in our schools, in  
13 which we now test students and staff each and  
14 every week. And we are maintaining a very  
15 low percent positivity rate, demonstrating  
16 our steadfast commitment to health and safety  
17 in our buildings. I can truly, honestly and  
18 proudly say that the safest indoor  
19 environments in New York City are our public  
20 school buildings.

21 We provided childcare through the  
22 Learning Bridges program when we reopened our  
23 buildings to in-person learning. And I'm  
24 very proud to say we developed the

1 Parent University, which offers programming  
2 and learning opportunities to our parents on  
3 an ever-expanding catalog of topics in  
4 multiple languages.

5 Now, there's no doubt that the  
6 pandemic has been devastating across the  
7 system and has brought personal loss to so  
8 very many in our school communities and  
9 across the Department of Education. It has  
10 also meant challenges in continuity of  
11 learning at an unprecedented time. That's  
12 why we have created a 2021 Student  
13 Achievement Plan to confront learning loss  
14 and accelerate academic achievement by  
15 improving teaching and learning and expanding  
16 access to mental health and social-emotional  
17 supports across the system.

18 We know we have a big and important  
19 path ahead, and recommendations found within  
20 the Executive Budget fall significantly short  
21 of what we need to continue on this path of  
22 achievement, success and excellence, at a  
23 time when our students need supports the  
24 most.

1           Last year New York State reduced  
2           school aid and amidst tremendous uncertainty,  
3           it is truly troubling to see that this year's  
4           Executive Budget proposes similar actions.  
5           The Executive Budget proposes to reduce state  
6           school aid to New York City by \$800 million,  
7           abandon \$180 million in cash owed to New York  
8           City -- in essence, we know we owe it, we're  
9           just not going to give it to you -- and  
10          another \$70 million in reimbursement to  
11          New York City charter school costs.

12           It further proposes to eliminate  
13          approximately \$20 million in state grants  
14          which are supporting DOE's work to create  
15          teacher pipelines, diverse teacher pipelines,  
16          in order to ensure that we have high-quality  
17          teachers for our future students.

18           And lastly, in the Executive Budget  
19          New York City was excluded for reimbursement  
20          for transportation costs incurred during  
21          school building closures. The federal  
22          government allocated one-time funding for  
23          school districts to help with recovery costs,  
24          learning loss, and other supports for

1 students. However, the Executive Budget uses  
2 this as an opportunity to pass even more cuts  
3 on to the city and on to the children of  
4 New York City.

5 If the Executive Budget's proposals  
6 are accepted, the Department of Education  
7 will experience over \$1 billion in total  
8 reduction of state education funding. Let me  
9 repeat that: Over \$1 billion in total  
10 reduction of state education funding. And as  
11 a result, we will not be able to continue to  
12 deliver on equity and excellence for all of  
13 our students and address the pandemic's  
14 longer-term consequences in our schools.

15 We continue to strive to offer our  
16 students an environment and school community  
17 that supports their growth and a future of  
18 abundant opportunity. Despite all of our  
19 efforts, it is apparent that if we do not  
20 receive all forms of aid, including the  
21 entirety of the federal stimulus aid  
22 supplementing our state aid funding,  
23 opportunities for students will be at risk,  
24 our reach will be reduced, and our ability to

1 delivered transformative and high-quality  
2 education will be on the line.

3 If balancing the state's budget on the  
4 backs of our children and classrooms -- many  
5 of whom are also the students in need of the  
6 greatest supports across New York State -- if  
7 that is the agenda of the Executive proposal,  
8 then it is ultimately an agenda that I cannot  
9 and will not support.

10 We still have so much work to do to  
11 ensure that all school communities and  
12 buildings can operate safely for all of our  
13 students and staff, and recover from this  
14 once-in-a-lifetime pandemic. We must not be  
15 stifled by a continuation of longstanding  
16 underinvestment by the Executive.

17 With your support, our partners in the  
18 Legislature, we are confident that we can  
19 secure a path towards increasing equity and  
20 excellence for the students of New York City,  
21 many of whom reside in communities that were  
22 disproportionately impacted by this pandemic.  
23 Notwithstanding our ever-present budgetary  
24 concerns, I want to assure you that one thing



1           hasn't changed, and that's our commitment to  
2           our mission for all our children. We remain  
3           committed to delivering equity and excellence  
4           for all of our students, and their families,  
5           and to providing all of our school  
6           communities -- who have been through so  
7           much -- with the resources and tools that  
8           they need to support their children's  
9           education.

10                         Again, I want to thank you for your  
11           time and consideration, and I look forward to  
12           your questions.

13                         CHAIRWOMAN WEINSTEIN: Thank you,  
14           Chancellor. And we do appreciate all of the  
15           efforts of you and your staff, and really  
16           the -- as the daughter of a teacher, you  
17           know, all of the efforts of the teachers  
18           during this very difficult time.

19                         We're going to go to Assemblyman  
20           Benedetto, chair of our Education Committee,  
21           first.

22                         ASSEMBLYMAN BENEDETTO:  
23           Mr. Chancellor, thank you for being with us  
24           this afternoon.

1           Times are hard. We all know it. I'm  
2 very concerned about so many things at this  
3 particular time. But listen, New York City  
4 has always been a home to immigrants. Okay?  
5 We are the melting pot. And certainly they  
6 are there today, and often they are the ones  
7 who are struggling the most underneath these  
8 times.

9           What have you done in New York City to  
10 deal with the immigrant population and  
11 teaching of those kids?

12           NYC DOE CHANCELLOR CARRANZA: So we  
13 also are very concerned about our most  
14 vulnerable populations, of which our  
15 immigrant population, our students with  
16 disabilities, our multilingual learners,  
17 elsewhere known as English language learners,  
18 and all of our students in temporary housing.  
19 But in particular with our immigrant  
20 community, what we've done is really double  
21 down on our community schools, where in our  
22 community schools we have found that they  
23 have incredible relationships with  
24 community-based organizations embedded in the

1 very communities where our immigrant  
2 communities trust their voices.

3 We've also worked very hard to expand  
4 our language offering so that we translate  
5 and make available in 10 languages, major  
6 languages, all of our documents, all of our  
7 guidance, all of the information that we  
8 provide.

9 I spoke in my opening remarks about  
10 our Parent University, which is in multiple  
11 languages, which is a real catalog of  
12 accessible information. And with the  
13 delivery now of LTE-enabled devices, over  
14 450,000 of them, we have many more of our  
15 communities that have internet connectivity,  
16 or a way to connect to the internet, than  
17 ever before. And we're trying to really  
18 capitalize on that to get more information  
19 into the hands of our immigrant community and  
20 all of our communities so that parents can  
21 advocate for their children.

22 In addition to that, we also know that  
23 food insecurity was extremely prevalent in  
24 New York City, especially in historically

1 underserved communities and neighborhoods.  
2 Which is why we're so proud of the effort --  
3 (unmuted interruption) -- so proud of our  
4 effort to feed our communities. And we still  
5 continue by that to -- hi. We can hear you  
6 (laughing).

7 So all of that -- I don't want to take  
8 all the time, but we've kept a very strong  
9 focus on our immigrant community and our most  
10 vulnerable communities as well.

11 ASSEMBLYMAN BENEDETTO: You mentioned  
12 the top 10 languages and translation and  
13 devices that -- to help them. In New York  
14 City -- God forbid, we have so many different  
15 languages -- what about the kids who are not  
16 in that top 10? And I don't know, you know,  
17 offhand what you've got. But how did you  
18 reach out to them?

19 NYC DOE CHANCELLOR CARRANZA: So  
20 again, we have over 168 languages that are  
21 spoken in -- by students in our community.  
22 So what we do is we -- again, I think one of  
23 the -- one of the I would say strong lessons  
24 of this pandemic is just how important our

1 community-based organizations, our immigrant  
2 coalition is in terms of communicating with  
3 all of our communities. So we've leaned in  
4 heavily with our partners in the community.

5 In addition, we have stood up a 311  
6 where a family can call and ask for language  
7 support. In addition, because we provided  
8 much more connectivity to all of our  
9 community, they can also access our website,  
10 where there is, in multiple languages,  
11 information and buttons to get information in  
12 multiple languages as well.

13 This, I would say, is one of those  
14 evergreen issues where as much as you do, you  
15 can never do enough. And this will continue  
16 to be one of the real priority areas as we go  
17 forward.

18 ASSEMBLYMAN BENEDETTO:

19 Mr. Chancellor, I'm just worried -- no matter  
20 what you say, let's get real, these kids have  
21 lost so much education. Now, you do remote  
22 education, you do blended education. But  
23 really, these kids have got to have missed  
24 out on so much. How do you measure that?

1           How do you measure a kid who might be  
2 a senior in high school and he's going to  
3 supposedly graduate this year -- but really,  
4 is he ready to graduate? How do we measure  
5 what he lost? Can we measure what he lost?

6           NYC DOE CHANCELLOR CARRANZA: Yeah,  
7 so -- spoken like a true educator, Chair.  
8 That is truly what keeps us all up at night,  
9 is how do you measure the backslide with  
10 students? And then how do you ensure that  
11 they're actually prepared to go out and be  
12 successful with whatever the next step is?

13           We are very fortunate that our schools  
14 all do have ways of measuring academic --  
15 academic, I would say, progress of their  
16 students. So schools are doing that, they  
17 are assessing where are the students, where  
18 have there been some slips, where has there  
19 been some backslide. We've called it the  
20 COVID opportunity gap. And then what do we  
21 do to address that particular gap.

22           One of the things that you will --  
23 will resonate with you as an educator is that  
24 we've often talked about mastering content

1 area, yet we've overlaid onto mastery of  
2 content a superficial structure that says but  
3 you have to do it within a certain time.  
4 Well, COVID-19 has forced us now to say  
5 what's important, you do it within a certain  
6 time or you actually demonstrate that you've  
7 mastered the content?

8           So we've adjusted to be able to take  
9 into account that not everyone had devices  
10 right up-front, that not everyone -- everyone  
11 was in trauma right up-front, that people  
12 were losing jobs and apartments. And so to  
13 take into account, but also provide the  
14 opportunity for students to demonstrate  
15 proficiency and mastery. That has led to a  
16 very different conversation about what do we  
17 do to support students going forward, which I  
18 think is going to become part of the new  
19 post-COVID-19 normal as we go forward.

20           So we are measuring where students  
21 are. Our special education educators are  
22 doing assessments with our students with  
23 disabilities to assess where are they, what  
24 additional services are they going to need

1 and do they need, and how are we providing  
2 them now.

3 So there's a myriad of approaches that  
4 we're employing in this regard. But what I  
5 do want to say is this. Make no mistake. As  
6 an educator, it is absolutely not credible  
7 for me to say to anyone on to this call that  
8 remote learning is the best learning for our  
9 children. It's not. It is a substandard.  
10 But it's the best of what we had and what we  
11 have to keep students safe.

12 But even in the midst of that, we are  
13 the only one of the 10 largest school systems  
14 in America to have opened our doors safely in  
15 September for in-person learning. And I know  
16 because I speak to my colleagues of the 72  
17 largest school systems; every week we have a  
18 call. And there are many that still can't  
19 open in-person, yet we've been able to do  
20 that in New York City safely because we know  
21 how important it is to have students have  
22 that in-person experience with a  
23 well-trained, caring teacher.

24 ASSEMBLYMAN BENEDETTO: Listen,



1 Mr. Chancellor, I admire you for what you've  
2 done. I'm glad I am not in your position. I  
3 worry about our kids, but you are the one who  
4 has to actually solve those problems, and  
5 it's not easy to do. Godspeed for all the  
6 rest of it, and good luck to you.

7 Thank you, Madam Chairman.

8 CHAIRWOMAN KRUEGER: Hi. I think  
9 we're going to then go to Senator John Liu,  
10 the chair of our New York City Education  
11 Committee.

12 SENATOR LIU: Thank you, Madam Chair.

13 CHAIRWOMAN KRUEGER: Thank you.

14 SENATOR LIU: And it's good to see  
15 you, Chancellor.

16 NYC DOE CHANCELLOR CARRANZA: Good to  
17 see you, sir.

18 SENATOR LIU: I like the books in your  
19 background. Thank you for not having The  
20 Power Broker among your bookshelf items.

21 (Laughter.)

22 SENATOR LIU: And I appreciate over  
23 this past year the hours that you have spent  
24 with people in the community, parents

1 included, while you were sitting in your  
2 living room. I wish you had a be-waila {ph}  
3 behind you right now, like you usually do,  
4 but it's always good to see you.

5 NYC DOE CHANCELLOR CARRANZA: Good to  
6 see you, sir.

7 SENATOR LIU: Having said all that, I  
8 will note because, you know, based on what  
9 Chairman Benedetto's comments were, I did ask  
10 the State Commissioner of Education earlier  
11 to give a grade on the reopening for  
12 in-person learning, and she declined to get  
13 give a grade, so I take that as an  
14 incomplete. Which I think the DOE is very  
15 familiar with, given the crises that we have  
16 been going through. So, you know, obviously  
17 you know that I feel that DOE could have done  
18 better with remote learning, given that all  
19 students are on remote learning, if they had  
20 focused efforts on it at the beginning as  
21 opposed to trying to be the first to open for  
22 in-person learning.

23 I know that your efforts to improve  
24 remote learning, especially for our students

1 with disabilities, have been concerted, so  
2 please keep on that front.

3 I'd like to ask you about the -- you  
4 know, I'm totally in line with you about how  
5 the state should not be cutting funds for  
6 education overall, and should certainly not  
7 be sticking it to New York City schools in  
8 particular. You probably know that Lindsey  
9 already had me and other Senators -- you  
10 know, she's already given us the talking  
11 points: We must make sure federal funds  
12 supplement -- supplement, not supplant --  
13 state funding. Right, Lindsey? I told you I  
14 would have your back on that, and we  
15 certainly will.

16 But there still remains the question  
17 of how New York City allocates its, you know,  
18 nearly \$30 billion of overall education  
19 funding. For example -- and I know this has  
20 fallen a little bit by the wayside -- but the  
21 Fair Student Funding formula that was  
22 supposed to be revamped, that was supposed to  
23 better prioritize the needs of all New York  
24 City schoolkids. Is that totally on the back

1 burner? Is any forward movement going on in  
2 that front?

3 NYC DOE CHANCELLOR CARRANZA: Yes.

4 And Senator, thank you. And I appreciate  
5 your prescient views because you understand  
6 the challenges better than many in terms of  
7 educating children in the urban environment  
8 of New York City.

9 What I will say is that the Fair  
10 Student Funding formula is not on the back  
11 burner. We've just had a very big road bump  
12 called COVID-19, and in the middle of that  
13 COVID-19 road bump we've had one stimulus  
14 package in which 100 percent of that federal  
15 stimulus in the CARES Act was supplanted by  
16 the Executive in the first stimulus, and  
17 where we have the majority of it is going to  
18 be supplanted by this stimulus package.

19 Which has made it such that we have  
20 been literally robbing Peter to pay Paul to  
21 not only buy 450,000 iPads and to stand up  
22 additional electronic curriculum and to hire  
23 additional teachers and to buy the PPE and  
24 the disinfectant -- the list goes on and on.

1 That had to come from somewhere. So we've  
2 literally been robbing Peter to pay Paul to  
3 make sure that we had those essential  
4 elements in place for a safe and secure  
5 opening for our schools.

6 Now, going forward, should we be able  
7 to actually have supplemental funding rather  
8 than supplanted funding, then it's our full  
9 intent that we are going to continue on that  
10 path to making sure that the Fair Student  
11 Funding formula is fairer to students and  
12 that the funding follows the students.

13 SENATOR LIU: All right. But the  
14 COVID-19-related funding, including the iPads  
15 and the PPEs, that ultimately will be  
16 reimbursed by the federal government, right?  
17 So that this is a cash flow issue that only  
18 takes away from other needs in the short  
19 term.

20 NYC DOE CHANCELLOR CARRANZA: Yes.  
21 Yeah.

22 SENATOR LIU: Okay.

23 NYC DOE CHANCELLOR CARRANZA: But one  
24 example that I would just give you very

1 quickly is, for example, schools are very --  
2 and rightfully so -- very worried about their  
3 register.

4           So for those of us that are not in the  
5 school business, a register is how many  
6 students are actually coming to your school.  
7 Because in the Fair Student Funding formula,  
8 you get money based on how many students come  
9 to your school. Well, if you've had a  
10 reduction in the number of students, then you  
11 have to pay back some of that money, because  
12 we allocate that money up front.

13           So principals are saying, hey, can't  
14 you hold us harmless? There's a pandemic?  
15 While we say: We'd love to hold you  
16 harmless, we don't have the funding.

17           But if we have the stimulus funding,  
18 now we're talking. Now we can consider those  
19 kinds of very pandemic-specific but not  
20 necessarily reimbursable expenses as part of  
21 our approach to the Fair Student Funding  
22 formula. Just one example.

23           SENATOR LIU: Okay, great. And I  
24 don't think we have enough time to talk about

1           this particular issue, but you mentioned  
2           school enrollment and head count. And there  
3           have been significant reports of families  
4           taking their kids out of the New York City  
5           public school system. And I have a fair  
6           number of constituents myself in Northeast  
7           Queens who have done exactly that.

8                     I'm hoping that's not a huge trend and  
9           that it's not going to be a long-standing  
10          trend. Hey, Samra, you're -- okay. So we'll  
11          talk about that another time.

12                    In your testimony you mentioned three  
13          times the phrase "equity and excellence."  
14          And I'm of the opinion that the two are not  
15          tradeoffs, that we can pursue both at the  
16          same time, which I think your comments align  
17          with.

18                    But there are lots of people who say  
19          that excellence in fact is the very  
20          antithesis of equity. Is it true, is there a  
21          tradeoff, or can we actually pursue both at  
22          the same time?

23                    NYC DOE CHANCELLOR CARRANZA: Thank  
24          you, Senator. And I appreciate you and I

1 have had a lot of very substantive  
2 conversations about this. We are on the same  
3 page. Equity is not the antithesis of  
4 excellence, and excellence is not the  
5 antithesis of equity.

6 What we're talking about is how do you  
7 ensure that all students, regardless of who  
8 they are, where they come from, what their  
9 first language is, where they emigrated from,  
10 where they live, have what they need to reach  
11 the bar that we've set, which is the bar of  
12 excellence. And some students need more, and  
13 some students don't need as much. But that  
14 doesn't mean that you treat every student  
15 equally. We treat them equitably, because  
16 the goal is to have them all reach the bar of  
17 excellence.

18 So when we think about it in those  
19 terms, which I know you and I agree on, then  
20 it's not a matter of who gets what, it's a  
21 matter of who needs and how do we allocate  
22 our precious resources to make sure that they  
23 get what they need.

24 SENATOR LIU: You also mentioned in



1 your testimony this concept of opportunity  
2 gap, which I had learned a long time ago from  
3 former Regent Adelaide Sanford, Dr. Sanford.  
4 This opportunity gap exists, and it is all of  
5 our goals -- it's the goal of all of us to  
6 eliminate this opportunity gap.

7 On the other hand, the question of  
8 excellence is one that seems to be very  
9 controversial. Because while the notion of  
10 excellence is understood generally, the  
11 idea -- or how you measure excellence  
12 continues to be a source of controversy.

13 For example, the controversy  
14 surrounding screened schools. Screened  
15 schools, which the Department of Education  
16 has made recent announcements about, both  
17 middle and high school students, as well as  
18 G&T programs for young children beginning at  
19 the age of 4 years old. I know that you and  
20 the mayor have committed to an intensive  
21 public discussion about this. I look forward  
22 to that discussion.

23 But in the meantime, the DOE is going  
24 ahead with this lottery process for middle

1 school admissions for fall of '21. There are  
2 significant questions about exactly what this  
3 lottery process involves. Can you talk about  
4 what the process is and how the DOE can be  
5 held accountable by people outside the DOE  
6 for the fairness of this lottery?

7 NYC DOE CHANCELLOR CARRANZA: Sure.

8 So I think, number one, there was a very,  
9 very important I would say event that  
10 happened called the COVID-19 pandemic. So  
11 with that COVID-19 pandemic, it has laid bare  
12 many inequities that have existed in many  
13 communities in our city for generations. All  
14 you have to do is look at who was  
15 disproportionately impacted by COVID-19, as  
16 just one of many examples.

17 But what it also laid bare was that  
18 many of the very I would say elements that  
19 were used for some of these kinds of  
20 processes -- the screens, for example -- we  
21 didn't have, we didn't have the attendance  
22 data, we didn't have the grade data --

23 SENATOR LIU: Chancellor, I'm sorry, I  
24 totally understand where you're going, and

1           there are lots of issues we have to talk  
2           about there. But I'm specifically talking  
3           about the lottery process, which has nothing  
4           to do with any of the COVID stuff. The  
5           lottery process that the DOE is now engaging  
6           parents in. Parents are going to get a  
7           random number, and that's going to determine  
8           which schools their middle school kids will  
9           be able to go to. But parents have no  
10          idea -- and more specifically, they don't  
11          trust the process that is supposed to be  
12          randomly giving their kids a chance to get  
13          into these schools.

14                    So why can't the DOE give the parents  
15                    their lottery number, so they at least  
16                    understand how likely or unlikely their kid  
17                    would have a chance of getting into the  
18                    school that they want?

19                    NYC DOE CHANCELLOR CARRANZA: So there  
20                    is a computer-generated algorithm that runs  
21                    that lottery process. It's not somebody  
22                    standing at a ball and pulling out a number.  
23                    So it's a mathematical algorithm that selects  
24                    based on student interest. If they select

1 and rank whatever number of schools they  
2 want, there's an algorithm that goes through  
3 what is truly a lottery system.

4 So while it sounds like it's very  
5 simple to just give you the number, it's  
6 actually a mathematical formula that allows  
7 us to generate those selections without bias  
8 and without --

9 SENATOR LIU: Who's going to check  
10 those numbers?

11 NYC DOE CHANCELLOR CARRANZA: Yeah, so  
12 we can do --

13 SENATOR LIU: With any lottery system  
14 there's always an independent monitor.

15 NYC DOE CHANCELLOR CARRANZA: Sure.  
16 We'll get you more information so it's very  
17 specific, especially about that. And we'll  
18 make sure that we're communicating all those  
19 specifics to the community as well, in  
20 multiple languages.

21 SENATOR LIU: Thank you for your  
22 efforts, Mr. Chancellor.

23 NYC DOE CHANCELLOR CARRANZA: Thank  
24 you, sir.

1           SENATOR LIU: Thank you, Madam Chair.

2           CHAIRWOMAN WEINSTEIN: Thank you.

3           We go now to the Assembly ranker on  
4 Education, Assemblyman Smith.

5           ASSEMBLYMAN SMITH: Thank you so much,  
6 Chairwoman.

7           And thank you, Chancellor, for joining  
8 us today to talk about a number of these  
9 issues.

10           Two things I want to point out. First  
11 I want to say that a number of my  
12 constituents do work in New York City public  
13 schools. I'm out on Long Island, the  
14 Ronkonkoma Station, that's in the heart of my  
15 district. And I just want to applaud the  
16 hard work of these teachers.

17           And also I want to applaud the support  
18 staff. I think we have fantastic custodian  
19 engineers. I know a lot of the members of  
20 Local 891 for the Operating Engineers, and I  
21 think they do a fantastic jobs in our  
22 schools. I want to make sure that their  
23 interests are taken into account when you're  
24 talking about sanitizing the buildings and --

1           because they are really where the rubber  
2           meets the road in keeping our students and  
3           faculty safe.

4                     Now, what I want to talk about  
5           budgetarily, budgetwise. The fact is the  
6           rest of the state -- and like I said, I'm on  
7           Long Island -- we have a dedicated property  
8           tax that funds education, that funds, you  
9           know, Long Island schools, upstate New York  
10          schools. Do you think that as we're talking  
11          about new sources of funding that it should  
12          be important to talk about a dedicated  
13          property tax stream from New York City  
14          property owners to exclusively fund New York  
15          City education?

16                    Now, again, I'm on Long Island, I  
17          happen to also be a Republican. But I think  
18          we make a significant local investment in our  
19          schools in many places around the state. And  
20          a lot of the issues that are raised, not just  
21          during COVID but other years, are very valid,  
22          and there should be even -- and I have a bill  
23          in, we're waiting on bill numbers, but that  
24          would just talk about just a 1 percent

1 property tax on some of the most valuable  
2 real estate in the world to exclusively fund  
3 New York City schools.

4 Do you have any thoughts on that?

5 NYC DOE CHANCELLOR CARRANZA: Yeah.

6 So I would really want -- the devil's always  
7 in the details with those kinds of  
8 discussions.

9 But I think anything that would  
10 benefit a stronger city and a stronger school  
11 system and a stronger outcome for our  
12 students is worth talking about. So I know  
13 that we would be very willing to engage in a  
14 conversation about just what that would look  
15 like.

16 ASSEMBLYMAN SMITH: Excellent. And  
17 you know what, I'll be reaching out to your  
18 office. Because I think it's important to  
19 note that when we're talking about these  
20 things, the issues that constantly come up  
21 about equity, the fact is that that  
22 significant local investment, that mechanism  
23 that the rest of the state has to make  
24 that -- and I think there's a real loss there

1           when you're -- you know, years ago when we  
2           were talking about children learning in  
3           portable classrooms, maybe not having the  
4           most up-to-date technology, and then you  
5           have -- we have the most valuable real estate  
6           in the world in Manhattan and different parts  
7           of the boroughs, that that should be a  
8           conversation.

9                         Again, that's my two cents on that  
10           point. And I hope it's something that while  
11           we're talking about, you know, people  
12           contributing their fair share or paying what  
13           they can, I really hope that now is the time  
14           to talk about new sources of funding. And  
15           the fact is, to the constituents around the  
16           state, that actually does bring some equity.  
17           Because we do contribute, you know, state  
18           income tax, we do contribute these things.  
19           And oftentimes there's always a discussion on  
20           Long Island and throughout the state that a  
21           lot of these resources are, you know, being  
22           added into other areas of the state -- for  
23           example, New York City -- and even with that  
24           additional assistance, and the people I



1 represent are very compassionate, it's still  
2 not enough and it's not providing every child  
3 in the State of New York what they need.

4 And I think that even when you  
5 consider some of these properties -- and I  
6 know, I'm sure a number of my colleagues may  
7 disagree with that. But I just think now is  
8 the time, when we're looking at all options  
9 on the table, I think now's the time to look  
10 at something like that.

11 So thank you, Chancellor, and thank  
12 you for joining us.

13 NYC DOE CHANCELLOR CARRANZA: Thank  
14 you. And I want to thank you for recognizing  
15 all the support staff and all of those folks  
16 that work behind the scenes. We can't do  
17 what we do without them, and we make sure to  
18 recognize them. Thank you for doing it so  
19 publicly.

20 ASSEMBLYMAN SMITH: Thank you. Thank  
21 you, Chancellor. Have a great day.

22 CHAIRWOMAN WEINSTEIN: Back to the  
23 Senate.

24 CHAIRWOMAN KRUEGER: Thank you.

1           So, Chancellor, the Senate thinks  
2           education is so important we have two  
3           committees on it -- the New York City  
4           Education Committee, John Liu, and Shelley  
5           Mayer, the chair of the overall Education  
6           Committee for the state.

7           And next is Shelley Mayer.

8           SENATOR MAYER: Thank you. Thank you,  
9           chairwoman. Pleasure to see you, Chancellor,  
10          and Lindsey, you as well. Thank you for your  
11          passion and your advocacy, and thank you for  
12          using the words "supplant" and "supplement,"  
13          which I think have been the underlying  
14          messages here today. We all get that, we're  
15          on the same page, I think, speaking for  
16          almost everyone on this call.

17          Let me start, though, with in your  
18          written testimony, which I did get a copy  
19          of -- Lindsey, you may know the answers to  
20          this -- you talk about actual reductions in  
21          monies owed to the City of New York  
22          Department of Education. And I wondered if  
23          you could just identify the nature of it.  
24          Like \$180 million in cash owed to New York

1 City, and \$70 million in reimbursement for  
2 charter schools.

3 Could you just identify these owed  
4 funds which the Governor proposes to  
5 eliminate in this year's Executive Budget?

6 NYC DOE CFO OATES: Sure. Thank you,  
7 Senator Mayer. We are appreciating the  
8 opportunity to talk about this topic and to  
9 make it more clear.

10 So there are, as you have mentioned,  
11 many issues that make this proposal  
12 complicated and detailed. The prior year aid  
13 issue is absolutely one of them. These are  
14 claims that we made to the State of New York  
15 over the last 10 years, frankly, and the  
16 state is walking away from the promise to  
17 fund those claims. And this creates a real  
18 problem for us, and it also sets up a  
19 troubling practice of walking away from  
20 commitments to fund New York City schools.

21 In addition to that, as you mentioned,  
22 there is an issue with charter lease aid and  
23 many other details that we can talk through  
24 if you like.

1           SENATOR MAYER: Well, specifically on  
2           the proposed services aid, the consolidation  
3           of the reimbursable aid into a block grant,  
4           it appears that that would have -- I think we  
5           were told that about 89 percent of the  
6           state's projected cut is affecting the City  
7           of New York's students and the New York City  
8           Department of Education.

9           Can you just walk through -- I think  
10          it's largely transportation -- what are the  
11          elements that would really be the most  
12          damaging in that services aid cut and why  
13          that would have such a disastrous impact on  
14          the Department of Education?

15          NYC DOE CFO OATES: Thank you for the  
16          opportunity to talk about this.

17          So the consolidation of expense-based  
18          aids is -- and capping at a certain level  
19          represents walking away from the commitment  
20          to reimburse actual expenses that are  
21          incurred. And so the idea here is that for  
22          some reason we should have expenses that are  
23          tied to prior years. And in New York City,  
24          that's just not practical.

1           I believe the Executive's proposal is  
2           that we would make up the difference in  
3           Foundation Aid. I find that interesting,  
4           given that Foundation Aid is already so  
5           underfunded for the Department of Education,  
6           as well as for the state.

7           So this consolidation and capping of  
8           Transportation Aid, high Excess Cost Aid,  
9           which funds our special ed students and so  
10          on, is a real concern for us. It's a gap  
11          opener for us in the outyears, meaning we're  
12          going to have expenses that we don't have  
13          revenue for. And that's a real concern.

14          SENATOR MAYER: Okay. Let me switch  
15          briefly for another question, Chancellor. Do  
16          you know the number of students in the  
17          New York public schools who currently do not  
18          have access to the internet? You're muted, I  
19          believe.

20          NYC DOE CHANCELLOR CARRANZA: Sorry.

21          So that is absolutely a fluid number,  
22          because what ends up happening is -- let me  
23          give you an example of why I say it's a fluid  
24          number.

1           Every student and family that has told  
2           us "We need a device" has received a device.  
3           We are now in the process where devices  
4           break -- we've had situations, for example,  
5           in some of our homeless shelters where the  
6           LTE cards that are installed are T-Mobile in  
7           that particular geographic area. Verizon has  
8           a better signal. So when we learn of that,  
9           we go in and actually manually switch out  
10          those cards to get better signals.

11           So it's -- it's -- it's a fluctuating  
12          number. I can say with certainty that of the  
13          1 million students in New York City, that  
14          number is under 5,000 where either we're  
15          switching out, we're delivering for devices  
16          that are broken, et cetera.

17           SENATOR MAYER: Just to clarify, are  
18          you talking about devices or internet access?  
19          Or are you conflating them? I'm talking  
20          separately.

21           First, about devices, I understand you  
22          say it's under 5,000, is that right?

23           NYC DOE CHANCELLOR CARRANZA: Yes,  
24          ma'am.

1           SENATOR MAYER: What about internet  
2 access? Do you have an approximate number  
3 for that?

4           NYC DOE CHANCELLOR CARRANZA: That I  
5 don't have a specific number. We can get  
6 that to you, though.

7           SENATOR MAYER: Thank you. Do you  
8 keep -- as you know, I have a proposal to  
9 ensure that every child gets it for free in  
10 the state. I think we are obligated as a  
11 state to provide quality internet to every  
12 child, both device and free internet, if  
13 we're going to tell children they have to  
14 learn at home. So I look forward to working  
15 with you, because as the largest school  
16 district, this is a compelling issue in order  
17 to ensure we don't lose our kids this year.

18           NYC DOE CHANCELLOR CARRANZA: I agree.

19           SENATOR MAYER: No, I appreciate it.  
20 I know.

21           On the issue of compensatory learning  
22 and your plans for making up for lost time --  
23 you alluded to them briefly previously -- can  
24 you identify exactly what your plan is for a

1 child, for example, who falls behind in  
2 second or third or fourth grade significantly  
3 enough that they are not able to do the next  
4 year's work?

5 NYC DOE CHANCELLOR CARRANZA: So what  
6 we are doing already is planning for a series  
7 of screeners. And by this I mean -- we're  
8 not talking about testing, we're talking  
9 about where are the students now academically  
10 and where are they socially-emotionally. Are  
11 there any concerns about what students may be  
12 dealing with in terms of their trauma?

13 And then based on that, which is  
14 happening this spring, we will have a plan  
15 for students. And it's not, you know, our  
16 grandmother's summer school anymore. This is  
17 very targeted, very, very specific planning  
18 for making up the ground that students need.

19 So some of it may be extended learning  
20 programs; some of it may be in additional,  
21 based on what the vaccine is, what the  
22 community spread is, what the ability to not  
23 socially distance is. It may be in bigger  
24 groups of students. It may be utilizing our



1 community school partners. It's a whole  
2 myriad of different iterations that could  
3 happen with those students.

4 In addition to that, we are also  
5 standing up, because we've now built capacity  
6 and, with your help, everyone will have  
7 internet connectivity, we will have built the  
8 capacity now for students to have much more  
9 individualized instruction. So not only will  
10 they have that in-person learning  
11 opportunity, but they will also have the  
12 opportunity to do some independent learning  
13 based on the devices that they have, the  
14 connectivity they have, and the electronic  
15 curriculum they have, with the addition of  
16 in-person supports.

17 The whole goal here is to know where  
18 students are, and then have a plan for making  
19 sure that those students are ready for the  
20 next step.

21 SENATOR MAYER: I'm sorry, I just want  
22 to clarify in my time. Is that an  
23 individualized plan for every student? Or is  
24 that a -- for example, a grade-specific plan

1 or a school-specific plan?

2 NYC DOE CHANCELLOR CARRANZA: We would  
3 love -- let me say this. From a bureaucratic  
4 perspective, it would be much easier to have  
5 a grade-specific plan. You can't do that.  
6 We understand that this is  
7 individual-student-centered.

8 And part of why I just effusively  
9 thank our teachers and our principals is that  
10 teachers and principals and social workers  
11 and guidance counselors, as we speak, are  
12 doing that kind of assessment for our  
13 students right now. So they're already  
14 trying to assess where are they, where are  
15 they academically, where are they  
16 social-emotionally, and then how are we  
17 planning -- and DOE, how are you helping us  
18 to have the resources to be able to meet the  
19 needs -- based on what we're finding already.

20 SENATOR MAYER: So with respect to  
21 children who have IEPs or children with  
22 special needs {inaudible} different  
23 evaluation of the plan?

24 NYC DOE CHANCELLOR CARRANZA: Yes.

1 And obviously with an IEP there are multiple  
2 people that come to the table to develop or  
3 alter that IEP, but it starts with the data.  
4 Where is the student, where are they, have  
5 they fallen behind, is there a need for some  
6 more services, additional services? Is there  
7 a need for a particular reading program or  
8 additional tutoring support? What is the  
9 need? And then how do we then memorialize  
10 that and then actually get those resources to  
11 students that have those needs.

12 SENATOR MAYER: Can I ask if you've  
13 costed out what this compensatory learning  
14 program, both for students with IEPs and  
15 those without, is going to cost New York City  
16 DOE?

17 NYC DOE CHANCELLOR CARRANZA: We've  
18 been going through so many numbers, I'm going  
19 to ask Lindsey if she has a better idea of  
20 what that looks like. It's been going up.

21 SENATOR MAYER: I'm sure.

22 NYC DOE CHANCELLOR CARRANZA: Lindsey?

23 NYC DOE CFO OATES: Yeah, thank you.

24 So we are in the process of costing

1           that out. We don't have a specific number to  
2           share with you now. It's an issue that we  
3           have been working closely, of course, with --  
4           our special education office is leading that  
5           work.

6                     But it is another example of a new  
7           cost to New York City and a new cost to  
8           New York City education that we would need to  
9           be funded for, and what is also, you know,  
10          critically needed for stimulus funding.

11                    This is not -- this level of  
12          compensatory services is certainly not  
13          something that we've experienced in the past.  
14          So whatever the cost estimate is, it's  
15          another example of why we need the stimulus  
16          funding.

17                    One thing if I may, just for a second,  
18          please add to the record is the question  
19          about property taxes earlier. So I just want  
20          to clear for the record that 57 percent of  
21          the Department of Education's budget does  
22          come from local taxes; 36 percent comes from  
23          the state.

24                    And while we want to have all funding

1 sources directly support education, we  
2 certainly believe and strongly advocate --  
3 and I know you share with us in our advocacy  
4 there -- that what's really needed right now  
5 is additional state resources to support  
6 education. And so we appreciate your  
7 advocacy on that.

8 SENATOR MAYER: Thank you. Yes, we  
9 do. We want more money.

10 NYC DOE CFO OATES: Yes, we do, ma'am.

11 SENATOR MAYER: We do too.

12 Thank you very much, Madam Chair.

13 Thank you. Thank you, chancellor.

14 CHAIRWOMAN KRUEGER: Thank you. Thank  
15 you, Madam Chair. Back to the Assembly.

16 CHAIRWOMAN WEINSTEIN: Thank you.

17 We go to Assemblywoman Glick, our  
18 Higher Ed chair, for five minutes. Five  
19 minutes.

20 ASSEMBLYWOMAN GLICK: Yes, five  
21 minutes. I'll try to be even faster. And  
22 we'll try with the video, but if it freezes  
23 again, I'll boot it. It looks like it's  
24 freezing. I'll boot the video.

1           Chancellor, two quick questions. I  
2 think they're quick. One is if there is in  
3 fact a sort of pandemic-related loss of  
4 education during this year, where are we or  
5 where do you think we'll be on college  
6 readiness? And have you had -- since a large  
7 number of students go from the public schools  
8 to CUNY, have you been in touch with CUNY to  
9 discuss what additional needs there might be  
10 in some areas for remediation?

11           And then the other question has to do  
12 with the STEM scholarship, students who  
13 graduate in the top 10 percent of their high  
14 school -- not all high schools, but their  
15 high school -- and have studied STEM  
16 disciplines and are planning on doing so can  
17 in fact get a free ride at SUNY or CUNY. And  
18 I don't know that there is a great deal of  
19 information -- we've talked about this  
20 before. I'm not sure that this is -- I think  
21 there's still work to be done to let the  
22 students and their families know that they  
23 could get a tuition forgiveness, a total  
24 tuition forgiveness for students who are

1 studying STEM.

2 If you could just talk to me about the  
3 college-readiness issue and the STEM  
4 scholarship advertising, if you will, I would  
5 appreciate it.

6 NYC DOE CHANCELLOR CARRANZA: So thank  
7 you. Absolutely. So in terms of -- if you  
8 don't mind, I'm going to talk about the STEM  
9 scholarship. I don't have any details on  
10 that, but you had me at tuition forgiveness.  
11 So we will be very happy to get more  
12 information and make sure that everybody  
13 knows about this opportunity, because I think  
14 it's absolutely incredible for our students  
15 that are studying STEM.

16 Now, in terms of college readiness,  
17 our most recent college-readiness results  
18 show that even in the pandemic, we have  
19 continued to improve our college-readiness  
20 metrics.

21 That being said, Chancellor Félix  
22 Matos-Rodríguez and I have been having  
23 regular conversations on a myriad of issues,  
24 COVID and non-COVID-related.

1           COVID-related, just to give you a  
2           flavor, when we decided that yes, we were  
3           going to come back to in-person learning in  
4           September, there were a number of our  
5           buildings where we needed more space. CUNY  
6           was not in-person, so we ended up being able  
7           to use some of their spaces.

8           But then non-COVID, understanding that  
9           we weren't going to have state test scores,  
10          we weren't going to have the Regents exams,  
11          that the attendance processes were different,  
12          that the grading processes were different,  
13          then how were we going to measure college  
14          readiness and ensure that when students  
15          matriculate to that first year of college,  
16          that they're actually ready to be successful?

17          So because of that, we've had a number  
18          of working groups where we've worked -- and  
19          in fact, some of the policies that we put  
20          forward in the guidance that we put forward  
21          around guidance and around grading have been  
22          informed by the conversations that we've had  
23          with our CUNY partners specifically.

24          So we feel really good about that



1 partnership, and we'll continue to be very  
2 actively involved with this issue of college  
3 readiness, because we don't want students to  
4 matriculate and not be ready and have a  
5 frustrating experience.

6 ASSEMBLYWOMAN GLICK: If you would  
7 just let us know which staffer we should be  
8 talking to regarding the STEM scholarships.  
9 They've been out there for a number of years,  
10 they're underutilized, and it's a  
11 full-tuition remission. So students need to  
12 know about it, their families need to know  
13 about it.

14 NYC DOE CHANCELLOR CARRANZA: Yes,  
15 ma'am. I'll just tell you verbally, but  
16 we'll also send that to you in writing.  
17 Roberto Perez is our contact person. But  
18 we'll make sure you get his contact  
19 information.

20 ASSEMBLYWOMAN GLICK: Thank you.

21 NYC DOE CHANCELLOR CARRANZA: Thank  
22 you.

23 CHAIRWOMAN WEINSTEIN: Senate, did you  
24 have another Senator?

1                   CHAIRWOMAN KRUEGER: I believe we do,  
2 but I'm still looking for him. So please go  
3 on with the next Assemblymember and I will  
4 find our Senator. Thank you.

5                   CHAIRWOMAN WEINSTEIN: Okay. Missing  
6 Senator.

7                   We will go to Assemblywoman Rodneyse  
8 Bichotte Hermelyn. Rodneyse?

9                   ASSEMBLYWOMAN BICHOTTE HERMELYN: I'm  
10 here.

11                  CHAIRWOMAN WEINSTEIN: Turn on your  
12 screen.

13                  ASSEMBLYWOMAN BICHOTTE HERMELYN:  
14 Okay. I have no control over that.

15                  Can you hear me?

16                  CHAIRWOMAN WEINSTEIN: Okay, there you  
17 go. Yes.

18                  ASSEMBLYWOMAN BICHOTTE HERMELYN:  
19 Okay, great.

20                  Hello, Chancellor. Thank you for  
21 being here. Thank you for all the great work  
22 that you've been doing in New York City.  
23 I've been heavily involved with your office  
24 and team when it relates to making sure that

1 we deliver iPads to our students, as well as  
2 the food insecurity program -- I'm sorry, the  
3 food security program that was laid out  
4 throughout the whole New York City. So thank  
5 you for that.

6 And I want to thank you for advocating  
7 for that \$4 billion -- that federal relief  
8 that's earmarked to school districts across  
9 the state. You know, we'll be here fighting  
10 with you to make sure that we get every  
11 single dollar. I saw the article in  
12 Chalkbeat, and you're right, we need those  
13 dedicated dollars to be dedicated to  
14 education. We don't want to supplement -- as  
15 Senator Liu would say, we want to supplement,  
16 we don't want to supplant, so.

17 I have two questions, two simple  
18 questions. One is the specialized high  
19 school tests. I know last year it was  
20 in-person. This year, what plans do you  
21 have? Will it still be in-person? And also,  
22 how is the diversity program working  
23 remotely? That's one.

24 Two, my next question is actually on

1 procurement with the Department of Education.  
2 I know procurement was significantly cut  
3 because of the pandemic. I just wanted to  
4 get a sense -- and you may not have the  
5 answer now -- wanted to get a sense of how  
6 has that impacted minority and  
7 women-owned-business vendors. And have we  
8 successfully rolled out the \$500,000  
9 threshold in discretionary funds that we  
10 passed I think two years ago in the state?

11 And I say this because a lot of the  
12 students who are suffering are students of  
13 color, are low-income students, students with  
14 special needs. And these procurement  
15 opportunities for especially people who lost  
16 their jobs and so forth, who can help with  
17 teacher aid, with parent engagement, with  
18 college access, all of that, I think would be  
19 very beneficial to our students, to our  
20 families, but also to the economy.

21 Thank you.

22 NYC DOE CHANCELLOR CARRANZA: Thank  
23 you, Assemblymember. And out of full  
24 disclosure, that's my Assemblymember. I'm

1 her constituent. So it's good to see you.

2 So first on SHSAT, actually day before  
3 yesterday we administered the first  
4 administration of SHSAT. That was in-person.  
5 So students did have to sign up. Obviously  
6 we were controlling for social distancing and  
7 limiting the numbers of students in-person.  
8 It was done in-person.

9 What makes it very difficult for any  
10 of these kinds of exams is to do -- it makes  
11 it very difficult to do them remotely. Not  
12 that we don't believe the best in everybody's  
13 approach. But how do you actually guard for  
14 test security? How do you make sure that no  
15 one's getting proctored? All of those  
16 things.

17 So it is being done in-person. There  
18 is an additional opportunity for students.  
19 If they miss it, they have to sign up by  
20 today -- they can get that information on our  
21 website -- and there will be a subsequent  
22 administration of the SHSAT exam as well.  
23 But it is in-person.

24 Around MWBE, I'm going to start and

1           then I'm going to ask Lindsey Oates if she'll  
2           give you some more detail. We -- MWBE --

3                   CHAIRWOMAN WEINSTEIN: Can some -- I'm  
4           sorry to interrupt. Do you think you could  
5           share some of the remaining answers with us  
6           by email? And we'll make sure it gets  
7           circulated to all members, because we are  
8           running behind in our schedule.

9                   NYC DOE CHANCELLOR CARRANZA: Sure.  
10          Yes, ma'am.

11                   CHAIRWOMAN KRUEGER: Yes, that would  
12          be great. You can send it to both of us, and  
13          we get them out to everyone.

14                   CHAIRWOMAN WEINSTEIN: We want to make  
15          sure. And since you're Rodneyse's  
16          constituent --

17                   ASSEMBLYWOMAN BICHOTTE HERMELYN:  
18          Because he's my constituent --

19                   CHAIRWOMAN WEINSTEIN: -- I'm sure  
20          you'll get a -- she'll track you down if she  
21          doesn't get it.

22                   NYC DOE CHANCELLOR CARRANZA: Just put  
23          it in my mail --

24                   ASSEMBLYWOMAN BICHOTTE HERMELYN: I'll

1 put it in your mailbox.

2 Thank you, Chancellor.

3 CHAIRWOMAN WEINSTEIN: Thank you.

4 CHAIRWOMAN KRUEGER: We did find our  
5 missing Senator, yes.

6 CHAIRWOMAN WEINSTEIN: Yes, okay. So  
7 back to the Senate, then.

8 CHAIRWOMAN KRUEGER: Thank you. Well,  
9 he wasn't missing, he was at another meeting.  
10 Robert Jackson.

11 SENATOR JACKSON: Hi, can you hear me?

12 CHAIRWOMAN KRUEGER: There you are.

13 SENATOR JACKSON: You can hear me,  
14 right?

15 CHAIRWOMAN KRUEGER: Yes.

16 SENATOR JACKSON: Okay, so I'm not  
17 going to turn on my screen.

18 Chancellor, how you doing? Good to  
19 see you. I am very, very concerned about  
20 this Executive Budget proposal and the impact  
21 that it has on New York City. So I only have  
22 three minutes, so want to ask you a couple of  
23 quick questions, if you don't mind.

24 And so the first one is it appears

1           that the Executive Budget cut a variety of  
2           items from charter schools, and thus includes  
3           a supplementation tuition reimbursement and  
4           lease assistance for charters. What are the  
5           budget implications of these cuts for  
6           New York City DOE, and are there other cuts  
7           as well? Can you explain that, if you can?

8                     NYC DOE CHANCELLOR CARRANZA: Yes,  
9           sir. So I ended my day yesterday speaking  
10          with you, and I'm here with you today,  
11          Senator Jackson. It's good to hear your  
12          voice.

13                    SENATOR JACKSON: Thank you.

14                    NYC DOE CHANCELLOR CARRANZA: I will  
15          give you the very non-financial answer, and  
16          then I'm going to ask Lindsey to give you  
17          some detail.

18                    It will be very detrimental to us  
19          being able to operate this year -- I would  
20          even say devastating -- in terms of the  
21          recovery that our students need to make this  
22          coming year. They strike at the very heart  
23          of the services we need to provide to our  
24          students.



1           Lindsey, can you talk in a little more  
2 detail about what that would look like?

3           NYC DOE CFO OATES: Yes. Thank you,  
4 sir. Nice to speak with you, Senator  
5 Jackson, and also nice to see you last night  
6 as well.

7           So there are a couple of things  
8 happening in this -- in the Executive's  
9 proposal related to charter schools. Many of  
10 them are targeting New York City  
11 specifically, which is troubling for us. One  
12 that is really concerning for us is there's a  
13 proposal around charter lease aid that  
14 essentially turns charter lease aid into an  
15 unfunded mandate from the state.

16           This is really problematic. This  
17 specifically targets New York City, as I  
18 said. We estimate that that would cost  
19 \$85 million in the current year and grow to  
20 \$100 million in the outyears, and probably  
21 more after that. This is an area that we  
22 spend \$145 million a year. So having that  
23 loss of aid is a big deal for us.

24           In addition, there is the proposal

1           again around the zombie charter schools,  
2           which as was previously mentioned, impacts  
3           around 20 schools. That would be  
4           \$160 million in new charter school tuition  
5           costs that we would have to fund in the  
6           outyears. And in an era where we have flat  
7           or declining Foundation Aid, which goes to  
8           fund a good portion of our charter school  
9           tuition, it just means that there is really  
10          no funding source to pay for other increased  
11          charter tuition costs. So --

12                    SENATOR JACKSON: I have to just --  
13           can you give me a more detailed explanation  
14           when you submit a written?

15                    But what are the costs for reopening  
16           our schools overall with respect to New York  
17           City? And if you can answer that, and then  
18           I'll put my other questions to you in writing  
19           for the appropriate response.

20                    NYC DOE CFO OATES: So, so far --  
21           thank you so much for the opportunity to talk  
22           about this, and happy to talk offline in more  
23           detail at any point in time with you or your  
24           staff, of course.

1           But reopening costs have been  
2           significant for the Department of Education.  
3           We've spent more than \$500 million so far  
4           investing in the devices that we've handed  
5           out to students, to PPE, to additional  
6           staffing directly to school budgets to  
7           support hybrid learning. And these are costs  
8           that we've incurred to date. This number is  
9           going to grow throughout this year.

10           One thing that I think is really  
11           important to mention, and Senator Liu sort of  
12           touched on this earlier, is the Governor's  
13           proposal right now has the stimulus funding  
14           going to fiscal year '22, so going to next  
15           school year, essentially. Which means we  
16           wouldn't benefit from that funding in this  
17           current year, where we are spending  
18           significant amounts of money on reopening our  
19           schools. And that's a real problem for us.  
20           We want to be able to spend that money to  
21           support our schools, and not have to wait  
22           until next year.

23           And obviously as we look ahead there  
24           will be continued costs for all sorts of

1 things. I'm happy to talk in further detail  
2 at any point in time. Thank you.

3 SENATOR JACKSON: Thank you. Thank  
4 you, Madam Chairs.

5 CHAIRWOMAN KRUEGER: Thank you.

6 Back to the Assembly.

7 CHAIRWOMAN WEINSTEIN: Now to  
8 Assemblyman Reilly, three minutes.

9 ASSEMBLYMAN REILLY: Thank you, Madam  
10 Chair.

11 Good afternoon, Mr. Chancellor. I  
12 have three brief questions that I wanted to  
13 ask, and I'm just going to give them to you  
14 and let you provide the answers as best you  
15 can.

16 So what are you doing to ensure that  
17 the quality of our public schools will not  
18 suffer as a result of the pandemic? Number  
19 two, do you believe that our public schools  
20 have enough funding and staffing to fully  
21 reopen for in-person learning this year, or  
22 will there be any obstacles?

23 And the third one has to do with the  
24 Gifted and Talented test and the PEP vote

1 last night. It kind of illustrates a lack of  
2 transparency, I think, to the community, of  
3 the rollout of the future plans for how  
4 Gifted and Talented and other enrichment  
5 programs will roll out. What are the next  
6 steps that you have after last night's vote?  
7 And will there be any contingency plans?

8 NYC DOE CHANCELLOR CARRANZA: Great.  
9 Good to see you, Mr. Assemblymember.

10 So quality. We -- everyone in public  
11 education has had to choose from a portfolio  
12 of really bad choices during this pandemic,  
13 and during all of these last 10 months. What  
14 we've been really struggling and really  
15 working hard to do is to make the best  
16 experience for our children that we can,  
17 while understanding that we can't just shove  
18 a non-pandemic approach into a pandemic  
19 reality.

20 So with that, we've had to change a  
21 lot of things that we do. So at the corner  
22 of all of that, a cornerstone of all of that  
23 effort has been to really ensure that  
24 students are getting what they need, what



1           have a classroom of 30 students and now you  
2           can only have a classroom of eight students,  
3           then where do the rest of the students go,  
4           right? You need more teachers for those  
5           other students, because they're in some other  
6           rooms. So those are the kinds of expenses  
7           that make it very difficult to come back  
8           100 percent in-person without the additional  
9           funding.

10                   And in terms of Gifted and Talented,  
11           you know, based on the vote last night, we're  
12           actually looking at what the new process is  
13           going to be, because we cannot use the same  
14           test provider that we've been using. So  
15           we're looking at what is an alternative  
16           process. And we will be very transparent  
17           with the community around what that's going  
18           to look like. And I think the mayor today  
19           even mentioned in his press conference that  
20           there would be information coming out as soon  
21           as possible. And we hope to make that very  
22           soon.

23                   ASSEMBLYMAN SMITH: Thank you,  
24           Mr. Chancellor.

1                   NYC DOE CHANCELLOR CARRANZA: Thank  
2 you, sir.

3                   CHAIRWOMAN WEINSTEIN: Thank you.

4                   We go to Assemblywoman Seawright.  
5 Rebecca?

6                   ASSEMBLYWOMAN SEAWRIGHT: Yes. Yes,  
7 thank you.

8                   CHAIRWOMAN WEINSTEIN: Hold on one  
9 second, Rebecca. Let me just say -- and then  
10 after Assemblywoman Seawright, I believe we  
11 have Assemblyman Epstein and Assemblywoman  
12 Simon, and that will be it for the Assembly.

13                   Yes, go ahead, Rebecca. Sorry to  
14 interrupt.

15                   ASSEMBLYWOMAN SEAWRIGHT: Thank you,  
16 Chairwoman. And thank you, Chancellor.

17                   Over 100 families in my district have  
18 applied to continue their children's  
19 dual-language program going into kindergarten  
20 and have just flooded my office about it.  
21 They were informed at the eleventh hour by  
22 the DOE that their services would not be  
23 continued.

24                   The continuation of these services is



1 critical for these children during this  
2 important stage of development. Some of the  
3 parents are communicating desperately with  
4 our office and have just really stressed how  
5 important this is for them and their family  
6 members.

7 How can the DOE work with these  
8 parents to make sure they have critical  
9 services come this September?

10 NYC DOE CHANCELLOR CARRANZA: Yes. So  
11 Assemblymember Seawright, so we'd be happy to  
12 get some more information from you. Roberto  
13 Perez is our contact person. But if we could  
14 get some more details from you, we'd be happy  
15 to work with you and our office and the  
16 community to get to the bottom of that.

17 ASSEMBLYWOMAN SEAWRIGHT: Yes, we've  
18 been in touch with your staff.

19 NYC DOE CHANCELLOR CARRANZA: Okay.

20 ASSEMBLYWOMAN SEAWRIGHT: So we will  
21 follow up. Thank you.

22 NYC DOE CHANCELLOR CARRANZA: Thank  
23 you.

24 CHAIRWOMAN WEINSTEIN: Thank you. So

1 next we go to Assemblyman Epstein. Harvey,  
2 you're on.

3 ASSEMBLYMAN EPSTEIN: Hi, Chancellor.  
4 How are you doing today?

5 NYC DOE CHANCELLOR CARRANZA: Hi,  
6 Assemblymember Epstein. Good to see you.

7 ASSEMBLYMAN EPSTEIN: You too. And  
8 thank you for all you do for the children of  
9 New York.

10 A couple of things. One, the cuts for  
11 a billion dollars that you mentioned earlier,  
12 if they go forward, you know, what's the  
13 long-term impact? You said it was  
14 disastrous. What does that actually mean?

15 I want to ask you also kind of where  
16 things are with the G&T. I hear the PEP  
17 board is meeting later today to talk about  
18 contracts with G&T. I want to kind of get a  
19 sense of where you are around that issue.

20 And then I wanted to talk about issues  
21 with our students with disabilities, because  
22 I'm hearing a lot of concerns -- kids with  
23 disabilities, kids with IEPs falling further  
24 and further behind and needing a lot more

1 support.

2 And I know we only have three minutes,  
3 but we need to hear now in the budget  
4 conversation what we need to be doing for our  
5 students around students with disabilities  
6 who have additional needs, especially during  
7 this pandemic.

8 NYC DOE CHANCELLOR CARRANZA: Sure.  
9 Thank you, Assemblymember. So I'll start  
10 with G&T first. So a timing issue, the PEP  
11 meeting was actually held last night, and PEP  
12 voted down the contract with Pearson. So we  
13 don't have the test. So we are working as we  
14 speak to develop what the process will be,  
15 and we will communicate that out as soon as  
16 possible to communities.

17 Secondly, what does it mean with a  
18 billion dollars in reductions? What it's  
19 going to mean is that potentially roster and  
20 register changes to schools, where they may  
21 have to pay back money based on students --  
22 money that's allocated on students that  
23 didn't materialize. That may actually happen  
24 because we don't have the money to hold them

1 harmless.

2           It's going to mean that additional  
3 devices that students are going to continue  
4 to need, we won't have the resources to  
5 continue to provide those devices. It's  
6 going to mean that the additional capacity  
7 that we're building with our educators to use  
8 technology and individualize the instruction,  
9 we're not going to be able to do it to the  
10 greatest extent that we'd like to do. It's  
11 going to mean that we're not going to be able  
12 to continue recruiting new teachers. It's  
13 going to mean -- you name it, it's going to  
14 impact the very operational capacity of our  
15 school system.

16           And it will also mean, specifically to  
17 students with disabilities, as we are  
18 understanding what is it that students with  
19 disabilities need, where have they fallen  
20 behind, where do they need additional  
21 services -- without the ability to be able to  
22 add additional robust services like  
23 counseling, like targeted instruction in  
24 reading, like targeted therapeutic help or

1 occupational help, without targeted tutoring  
2 and being able to pay for that, those  
3 students -- we're going to have a much more  
4 difficult time in trying to meet the needs of  
5 those students, who are some of our most  
6 fragile.

7 ASSEMBLYMAN EPSTEIN: I really  
8 appreciate it. I know my time is up, but I  
9 also -- when we get a chance, I still want to  
10 talk to you about the student MetroCards and  
11 expanding those hours for so many young  
12 people who are -- either those late-night and  
13 evening hours and we aren't getting that  
14 done, unfortunately.

15 NYC DOE CHANCELLOR CARRANZA: Look  
16 forward to it.

17 ASSEMBLYMAN EPSTEIN: Thank you.  
18 Thank you, Chair.

19 CHAIRWOMAN KRUEGER: Helene's muted.

20 CHAIRWOMAN WEINSTEIN: I am muted. Jo  
21 Anne Simon, and she is our last speaker --  
22 questioner, Chancellor. Go ahead, Jo Anne.

23 ASSEMBLYWOMAN SIMON: Great. You're  
24 off the hook pretty quickly there,

1 Chancellor.

2 NYC DOE CHANCELLOR CARRANZA: I had a  
3 late night last night, though, so that's  
4 okay.

5 ASSEMBLYWOMAN SIMON: So thank you for  
6 your testimony. I have a couple of things.

7 You know, with regard to the funding,  
8 I think most of our colleagues are in  
9 agreement about the fact that these cuts  
10 really can't stand and we need to supplement,  
11 not supplant. I think that's pretty clear.

12 I have two areas of questions, one of  
13 which I want to focus on kind of very  
14 specifically, about whether and how the DOE  
15 has looked at this sort of digital divide,  
16 right, the fact that we don't have enough  
17 devices, that we haven't had the broadband,  
18 that the kids don't have WiFi, the kids in  
19 shelters are sitting in the McDonald's in  
20 order to get WiFi, et cetera.

21 Have we identified what those  
22 roadblocks are? Is it, you know, Verizon and  
23 Spectrum? Is it the manufacturers? Is it  
24 what it is we're buying from them? Can we

1 exercise the power of the purse to get, you  
2 know, better bang for our buck with devices  
3 that are going to go further, et cetera? And  
4 what about our systems are impacting that?

5 And just a very quick example. When  
6 Hurricane Sandy hit, it flooded the basements  
7 of several of the public housing developments  
8 in my area, and they couldn't get the boilers  
9 back because they didn't have the right plugs  
10 to go into the wall, like they no longer made  
11 those connectors.

12 Do we have that kind of problem  
13 connecting the dots in our digital  
14 infrastructure?

15 And then the other question, which I  
16 asked Commissioner Rosa about, is assessing  
17 how our kids are learning remotely. We  
18 obviously have special education concerns for  
19 young people, but we also are teaching a lot  
20 of kids in general education. And what is it  
21 about remote learning that makes them need to  
22 learn a little differently? And I talked  
23 about like, you know, the load on working  
24 memory, sort of kinesthetics, the two

1           dimensionality of screen time. And  
2           obviously, you know, big trauma-informed and  
3           the effects of homelessness and ACEs on  
4           remote learning.

5                     How are we assessing that? Because we  
6           are going to continue with remote learning in  
7           some way into the future, and we need to know  
8           more about how kids are learning in those  
9           conditions.

10                    NYC DOE CHANCELLOR CARRANZA: Great.  
11           Lots -- lots there, so let me go -- I'll try  
12           and be as succinct as possible, but I  
13           appreciate it.

14                    So in terms of the digital divide,  
15           here's my prognostication. The pre-COVID-19  
16           normal, you know, that -- when are we going  
17           to get back to normal? -- that will not be  
18           the post-COVID-19 normal. And for that, we  
19           think of all the negatives, and rightfully  
20           so.

21                    But think about how many devices now  
22           are in the hands of children. Think about  
23           the connectivity that we've improved. Not  
24           what we want it to be, but it's vastly



1 different than what it was. Think about the  
2 capacity that teachers and parents and  
3 students have built to use that technology.  
4 In some cases, homes that didn't have a  
5 computer now have a computer for the first  
6 time.

7           Think about the conversations we're  
8 having about WiFi. And I'm thrilled to hear  
9 that there's legislation being proposed  
10 around making WiFi available to all students.  
11 I think that is a game-changer.

12           So with that, it has forced us all to  
13 look at this issue of a digital divide -- not  
14 as something that is nice to have, but is  
15 critical to have, because we've all  
16 experienced it for close to a year now.

17           So with that, I can tell you that we  
18 are working very closely with the WiFi  
19 providers. We're working multi-agency-wide  
20 in New York City, where we've already started  
21 going into homeless shelters and working to  
22 put hard-wired WiFi in those homeless  
23 shelters.

24           We are working very closely with our

1 teachers union and our administrators union  
2 around developing commonsense approaches to  
3 instruction and curriculum that is realistic  
4 and able to be rolled out, understanding that  
5 no one just wakes up and knows how to do this  
6 kind of teaching, that you have to really  
7 build capacity for it.

8 So I would say to you that the  
9 roadblocks that we identified early on, in  
10 February, March and April, we've been,  
11 because we're working collaboratively, really  
12 able to knock a lot of those out. We haven't  
13 knocked them all out, but we are very, very  
14 clear-eyed about what those are.

15 Now, in terms of how we're assessing  
16 how students are learning remotely, I would  
17 also say to you --

18 CHAIRWOMAN WEINSTEIN: Chancellor --  
19 Chancellor, I'm going to --

20 NYC DOE CHANCELLOR CARRANZA: Yes.

21 CHAIRWOMAN WEINSTEIN: -- cut you --  
22 cut off. Be mindful of the clock. We're  
23 going to just go to Senator Krueger before I  
24 dismiss you.

1 (Laughter.)

2 CHAIRWOMAN KRUEGER: Thank you. Thank  
3 you. Hi, Chancellor.

4 I usually try to just listen and read  
5 the testimony, but I'm amazed that there's  
6 one question that I don't think got asked.

7 So we talked about the fact that  
8 everything is different now and everything  
9 will be different in the future. And in  
10 times of COVID, we've seen all the patterns  
11 of you need twice as many teachers so some  
12 can be teaching online when others are in the  
13 classroom, and we haven't had enough or the  
14 right combination.

15 Now let's, you know, imagine by next  
16 year we don't have COVID and everybody gets  
17 to go back to school. I'm hearing a lot of  
18 teachers aren't necessarily coming back,  
19 they're retiring. Are we worried that we  
20 will actually face a major new teacher  
21 shortage come the new normal, hopefully that  
22 new normal will be sooner than later?

23 NYC DOE CHANCELLOR CARRANZA: So the  
24 good news is we haven't seen a significant

1 increase in teacher retirements even during  
2 the worst of the COVID experience so far. So  
3 that's good news. And I think we've taken a  
4 very humanistic approach to making sure that  
5 if you had a preexisting condition, we were  
6 accounting for that.

7 Now, post-COVID I've also been very  
8 impressed with how many teachers have said,  
9 Hey, we want to get vaccinated. And as you  
10 know, the supply chain issue is the issue  
11 right now, not the wanting to get vaccinated.  
12 So right now we are not seeing evidence of an  
13 increased number of teachers that are going  
14 to retire. It's kind of still following the  
15 same bubble. But I know that President  
16 Mulgrew is going to probably testify next; he  
17 may have some more specific information.

18 But I would love to see -- I think  
19 that one of the challenges with the  
20 Executive's budget is that there are cuts to  
21 our very pipeline programs that we've used to  
22 actually hire teachers. So I don't think we  
23 should be cutting pipeline programs. I think  
24 if anything we should be adding to the

1 pipeline, because I do think that people are  
2 exhausted and folks that can retire, we may  
3 in fact see an increased number of folks that  
4 are going to say, I've done my service, I'm  
5 tired, I'm going to retire.

6 CHAIRWOMAN KRUEGER: That is my fear  
7 also. Because I am certainly hearing that in  
8 my own community, that people who have been  
9 phenomenal teachers for many, many years are  
10 saying, you know, this year sort of took it  
11 out of me, and this is probably the end for  
12 me. And if we don't get another generation  
13 of great teachers back into our schools, no  
14 matter what we all are trying to do, all the  
15 goals you have will have come to nothing.

16 So thank you very much, and thank you  
17 for your testimony before us today.

18 NYC DOE CHANCELLOR CARRANZA: Thank  
19 you all.

20 CHAIRWOMAN WEINSTEIN: Thank you,  
21 Chancellor. Thank you for being with us  
22 today.

23 I know there's some follow-up  
24 information you'll be sending us. Make sure

1 to send it to Senator Krueger and my office,  
2 and we will get it out to all of the members  
3 who are here today.

4 NYC DOE CHANCELLOR CARRANZA: It's an  
5 honor. Thank you.

6 CHAIRWOMAN KRUEGER: Thank you.

7 CHAIRWOMAN WEINSTEIN: Thank you for  
8 being here.

9 So we are going to move on to our  
10 first panel, which is -- I see Michael -- the  
11 United Federation of Teachers, UFT, Michael  
12 Mulgrew, and New York State United Teachers,  
13 NYSUT, Andrew Pallotta. Who I don't  
14 necessarily see here, but Michael, you're --

15 PRESIDENT MULGREW: We don't see  
16 Andrew?

17 CHAIRWOMAN WEINSTEIN: I don't see  
18 him, but perhaps he --

19 THE MODERATOR: He is present, but we  
20 don't have a camera for him yet. Here we go.

21 CHAIRWOMAN WEINSTEIN: There he was.  
22 There he is.

23 PRESIDENT PALLOTTA: We are here.

24 PRESIDENT MULGREW: What happened to

1 your camera?

2 CHAIRWOMAN WEINSTEIN: Okay. Michael,  
3 do you want to --

4 PRESIDENT MULGREW: No, Andy, you  
5 start.

6 PRESIDENT PALLOTTA: Okay.

7 Good afternoon, everyone. Chairperson  
8 Krueger, Chairperson Weinstein, Chair Mayer  
9 and Chair Benedetto, we thank you that we're  
10 able to speak to you today. It's been very  
11 enjoyable being on this since 9 o'clock this  
12 morning. It's amazing the staying power that  
13 you have.

14 Thank you for the opportunity to  
15 testify today. I am Andy Pallotta. I  
16 represent over 600,000 members of NYSUT  
17 throughout New York State. I'm also joined  
18 by Michael Mulgrew, the president of the UFT.

19 A year ago I was with you in person at  
20 the Legislative Office Building and I had an  
21 empty box of pizza to represent the need for  
22 a bigger pie. When it comes to revenues in  
23 the state, we need to help our schools  
24 throughout the state. This year I come to

1           you virtually without the pizza and without  
2           the box. But I do want to share with you a  
3           few stories, stories that I hope you keep in  
4           mind throughout the legislative process and  
5           the budget process.

6                     It may seem cliché to say that  
7           education has changed literally overnight,  
8           but educators, school-related professionals,  
9           students and their parents made it happen.  
10          When remote learning became the norm back in  
11          the spring, educators got creative with the  
12          Zoom lessons. Some had to go to students'  
13          homes, buses dropped off the lessons that  
14          they took, many took extra time to meet with  
15          students, they visited their homes and just  
16          to check in on them and their families too.

17                    School-related professionals kept  
18          showing up in person throughout the spring to  
19          prepare meals, deep-clean buildings and make  
20          meals with supplies delivered by buses.  
21          Visiting an Albany school in the spring, I  
22          was blown away by the scale of the meal-prep  
23          programs, with 4800 meals per day going out  
24          the door. We also visited rural Taconic



1 Hills, where a meal bus runs 979 miles a day.  
2 It was an incredible operation.

3 There were car parades throughout the  
4 students' neighborhoods and graduation tours  
5 to support seniors in June. Educators didn't  
6 do any of these expecting to be praised;  
7 they've done all of these things because of  
8 how deeply they love their students and their  
9 families.

10 And that's what brings me to the  
11 budget you're analyzing today. Love is  
12 powerful, but it couldn't stop fiscal  
13 problems that resulted in hundreds of layoffs  
14 in the months following this crisis. And we  
15 can talk more about that later in specifics.  
16 We support state efforts to secure  
17 substantial federal stimulus for schools, but  
18 the Executive Budget's use of this money to  
19 supplant rather than supplement state  
20 education funding is of course deeply  
21 troubling.

22 Under this worst-case-scenario budget,  
23 the state would create, in the coming years,  
24 something reminiscent of the Gap Elimination

1 Adjustment that we fought alongside each of  
2 you, just a few years ago, to do away with.

3 In the same way, collapsing 11  
4 expense-based aids into a single block grant  
5 and then both cutting and underfunding that  
6 grant to the tune of \$700 million is also  
7 detrimental.

8 And I would be remiss if I didn't  
9 mention that a fiscal crisis still doesn't  
10 change the fact that more than \$4 billion in  
11 Foundation Aid is owed to schools  
12 statewide -- underfunding that has left us  
13 with a backlog of mental health, college and  
14 career prep and ELL support needs.

15 I also am pleased to announce that  
16 next month NYSUT will be releasing our  
17 Advancing Racial Justice in Education agenda.  
18 This will include a request for funding for  
19 initiatives that will help to diversify the  
20 teacher workforce.

21 We support "grow-your-own"-type  
22 programs that have been shown to be  
23 successful. We also support positive  
24 learning collaborative programs that have

1           been shown to reduce school suspensions and  
2           improve school climate.

3                     And lastly, NYSUT has started rolling  
4           out a training to our membership and school  
5           communities on implicit bias. This union-led  
6           professional development has been successful  
7           so far, and we'd like to offer it statewide.  
8           And we'll also be asking for funding for  
9           this. I took the training myself, and it was  
10          great.

11                    As I said last year, we're going to  
12          need a bigger pie to address these funding  
13          issues. We again support new taxes on the  
14          ultra-wealthy which I've detailed in my  
15          submitted testimony. Funding our future is  
16          not a question of resources, it's a question  
17          of will.

18                    And I want to leave you today with  
19          some of the words of an Albany sixth-grader,  
20          Jude Caton, that I hope will inspire you to  
21          turn that will into historic action by  
22          April 1st. He spoke at a rally that we had  
23          at the Capitol after cuts were done in  
24          Schenectady and Albany. A basketball and

1 cello player, chorus singer, spelling bee  
2 champ and science fair participant and  
3 all-around impressive young man, Jude joined  
4 us outside the Capitol in September as cuts  
5 were being considered in Albany and  
6 elsewhere.

7           He told us he was angry that budget  
8 cuts would eliminate extracurricular  
9 activities. He said: "These programs were  
10 an important part of what I liked about  
11 school. It makes me sad to know that teachers  
12 and staff that were a constant throughout my  
13 seven years at TOAST Community School will  
14 not be there anymore and that other kids will  
15 not have the same opportunities that I did,  
16 and these many cool experiences.

17           "It also makes me sad to know that  
18 some of my friends who need a little extra  
19 help from time to time will no longer be able  
20 to get that help because so many positions  
21 have been eliminated.

22           "I worry that some of my friends and  
23 classmates will not be able to succeed. I  
24 worry about this, and I'm angry that the

1 system is failing us in this way."

2 That is --

3 CHAIRWOMAN WEINSTEIN: Thank -- thank  
4 you.

5 PRESIDENT PALLOTTA: And I now turn it  
6 over to Michael Mulgrew.

7 CHAIRWOMAN WEINSTEIN: Right. And let  
8 me just say I realized I neglected to mention  
9 about the time frame for nongovernmental  
10 witnesses, of which the two of you are our  
11 first two. That there's a three-minute time  
12 for -- to make your presentation. And if  
13 there's questions, there will be -- and we do  
14 have, I think, a number of members who want  
15 to ask questions, so there will be time to  
16 catch up on things that may be left out.

17 But, Michael, you want to go ahead?

18 PRESIDENT MULGREW: Well, thank you.  
19 I thank you for bringing that up. And I want  
20 to thank our phenomenal chairpersons, people,  
21 right now at this point, and I really do want  
22 to make this fast because I know you guys  
23 have already had a long day. This is going  
24 to be some session for everyone.

1           You heard what Andy said. Supplant  
2           versus supplement, that's going to be your  
3           biggest challenge for all of us right out of  
4           the gate. The initial -- we are very proud  
5           of the work we have done in Washington, D.C.  
6           Initially no one was talking about education  
7           funding through a stimulus package, and we  
8           made it clear that for the schools to be safe  
9           we needed -- and to deal with all of the  
10          challenges our students are facing, we needed  
11          that funding. And of the first \$1.2 billion  
12          that was sent to New York State, every penny  
13          of it was supplanted.

14                 Now we have a second \$4.3 billion, and  
15          right now we are just -- the concern for us  
16          is this. There is an amazing amount of  
17          damage that has been done both academically,  
18          psychologically and emotionally to our  
19          students. The teachers of this city and  
20          state are going to be asked to do tasks and  
21          meet challenges that no teachers have ever  
22          been asked to do when we move out of this  
23          pandemic. And in order to do that, we cannot  
24          do it with the current apparatuses that are

1 in place in our school systems. We are going  
2 to need specific programs funded for things  
3 that have to deal with not just learning  
4 loss, but developmental regression. And not  
5 just some social and emotional crisis, but  
6 real trauma that has happened to our  
7 students.

8 And for us to say, Teachers, it's up  
9 to you to figure that out, and at the same  
10 time not funding those programs -- that, to  
11 me, would be a disgrace. And I don't believe  
12 New York City or New York State is willing to  
13 do that. So you heard about issues about  
14 that.

15 The one last thing I'll say overall  
16 is, you know, in 2009 New York State was  
17 funding 50 percent of the New York City  
18 public school budget. It's now funding  
19 36 percent of the New York City public school  
20 budget. That's just for everyone, elected  
21 official from New York City. That's a big  
22 shift. It's a big shift. And on top of  
23 that, this whole idea of the lease aid  
24 reimbursement, the fact that the state has

1 controlled these regulations throughout,  
2 opened up the door to make almost everything  
3 reimbursable, and now wants to shift that  
4 cost to the city. That's a disgrace also.  
5 So we're vehemently against that.

6 In terms of all of our programs, I can  
7 probably say to you what we're asking for:  
8 Teacher Center, United Community Schools,  
9 Positive Learning Collaborative, every one of  
10 them shifted immediately, put programs into  
11 place, reached more students and parents than  
12 they ever did before once we went remote. We  
13 didn't wait for someone to tell us what to  
14 do, we didn't wait for the Department of Ed  
15 to try to design a program for six months, we  
16 just shifted everything rather quickly.

17 Just on teachers -- our Teacher  
18 Center, 234,000 participants in PD,  
19 individual PD last year alone, after the  
20 pandemic hit till now. I loved last week  
21 when I heard our website crashed because  
22 there were so many teachers signing up for  
23 their professional hours. That's what we  
24 need. Fund what's working and fund what --



1 the people on the front lines, working with  
2 the children and the families.

3 And I thank you all for your service.

4 CHAIRWOMAN WEINSTEIN: Thank you.

5 I think we have a question from our  
6 Ways and Means ranker, Assemblyman Ra.

7 ASSEMBLYMAN RA: Thank you, Chair.

8 Mike, Andy, thank you.

9 I'd be remiss if I didn't start by  
10 just thanking the professional educators in  
11 our state, all of your members who under very  
12 difficult circumstances, like Michael just  
13 said, overnight had to suddenly adapt to a  
14 whole different reality, and have done  
15 everything they can to help our students, you  
16 know, continue to learn under the most  
17 difficult circumstances that any of us, I  
18 think, could have ever expected to be under.  
19 So thank you.

20 I just had a question. One of the  
21 things we've obviously talked about a lot  
22 over the years are mandates. And throughout  
23 this pandemic there have been, you know,  
24 measures done by executive order and things

1           like that that, somewhat out of necessity at  
2           times, had to be relaxed. I'm wondering  
3           anything that's happened kind of as a  
4           short-term measure due to the pandemic that  
5           maybe is something that has to be looked at  
6           as something in the long term that could, you  
7           know, reduce some of the mandates that the  
8           districts are under.

9                   PRESIDENT PALLOTTA: Assemblyman,  
10           right now I can't think offhand of any  
11           mandate that would go away. But I'll tell  
12           you one wish I had during this entire process  
13           was that there would have been a mandate for  
14           mask policy throughout this state. That  
15           would have been a really good thing to have  
16           in this state. Because what we ended up  
17           having was 500 districts that had a mask  
18           mandate and 200 that didn't. So that was --  
19           that was no way to go. And it's still a  
20           hodgepodge.

21                   PRESIDENT MULGREW: In terms of my  
22           main concern is that the special education --  
23           some of the special education mandates I find  
24           are -- you know, we understand the need for

1 giving flexibility because now a lot of the  
2 children are being instructed remotely. But  
3 I am very concerned that school districts  
4 will try to say, Well, maybe we can save  
5 money that way. That's why it's important  
6 that the overall funding package really comes  
7 through correctly, because it's always the  
8 school district going up against the services  
9 of the children, which are absolutely going  
10 to be necessary right now, especially since  
11 our children with IEPs really have had --  
12 academically and developmentally have been  
13 greatly affected by this -- by the pandemic.

14 ASSEMBLYMAN RA: Thank you, guys. I  
15 have limited time, so I will move on.  
16 Thanks.

17 PRESIDENT MULGREW: Thank you.

18 PRESIDENT PALLOTTA: Thank you.

19 CHAIRWOMAN WEINSTEIN: Thank you. To  
20 the Senate, I know there are --

21 CHAIRWOMAN KRUEGER: We have about  
22 four Senators asking now. So our first is  
23 our Education chair, Shelley Mayer.

24 SENATOR MAYER: Thank you, Chairwoman.

1 And nice to see you, Andy and Michael.

2 And again, I'm sure everyone here  
3 sincerely, from the bottom of their heart,  
4 wants you to express to your members how  
5 appreciative we are of what they did, and how  
6 appreciative parents are.

7 PRESIDENT MULGREW: Thank you.

8 PRESIDENT PALLOTTA: Thank you.

9 SENATOR MAYER: Two short-term  
10 questions. One, Andy, I think it's important  
11 that people understand that it hasn't been an  
12 equal playing field even this year. The  
13 withholding in certain categories, although  
14 not particularly in Foundation Aid, have  
15 resulted in layoffs, I know in Yonkers and in  
16 other communities, where we have full-day  
17 pre-K and the withholding led to layoffs as  
18 slots were reduced.

19 Can you identify how many members of  
20 NYSUT were laid off this year because of  
21 withholding?

22 PRESIDENT PALLOTTA: It's in the area  
23 of 3,000. We can tell you right from the --  
24 right where I am in the Capital Region right

1           now, there were 440 in Schenectady, about 220  
2           just in the City of Albany. And it was  
3           because of the narrative that was being said  
4           over and over: We're going to have to cut  
5           20 percent of school budgets. So when  
6           districts heard this, when superintendents  
7           heard it, they prepared for it.

8                     There was never the going through with  
9           this, let's go through with this, it was the  
10          narrative. But some districts -- and this  
11          included, you know, districts around the  
12          state -- like you said, Yonkers also -- where  
13          they went through and cut positions that they  
14          didn't have to cut. And those positions were  
15          never backfilled. Schenectady never went  
16          back in and said, Let's fill all these  
17          positions in now that we weren't cut. So  
18          those were harmful cuts that didn't have to  
19          happen.

20                    SENATOR MAYER: But just to clarify,  
21          that was based on a fear of cutting  
22          Foundation Aid. The withholding occurred  
23          outside of Foundation Aid in areas like  
24          full-day pre-K, My Brother's Keeper, other

1 funding sources that go into the educational  
2 space. And those, while they may be  
3 backfilled, districts did not have the  
4 capacity to keep all their staff on board.

5 So I don't want to put the blame all  
6 on the superintendents. I understand your  
7 point about the narrative. My point is this  
8 year, hundreds if not thousands of  
9 professionals were laid off as we made it  
10 through the best we could. And I just want  
11 that to be --

12 PRESIDENT PALLOTTA: Yes. That's  
13 clearly what happened this year.

14 SENATOR MAYER: Okay. And Michael, I  
15 have a question for you if I have a minute  
16 left. In the lobbying for the federal money,  
17 which I know we did too, as the Senate  
18 Majority -- and I'm sure all of our  
19 colleagues did, to get education money --  
20 what was your understanding of the intention  
21 of that additional significant amount of  
22 money for education in New York State in the  
23 second stimulus bill?

24 PRESIDENT MULGREW: It's specifically

1 for -- to deal -- funding to deal with issues  
2 dealing and related to COVID. Damage that  
3 has been done to children, damage that's been  
4 done to programs, things that you know you're  
5 going to need. PPE. You know, right now I  
6 spend a lot of my time -- we're very proud  
7 that New York City was the only large school  
8 system in the country to get open. And right  
9 now we spend a lot of our time with other  
10 school districts trying to show them how to  
11 get it done properly. But we know for a fact  
12 now that they have the funding.

13 And I'm proud that, you know, that the  
14 Biden transition team spent a lot of time  
15 with us going over these things.

16 But it's specifically earmarked for  
17 COVID-related issues. And it also goes  
18 through the title formulation distribution.

19 SENATOR MAYER: Right. Okay. Thank  
20 you. Thank you --

21 PRESIDENT MULGREW: So it's not to  
22 backfill other parts of your budget.

23 SENATOR MAYER: Thank you.

24 CHAIRWOMAN KRUEGER: Thank you.

1 Assembly.

2 CHAIRWOMAN WEINSTEIN: Thank you. We  
3 now go to Assemblyman Benedetto, our  
4 Education chair.

5 PRESIDENT MULGREW: You're on mute,  
6 Michael. You took your hand off, you stayed  
7 on mute.

8 ASSEMBLYMAN BENEDETTO: Yeah. Okay.  
9 Sorry. Sorry. Welcome, guys, for being  
10 here.

11 Listen, a few things we don't have to  
12 say. The teachers, yeoman's job, what  
13 they've done. I've talked to my old school,  
14 and what they're doing there, every day  
15 they're in there, every day they're working  
16 right from like 8 o'clock in the morning till  
17 3:30 in the afternoon and much more. So I  
18 can't say enough.

19 Also, it doesn't need to be said, but  
20 we're in complete support of trying to get  
21 you guys as much funds for education as  
22 possible. I'm not going to dwell on that.

23 What I am very interested in is the  
24 teaching situation. Okay? How do you as a



1 teacher, how do you mark a kid? How do you  
2 get a grade for a child? And they're looking  
3 for grades. And how do you justify that?  
4 Some kids are learning remotely, some kids  
5 are in class.

6 And conversely, how do you rank and  
7 judge the teacher? I mean, what do we do  
8 here that would give me the ranking to a  
9 teacher who's doing stuff half the time  
10 remotely and half the time in the class? I'm  
11 interested in your opinions on that.

12 PRESIDENT PALLOTTA: You go first,  
13 Michael.

14 PRESIDENT MULGREW: Okay. So this  
15 is -- there's no book on how to do this.  
16 Okay? Let's just be clear, there's no book  
17 here. So, you know, it really comes down to  
18 what work has the student -- what work has  
19 the student done.

20 We have found -- it's been very  
21 interesting. Students who -- some students,  
22 not a lot, do a lot more work. The teachers  
23 are giving a lot more work remotely, let's  
24 just put it out there, because they want to

1           make sure that the student is doing as much  
2           as possible covering every piece of the  
3           curriculum. So it really comes down to the  
4           teacher's judgment at that point to make sure  
5           that how much work has the student actually  
6           done.

7                     I know I -- sometimes I have to deal  
8           with some administrators who are just like,  
9           Well, if the student was on the Zoom, then  
10          they should pass. We're like, No, what if  
11          they were on the Zoom but didn't do any of  
12          the work? And what happens if we have  
13          someone who only showed up once a week but  
14          handed in all of their work? You know. So  
15          everybody's always looking for the simple  
16          answer.

17                    So at this point in time what we want  
18          to do is make sure that we're giving the  
19          teachers some sort of autonomy to say, all  
20          right, this is really what it has to do, it  
21          has to be based off of the work that has been  
22          delivered.

23                    In terms of the teacher evaluation,  
24          you know -- and this is something we're all

1 in the middle of right now -- there hasn't  
2 been an administrator in the entire State of  
3 New York who's been trained on how to observe  
4 a teacher remotely. So this is going to be a  
5 fiasco. I know in some of our discussions  
6 right now they literally want to rate the  
7 teacher off of how many students went on the  
8 Zoom. I'm like, what are you, nuts? First  
9 of all, if the parent wasn't there and didn't  
10 put the child on the Zoom, I get a bad  
11 rating? So this is where we're going to have  
12 to figure these things out.

13 What I do believe is that students --  
14 we have to take into fact what they've gone  
15 through. I don't think that students should  
16 be harmed, I don't think that students should  
17 be given credit for work they didn't do. Do  
18 I believe they should have a failing grade?  
19 Probably not. But they shouldn't be given  
20 the credit. So, you know, work through that  
21 type of system.

22 In terms of the teacher, the first  
23 thing I've asked -- and I have not received  
24 an answer from the Department of Education --

1 is what training did you give the teachers of  
2 New York City on how to instruct and run a  
3 class remotely? And the answer was zero. So  
4 this is tough stuff that we're working  
5 through right now.

6 Prepping the lessons, putting  
7 materials up, that type of stuff we'll look  
8 at. But on the observation, I don't have  
9 that answer yet. I have ideas, but I don't  
10 want to say too much because I am in the  
11 middle of trying to negotiate that.

12 PRESIDENT PALLOTTA: And when you take  
13 a look at the entire state and we talk about  
14 where teachers had to drive to the school to  
15 get a WiFi connection -- and we support your  
16 bill, Senator Mayer -- we are looking at a  
17 really very dysfunctional system of how we  
18 can have internet access across the state.  
19 Many school districts opted for the school  
20 bus bringing the manila envelopes to drop off  
21 the work for students, and then circling back  
22 and picking up the work, rather than having  
23 the online services that other districts  
24 could have.

1           So testing in this kind of environment  
2           is very difficult. And it's not all about  
3           the state-mandated tests. Testing is going  
4           on, teachers are still giving tests, and  
5           students are still learning.

6           CHAIRWOMAN WEINSTEIN: Thank you.

7           ASSEMBLYMAN BENEDETTO: Continue to  
8           fight the good fight. Good luck.

9           PRESIDENT MULGREW: Thank you.

10          CHAIRWOMAN WEINSTEIN: Okay, we go to  
11          the Senate. I believe you still have some  
12          Senators --

13          CHAIRWOMAN KRUEGER: Yes, we do have  
14          several Senators.

15          Wait, so we did Shelley Mayer? Yes,  
16          thank you. So we are doing John Liu.

17          SENATOR LIU: Madam Chair, thank you  
18          for doing me.

19          CHAIRWOMAN KRUEGER: Okay, pardon me.  
20          Excuse me. We will now hear questions from  
21          Senator John Liu.

22          SENATOR LIU: Thank you. I'm happy to  
23          follow our wonderful Education chair, Shelley  
24          Mayer --

1 PRESIDENT MULGREW: Oh, boy.

2 SENATOR LIU: -- who asked some really  
3 pointed questions, and Assembly Chair  
4 Benedetto.

5 I actually want to first thank, as all  
6 of our colleagues have, the work that you and  
7 your colleagues have done, you and your  
8 members have done, it really is amazing work  
9 that the teachers do for our kids, remotely  
10 and in-person wherever possible. That cannot  
11 be said -- there cannot be enough said about  
12 that kind of work.

13 PRESIDENT MULGREW: Thank you.

14 SENATOR LIU: Now, continuing on what  
15 Chair Benedetto's questions were about  
16 grades, about exams. That's been a brewing  
17 issue for some time now. And in this COVID  
18 pandemic, it's been even more of an issue.  
19 And my, you know, seemingly simple  
20 question -- and I realize there's no  
21 clear-cut answer -- is how much can grades be  
22 relied upon? And how and to what extent  
23 should maybe some processes just go to random  
24 chance or random lotteries, because grades

1 and tests may not be sufficient or reliable  
2 enough?

3 PRESIDENT MULGREW: There's no easy  
4 answer here, and no easy choice. I mean,  
5 I've spoken with you before about how I feel  
6 about certain programs and things that happen  
7 inside of the city and the state. But if we  
8 say that we're going to do everything through  
9 just a lottery, that means that any of the  
10 work that chil -- you're telling a group of  
11 children who actually did do a bunch of work  
12 and engage and did a process that, well,  
13 guess what, it's just going to go through a  
14 lottery. So what lesson are we teaching  
15 them?

16 But at the same time I understand that  
17 other students, because of challenges that  
18 they're facing, were not able to do a lot of  
19 the work that they had.

20 So there is no easy way to make this  
21 choice. So to me it becomes about, you know,  
22 what I would -- if I was running a classroom  
23 and I had to pick my -- say, my four, quote,  
24 best students in this type of situation, I

1 would probably split that and say two would  
2 go towards those who were able to do all this  
3 stuff, and two might go to a lottery, but  
4 there has to be some criteria on how to even  
5 get into the lottery. But it's very  
6 complicated, and it's rife with all -- and it  
7 becomes politicized, which is what drives me  
8 nuts.

9           SENATOR LIU: You may recall that I  
10 still teach one class myself, and definitely  
11 see if students know they're just going to be  
12 a pass/fail basis, you're going to get a  
13 different response than if they're going to  
14 get graded on the full spectrum.

15           PRESIDENT MULGREW: Oh, you certainly  
16 will.

17           SENATOR LIU: Yeah. Beyond this COVID  
18 crisis, the question still remains, you know,  
19 how much do grades count. There are some  
20 people who say not only exam scores but  
21 grades themselves perpetuate racial inequity.  
22 Is there an answer to that?

23           PRESIDENT MULGREW: You know, what  
24 happened in New York City in terms of the



1 test itself, the contract being voted down  
2 last night -- look, I've been very -- we've  
3 been very up-front, we don't believe  
4 kindergarten children should be subject to a  
5 standardized test as a criteria. I mean,  
6 it's just -- you know, there's a thing called  
7 research, and it says don't do it.

8 But at the same time, for people then  
9 to try to politicize that issue and try to  
10 say that there should be no sort of gifted  
11 and talented programs in the City of  
12 New York, I would fight with anyone. Because  
13 we do have -- maybe it should have been, you  
14 know, children who learn at an accelerated  
15 rate, and we have those children in every  
16 single school in New York City. And to me,  
17 you know -- and that you will see in some of  
18 their grades. And that's why that's  
19 important. Because if you're saying the  
20 grade doesn't count, then forget about me as  
21 a teacher, you're putting me in a classroom  
22 management position that's going to make it  
23 much more difficult, let's just do nuts and  
24 bolts.

1           But the other side of that argument,  
2           the other piece of that argument then becomes  
3           then why would you try to, you know,  
4           accelerate your work because of your own --  
5           you know, there's a lot of children who just  
6           learn at an accelerated rate and they love to  
7           continue to just move as fast as they  
8           possibly can.

9           So there's room for this in a school  
10          system, but it just becomes -- I try to say,  
11          look, there's politics, there's social issues  
12          and everything. I know they have to be dealt  
13          with, and that has to be part of the  
14          classroom. But you can't hamstring me as an  
15          educator when I'm trying to do the best for  
16          every child to reach their full potential.  
17          And that's why I get afraid when these  
18          policies --

19          SENATOR LIU: It was not fair of me to  
20          ask you this question in a three-minute time  
21          frame. We're going to have plenty of  
22          discussions this coming spring and summer.  
23          Thank you.

24          PRESIDENT MULGREW: I got a lot of

1 opinions thrown at me about this.

2 SENATOR LIU: Thank you.

3 CHAIRWOMAN WEINSTEIN: Thank you.

4 Okay, we go now to Assemblymember  
5 Smith.

6 ASSEMBLYMAN SMITH: Thank you. Thank  
7 you, Chairwoman.

8 And thank you, Andy and Mike, for  
9 being here. I think right now some of the  
10 hardest-working people in the state are our  
11 teachers. I'm happy to have been a teacher  
12 in the past. But can we take a moment -- and  
13 I know your opening comments were kind of  
14 reduced, but to talk about -- I have some  
15 concerns about language in the budget dealing  
16 with charter schools.

17 Would you mind, you know, putting some  
18 thoughts out there? Because, you know, I  
19 think it's still something that hasn't been  
20 addressed, the fact that, you know, the  
21 thought that charter schools are public  
22 schools, they certainly take public funds,  
23 but with respect to oversight and educating  
24 every student, I think we're still lacking in

1           that department. So if you could share some  
2           thoughts on that.

3           PRESIDENT MULGREW: Well, look, we've  
4           been asking for years for some basics that --  
5           and some players in the charter industry will  
6           use all of their lobbying power and their  
7           millions of dollars from their hedge fund  
8           friends to make sure it never happens -- such  
9           things as called, you know, transparency,  
10          accountability in terms of students that  
11          you're serving, accountability in terms of  
12          transparency in your disciplinary practices.

13          We have a law that says if there's a  
14          shared building in New York City, the  
15          children should be receiving the same  
16          services under the same environment. It's a  
17          joke. It's not happening.

18          And now -- and for the Executive to  
19          put in his budget that he wants to shift the  
20          costs of a program that he created, after he  
21          changed the regulations that made almost  
22          everything reimbursable, I think that they're  
23          reimbursing their driving to school at this  
24          point under their lease expenses.

1           He made -- and then say, oh, now it's  
2 New York City, you have to pick that up, and  
3 other municipalities that have to pick that  
4 up, I think it's a disgrace. You know, we've  
5 been asking for the same thing for years.  
6 Before we go any further, hold the industry  
7 accountable with transparency.

8           The president -- the new president of  
9 the United States has that in his very basic  
10 educational platform when it comes to  
11 charters. They have to be -- they have to  
12 serve all students, and we need to see  
13 transparency. If not, they shouldn't be  
14 getting any tax dollars.

15           I don't see what the big deal here is,  
16 but it's a really big deal because there's a  
17 lot of people -- and it's a small number of  
18 players in the charter industry with big,  
19 very rich friends, and we all know what's  
20 really going on here. Can I be any more  
21 transparent?

22           ASSEMBLYMAN SMITH: I appreciate your  
23 candor.

24           (Laughter.)

1 ASSEMBLYMAN SMITH: Andy, I don't know  
2 if you want to add --

3 PRESIDENT PALLOTTA: I don't think  
4 there's much to add to add on top of that,  
5 but it's all about accountability when we're  
6 talking about the funding in this state and  
7 how the money does go to the charter schools.  
8 And when we talk about the layoffs that  
9 happened, they weren't talking about charter  
10 schools. I don't remember hearing anything  
11 about charter schools having layoffs, but yet  
12 we saw thousands of layoffs in the public  
13 school system in the state.

14 ASSEMBLYMAN SMITH: Well, again, I  
15 just want to thank you and your members for  
16 everything you're doing. So thank you.  
17 Chairwoman, thank you.

18 PRESIDENT MULGREW: Thank you.

19 CHAIRWOMAN WEINSTEIN: Thank you.

20 Move to the Senate?

21 CHAIRWOMAN KRUEGER: Thank you.

22 Yes, so there's a Senator named Robert  
23 Jackson, and apparently he has some interest  
24 in education as well.

1                   PRESIDENT MULGREW: The two S words  
2                   are his favorite words.

3                   (Laughter.)

4                   CHAIRWOMAN KRUEGER: Bob Jackson, are  
5                   you there?

6                   THE MODERATOR: We are trying to get  
7                   him to start his video and audio.

8                   CHAIRWOMAN KRUEGER: Okay.

9                   SENATOR LIU: What are the two S  
10                  words?

11                  PRESIDENT MULGREW: Supplant,  
12                  supplement.

13                  (Laughter.)

14                  CHAIRWOMAN KRUEGER: You know, if we  
15                  can't get him right now, we can jump to  
16                  Senator Brad Hoylman and come back to him  
17                  afterwards. I don't want to mess up our  
18                  schedule, which is already hours beyond  
19                  where --

20                  SENATOR HOYLMAN: Okay, hi. Hi. Good  
21                  to see you --

22                  PRESIDENT MULGREW: Hi, Senator.

23                  SENATOR HOYLMAN: -- Michael. Good to  
24                  see you, Andy.

1           Thank you again. As a parent, your  
2 teachers, I mean, they were basically like  
3 Martin Scorsese trying to manage these Zooms  
4 and setting up learning for our children, and  
5 it's really, really greatly appreciated.

6           I wanted to ask you specifically --  
7 both, if you have the time -- about vaccine  
8 uptake from your members and distribution.  
9 We all know that your team is on the front  
10 line and has had a great deal of exposure.  
11 How is vaccine rollout going for teachers,  
12 and do you see in the weeks and months ahead  
13 a possible change in the potential for  
14 in-person learning based on the vaccine?

15           PRESIDENT PALLOTTA: You want to go  
16 first, Michael?

17           PRESIDENT MULGREW: If you want me to,  
18 I'll go first.

19           PRESIDENT PALLOTTA: Go ahead.

20           PRESIDENT MULGREW: Okay. So, look,  
21 we all know we have -- let's do the one thing  
22 everybody agrees upon, the federal government  
23 needs to get more. Clearly the outgoing  
24 administration lied to everyone. Right? So



1           they weren't having these companies produce  
2           millions of doses of the vaccine ready and  
3           waiting when they got approval. It was all a  
4           lie. Okay, we now know that. Fine.

5                     The state plan, the simple part of the  
6           state plan is the state is telling the local  
7           municipalities that you deal with essential  
8           workers, we'll set up state sites to deal  
9           with 65 and older and medically fragile, for  
10          the B group. A group, we all know did not go  
11          well. A group did not go well. So we're the  
12          B group.

13                    I can only speak to New York City.  
14          What we had in New York City was the city did  
15          not follow that plan. They opened up, they  
16          said their program was based off of everyone  
17          in the B group getting the vaccine. So what  
18          has happened is thousands of people, at this  
19          point thousands of my members who actually  
20          had confirmed appointments -- could have had  
21          confirmed appointments through our plan said,  
22          We're okay, we have the city appointment --  
23          then had their appointments canceled.

24                    So this is not going well. And for,

1           you know, every level of government, everyone  
2           claims they want transparency of the level  
3           above them. I think they need to start with  
4           their own level. Because if you ask right  
5           now, I can tell you how many doses of vaccine  
6           came to New York City on Tuesday. It was  
7           107,000. How many appointments were  
8           scheduled for this week? You won't get that  
9           answer. I've been asking for how many of my  
10          members were vaccinated through their sites.  
11          They can't give me that number.

12                 I can tell you how many have been  
13          vaccinated through my site. It's pretty  
14          easy. You know how many vaccine doses you  
15          have, you set up their appointment. We never  
16          cancel anyone's appointment. We won't set up  
17          your appointment until we have that vaccine  
18          we know will be there for you. And I can  
19          tell you that 5200 teachers have been  
20          vaccinated through out program.

21                 I don't know. The city needs to go to  
22          school for math class. One and one makes  
23          two, plus one makes three. You just -- how  
24          many doses, that's how many appointments.

1           So no, this has not been going well.  
2           The most dangerous part of that, though, is  
3           that this is another example of people losing  
4           more and more confidence at a time when this  
5           vaccine is the only way through this  
6           pandemic. We're either going to do this for  
7           six to nine months and be out of this, or  
8           we're going to be dealing with this for two  
9           years of little wave after wave after wave.

10           So the public needed to see that  
11           government was on its game and ready to go.  
12           Lack of vaccine was one thing. Messing up  
13           the appointments, not following plans that  
14           were agreed upon, that's unacceptable.

15           Go ahead, Andy.

16           PRESIDENT PALLOTTA: It's been a mixed  
17           bag throughout the state, so we could talk  
18           about in Suffolk County, in Stony Brook,  
19           members got an appointment, then it was  
20           canceled, then they were told call back, go  
21           online, get another appointment, then it was  
22           canceled again. So a lot of frustration.

23           Some are getting it, but you had a lot  
24           of frustration throughout the state.

1                   SENATOR HOYLMAN: Thank you.

2                   CHAIRWOMAN WEINSTEIN: Thank you. We  
3 go to Assemblywoman Lunsford.

4                   ASSEMBLYWOMAN LUNSFORD: Thank you so  
5 much. And as others have said, thank you for  
6 the incredible, heroic efforts of all of your  
7 teachers. This is obviously a challenging  
8 time for everyone, and I know that; I hear  
9 from parents in my district all the time how  
10 grateful they are.

11                   My district also has tons of teachers.  
12 I have lots of friends and family who are  
13 teachers. And what I'm hearing is that they  
14 are burnt out, they are struggling. And I'm  
15 wondering if there's any way that we can kill  
16 two birds with one stone by trying to put  
17 some of our paras and teaching assistants  
18 back to work to help alleviate the burden on  
19 our overworked teachers, and I'd love to hear  
20 your thoughts on that.

21                   PRESIDENT PALLOTTA: Around the state  
22 we have paraprofessionals, TAs that are in  
23 with these students, working with the  
24 students. But of course we also see that

1           when we're doing remote or hybrid learning,  
2           it is much more difficult. So we've been  
3           doing everything we could to make sure that  
4           that is the direction that school districts  
5           are going, to have a hybrid with the TA or  
6           the paraprofessional there and helping, and  
7           also as the vaccines are more widespread  
8           throughout the state, we would hope that more  
9           schools can open, but only with the assurance  
10          that it's being done safely and in the right  
11          way to keep the students, the parents,  
12          everyone concerned in a safe place.

13                 PRESIDENT MULGREW: Our  
14          paraprofessionals are working in the schools  
15          that are open, and they are actually part of  
16          the classrooms in the remote setting.

17                 So I'm not -- in terms of us,  
18          there's -- and actually, they're doing a lot  
19          more than they -- like everybody else,  
20          they're doing much more. They're actually  
21          constantly finding students who are not  
22          engaged in their situation.

23                 So the paraprofessionals, at this  
24          point we can't utilize them because they're

1 already being utilized each and every day.

2 ASSEMBLYWOMAN LUNSFORD: I'm glad to  
3 hear that. I've been hearing something  
4 else --

5 PRESIDENT MULGREW: Thank you.

6 ASSEMBLYWOMAN LUNSFORD: -- from my  
7 district. But thank you so much.

8 CHAIRWOMAN WEINSTEIN: Senate, have we  
9 located Mr. Jackson?

10 CHAIRWOMAN KRUEGER: Let's see if he  
11 comes online. Robert Jackson, are you there?

12 SENATOR JACKSON: I am here.

13 CHAIRWOMAN KRUEGER: Very good.

14 SENATOR JACKSON: So first, chairs,  
15 let me thank you for holding these hearings.  
16 And it's good to see both our local union  
17 leader, Mike Mulgrew, and Andrew Pallotta,  
18 statewide.

19 Well, let me just say I am not happy  
20 with this Executive Budget. When we talk  
21 about -- the chancellor was on earlier, and  
22 they're talking about hundreds of millions of  
23 dollars that we're going to have to basically  
24 not have. And when you look at the totality,

1           it could be a billion dollars, which is  
2           devastating not only for New York City but  
3           around the entire state.

4                     And so I ask you to fight with us,  
5           with the Governor and the Legislature, both  
6           the Assembly and Senate, to ensure that at  
7           least that we have the monies that we're  
8           entitled to from the federal government and  
9           then, if necessary, from the State of  
10          New York.

11                    Because it is terrible, the fact that  
12          we've laid off hundreds of employees in the  
13          Department of Education around the State of  
14          New York, knowing that, for example, that  
15          education is not a priority for the  
16          overall -- the Governor, in my opinion, based  
17          on the fact that this is the only situation  
18          in the State of New York as far as our budget  
19          where we have a court decision that basically  
20          says that they're not providing enough and  
21          they have to do it.

22                    So the time is now. In fact, people  
23          are saying now that we have a supermajority,  
24          we should be able to do anything we want to

1 do. So we're going to focus -- and I'm going  
2 to focus, be laser-focused on making sure  
3 that education is very, very critical this  
4 year as far as the budget is concerned.

5 And obviously people ask me, What are  
6 your priorities, and I say, quickly, I say  
7 the most important thing is that people are  
8 not evicted from their apartments and their  
9 homes, number one. Number two, there's  
10 enough food for everyone to eat. And then  
11 there's so many problems as far as health is  
12 concerned as a result of this pandemic,  
13 mental health and physical health. These are  
14 the basics that we have to have.

15 Besides that, we must fund education.  
16 Our kids have been left behind as we've dealt  
17 with this, and we have to make up for it.  
18 And the time is now. And so I look forward  
19 to working with you. I ask you, Andrew, how  
20 many employees around the state have been  
21 negatively impacted, have been laid off, to  
22 the best of your knowledge?

23 PRESIDENT PALLOTTA: The number we're  
24 working with is about 3,000. And what we



1 spoke about before was right in the Capital  
2 Region, 440 in Schenectady, 220 in Albany,  
3 and there were some in Yonkers. We also know  
4 in New York City the PSC, CUNY, also had  
5 some -- many cuts. So it has been throughout  
6 the state.

7 And you were with us last year when we  
8 did our Fund Our Future tour, our bus tour,  
9 in the freezing cold. And, you know, we  
10 appreciate you at all times. And we're not  
11 just worried about this year's budget, we're  
12 looking for next year's budget too. Because  
13 what about that federal money? Are we going  
14 to have that federal money next year the way  
15 we have it this year, and will we be raising  
16 the revenue for next year and going on into  
17 the future?

18 The Governor talks about big-dollar  
19 deficits going forward. We want to make sure  
20 that we have the revenue to pay for the  
21 schools going into the future in the years to  
22 come.

23 SENATOR JACKSON: Well, with that -- I  
24 know, Liz, I'm sorry. I know it's time and

1 I've got to go. Just 30 -- five seconds.  
2 We're asking the wealthiest New Yorkers to  
3 help all New Yorkers survive this pandemic.

4 Thank you, Madam Chairs.

5 PRESIDENT MULGREW: Thank you.

6 CHAIRWOMAN KRUEGER: Thank you.

7 Assembly.

8 CHAIRWOMAN WEINSTEIN: Thank you.

9 We go to Assemblyman Reilly.

10 ASSEMBLYMAN REILLY: Thank you again,  
11 Madam Chair. Thank you for giving me the  
12 opportunity.

13 I wanted to touch on something that's  
14 really -- it was mentioned by Senator Jackson  
15 just before, the mental and social-emotional  
16 impact that this pandemic is going to have on  
17 students for years to come, potentially, and  
18 our staff members, including teachers, paras,  
19 and all our support staff in schools.

20 I know that with the UFT there's the  
21 Positive Learning Collaborative. I know them  
22 very well on Staten Island, and they do great  
23 work, and it supports the social and  
24 emotional for learning.

1           Is there anything -- I mean, I'm  
2           concerned about it being in the budget that  
3           there is nothing that seems to supplement  
4           some funding there so that we can increase  
5           social-emotional learning moving forward when  
6           we do return to school -- and hopefully  
7           that's soon for in-person.

8           But is there anything that you could  
9           offer --

10          PRESIDENT MULGREW: Yeah.

11          ASSEMBLYMAN REILLY: -- and maybe the  
12          Health Department could actually partner and  
13          maybe release some funding.

14          PRESIDENT MULGREW: Thank you. Thank  
15          you, Mike. I really appreciate it.

16          The thing is this. You know, right  
17          now Positive Learning Collaborative, we teach  
18          schools how to deal with children in crisis.  
19          We target schools where there are a lot of  
20          needs in terms of children dealing with  
21          crisis.

22          I know right now that need is growing  
23          every day, and there's not going to be a  
24          school in the city or the state where you're

1 not going to be dealing with children in  
2 crisis. So for people who think we're just  
3 going to go back to school and everything's  
4 going to be all right, they're living in a  
5 fantasy world.

6 So we will -- that's why we're asking  
7 here for funding, because we really want to  
8 -- and we've been working with NYSUT. And,  
9 you know, even like our first huge project  
10 was United Community Schools, which you guys  
11 have helped with throughout the years, I  
12 don't know if you realize like this year, the  
13 UFT's United Community Schools is now working  
14 with the school in Albany. And we need to do  
15 the same thing.

16 We have this phenomenal training on  
17 how to help a school, it's a year-long  
18 training. We know it works, we have all the  
19 data, we can prove it to anyone, we can bring  
20 out the parents, we can bring the students.  
21 But that's the type of stuff that we're going  
22 to really be faced with next year.

23 So we are here to help on that, but we  
24 can't just do -- you know, all of these

1 programs were literally -- and still are --  
2 being paid for partly because thankfully now  
3 it's partly, but originally were being paid  
4 for only through teachers' dues money. And  
5 that's how strongly we feel about these  
6 programs, because they do work and this is  
7 what we need. But we're going to need a lot  
8 of this come next year.

9 CHAIRWOMAN KRUEGER: Thank you. I  
10 have a --

11 ASSEMBLYMAN REILLY: What about  
12 statewide?

13 PRESIDENT MULGREW: And we can do this  
14 training statewide. We can bring in a group,  
15 we've done this before with NYSED, and we can  
16 help make this a statewide piece.

17 I hate to do this, but we're really  
18 running late, and we're in Zoom world.

19 CHAIRWOMAN WEINSTEIN: Right. Right.  
20 And so are we. So let's --

21 ASSEMBLYMAN REILLY: Thank you.

22 CHAIRWOMAN WEINSTEIN: -- Senator  
23 Krueger.

24 CHAIRWOMAN KRUEGER: Thank you. Just

1 to close for the Senate.

2 So I asked the chancellor of New York  
3 City this, and I want to ask both of you  
4 gentlemen this. I keep hearing that some of  
5 our best teachers who have been working --  
6 killing themselves during this pandemic,  
7 literally, to try to keep education going,  
8 are saying this is it for me, I'm not going  
9 to come back.

10 How worried am I supposed to be that  
11 we're going to find ourselves with a teacher  
12 shortage, as both of you describe all the new  
13 demands that our teachers are going to have  
14 on them --

15 PRESIDENT MULGREW: We're going to end  
16 up with a teacher shortage if I have to keep  
17 figuring out a way to fund \$400 million to  
18 \$500 million a year out of my members'  
19 pockets to stop layoffs. You're just going  
20 to have people start leaving. So you've got  
21 a bigger problem there. That's your bigger  
22 problem. You're going to lose young  
23 teachers, and you're going to have people  
24 just get disgusted, like as I'm doing all of

1           this, the union has to figure out ways to  
2           stop layoffs by figuring out ways to get  
3           money back to the city?

4                     You know, that is literally what an  
5           early retirement incentive is supposed to be  
6           used for, so we can stop that piece. That is  
7           really more of the disgust I've seen with my  
8           members. They basically are like, let me get  
9           this right, we just figured out a way to save  
10          the city, get the city close to \$4.5  
11          million -- \$450 million, excuse me, so we  
12          don't get laid off in the middle of a  
13          pandemic when we're working ridiculous hours  
14          doing things that were not in our job  
15          description? That's the bigger concern for  
16          me.

17                    CHAIRWOMAN KRUEGER: Andy, what do you  
18          see statewide?

19                    PRESIDENT PALLOTTA: You know, the  
20          members have stepped up around the state to  
21          fill the void, to make sure that they're  
22          going above and beyond on a daily basis. Is  
23          there exhaustion? Of course there's  
24          exhaustion. Right? Zoom learning and

1 teaching is very hard. Doing this testimony  
2 today is very hard. We're not able to really  
3 read each other. You know, I can see Senator  
4 Liu sitting there, and I would make fun of  
5 him normally and say, You have no tie on.  
6 But now, oh, wait a minute, he still has no  
7 tie on.

8 But this is -- this is a situation  
9 where our members are really working hard.  
10 Assemblywoman Lunsford was saying about the  
11 paraprofessionals, the TAs, and how they need  
12 to be in those rooms and working with the  
13 students. There is a great need -- this is a  
14 spare tire getting us to the end of this very  
15 difficult road. And I thank you for your  
16 support and, as we go through this process,  
17 keeping in mind how important the funding is.

18 CHAIRWOMAN KRUEGER: Thank you both.

19 SENATOR LIU: We're still waiting for  
20 you to come to the city so that Michael and I  
21 can show you some good -- some real pizza.

22 (Laughter.)

23 CHAIRWOMAN KRUEGER: Assembly, you  
24 better take it back.



1                   CHAIRWOMAN WEINSTEIN: We have -- let  
2 me just -- Assemblyman Zebrowski,  
3 Assemblywoman Griffin, Assemblyman Otis,  
4 Assemblyman Conrad, and Assemblyman Mike  
5 Lawler. Can we -- can people just take a  
6 minute, if that's a thing? Or you can send  
7 us questions that I'm sure we can forward  
8 them to UFT and get some answers.

9                   PRESIDENT MULGREW: Andy, if you can  
10 finish up, because I've already pushed the  
11 3:00 to 3:30. I'm sorry to do this, but if  
12 you could finish up. And any questions that  
13 we need, just get them to us and we'll be  
14 more than happy to take care of it, okay?

15                   But I really want to thank you. Look,  
16 you all know that this is going to be --  
17 every year we say this, but this is going to  
18 be a beaut. And look, and I will tell you  
19 this. We're working very hard, as always, in  
20 DC to try to do that. But everyone has to be  
21 prepared and start planning for now what  
22 needs to be done if we don't get it. And  
23 people need to think that through.

24                   I'm going to try to do everything in

1 my power and in our union's power to make  
2 sure that we get this next stimulus. But  
3 let's -- everyone can't be saying, well, we  
4 didn't get it, there's nothing we can do.  
5 Everyone needs to have a Plan A, a Plan B,  
6 and a Plan C this year. And I'm telling  
7 everyone that because that's what the  
8 teachers of this city and state are doing  
9 every single day. Okay?

10 Thank you all.

11 CHAIRWOMAN WEINSTEIN: Thank you for  
12 being here and thank you for all the work  
13 your members do.

14 CHAIRWOMAN KRUEGER: Thank you.

15 PRESIDENT PALLOTTA: Thank you.

16 CHAIRWOMAN WEINSTEIN: Okay, so we  
17 have -- Andy, Andrew, you're still with us?

18 PRESIDENT PALLOTTA: I am still  
19 available.

20 CHAIRWOMAN WEINSTEIN: Okay. And I  
21 think it's mostly non -- it's some non-city  
22 members, so perhaps they were looking for you  
23 anyway.

24 Assemblyman Zebrowski.

1                   ASSEMBLYMAN ZEBROWSKI: Thanks, Madam  
2 Chair. And hi, Andy.

3                   PRESIDENT PALLOTTA: Hi.

4                   ASSEMBLYMAN ZEBROWSKI: Happy to talk  
5 to you, and I know Mike had to go. I  
6 certainly have many residents that teach in  
7 New York City as well, even though my schools  
8 are mainly NYSUT. And certainly I think many  
9 of my colleagues and I are in awe of the work  
10 that teachers have done, many times teaching  
11 live, teaching on Zoom at the same time, just  
12 juggling so many different things while also  
13 worrying about their health.

14                   I just want to drill down a little bit  
15 on what I talked about earlier with the  
16 commissioner on STAR. We talked a lot about  
17 the reimbursable issues. But I'm really  
18 concerned about what the Governor's doing  
19 with the STAR program this year, and I wanted  
20 you to comment on it. One, making it a  
21 possible permanent cut going forward,  
22 commingling a property tax relief program  
23 with school aid, which will result in  
24 anomalies within the formula going forward.

1           They had to backfill last year's formula; it  
2           erroneously bumps up the perceived funding to  
3           schools, even though these are two different  
4           programs.

5                     And then specifically what I want you  
6           to comment on is I'm worried it sort of opens  
7           up this program to negotiations in the future  
8           through this property tax relief program,  
9           which was separate, and sort of programmatic  
10          for schools. And I'm particularly concerned  
11          that instead of helping schools and property  
12          tax payers like it did before, together, it  
13          may pit taxpayers and schools and teachers  
14          against each other with -- as cuts come down  
15          and things come down in the future.

16                    And I was wondering if you could sort  
17          of comment on your thoughts on that.

18                    PRESIDENT PALLOTTA: Well, I think  
19          each and every year we fight some of the same  
20          battles. Right? So mingling these dollars  
21          together, we fought this last year, I  
22          believe, and the year before that. So we're  
23          going to fight this again, because it just  
24          doesn't work. The money that we would lose

1 with expense-based aids the way it's in the  
2 Governor's budget, it's just the wrong way to  
3 go.

4 So I believe we have to push on this  
5 budget in a lot of different ways, and that  
6 is one of the key ways.

7 ASSEMBLYMAN ZEBROWSKI: I would agree  
8 with you. I just think so many of these  
9 things are cuts. They may be perceived to be  
10 back-door cuts, but they're going to have  
11 tremendous negative effects on our  
12 schoolchildren, our teachers, and the entire  
13 school community going forward. So thank  
14 you.

15 PRESIDENT PALLOTTA: Right. This has  
16 impacted the entire state, so it's urban,  
17 it's suburban, it's rural -- everyone has  
18 been impacted in some terrible way as we go  
19 through this. But we also want to make sure  
20 that, as many of you have said, that the  
21 members have stepped up, the parents have  
22 stepped up, they have worked together to get  
23 the best experience for the students, for the  
24 children.

1 ASSEMBLYMAN ZEBROWSKI: They sure  
2 have. Thanks.

3 PRESIDENT PALLOTTA: Thank you.

4 CHAIRWOMAN WEINSTEIN: Next we have  
5 Assemblywoman Griffin.

6 ASSEMBLYWOMAN GRIFFIN: Okay. Very  
7 good, thank you. Hi, Andy.

8 PRESIDENT PALLOTTA: Hi.

9 ASSEMBLYWOMAN GRIFFIN: It's good to  
10 see you. I appreciate all of your efforts,  
11 as well as our many dedicated educators.

12 I represent about 15 school districts  
13 on Long Island, and one of the big problems  
14 seems to be there's so many plans in place to  
15 educate our children through COVID. And I  
16 hear from many teachers and parents about  
17 some of those disparities.

18 One of the biggest challenges I hear  
19 from teachers is the ones that have to teach  
20 both virtually and in-person at the same  
21 time. So some school districts that I  
22 represent have that, while others have it  
23 more sensibly; there's a teacher to teach  
24 virtually, a teacher to teach present to the

1 class there.

2 Then there are differences in how each  
3 school treats the quarantines, like having  
4 between staff and teachers. So that's a big  
5 problem, you know, with teachers leaving,  
6 students leaving, not being able to come back  
7 for a certain amount of time.

8 Then there's many parents of special  
9 ed students who feel their children are  
10 really falling behind because they are not  
11 able to go every day to school. Some schools  
12 have that, some schools don't.

13 So, you know, to me it just seems like  
14 there should be a more consistent approach to  
15 alleviate some of these problems, and I just  
16 wondered if you could speak to that  
17 inconsistent approach, how you see it.

18 PRESIDENT PALLOTTA: I would say that  
19 that has been the most frustrating thing, the  
20 inconsistent approach to how we get this  
21 education program done this year.

22 So a local Department of Health making  
23 a decision which doesn't go along with the  
24 state Department of Health has been most

1           frustrating. We've dealt directly with the  
2           Governor's office on this, because we even  
3           wrote a letter to Dr. Zucker the other day  
4           highlighting some of the issues where it's  
5           okay in one place and it's not okay in the  
6           next place. And in another school district a  
7           student might be quarantined for 10 days, but  
8           in another district they're not.

9                        So we have been very frustrated by  
10           this process. We would like certain things  
11           to be statewide. Right? And I think that  
12           that would have worked for us from the  
13           beginning on this.

14                      You know, we had the six-feet  
15           distancing, that was good, from the Reimagine  
16           task force, that was good. But we never did  
17           get the mask mandate the way we wanted.

18                      Certain things like the tracing -- it  
19           worked in some places and then they were  
20           waiting five and six days to get the tracing  
21           done. So how do you keep those schools open  
22           when you can't even do the tracing? We don't  
23           even know who was contacted by the person  
24           that was COVID-positive.



1           So in some ways we strongly support  
2 local control, but on these kinds of things  
3 we would have loved to have a more structured  
4 Department of Health policy for the whole  
5 state.

6           ASSEMBLYWOMAN GRIFFIN: Yeah, I agree.  
7 And that makes perfect sense. Thank you very  
8 much.

9           PRESIDENT PALLOTTA: Thank you.

10          CHAIRWOMAN WEINSTEIN: Thank you.

11          Assemblyman Otis.

12          ASSEMBLYMAN OTIS: Hey, Andy, how are  
13 you doing?

14          PRESIDENT PALLOTTA: Hi, Assemblyman.

15          ASSEMBLYMAN OTIS: So a question  
16 about -- and first, again, thank you to all  
17 of your members in the impossible task of  
18 trying to teach in this environment.

19                 One question I have, just a brief  
20 answer right now, but to give us a little  
21 flavor of the difficulty of teachers in  
22 school districts who have underlying health  
23 conditions making a request to teach  
24 remotely. Some districts are receptive,

1 other districts are not receptive. But this  
2 is a real career-challenging position that  
3 we're putting teachers in. And are there  
4 ways that we can help in this regard to  
5 provide a little more uniformity?

6 PRESIDENT PALLOTTA: Thank you. We  
7 have been working on the accommodations since  
8 schools reopened in-person in September. And  
9 we have taken those cases individually with  
10 districts, so we have local presidents  
11 working with superintendents trying to work  
12 something out where if there is a remote  
13 position that someone with an underlying  
14 condition can cover, that that would be the  
15 accommodation that can be made for them. And  
16 if there's any other accommodations that need  
17 to be made.

18 There's also some districts which were  
19 very difficult to deal with. Right? So  
20 we've had our legal department work on those  
21 cases. And we've gotten a lot of  
22 satisfaction going that way too.

23 But it's sad that there's so much  
24 confusion at this point of what is and what

1           isn't a district able to do. We've been able  
2           to do that in so many places, but yet we just  
3           find that our legal department is continuing  
4           to file for accommodations for members that  
5           have had underlying conditions.

6                     ASSEMBLYMAN OTIS: I think if there's  
7           an idea towards maybe asking SED to come up  
8           with some more general guidance to school  
9           districts that would help in this regard, or  
10          things that we can do in the Legislature. I  
11          think it's an important issue. There's  
12          nothing sadder than for this temporary time  
13          period to have careers possibly end early  
14          against really the desire of the teacher.

15                    So thank you, Andy. Thank you for all  
16          that you do.

17                    PRESIDENT PALLOTTA: Thank you. Thank  
18          you, Assemblyman.

19                    CHAIRWOMAN WEINSTEIN: Thank you.

20                    Assemblyman Lawler now, and then  
21          Assemblywoman Seawright.

22                    ASSEMBLYMAN LAWLER: Thank you, Madam  
23          Chairwoman.

24                    Andy, good to see you. Thanks for all

1 that you're doing on behalf of your members.  
2 I'm proud that my sister-in-law is one of  
3 your members. She's a special ed teacher in  
4 the Suffern School District, and she's also a  
5 union representative for her school.

6 PRESIDENT PALLOTTA: Great.

7 ASSEMBLYMAN LAWLER: So I just want to  
8 re-highlight something that I talked about  
9 earlier when the commissioner was on.  
10 Rockland County, where I live and where my  
11 district is, we pay the second-highest  
12 property taxes in the country. Obviously, as  
13 we all know, in the suburbs certainly it's  
14 primarily driven by our school taxes. And we  
15 have great schools, and we're proud of them  
16 and we're happy to pay for, you know, the  
17 quality education that we get and the quality  
18 of teachers that we have. But the labor  
19 costs obviously are a big factor.

20 The Regional Cost Index treats  
21 Rockland County schools like upstate New York  
22 schools as opposed to Long Island and  
23 New York City. I've put in legislation to  
24 change that and to treat us the same as

1 Long Island and New York City, because the  
2 reality is that our labor costs, along with  
3 Westchester, are on par with New York City  
4 and Long Island.

5 And, you know, this year obviously is  
6 a difficult budget. My county is projected  
7 to lose about \$6.7 million in funding under  
8 the school aid runs in the Governor's budget.  
9 My district is proposed to -- five out of the  
10 six are proposed to lose \$2.4 million. You  
11 know, and that's separate and apart,  
12 obviously, from the Regional Cost Index,  
13 which needs to be changed.

14 So really, you know, I want to bring  
15 this to your attention because obviously you  
16 guys have a lot of influence with the  
17 Majority and also with the Governor at times.  
18 And I just want to put this on your radar. I  
19 think it would be great if NYSUT would really  
20 partner with me and my colleagues in Rockland  
21 to advocate for a change to the Regional Cost  
22 Index and make sure that Rockland County and  
23 Westchester -- which is treated the same as  
24 Rockland -- are treated like our counterparts

1 in Long Island and New York City.

2 So I just want to, you know, bring  
3 that to your attention and hope that you will  
4 join us in advocating for that this year and  
5 beyond, because it really is something where  
6 we've been shortchanged dramatically.

7 PRESIDENT PALLOTTA: Correct. And I  
8 know you have great schools in Rockland and  
9 Westchester. My children went to school in  
10 Mount Pleasant schools in Westchester County.

11 And last year we did our Fund Our  
12 Future bus tour; we were in Westchester. We  
13 traveled throughout the state. And it wasn't  
14 just the urban areas that were having issues,  
15 it was the suburban, it was rural, it was  
16 every single place we went. And many of the  
17 same problems come from Foundation Aid not  
18 being paid by the state for all those years,  
19 given their basis, their foundation to our  
20 schools.

21 So we will continue to fight for that  
22 to be paid, and also as much as funding from  
23 the state going into the schools. That is  
24 our promise to you.

1 ASSEMBLYMAN LAWLER: Okay. Thank you.

2 CHAIRWOMAN WEINSTEIN: Thank you. We  
3 have Assemblywoman Seawright, I believe is  
4 the last member from the Assembly or Senate  
5 to request time.

6 Rebecca?

7 ASSEMBLYWOMAN SEAWRIGHT: Thank you.  
8 Thank you, Chairwoman. And thank you,  
9 President Pallotta.

10 I'm aware there's a formula that takes  
11 square footage of a classroom into account  
12 when the decision is made on how many  
13 students would be allowed in during the  
14 hybrid model. With the rollout of the  
15 vaccine, more teachers and staff getting the  
16 vaccine, I'm just curious your position on --  
17 in terms -- I know we all want the best in  
18 terms of safety for the classroom, the  
19 students, and the teachers in terms of  
20 allowing more into the classroom during this  
21 period where more and more are getting the  
22 vaccine.

23 PRESIDENT PALLOTTA: Well, we would  
24 definitely say let's find what the medical

1 experts, right, what the doctors are saying  
2 we should do. We were very frustrated when  
3 infection rates around the state surpassed  
4 9 percent, right, and regions around the  
5 state. And what the Reimagine Task Force had  
6 come up with was at 9 percent, the school  
7 buildings would close. Education continues,  
8 right, it goes into remote, but the buildings  
9 would close. And that didn't happen. So  
10 that was very frustrating.

11 So we want to make sure that whatever  
12 comes of -- from the Department of Health  
13 guidance to us all is actually followed.  
14 When that came out, I think the infection  
15 rate was like 1 or 2 percent. And we said  
16 9 percent, we're waiting for 9 percent in a  
17 region, that was a way -- long way off. And  
18 then we hit 9 percent, and in four regions of  
19 the state it surpassed 10 percent. So that  
20 was a very frustrating experience for  
21 educators. Talk about stress and anxiety of  
22 going into buildings where the infection rate  
23 in the surrounding communities was so high.

24 So as far as square feet in the



1 classroom, let's make sure that the medical  
2 professionals are all in agreement before we  
3 agree on bringing back more students and  
4 making the density higher.

5 ASSEMBLYWOMAN SEAWRIGHT: All right,  
6 terrific. Well, thank you very much.

7 PRESIDENT PALLOTTA: Thank you.

8 CHAIRWOMAN WEINSTEIN: Andrew, I want  
9 to thank you for being here. I think we took  
10 up more time than we thought. But I'm glad  
11 it worked out; a lot of members had  
12 questions.

13 And, you know, I just want to  
14 reiterate what most -- what everybody has  
15 said, and those who didn't speak want to say,  
16 which is we want to thank you, your members,  
17 Michael, your key members for all of what  
18 you're doing during the pandemic. It is more  
19 than anybody thought we'd ever be needing to  
20 be called upon to do.

21 So, you know, just again, thank you  
22 for your -- all your members' work and for  
23 being here today and sharing some of your  
24 thoughts with us.

1           PRESIDENT PALLOTTA: Thank you for  
2 your support. Much appreciated.

3           CHAIRWOMAN KRUEGER: The same from the  
4 Senate. Thank you very much, Andy.

5           PRESIDENT PALLOTTA: Thank you.

6           CHAIRWOMAN WEINSTEIN: So now we move  
7 on to Panel B, which is the Conference of  
8 Big 5 School Districts: Jennifer Pyle,  
9 executive director; Syracuse City School  
10 District, Jaime Alicea, superintendent;  
11 Buffalo Public Schools, Will Keresztes, chief  
12 of intergovernmental affairs; Rochester City  
13 School District, Dr. Lesli Myers-Small,  
14 superintendent; and Yonkers Public Schools,  
15 Dr. Edwin Quezada, superintendent.

16           So if we can have those people all  
17 joining us -- I think I see you all here.

18           And just as a reminder, each member of  
19 the panel, three minutes. We go through the  
20 list in the order I mentioned. And then  
21 there will be questions, I assume, from some  
22 of our members. So if Jennifer can start,  
23 three minutes. Please observe the clock.

24           EXECUTIVE DIRECTOR PYLE: Thank you.

1 Good afternoon. Thank you for providing us  
2 with an opportunity to testify today.

3 The COVID pandemic has highlighted  
4 significant inequities in public education.  
5 Our districts have worked tirelessly to  
6 provide students and teachers with the  
7 technology and support necessary, absent  
8 dedicated funding for these purposes.  
9 They've faced a plethora of pandemic-related  
10 expenses, including the acquisition of PPE,  
11 facility upgrades, and enhanced maintenance.

12 While we recognize the economic  
13 devastation that the pandemic has inflicted,  
14 and we appreciate the Governor's attempt to  
15 preserve funding for education, we remain  
16 deeply concerned about the Executive Budget's  
17 heavy reliance on non-recurring federal  
18 revenues. Our school districts will not have  
19 the capacity to survive the inevitable  
20 funding cliff the loss of the one-time  
21 federal support will result in.

22 We urge you to increase state support  
23 for education to target the federal dollars  
24 for the purposes for which they were

1 intended, and to initiate a multiyear plan to  
2 phase in full funding of Foundation Aid in a  
3 manner that's transparent, predictable, and  
4 captures unique student needs.

5 The Executive Budget services aid  
6 proposal should be rejected, as it could  
7 force school districts to divert scarce  
8 resources from the classroom in order to  
9 cover increases in areas such as  
10 transportation and charter school tuition.

11 We appreciate the Governor's  
12 recommendation to provide Transportation Aid  
13 for certain pandemic-related expenses.  
14 However, we call upon you to expand these  
15 provisions to authorize reimbursement for all  
16 transportation expenses incurred throughout  
17 the entirety of the pandemic.

18 The Executive proposal to reduce  
19 charter school tuition is a move in the right  
20 direction but does not go far enough.  
21 Furthermore, supplemental charter school  
22 reimbursement must be fully funded and  
23 accelerated to provide current-year  
24 reimbursement. In addition, charter school

1 expansion in saturated areas should be  
2 limited.

3 We also call on you to invest in our  
4 highly successful CTE programs by increasing  
5 Special Services Aid per-pupil funding and  
6 including students beginning in Grade 9.

7 Our school districts also have some of  
8 the state's longest-running and most  
9 successful pre-K programs. However, funding  
10 levels have not been adjusted to keep pace  
11 with actual costs. The state must commit to  
12 fully funding pre-K for high-need urban  
13 school districts.

14 Lastly, critical health services aid  
15 has been frozen for many years, and Buffalo  
16 and Rochester will actually experience a  
17 reduction under the Governor's plan. We urge  
18 you to restore this cut and provide  
19 additional targeted school health funding for  
20 all members.

21 Thank you again for your support and  
22 affording me the opportunity to testify  
23 today.

24 CHAIRWOMAN KRUEGER: Thank you.

1 EXECUTIVE DIRECTOR PYLE: I will turn  
2 it over to Superintendent Alicea.

3 CHAIRWOMAN WEINSTEIN: Thank you.

4 Reset the clock for three minutes,  
5 please. Thank you.

6 Go ahead.

7 SYRACUSE SUPERINTENDENT ALICEA: Thank  
8 you, Jennifer, and thank you for the  
9 opportunity to speak to you this afternoon on  
10 behalf of the 20,000 kids that I have in the  
11 Syracuse City School District, the 14,000  
12 families, and the more than 4,000 employees  
13 that we have in the Syracuse City School  
14 District providing services to our kids.

15 The end of the '19-'20 school year,  
16 and this school year, has been difficult for  
17 all of us in the State of New York and all  
18 over the country. We are very proud of the  
19 work that our students did last year. They  
20 were recognized when we achieved the highest  
21 graduation rate that we have achieved in  
22 Syracuse during the last 20 years. We  
23 achieved 70.7 percent of our kids graduated  
24 from high school. We have an increased --

1 and we have almost eliminated the graduation  
2 gap between Black, Latino and white students  
3 in the district. And all that is through the  
4 work that our students are doing, plus our  
5 great staff that we have in the district, and  
6 the support that we receive from you every  
7 year through the budget.

8 We are very concerned about the budget  
9 that was presented by the Governor. The  
10 proposal lacks funding in critical  
11 educational services, and the overreliance on  
12 one-time stimulus funds will have long-term  
13 detrimental implications for the Syracuse  
14 City School District.

15 I ask you to consider the following  
16 recommendations for changes to the budget.  
17 Foundation Aid increases in the coming years  
18 will be critical for everything that we do in  
19 the district. Our kids are going to need  
20 extra academic support. They're going to  
21 need social-emotional support. We need to  
22 continue to support our families. So it is  
23 very important that you work with us and  
24 continue to support our initiatives in our

1 district.

2 We're also asking you to please reject  
3 the proposal to consolidate expense-driven  
4 aids, in particular Transportation Aid,  
5 Special Services Aid, and Academic  
6 Enhancement Aid. If this takes place, we  
7 will continue to have problems in the future  
8 to continue to provide transportation and to  
9 hire bus drivers for our students.

10 We want you to reject the Governor's  
11 proposal to permanently shift the Committee  
12 on Special Education expense to the school  
13 districts. Also, please reject the proposal  
14 to include STAR in the school aid runs. The  
15 Syracuse City School District, like other  
16 dependent districts, does not receive all the  
17 STAR collected, so it is very important that  
18 you reject that.

19 We want you to continue to provide  
20 support for health services.

21 And I know that my time is coming to  
22 an end, so I just want to say, on behalf of  
23 our kids, on behalf of our families, I  
24 appreciate the support that you have provided



1 us in the past, and I'm looking forward to  
2 continuing to work with you and to continue  
3 to support our kids and families in the  
4 Syracuse City School District. So thank you  
5 for your continued support.

6 CHAIRWOMAN WEINSTEIN: Thank you.  
7 Buffalo?

8 DR. KERESZTES: Good afternoon,  
9 honorable members of the joint committee. As  
10 I know you're aware, this is no typical  
11 budget testimony and these are no ordinary  
12 times for you or for anyone with  
13 responsibility for all of our wonderful  
14 students.

15 Let me first thank all of you for your  
16 dedication and public service throughout this  
17 devastating pandemic. We really do  
18 appreciate everything that you do for us.

19 In Buffalo, we're grateful to our  
20 delegation members, who have closely  
21 supported us throughout these times. We're  
22 especially appreciative of Majority Leader  
23 Peoples-Stokes, our esteemed Assemblymember,  
24 who stood with us and made us so much

1 stronger over the past year.

2 The Buffalo City School District also  
3 stands united with Governor Cuomo as he leads  
4 New York State through these historic,  
5 challenging times. We're united with him in  
6 his call for substantial federal support to  
7 relieve the suffering endured  
8 disproportionately by taxpayers in New York  
9 State, and most disproportionately in our  
10 communities of color.

11 But as a result of this devastating  
12 pandemic, we are facing budget shortfalls in  
13 each of the next two years that for us will  
14 be unrecoverable. In short, and at a  
15 minimum, the Buffalo City School District  
16 requests a 6.5 percent increase in Foundation  
17 Aid over the Governor's proposed budget.  
18 This represents a critical \$50 million  
19 increased investment needed to close our  
20 devastating budget shortfall.

21 We request a permanent increase of at  
22 least \$2.6 million in our health services  
23 grant. Now more than ever, we can't  
24 shortchange our nursing services to students.

1           We ask that you take significant steps  
2           to address the proliferation and redundancy  
3           of charter schools, to ensure that new  
4           approvals actually fulfill an unmet need in  
5           the district, as the original charter school  
6           law intended. Otherwise, new charters are  
7           continuing to saturate our district with more  
8           general education K-8 seats when most of our  
9           elementary schools are in good standing.

10           And finally, the Buffalo City School  
11           District asks that you reject the proposed  
12           block-grant consolidation of expense-based  
13           aids. Unless this proposal is soundly  
14           rejected, our district will suffer a  
15           \$20 million cut.

16           So taken together, these requests are  
17           essential in order to meet all of the  
18           challenges that await us as a result of the  
19           COVID-19 pandemic.

20           Now, we're very excited today because  
21           next week we will be reopening our schools  
22           and safely welcoming our students back to  
23           their cherished classrooms. So on behalf of  
24           our superintendent, our board of education,

1 and our community, we do thank you for  
2 embracing and sharing our mindset of  
3 excellence, high expectations for all of  
4 Buffalo's children. And thank you for  
5 joining us in supporting and lifting all  
6 children every day, at every school, in every  
7 classroom.

8 CHAIRWOMAN WEINSTEIN: Thank you.

9 Next we go to Rochester.

10 SUPERINTENDENT MYERS-SMALL: Good  
11 afternoon. I am Dr. Lesli Myers-Small, proud  
12 superintendent of the Rochester City School  
13 District. It is certainly an honor to have  
14 the opportunity to address each of you and,  
15 more importantly, to thank you for your  
16 unwavering commitment to students across  
17 New York State and specifically our scholars  
18 in RCSD.

19 Rochester is one of the highest-need  
20 school districts in New York State.  
21 Specifically, more than 22 percent of our  
22 student population includes students with  
23 disabilities. More than 50 percent of  
24 children in the City of Rochester live in

1 poverty. Further, the district's  
2 extraordinary needs percentage is 92 percent,  
3 which is the highest rate of the Big 5. And  
4 finally, our district serves over  
5 4,000 English language learners who speak  
6 65 languages.

7 A few weeks ago, we had our first  
8 group of scholars return to school for  
9 in-person learning, and by February 25th, all  
10 of our schools will be in the hybrid learning  
11 model.

12 We have faced the adversity of this  
13 pandemic and equipped our students with the  
14 tools needed to continue learning both at  
15 home and in our schools. We face new  
16 financial challenges in the way of  
17 technology, sizable PPE and facility  
18 expenses, just to name a few. Add to that  
19 the challenge of insufficient vaccinations to  
20 cover all educators in our state.

21 RCSD is heavily reliant on state aid,  
22 as local support from the City of Rochester  
23 has remained flat for the last 16 years at  
24 \$119.1 million. And I worry about continued

1 midyear reductions that erode stability and  
2 are extremely disruptive to academic  
3 programs.

4 Other concerns are as follows and  
5 mirror our Big 5 counterparts: Proper  
6 prorating of Foundation Aid for poverty,  
7 students with disabilities and ELLs.  
8 Consolidation of expense-driven aids. The  
9 proposed \$1.2 million cut to school health  
10 services must be restored, and additional aid  
11 provided. Continued expansion of charter  
12 schools is not sustainable under the current  
13 funding model. The state should take action  
14 to require local approval of charter school  
15 growth in saturated school districts such as  
16 Rochester. Career and Technical Education  
17 funding through Special Services Aid must be  
18 expanded to increase the \$3900-per-pupil  
19 formula-based cap, and aligned with current  
20 programs to provide funding for 9th-grade  
21 pupils. Given the number of ELL learners we  
22 serve, we are requesting equitable funding.

23 In closing, we have been working  
24 closely with our state monitor, Dr. Shelley

1 Jallow, to address our academic and fiscal  
2 challenges. I am pleased to inform each of  
3 you that as of November 2020, our structural  
4 deficit budget is balanced. Educational  
5 inequities in Rochester City School District  
6 have existed far too long. We need a funding  
7 formula that recognizes and supports the dire  
8 needs of our children. Our scholars deserve  
9 an equal chance for a quality public  
10 education.

11 I thank you for your time this  
12 afternoon.

13 CHAIRWOMAN WEINSTEIN: Fine. Thank  
14 you. Now we go to Yonkers Public Schools.

15 SUPERINTENDENT QUEZADA: Distinguished  
16 members of the joint legislative, fiscal and  
17 education committees, thank you on behalf of  
18 the Yonkers City School District and our  
19 31,000 urban students and 4,000 employees for  
20 the opportunity to speak to you this  
21 afternoon.

22 My written testimony was submitted,  
23 and it is my hope that you will take a few  
24 minutes to learn of our significant

1 accomplishments as well as visualize the  
2 striking disparity in state funding proposed  
3 for Yonkers.

4 Yonkers students are 73 percent  
5 economically disadvantaged. Nineteen percent  
6 of our students are students with  
7 disabilities; 11 percent are English language  
8 learners; and 77 percent are Black and Brown  
9 children. Our students have significant  
10 academic and social-emotional needs.

11 In spite of their needs, in 2020  
12 Yonkers was the first and only Big 5 city  
13 district in the state to achieve a 90 percent  
14 on-time graduation rate. Yonkers Public  
15 Schools is perhaps the best urban school  
16 district of its size in the U.S.

17 We actually opened for hybrid  
18 instruction in October of 2020, and we remain  
19 committed to keeping our children in school  
20 throughout this year.

21 This level of great student academic  
22 success is unsustainable without reliable,  
23 recurring state funding. Yonkers continues  
24 to lag well behind other like cities in



1 education funding. We annually fight for  
2 one-shot appropriations to hold off teacher,  
3 staff and program reductions.

4 This year, using an infographic  
5 format, we have illustrated Yonkers'  
6 inequitable funding when compared to our Big  
7 4 sister cities. Yonkers is proposed to  
8 receive significantly less in basic  
9 Foundation Aid, exponentially less Building  
10 Aid, less universal pre-K funding, and  
11 insufficient Transportation Aid.

12 More striking is the unfair,  
13 inequitable funding impact on Yonkers by the  
14 local district funding adjustment reduction  
15 of 29 million referenced in the state runs as  
16 a STAR payment, and the COVID-19 stimulus of  
17 31 million, netting Yonkers a meager  
18 \$2 million, while my sister cities will  
19 receive a net between 41 million and  
20 83 million -- which I recognize they deserve  
21 and need. Certainly 2 million is not what  
22 Yonkers needs and deserves.

23 The numbers are very clear in the most  
24 current state run. They reveal that Yonkers'

1 treatment is not only inequitable, but  
2 detrimental, painful and a direct attack on  
3 the Black and Brown children we serve.

4 So as this group of incredible  
5 legislators work to amend the funding  
6 formulas, we offer 10 potential solutions  
7 that may permanently address the historical  
8 inequitable education funding for the Yonkers  
9 City School District. These solutions are  
10 within the testimony, and I urge you to  
11 consider them.

12 We are in a fight for public  
13 education, and I invite you to be part of  
14 this fight so that we can continue to serve  
15 our incredible children. Thank you.

16 CHAIRWOMAN WEINSTEIN: Thank you.

17 We have a number of members who would  
18 like to ask some questions, I believe. So we  
19 can start with our Education chair, Mike  
20 Benedetto, three minutes.

21 ASSEMBLYMAN BENEDETTO: Thank you,  
22 Superintendents, for being here. I just want  
23 to assure you that we've heard what you've  
24 said and we know the good work you have done,

1 and we appreciate your being here and giving  
2 us your testimony. And we will act upon it  
3 to the best of our ability. So continue to  
4 stand up and do what's best for our kids  
5 during these terrible times.

6 Okay, and now I'll leave it to your  
7 local Assemblypeople to talk to you. Thank  
8 you.

9 CHAIRWOMAN WEINSTEIN: Okay, now back  
10 to the Senate, then.

11 Liz, you're still muted, I think. Did  
12 we want to introduce your Education chair,  
13 Shelley Mayer? Did you have --

14 CHAIRWOMAN KRUEGER: Yes. I was  
15 saying such nice things about her, but not  
16 on-mic.

17 (Laughter.)

18 CHAIRWOMAN KRUEGER: Someone who never  
19 stops fighting for public education, our  
20 Education chair, Shelley Mayer.

21 SENATOR MAYER: Thank you very much,  
22 Madam Chair.

23 I think it would be helpful if maybe,  
24 Jennifer, you could walk through the -- how

1 the STAR adjustment affects the Big 4,  
2 because it's different than the other  
3 districts -- which we look forward to hearing  
4 from, and all of whom are adversely affected  
5 by this really complete change in the way  
6 schools are funded, but it is different for  
7 the Big 4.

8 And the 29 million for my district --  
9 and Dr. Quezada, it's absolutely, you know,  
10 deadly, frankly. But can you walk through  
11 how it works and the money that goes to the  
12 city, as opposed to the district.

13 EXECUTIVE DIRECTOR PYLE: Certainly.

14 Yeah, frankly, it's perplexing, to say  
15 the least. Because in the Big 4, none of  
16 that revenue, the STAR revenue, has to be  
17 passed on to the district. So, frankly, it's  
18 a local decision. While there are  
19 maintenance of effort requirements for the  
20 cities that relate to the amount that they  
21 need to pass on, it has nothing to do with  
22 where that money comes from.

23 So the Governor's proposal would  
24 indeed cut the STAR payment that is going to

1 the municipality, and then backfill it, but  
2 it would be on the school district side with  
3 the federal revenues. We have no idea how  
4 that would work. We have serious concerns  
5 about the implications for the maintenance of  
6 effort requirements for the Big 4 as it  
7 relates to the city contribution. But it's  
8 something that we've brought to the attention  
9 of the Division of Budget.

10 And frankly I don't think it was  
11 considered when the proposal was constructed,  
12 because it's just not a workable model for  
13 the Big 4. As you noted, it just -- you  
14 can't cut the municipal side, then give the  
15 money to the district, and then it's just --  
16 it's not a wash, it doesn't work.

17 And I will tell you that in each of  
18 our districts, the STAR aid is treated quite  
19 differently. Some districts pass -- the  
20 cities, rather, pass a portion of it on, and  
21 others, they pass none of it. So it's really  
22 a local decision. So it doesn't make a lot  
23 of sense to us, to be quite frank.

24 SENATOR MAYER: Okay. And the next

1 question is -- I raised this earlier with the  
2 president of NYSUT, but I know it's an issue  
3 for us in Yonkers. The 20 percent  
4 withholding -- other than Foundation Aid,  
5 from which a modest amount was withheld --  
6 but thereafter, other things were withheld,  
7 including full-day pre-K outside of the City  
8 of New York, which is a priority for our  
9 conference and I'm sure for others.

10 Dr. Quezada, can you explain the  
11 impact of that 20 percent withhold on  
12 full-day pre-K, how many slots we have to  
13 reduce? And what the impact was for our  
14 families who were -- many of whom were  
15 low-wage workers who were essential workers  
16 and had to go to work and lost the ability to  
17 have their kids in full-day pre-K. And now  
18 apparently the money -- some portion of the  
19 money is going to be repaid, but in the  
20 meanwhile I believe we lost slots and we lost  
21 teachers.

22 SUPERINTENDENT QUEZADA: Thank you, my  
23 dear Senator, and thank you for all the work  
24 that you do on behalf not only of Yonkers,

1 but education as a whole in New York State.

2 We appreciate your advocacy.

3 Certainly 20 percent for all of us has  
4 a significant impact on the work that we have  
5 to do for our children. You know, to be told  
6 that 20 percent was going to be withheld, you  
7 know, once the budget was balanced was  
8 certainly devastating, because it resulted in  
9 us having to close positions. Not only did  
10 it occur in universal pre-K, but it also  
11 happened in extended learning time, where we  
12 had to close positions.

13 The funding has subsequently been  
14 given back to us, so now we are in the middle  
15 of restoring some of those positions because  
16 we need our staff back in our buildings.

17 However, for many of our families in  
18 universal pre-K, you know, a small group of  
19 them were unable to find a seat in the school  
20 of their choice. Certainly we have made the  
21 space for all of them by now, because we want  
22 to make sure that our students are in school  
23 and that they are registered. But this  
24 concept of withholding funding after we have

1 an approved balanced budget doesn't work for  
2 any of us in the Big 5 or perhaps any  
3 district.

4 So thank you for that question, and I  
5 hope that this 20 percent does not become a  
6 reality for anything, any of the funding  
7 sources that we receive in our districts.

8 SENATOR MAYER: Thank you. And I know  
9 I went over my time, so I go back to you.

10 CHAIRWOMAN KRUEGER: Thank you.

11 CHAIRWOMAN WEINSTEIN: Thank you.

12 Assemblywoman Clark. Sarah, are you  
13 there to --

14 ASSEMBLYWOMAN CLARK: I am here. It  
15 took a while to pop up the video request.

16 Thank you. My question is to  
17 Superintendent Dr. Myers-Small, who I first  
18 and foremost want to thank you for your  
19 commitment to the children in our Rochester  
20 City School District and the community at  
21 large. We are grateful to have you at the  
22 helm.

23 You know I am a proud graduate of  
24 East High and how much this is also a



1 priority for me. I have two quick questions  
2 that I want to just roll all out at once and  
3 let you answer, and we can also follow up  
4 offline.

5 But first, I know we're talking a lot  
6 about the federal dollars and how important  
7 it is to make sure that it just supports for  
8 added costs of COVID. I had truly hoped in  
9 my old job that the CARES funding that was  
10 passed last year would have done that,  
11 instead of offsetting budget cuts, so I would  
12 love to hear what you might have been able to  
13 do with that money if it had just been used  
14 to deal with the COVID challenges and some of  
15 the challenges you faced going into the  
16 school year this past year.

17 And also, as we look to really address  
18 formulas and what we need to do to make sure  
19 you're getting the funding you need through  
20 Special Services Aid increases and  
21 potentially the Foundation Aid formula  
22 itself, I'd love to hear some thoughts about  
23 how we could better capture some of the  
24 challenges students face in a high-poverty

1 district like Rochester, including things  
2 like homelessness. I brought this up earlier  
3 with the commissioner, but I'd also like to  
4 hear your thoughts.

5 SUPERINTENDENT MYERS-SMALL: Thank  
6 you, Assemblywoman Clark. I appreciate it.  
7 And -- Go East!

8 (Laughter.)

9 SUPERINTENDENT MYERS-SMALL: As you  
10 know, we are a district of limited means.  
11 And just for background information, our  
12 reserves were fully depleted during the  
13 2018-19 school year. So not only did we not  
14 have money in our reserves given the needs of  
15 COVID-19 that they presented, we had to,  
16 quote, unquote, borrow money from future  
17 state aid payments to continue our normal  
18 business operations in the Rochester City  
19 School District.

20 So what would we have been able to do?  
21 Certainly to apply towards the full  
22 development of virtual curriculum. As you  
23 know, we have been in a fully remote  
24 environment up until January. So to really

1           develop that very robustly and meaningfully,  
2           it would have been helpful for us in  
3           Rochester.

4                     And the other big area that many of my  
5           colleagues across the state have mentioned is  
6           to provide our students with the much-needed  
7           mental and social-emotional support for  
8           students. In Rochester certainly our  
9           students deal with the triple threat of  
10          trauma, and that's the trauma of COVID-19,  
11          the trauma of racism, and the trauma of the  
12          ACEs, or the adverse childhood experiences.

13                    So really being able to robustly  
14          invest in the mental health support. We've  
15          done, I think, a wonderful job, but it's  
16          really important to move that forward.

17                    And then quickly, as far as poverty,  
18          this is a conversation that we have had for  
19          many, many years. The formula numbers must  
20          be updated to account for the extreme poverty  
21          in Rochester, and we would benefit from this  
22          adjustment.

23                    ASSEMBLYWOMAN CLARK: Thank you.

24                    CHAIRWOMAN WEINSTEIN: Thank you.

1 We'll go back to the Senate. I believe you  
2 still have --

3 CHAIRWOMAN KRUEGER: Yes. Thank you  
4 very much. We're joined by Senator Samra  
5 Brouk.

6 SENATOR BROUK: Hi, everyone.

7 Good afternoon, Dr. Myers-Small. I  
8 have a quick question for you. And first I  
9 want to say thank you for all your leadership  
10 here in Rochester. You took over in a very  
11 difficult time. We're grateful for your  
12 leadership.

13 And as I've mentioned before, my own  
14 personal history with RCSD, we are all  
15 rooting for this district and doing  
16 everything we can in the Senate and Assembly.

17 You know, you touched on -- as the  
18 chair of Mental Health, I did want to talk  
19 about what the \$1.2 million cut in the health  
20 services, what the effect of that might be  
21 for you. And so I want to give a chance for  
22 you to maybe elaborate. I know you touched  
23 on the social-emotional supports that you  
24 were hoping you'd be able to give your

1 students. Can you touch more on that in  
2 general? And then also the added need you've  
3 seen because of the pandemic.

4 SUPERINTENDENT MYERS-SMALL:

5 Absolutely. I have to put this quick plug  
6 in. Assemblyman {sic} Brouk and I graduated  
7 from the same high school. Different  
8 decades, but we're both Vikings.

9 But as far as the 1.2 million,  
10 certainly we've had to really reimagine how  
11 nursing services are applied. And just think  
12 about being in the midst of a pandemic. And  
13 so while we're meeting the mandate, really --  
14 we would really like to make that even more  
15 robust.

16 But as you also just -- going into a  
17 little more depth with social-emotional  
18 needs, our students are really struggling.  
19 And so just being able to more specifically  
20 tailor and differentiate our interventions  
21 with students. We are very fortunate in  
22 Rochester to have significant partnerships  
23 throughout our community that help us do  
24 that. But I would love to see that be

1 expanded, and making sure that each one of  
2 our schools have the necessary resources to  
3 move forward.

4 Things that I think make Rochester  
5 very unique, Assemblyman Brouk, is the fact  
6 of the protesting that frankly has happened.  
7 Many of our students saw individuals pass by  
8 their homes. So again, they've been at home  
9 since March 13th because of the quick shift  
10 to remote learning, and then again dealing  
11 with the adverse childhood experiences. And  
12 then just further -- what further complicates  
13 that is just seeing the injustices that were  
14 unfolding in our community. And in some  
15 instances, that was right front-facing for  
16 them.

17 And so we were very deliberate as we  
18 shifted into the start of the school year,  
19 because the protesting really came to a very  
20 high situation in Rochester, to make sure  
21 that we fortified specific interventions to  
22 help our scholars deal with the -- some of  
23 the feelings, because some of our students  
24 just weren't emotionally or developmentally

1 ready to deal with some of those issues.

2 So we were very deliberate in  
3 developing our schedule for each of our  
4 scholars to have 15 to 20 minutes each day,  
5 Monday, Tuesday, Thursday, Friday, to start  
6 with a social-emotional check-in. So that's  
7 something, while I'm certainly responsible  
8 for teaching and learning, the  
9 social-emotional needs, if they are not met,  
10 it makes it very difficult for teaching and  
11 learning to occur.

12 CHAIRWOMAN KRUEGER: Thank you.

13 CHAIRWOMAN WEINSTEIN: Thank you.

14 And also from Rochester, we have  
15 Assemblyman Harry Bronson.

16 ASSEMBLYMAN BRONSON: Good afternoon.

17 You're getting a taste of the  
18 wonderful Rochester delegation we now have.  
19 And I'm so thankful for my colleagues.

20 And, you know, my questions are going  
21 to go to Dr. Lesli Myers-Small.

22 Doctor, these are trying times in  
23 COVID, and that has only increased the  
24 difficulties we've seen in the Rochester City

1 School District over a number of years. And  
2 you've pointed out some of those difficulties  
3 related to poverty, the lack of funding, the  
4 lack of increasing local funding -- aid  
5 staying at 119.1 million since the inception  
6 of that requirement, not going up, not one  
7 dime.

8 And that means that the school  
9 district is more reliant on state funds. And  
10 this budget that the Executive has proposed  
11 is really going to hurt us in the Rochester  
12 City School District.

13 So I'm going to have two questions.  
14 The first one is, you know, what do you see  
15 the impact on ELL learners and special needs  
16 learners where we have a budget that, you  
17 know, we must insist that it's going to  
18 supplant -- the federal aid will supplant our  
19 state funding instead of -- or supplement it  
20 instead of supplant it.

21 And so that's one piece of it. And  
22 consolidating reimbursable aid and then, you  
23 know, having cuts in that area. So a little  
24 bit about the impact of that approach.



1           And then the second thing is, you  
2           know, as the Senator just mentioned, you took  
3           over a school district that was in trouble  
4           and we put in a monitoring system that I  
5           fought very hard to get instituted. And I  
6           want to recognize that I meet with you and  
7           with Dr. Jallow, the monitor, on a regular  
8           basis.

9           But I'd also like you to comment, how  
10          do you think that's going? And is there  
11          anything you think we should do in addition  
12          to the steps we've put in already?

13                 SUPERINTENDENT MYERS-SMALL:

14          Absolutely. Thank you, Assemblyman Bronson.  
15          And we appreciate you here in Rochester.

16                 So the impact -- to your first  
17          question, as far as the impact on ELL  
18          students and students with disabilities. As  
19          I shared, 4,000 of our students are ELLs, and  
20          a little over 6,000 are students with  
21          disabilities. So certainly we will be able  
22          to meet the mandates, but really making  
23          sure that the additional supports that our  
24          students need and deserve just can't be met.

1           And so our team, both the multi -- the  
2 MLL team as well as the Office of Special  
3 Education have worked to be very creative and  
4 to put those supports in place. But as we  
5 just see, the increased needs, the increased  
6 supports that they need, it will it make very  
7 difficult for us to be able to do so.

8           As far as the state monitor, we thank  
9 you for advocating on behalf of that. And  
10 Dr. Shelley Jallow is our state monitor. She  
11 started just a few weeks after I did. We  
12 have a very collaborative partnership. And I  
13 think it is a model that really does -- is  
14 working very well for us in Rochester. We  
15 meet regularly, she is a regular part of our  
16 cabinet meetings. She interacts,  
17 participates in all of our Board of Education  
18 meetings, including executive session. And  
19 she really helps to really push the needle to  
20 make sure that we are fulfilling the things  
21 that are outlined and articulated in both our  
22 academic and our fiscal plans.

23           You know, my hope is that we certainly  
24 will fulfill all of the expectations. And we

1 regularly have to update the New York State  
2 Education Department about our progress. But  
3 I really am very supportive of the model. I  
4 have an additional -- basically a  
5 phone-a-friend, and someone who has expertise  
6 in transformational work, especially in  
7 districts that are not as successful  
8 academically as we could or should be, and  
9 she really has been a significant support  
10 relative to helping maneuver through very  
11 difficult fiscal matters.

12           And as I shared in my written and  
13 verbal testimony, the fact that we were able  
14 to have a structurally balanced budget by  
15 November is significant in Rochester, and we  
16 don't count that lightly.

17           But we do thank you for your support  
18 and for those elected officials. We meet  
19 every two weeks with Assemblyman Bronson, and  
20 we regularly update him so he is in the loop  
21 with our day-to-day matters in Rochester.  
22 And we are grateful that he takes time out of  
23 his schedule to regularly and actively  
24 participate with us as far as our progress.

1 Thank you.

2 CHAIRWOMAN WEINSTEIN: Thank you.

3 We go back to the Senate. Do we have  
4 any additional Senators?

5 CHAIRWOMAN KRUEGER: If Robert Jackson  
6 is around, we do. But I don't know whether  
7 he is now available. Robert?

8 I don't -- I think he had to leave.

9 CHAIRWOMAN WEINSTEIN: Okay, so we're  
10 going to -- Assemblywoman Hyndman had a  
11 question, I believe. Alicia?

12 ASSEMBLYWOMAN HYNDMAN: I'm here,  
13 Chair Weinstein, it's the technical  
14 difficulties.

15 I know I'm not from any of the Big 5,  
16 but I just have a quick question.  
17 Congratulations, Dr. Lesli Myers-Small, on  
18 taking on the Rochester School District at  
19 this time.

20 Just quickly, two of you mentioned  
21 about not having additional charter schools  
22 in your districts because -- can you just  
23 elaborate a little in the time that we have  
24 left? Thank you.

1 DR. KERESZTES: This is Will Keresztes  
2 from Buffalo.

3 Yeah, and I think for us -- we've been  
4 very clear in Buffalo, it's not an  
5 ideological position for our district. We  
6 were actually the first large district in New  
7 York State to convert a public school into a  
8 charter school, and we were also the first to  
9 sponsor a charter school.

10 Really, we've come to a point in time  
11 where there's simply not enough financial  
12 resources to do both. And we have a  
13 situation where we're pitting one group of  
14 students who are sitting in traditional  
15 public school seats against students that are  
16 in public charter seats. There just aren't  
17 enough dollars to fund the proliferation of  
18 charters as they exist.

19 And then the other key thing to  
20 remember is that the original charter school  
21 law's intention was to have charter schools  
22 fulfill an unmet need in the district. What  
23 we have happening in Buffalo is a  
24 proliferation primarily of general education

1 K-8 seats when the majority of our elementary  
2 schools are in good standing.

3 So there's no evidence that new  
4 charter approvals are meeting any type of  
5 unmet need in the district. And combined  
6 with the fact that there are just not enough  
7 resources for all of these aspirations for  
8 charter schools to go forward, again, certain  
9 students are getting hurt.

10 My last example would be each year our  
11 Foundation Aid increase literally goes in one  
12 door and out the other to support the charter  
13 school tuition increases.

14 ASSEMBLYWOMAN HYNDMAN: Thank you.

15 SUPERINTENDENT MYERS-SMALL: I would  
16 add to that that just as a reminder, as well,  
17 that the tuition rate has been reduced and  
18 the amount that we get has been reduced. So  
19 right now in Rochester we have over 6500  
20 students who are participating in charter  
21 school education. And as we move forward to  
22 February, where we have our legislative  
23 priorities, that is one that the Board of  
24 Education and our administrative team have

1           come to agreement on, that we need to really  
2           reduce or at least stop having additional  
3           charter schools move forward. It's a very  
4           high number of students who are involved in  
5           Rochester.

6                     ASSEMBLYWOMAN HYNDMAN: Thank you.  
7           Thank you for your time. Thank you, Madam  
8           Chair.

9                     CHAIRWOMAN WEINSTEIN: Thank you.  
10          Thank you for the panel. I believe there are  
11          no more questions now, so we're going to  
12          bring in the next panel, Panel C.

13                    And that is 4201 Schools Association,  
14          Dr. Bernadette Kappen, cochair; New York  
15          State Association on Independent Living,  
16          Lindsay Miller, executive director; advocates  
17          for children of New York, Randi Levine,  
18          policy director; and Special Support  
19          Services, Amber Decker, New York City public  
20          school parent.

21                    And just a reminder, so that it is  
22          three minutes for each member of the panel.  
23          If you can go in that order. And there may  
24          be members' questions, and I would just urge

1           you to -- we already have all of your written  
2           remarks that were emailed, and so if you  
3           could just highlight the important parts of  
4           your testimony.

5                     And we'll start with Dr. Bernadette  
6           Kappen.

7                     DR. KAPPEN:  Thanks so much.  On  
8           behalf of the 4201 Schools Association, I'd  
9           like to thank the Legislature for always  
10          supporting us, and the opportunity to testify  
11          today.

12                    The Executive Budget proposes level  
13          funding for our schools, and we're so  
14          appreciative of this.  We urge you to approve  
15          this proposal in the Executive Budget.

16                    The pandemic has been difficult for  
17          all schools, students, staff and families.  
18          The schools in the 4201 Schools Association  
19          are prepared to offer the best possible  
20          educational programs to the students.  
21          Students with sensory impairments, blindness,  
22          deafness, need close contact for  
23          communication and learning.  It's a challenge  
24          to teach a first-grader Braille from six



1 feet, or even harder remotely.

2 Think about young students who are  
3 deaf learning to use American Sign Language  
4 or a deaf-blind student who needs tactile  
5 signing or students with physical  
6 disabilities who need close contact for their  
7 personal needs or adjusting their medical  
8 equipment.

9 The staff at all the schools in the  
10 association put aside fear and jumped into  
11 their work to make sure the students received  
12 what they needed. Students who are at home  
13 received materials through the mail and, in  
14 some cases, staff brought the materials to  
15 their homes. Families joined the staff.  
16 Staff focused on the social-emotional needs  
17 of the children.

18 The schools serve a diverse population  
19 of students, as you know, and so it's been a  
20 challenge for us in those areas. But our  
21 goal is always focusing on excellence and  
22 giving every student opportunity to be  
23 successful to fulfill their dreams. These  
24 things are possible because of the support we

1 receive and continues to be necessary to  
2 offer the students what they need and  
3 deserve. And certainly thinking forward for  
4 the mental health needs of our students, we  
5 certainly need to plan for that.

6 In our testimony you see there that  
7 we're asking for support for the Emergency  
8 Assistance to Non-Public Schools. We're  
9 requesting that the Legislature set aside  
10 \$2.25 million to support us in this area. We  
11 know that we're small and don't want to be  
12 caught in the bucket there of not being able  
13 to receive any funds.

14 And as you can imagine, the pandemic  
15 has been a challenge for everyone at our  
16 schools, keeping the students safe with extra  
17 PPE, purchasing extra furniture, working on  
18 social distancing, extra cleaning supplies,  
19 and especially the technology area. Sensory  
20 impairments require additional support in the  
21 technology area, not just the computer or the  
22 iPad.

23 Again, I want to express our gratitude  
24 for all your support. We know how difficult

1           this budget year is, and we are thankful for  
2           how we've been treated in the Executive  
3           Budget. And for the association, I just  
4           leave you with this quote today from Helen  
5           Keller: "Optimism is the faith that leads to  
6           achievement. Nothing can be done without  
7           hope or confidence." And I think that's our  
8           motto.

9                     Thank you so much.

10                    CHAIRWOMAN KRUEGER: Next, please,  
11           thank you.

12                    MS. MILLER: Hi, my name is Lindsay  
13           Miller. I'm the executive director of the  
14           New York Association on Independent Living.

15                    We are the membership association for  
16           Independent Living Centers, known as ILCs,  
17           across New York State. We are  
18           not-for-profit community-based organizations  
19           that are run by people with disabilities for  
20           people with disabilities. So the majority of  
21           our board is comprised of people with  
22           disabilities, and the majority of staff is  
23           people with disabilities themselves.

24                    Our centers provide a wide range of

1 services and supports, advocacy to  
2 individuals of all disabilities, of all ages,  
3 all focused on helping individuals with  
4 disabilities live independently in the  
5 community. You know, services such as  
6 employment assistance, benefits counseling,  
7 housing assistance, peer counseling,  
8 independent living skills training. There's  
9 a lengthy list.

10 Over the past year Independent Living  
11 Centers have responded to the pandemic by  
12 helping form the first line of defense for  
13 people with disabilities both in the  
14 community and in institutions. Despite being  
15 chronically underfunded, we were able to  
16 quickly shift our services in the new remote  
17 world to meet the needs within our community,  
18 helping to provide wellness checks to  
19 individuals with disabilities, provide social  
20 support due to the isolation caused by the  
21 pandemic to people with disabilities,  
22 delivering meals, even providing iPads to  
23 residents at nearby nursing facilities.

24 One of the core services of

1 Independent Living Centers has always been  
2 helping to transition individuals out of  
3 nursing homes and other institutions and back  
4 into the community. Obviously we all know,  
5 based on the pandemic, how important this  
6 work is and how dangerous nursing facilities  
7 were. I'm proud to say that we were able to  
8 maintain our services and transition an equal  
9 amount of people out of nursing homes this  
10 year as we have done in prior years.

11 The centers have been seeking  
12 legislative and Executive support for an  
13 increase to the Independent Living Center  
14 line, to \$18 million. This has received  
15 support from the State Education Department  
16 and Board of Regents in prior years. It's  
17 been over two decades of underfunding for the  
18 centers, and they've been struggling to keep  
19 up and to maintain the level of service  
20 that's needed in their communities.

21 Thanks to the strong support from you  
22 all, particularly Senator Mayer, Assemblyman  
23 Benedetto, the Legislature did provide a  
24 half-million-dollar increase in the budget

1 the last two years. Unfortunately, once  
2 again, the Executive has not included that in  
3 his budget this year, so now the centers are  
4 facing a cut.

5 You know, a half-million dollars  
6 spread among 41 centers is really only a  
7 \$12,000 increase, so it's not significant,  
8 but it's huge to the centers. It's the  
9 difference between staff hours, paying health  
10 insurance premiums for centers. So we're  
11 really hoping to avoid that cut and see an  
12 increase where possible moving forward.

13 So thank you all.

14 CHAIRWOMAN KRUEGER: Thank you.

15 Advocates for Children?

16 MS. LEVINE: Thank you. Thank you for  
17 the opportunity to speak with you. My name  
18 is Randi Levine, and I'm the policy director  
19 at Advocates for Children of New York. Every  
20 year we help thousands of families navigate  
21 New York's education system, focusing on  
22 students who face barriers to academic  
23 success.

24 When we testified about the need for

1 more resources in our schools one year ago,  
2 we could never have imagined the  
3 unprecedented learning loss and trauma that  
4 was about to unfold. Over the past year, the  
5 students we serve have faced immense barriers  
6 to learning, and for so many students,  
7 including many students with disabilities,  
8 English language learners, and students who  
9 are homeless, remote learning has been  
10 disastrous.

11 The state should do everything  
12 possible to fully reopen schools as soon as  
13 possible while keeping school communities  
14 safe, and the state must also ensure school  
15 districts have the resources needed to launch  
16 comprehensive COVID-19 educational recovery  
17 efforts to get students back on track.

18 Therefore, it is critical for school  
19 districts to receive the full amount of  
20 COVID-19 federal relief aid allocated to  
21 schools by Congress. We are deeply concerned  
22 that the Executive Budget proposes to reduce  
23 the state's investment in schools, forcing  
24 school districts to use part of their

1 one-time federal COVID-19 relief aid to plug  
2 the gap, instead of using it for COVID-19  
3 educational recovery.

4 The state must prioritize maintaining  
5 and increasing its investment in schools and  
6 ensure that each school district can use its  
7 full COVID-19 funding for its intended  
8 purposes.

9 Second, we ask you to reject the  
10 proposed consolidation, capping and reduction  
11 of funding for 11 expense-based aids. Beyond  
12 the steep cuts to school districts like  
13 New York City, we worry that the proposed  
14 structural change does not adequately account  
15 for the various factors that could change a  
16 district's expenses, such as a growing number  
17 of students who are homeless who have the  
18 legal right to school transportation.

19 Third, we urge you to reject the  
20 Executive Budget proposal to allow school  
21 districts to seek waivers from special  
22 education protections. Especially at a time  
23 when students with disabilities have missed  
24 out on services, we need the state to stand



1 firm on rights for students with  
2 disabilities, not enact legislation that  
3 would take these rights away.

4 We're pleased that the Legislature has  
5 rejected this proposal for at least the past  
6 seven years, and ask you to reject it once  
7 again.

8 Fourth, preschool special education,  
9 4410. One year ago, hundreds of students  
10 were already sitting at home -- not because  
11 of the pandemic, but because the state did  
12 not have enough seats in legally mandated  
13 preschool special education classes. As a  
14 result, young children with disabilities  
15 missed a critical opportunity to get the  
16 intervention they needed.

17 New York City alone projected a  
18 shortage of more than a thousand seats last  
19 spring, and now programs are struggling with  
20 the added expenses of COVID-19 and in some  
21 cases a temporary drop in enrollment due to  
22 the pandemic.

23 We're asking the Legislature to  
24 increase the state reimbursement rate for

1 preschool special education classes to stop  
2 programs from closing, and to include in the  
3 budget the Board of Regents recommendation to  
4 create a statutory index to provide annual  
5 funding increases to preschool special  
6 education programs on par with the growth in  
7 general support for public schools.

8 Our written testimony has additional  
9 recommendations, including opposing the  
10 proposal to eliminate state reimbursement to  
11 New York City for the cost of charter school  
12 rental assistance.

13 And while we focused this testimony on  
14 some of those threats proposed by the budget,  
15 we must note the importance of having the  
16 Legislature work to increase investments in  
17 our schools to address the preexisting  
18 inequities.

19 Thanks for the opportunity to testify.

20 CHAIRWOMAN KRUEGER: Thank you.

21 CHAIRWOMAN WEINSTEIN: Thank you.

22 So we go now to -- we have two  
23 questioners. Assemblyman Ra?

24 ASSEMBLYMAN RA: Thank you, Chair.

1 Just quickly --

2 SENATOR MAYER: I'm sorry, don't we  
3 have another witness here, Amber Decker?

4 CHAIRWOMAN KRUEGER: Yes, we do.

5 CHAIRWOMAN WEINSTEIN: I'm sorry.  
6 Yes. Getting ahead of myself. Yes, I'm  
7 sorry. I missed the line.

8 Amber Decker, parent.

9 MS. DECKER: Hi. Thank you for the  
10 chance to testify with you here today.

11 My name is Amber Decker, I'm a parent  
12 of a disabled high schooler with an IEP in  
13 South Brooklyn. I'm also a family and peer  
14 advocate at Special Support Services, which  
15 is a parent-led-advocacy consulting group.

16 New York City has over 200,000  
17 students with individualized education plans.  
18 And needless to say, we've had to modify how  
19 we advocate and work with families of  
20 students with disabilities here in New York  
21 City during the pandemic. So in October of  
22 2020, my organization surveyed 1,100 New York  
23 City parents and guardians of children with  
24 IEPs, and our survey results showed that



1 quickly and lose not only academic skills,  
2 but also social, physical and independent  
3 living skills. And unlike other students,  
4 disabled students may never catch up on what  
5 is learned alongside non-disabled peers and  
6 what's lost during this remote learning time.

7 So over half of New York City's  
8 disabled students are taught alongside  
9 non-disabled students. And their failure to  
10 make progress is going to impact and have  
11 consequences in the classroom and in the  
12 school community.

13 So some of the remedies that we're  
14 asking for is that we urge the Governor and  
15 the Legislature to develop a plan that  
16 includes the following recommendations.  
17 There's Recommendations 1 through 5 in our  
18 written testimony.

19 The first one is to prioritize  
20 students in self-contained programs --  
21 12:1:1, 8:1:1 -- for in-person five-day  
22 instruction as soon as able to do so and as  
23 soon as it's safe.

24 To fully staff ICT classrooms

1 appropriately and prioritize hiring special  
2 education teachers to fill a lot of staffing  
3 gaps.

4 To improve remote education and  
5 distance learning by offering our children  
6 more small-group instruction and  
7 individualized instruction, more live  
8 instruction.

9 To stop the practice of using  
10 children's paraprofessionals for other school  
11 duties, and provide mandatory training to  
12 paras on how to support students remotely.

13 Families need efficient ways to access  
14 missed services and instruction. So this can  
15 include offering vouchers and skills  
16 remediation, which should be built into  
17 future years.

18 Lastly, none of this can be achieved  
19 without robust education funding. And when  
20 it comes to allocating federal COVID relief  
21 dollars, we ask to receive every dollar  
22 promised to New York City public schools.  
23 What's more is we urge you to reject any  
24 budget proposals that offer waivers from

1 laws, rules and regulations and the New York  
2 State Constitution that protected disabled  
3 students like my son.

4 Thank you.

5 CHAIRWOMAN KRUEGER: Assemblywoman.

6 CHAIRWOMAN WEINSTEIN: Okay. Thank  
7 you. Now we go to Assemblyman Ra.

8 ASSEMBLYMAN RA: Thank you. Thank you  
9 all for being here. Just wanted to say thank  
10 you to Dr. Kappen for her advocacy. I saw  
11 some of the videos that they've been putting  
12 up of the students on the website; they're  
13 great.

14 Just a question. So on the non-public  
15 federal fund and that \$2.5 million ask, if  
16 you can just expound on that in terms of  
17 costs that the 4201 schools have sustained as  
18 a result of, you know, COVID-relating  
19 expenses and, you know, whether that amount  
20 is as a result of kind of surveying the costs  
21 or where that figure comes from. Because I  
22 think it's definitely important that we have  
23 some funding set aside there.

24 DR. KAPPEN: Thanks, Assemblyman Ra.

1           Yes, we did a survey of the schools to  
2           see how much was spent in the areas of  
3           personnel, cleaning supplies for social  
4           distancing, technology. And we estimated  
5           around 2 million, at that point, of the  
6           10 schools that are in the association. So  
7           we know that there are 11 4201 schools. So  
8           we were counting that number for the 11 of  
9           us, and then some ongoing increases that we  
10          would have.

11           And we could see that there was  
12          dramatic increases for us in the area of the  
13          technology in particular. Some schools had  
14          to hire additional nurses to be able to meet  
15          the needs, or other personnel. Definitely  
16          the furniture was a big issue, and the PPE.  
17          I mean, I think you can imagine for some of  
18          the children that are physically disabled  
19          that you need to really be close to them. Or  
20          for some of our children, if you're working  
21          with them in the classroom, you really can't  
22          be six feet. So we have to have adequate  
23          PPE.

24           And we all did strive to stay open and



1 be able to maintain the children, because we  
2 know that they need to be here for the social  
3 reasons.

4 So we did survey the schools to come  
5 up with that number.

6 ASSEMBLYMAN RA: Okay. Thank you very  
7 much.

8 CHAIRWOMAN KRUEGER: Thank you.

9 Senator Shelley Mayer, please -- oh,  
10 sorry.

11 CHAIRWOMAN WEINSTEIN: No -- yes. I  
12 was going to just turn it over to the Senate,  
13 yes.

14 CHAIRWOMAN KRUEGER: No problem. I'm  
15 shorthanding us.

16 Shelley Mayer, please.

17 SENATOR MAYER: Thank you all for  
18 coming. I really do appreciate it.

19 Two quick questions, one for Randi  
20 Levine. How many children do Advocates for  
21 Children of New York serve, see or help  
22 during a normal year, and how did it compare  
23 with the COVID year, so to speak?

24 MS. LEVINE: Every year we help

1           several thousand individual families navigate  
2           New York's school system.

3                     When schools first shut down in March,  
4           we did see a drop. I think families were so  
5           overwhelmed with everything happening at that  
6           time. The numbers have picked up since then.  
7           And so we've been helping hundreds and  
8           hundreds of families with so many concerns  
9           around remote learning and how to help their  
10          children not fall behind during this time.

11                    SENATOR MAYER: Right. And  
12          Dr. Kappen, great to see you. Thank you for  
13          your fantastic advocacy. And I'm glad to see  
14          that you like something in the budget.  
15          That's a big change from our testimony today.

16                    (Laughter.)

17                    SENATOR MAYER: But I did have a  
18          question. With respect to your students,  
19          what percentage of them -- or maybe all of  
20          them -- currently have both devices that are  
21          appropriate for their challenges that they  
22          face, and also broadband? Is it everyone has  
23          both those things, some percentage do and  
24          some don't? Can you just give us a little

1 more on that?

2 DR. KAPPEN: As far as the students at  
3 the institute, they all have -- they were all  
4 given iPads and other devices.

5 I would say at least 95 percent of the  
6 families have some access to broadband. We  
7 do have a few families that struggle with  
8 that.

9 I would say a huge issue is the number  
10 of people in the household using that, that  
11 the stability of the broadband is not good.  
12 And that's really a huge challenge for many  
13 of our students. And as I mentioned before,  
14 we have many children in the 4201 schools  
15 that are coming from low-income families, and  
16 they just can't afford to do any better. So  
17 I think the proposal for the broadband is  
18 really important for all of our students as  
19 well.

20 SENATOR MAYER: Okay. And last, for  
21 Amber, in the issues you raised with respect  
22 to your son and other students who are in a  
23 similar position, I'm assuming as an advocate  
24 you raised them with the City Department of

1 Education. Were you able to resolve some of  
2 them but not all of them? Or how would you  
3 describe your efforts to resolve these issues  
4 on behalf of your son?

5 MS. DECKER: Well, I would have to say  
6 that the issues that are impacting my son and  
7 our family personally are happening as of --  
8 today I just heard one out of five, every one  
9 out of five high school students is  
10 currently -- I don't want to say failing, but  
11 not learning the way that they used to be.

12 So this is something I've raised with  
13 my son's school many times. And as an  
14 advocate, it's something that I think it's  
15 something he needed me to do; it's part of  
16 the reason why I'm here doing this.

17 And I have to say that our  
18 organization did release a very detailed way  
19 that parents can communicate about what's  
20 happening at home for those students who  
21 aren't distance learning fans and who can't  
22 be in school. High school students, there's  
23 no in-person learning opportunities right now  
24 for any middle school or high school

1 students, I believe.

2 So that's, you know, where we're at.  
3 It's an ongoing battle. At this point we  
4 would like to hear more about the summer  
5 plans. We would like to hear more about some  
6 plan for students with disabilities who are  
7 clearly not making progress. And I can  
8 follow up personally with you with details if  
9 you'd like.

10 SENATOR MAYER: Thank you. Thank you.  
11 I appreciate that. Thank you.

12 CHAIRWOMAN KRUEGER: Thank you.

13 CHAIRWOMAN WEINSTEIN: Thank you. And  
14 lastly, we have Assemblyman Benedetto, our  
15 Education chair. Mike, you're on.

16 ASSEMBLYMAN BENEDETTO: Yeah, I got  
17 it. Thanks a lot, lastly, yeah.

18 Listen, ladies, number one, thank you  
19 for testifying today. Much appreciated.  
20 Amber, I don't know if you know it or not, I  
21 am meeting with your organization, along with  
22 DOT. We were supposed to meet on Monday --  
23 that meeting was canceled, I know another  
24 one's coming up shortly -- to talk about your

1           grievances and how we can resolve them.

2           Okay?

3                     And I guess I've met with everybody  
4           here at one time or another.  But Lindsay,  
5           let me tell you -- I know Senator Mayer was  
6           with me on this, how much we wanted to give  
7           you guys some more money a couple of years  
8           ago and last year and so on, because you  
9           hadn't gotten anything for so many years.  
10          And it was disheartening that we only gave  
11          you a little bit, and now the Governor is  
12          even trying to chop that away.  So we're  
13          trying, okay?  We really are.

14                    MS. MILLER:  Thank you.  We know that.

15                    ASSEMBLYMAN BENEDETTO:  And Randi, I  
16          love your organization.  I know what you guys  
17          do, and you're a constant advocate for so  
18          many people out there who need help.  And  
19          quite often you're the only one they have to  
20          go to.  And so we're cognizant of that and  
21          want to help.

22                    And I've got one of the 402s in my  
23          district, so you know I want to help you,  
24          Bernadette, and help all the schools.

1           Listen, you have given good testimony.  
2           We want to -- we want to help you. And  
3           hopefully we'll make some victories for you  
4           this year, and largely because of this good  
5           testimony that you've given today.

6           Thank you.

7           CHAIRWOMAN WEINSTEIN: Thank you. I  
8           believe that is it. Thank you, thank you. I  
9           want to reiterate the thank you for your  
10          testimony here today and the work you do in  
11          our communities. Thank you.

12          CHAIRWOMAN KRUEGER: Thank you all.

13          CHAIRWOMAN WEINSTEIN: I'd like to  
14          call Panel D, which now is just two members,  
15          the Alliance for Quality Education, Jasmine  
16          Gripper, executive director, and New York  
17          State Community Schools Network, Alli Lidie,  
18          network lead. And I believe they are here.

19          Okay. So, Jasmine, if you want to  
20          start off.

21          MS. GRIPPER: Thank you. Good  
22          afternoon. I'm Jasmine Gripper, the  
23          executive director of the Alliance for  
24          Quality Education. AQE works with Black,

1 Latinx and low-income parents across New York  
2 State, specifically in Buffalo, Rochester,  
3 the Capital District, Central New York,  
4 Hudson Valley, New York City and Long Island.

5 I want to give a special thanks to  
6 Senate Education Chair Shelley Mayer, who  
7 recently had meetings with our parent leaders  
8 across the state to hear their concerns  
9 directly. Thank you, Senator Mayer.

10 There's been a lot of discussion and  
11 questions today about the Foundation Aid  
12 formula and potentially how to fix it. The  
13 best way to improve the outcome to districts  
14 is to fully fund the current Foundation Aid  
15 formula. Fourteen years after the Foundation  
16 Aid was implemented, school districts are  
17 still shortchanged by \$4 billion. With the  
18 vast majority of that funding owed to  
19 districts educating Black, Brown and  
20 low-income students, it's time to stop  
21 dragging your feet on Foundation Aid and  
22 fully fund it now.

23 The Invest in Our New York Act  
24 outlines six bills that could potentially



1 raise \$50 billion in new revenue for New York  
2 State. Instead of balancing the budget on  
3 the backs of students, we need to ask  
4 New York's wealthy and ultra-rich to pay a  
5 little bit more so that we can invest in  
6 equity.

7 We need the state to maintain its full  
8 commitment to our in-state aid to schools.  
9 Federal dollars that are coming are based on  
10 Title I, meaning that the reason New York  
11 State is getting \$4 billion is because of  
12 poor children in New York State. And  
13 shouldn't every one of those dollars go to  
14 those children?

15 There are school districts in New York  
16 State, like Schenectady that are not offering  
17 in-person learning right now -- not because  
18 of health and safety reasons, but because  
19 they cannot afford to reopen. They do not  
20 have the financial capacity to do so. Our  
21 children are paying the price, because  
22 districts have received no additional funding  
23 since this pandemic has started.

24 The Education Department has said that

1 about half of the students in New York don't  
2 have access to a device at home. We need a  
3 robust plan from New York State to get a  
4 functional device to every student, and free  
5 high-speed internet to every household. Our  
6 democracy is based on free public education,  
7 so students shouldn't have to pay to access  
8 their classrooms by buying a device or paying  
9 for WiFi.

10 I recently spoke to a single parent  
11 with a son in third grade, and even though  
12 her son has an IEP, he's still not receiving  
13 occupational therapy. He's not receiving  
14 speech therapy. And he was recently  
15 diagnosed with an autoimmune disease that the  
16 doctor says is being caused by stress. So  
17 now he has daily visits to his doctor's  
18 office to figure out the best form of  
19 treatment.

20 His mom works, advocates for her son,  
21 helps him with his homework, takes him to the  
22 doctor every day, and now also makes time for  
23 herself to exercise because she was recently  
24 diagnosed with high blood pressure.

1           Unfortunately, this story is not  
2           unique. This is what thousands of New York  
3           parents are experiencing on a daily basis.

4           So it's an insult to our parents when  
5           we hear Governor Cuomo whine about his fears  
6           of millionaires leaving New York, and  
7           legislators express their worry over the  
8           shrinking middle class, all while everyone  
9           ignores the poor and working poor are  
10          suffocating. It is your responsibility to  
11          pass a budget that is not only balanced, but  
12          a budget that is just. It is time to protect  
13          our students and their families, and not the  
14          billionaires and the ultra-rich.

15          Thank you.

16          CHAIRWOMAN WEINSTEIN: Alli, if you  
17          can proceed.

18          MS. LIDIE: Hi, I'm Alli Lidie, and  
19          I'm representing the New York State Community  
20          Schools Network. Thank you for the  
21          opportunity to present testimony.

22          COVID-19 has presented unprecedented  
23          obstacles to student learning, health and  
24          overall well-being. School closures amid

1 this pandemic reveal that schools provide  
2 more than just academic support for students,  
3 and accentuate how schools need all the  
4 support they can get.

5 As an evidence-based, effective  
6 strategy, community schools have continued to  
7 provide the critical supports students and  
8 their families need, building on their robust  
9 relationships with community partners and  
10 awareness of specific community needs. The  
11 community school strategy emphasizes  
12 flexibility while maintaining a localized,  
13 customized and collaborative approach to  
14 addressing students' needs.

15 Broad implementation of this  
16 hyper-local, integrated approach will help  
17 mitigate the challenges caused by COVID-19  
18 and also address the disproportionate harm  
19 the pandemic has brought to communities of  
20 color and low-income communities. Of their  
21 work this year, one community school told us:  
22 "We were able to get our staff to support our  
23 partnering school to distribute tablets and  
24 workbooks for all of the students. In the

1 first two weeks, the staff supported families  
2 to ensure they had WiFi by calling the  
3 providers and getting equipment installed at  
4 the students' homes. Then we did wellness  
5 calls, virtual support groups, parent  
6 engagement, student individual calls and  
7 referrals for mental health services. We  
8 have provided students and their families  
9 with food pantry and cash assistance through  
10 a private donation. We have also provided  
11 immigration services to our non-documented  
12 students."

13 In order to support schools in  
14 effectively utilizing the community schools  
15 strategy, the state funds three regional  
16 technical assistance centers, or TACs.  
17 During the pandemic, the TACs have shifted  
18 their work, including hosting multiple  
19 webinars for the field focused on pandemic  
20 needs, such as engaging students remotely,  
21 sustaining work during full closures,  
22 equitable family engagement, achieving race  
23 equity in your school district, multi-tiered  
24 systems of supports, effective strategies for

1           diminishing social isolation, and more.

2                     But this strategy is needed now more  
3           than ever before, and they need support to be  
4           able to work with more schools and districts.  
5           Therefore, we're asking the state to increase  
6           the \$1.2 million investment in the TACs by  
7           \$650,000, for a total appropriation of  
8           \$1.8 million annually, through 2023.

9                     We're also asking for maintenance of  
10          the \$250 million in existing community school  
11          set-aside funding and an expansion of funding  
12          over the next five years by planning for an  
13          additional \$100 million in a new community  
14          schools categorical aid.

15                    We also support critical funding for  
16          the programs and services that community  
17          schools effectively leverage and coordinate,  
18          including after-school, summer and expanded  
19          learning programs, pre-K, school-based health  
20          centers and mental health, as outlined in our  
21          written testimony.

22                    I'd like to leave you with one last  
23          quote from a rural school district: "We've  
24          worked with Head Start, Advantage

1 After-School, 21st Century Community Learning  
2 Centers, satellite mental health clinics,  
3 prevention providers -- everyone, really. We  
4 needed everyone. This was big. This is big.  
5 It takes us all."

6 Thank you.

7 CHAIRWOMAN WEINSTEIN: Thank you.

8 We have Assemblyman Benedetto for a  
9 question or a statement.

10 ASSEMBLYMAN BENEDETTO: Ladies, I just  
11 want to say I thank you for your testimony  
12 and, more importantly, for your advocacy. I  
13 know, Jasmine, you've been doing this for  
14 years, and you've been steadfast in it.

15 And unfortunately, I apologize to you  
16 personally, I was supposed to meet with your  
17 group about a month ago, but I don't even  
18 remember what happened. But we look forward  
19 to talking to them again.

20 And we look forward to forwarding so  
21 many of your concerns. Ladies, continue to  
22 fight the good fight out there.

23 CHAIRWOMAN KRUEGER: Thank you.

24 And we have Senator Shelley Mayer as

1 well.

2 SENATOR MAYER: I have two questions,  
3 one for each.

4 First place, Jasmine, thank you for  
5 your -- as Mr. Benedetto said, your  
6 tremendous advocacy, and your geographic  
7 reach of making sure that we understand that  
8 these problems are not unique to downstate  
9 and they in fact are statewide problems.  
10 We're very mindful of it.

11 I appreciate your focus, rather than  
12 on the Governor's proposal, on sort of what  
13 we should do to fix it. And I think you've  
14 very effectively pushed this issue of making  
15 sure resource -- we add resources, we do not  
16 rely on federal money to basically do what  
17 the state is obliged to do.

18 So I just want to say I appreciate  
19 that conversation. I know we will all be  
20 engaged in a conversation about adding money  
21 so that we have enough money to pay for not  
22 only what is owed under Foundation Aid, but  
23 what our kids need.

24 So thank you for that. I didn't mean



1 to make a speech, but I just want you to know  
2 that that's something that hasn't come up  
3 today, and yet that is clearly part of the  
4 conversation.

5           Alli, I have a question for you on  
6 the -- which I raised the other day. The  
7 funds that we -- first place, post-COVID,  
8 given compensatory learning and other things,  
9 I think there's a sense that we're going to  
10 need more of the pre -- you know, the early  
11 school, the after-school, the weekend school,  
12 the parents have to work overtime and they  
13 need a place where there is education and  
14 support.

15           And I would wonder whether the network  
16 has yet begun to design what is going to be  
17 needed for compensatory -- not just learning  
18 in a school environment, but compensatory  
19 experience for children to recover from this.  
20 And I wonder if you have any proposal on  
21 that, number one.

22           Number two, you know, one of the  
23 frustrations is that the agencies, when we  
24 allocate this money and we fight for it like

1           heck in the budget, it doesn't get out the  
2           door quick enough. And I'm encouraging you,  
3           to the extent that you have specific  
4           administrative proposals, don't be shy about  
5           putting them on the table and saying they  
6           should do this better, so that the money that  
7           we fight for actually benefits the kids that  
8           we are fighting for. So I just encourage  
9           you.

10                    But on the first one, do you have any  
11           thoughts on sort of post -- sort of  
12           post-COVID-recovery compensatory time?

13                    MS. LIDIE: Thank you for that. Yes,  
14           I think there is a lot of space left to  
15           build. Right now we just had a survey that  
16           came out of the whole country, but in  
17           New York we found for after-school that for  
18           every one student that has access to an  
19           after-school, there are four students waiting  
20           to get in. So the need is 1.6 million  
21           students across New York.

22                    This year we on the after-school  
23           proposal are looking for a maintenance of  
24           funds and restoration for the cut proposed in

1 the Executive, but in the future I think  
2 building on that will be incredibly  
3 important. Which is part of why we've put in  
4 a proposal to dedicate revenue from new  
5 revenue streams towards after-school  
6 programs.

7 SENATOR MAYER: Thank you. Thank you  
8 very much. Thank you, Madam Chair.

9 CHAIRWOMAN KRUEGER: Thank you.

10 CHAIRWOMAN WEINSTEIN: Thank you. We  
11 have -- Assemblywoman Niou has a question.  
12 Or statement.

13 ASSEMBLYWOMAN NIOU: A question.  
14 Actually, this is just for folks on the  
15 panel, particularly Jasmine. But, you know,  
16 the Executive Budget proposed -- I had asked  
17 this question earlier, but proposed cutting  
18 the entirety of the \$1 million budget  
19 allocated to culturally responsive education  
20 last year. And I know that AQE actually  
21 suggests 50 million for truly responsive  
22 programming.

23 You know, I'm as concerned as AQE is  
24 about, you know, given our current political

1 climate and the potential social and cultural  
2 development impact of learning from home,  
3 what is actually, you know, needed for our  
4 students in holistic learning. So I just  
5 kind of wanted to, you know, tap your brain  
6 on what we should be asking for in this  
7 budget and why.

8 MS. GRIPPER: Yeah, I'll start with  
9 the why. You can be a student in New York  
10 State and go through elementary and middle  
11 school and never see yourself reflected in  
12 any of the books you read as a child of  
13 color. Right? And so our students are more  
14 likely to read about an animal than they are  
15 to read about someone who looks like them if  
16 they are Black, if they are Asian, if they  
17 are Latinx.

18 And so we absolutely need to quickly  
19 address the problem. Our system is very  
20 overwhelmingly children of color, and they do  
21 not see a positive reflection of themselves  
22 in the curriculums we use in our schools.

23 As we build this democracy that's  
24 based on unity and respect for one another,

1 we absolutely need to invest in a curriculum  
2 that uplifts every culture and isn't just  
3 white European-centric.

4 And so by taking away money from  
5 culturally responsive education, we are  
6 moving us backwards instead of moving us  
7 forward. Which is why it's absolutely  
8 imperative that the Legislature rejects all  
9 of the Governor's cuts in state aid.  
10 Reinstate that money, and actually make  
11 critical investments. Right? We can't just  
12 maintain the status quo. We have to move  
13 from what we had before to a system of equity  
14 and a system of balance and a system where  
15 everyone sees themselves reflected.

16 ASSEMBLYWOMAN NIOU: Thank you for  
17 that. And, you know, just because of time, I  
18 kind of wanted to ask you -- I mean, one of  
19 the things that we had talked about before  
20 was a study that was done. When children see  
21 educators and even administrators of color,  
22 even one, in their school, their percentage  
23 in their grades changed significantly.  
24 Right?

1           MS. GRIPPER: Absolutely. Students  
2           need to see themselves in the leadership of  
3           the school building. Right? If the only  
4           person that looks like you is the person  
5           cleaning the floors, that sends a message to  
6           students. There's nothing wrong with  
7           cleaning the floors, but why is it that the  
8           only person that looks like me is that  
9           person? It's not a position of authority and  
10          power.

11          And so we definitely need to increase  
12          diversity in our educator workforce across  
13          schools across New York State. That's not  
14          just a New York City problem, that is a  
15          statewide problem we have that I think other  
16          legislators brought up during the hearing  
17          today as well.

18          ASSEMBLYWOMAN NIOU: Thank you. And  
19          just because -- you know, I'm running out of  
20          time, but maybe you can answer this. But,  
21          you know, because I'm sitting on the  
22          Libraries Committee, what are some things  
23          that you think that our libraries could be  
24          shifting to be doing if we're actually

1 investing in them?

2 MS. GRIPPER: Yes, libraries are  
3 crucial in this moment when you think about  
4 connectivity. Students were, before, going  
5 to libraries to access the internet when they  
6 didn't have it at home. Families were  
7 accessing these services. We need to get our  
8 libraries back open, in collaboration with  
9 the community school model -- I want to  
10 uplift -- so that our libraries and schools  
11 can work together to meet the needs of  
12 students in the community.

13 ASSEMBLYWOMAN NIOU: Thank you.

14 CHAIRWOMAN WEINSTEIN: Thank you.  
15 Thank you both for the work you do and the  
16 information you are able to bring to the  
17 Legislature. It's very much appreciated.

18 So we are going to move on to the next  
19 panel. This is going to be Panel E. I think  
20 all the participants are here. I'll just  
21 read through the names: New York State  
22 Council of School Superintendents, Robert  
23 Lowry, deputy director; Council of School  
24 Supervisors and Administrators, CSA, Mark

1 Cannizzaro, president; School Administrators  
2 Association of New York State, Cynthia  
3 Gallagher, director of government relations;  
4 New York State School Boards Association,  
5 Brian Fessler, director of government  
6 relations; and ASBO New York, Brian  
7 Cechnicki -- hopefully I didn't mess that up  
8 too much -- executive director.

9           Just as a reminder, we'll go through  
10 the panel in that order. Each of you will  
11 have three minutes. Keep an eye on the  
12 clock. And then there may be questions from  
13 members. We already have everybody's  
14 prepared statement, so please summarize the  
15 high points. And if you take less than three  
16 minutes, it would be much appreciated for  
17 those of us sitting here since 9:30 this  
18 morning.

19           So if Robert Lowry -- if you can  
20 begin, please.

21           MR. LOWRY: Good afternoon. Robert  
22 Lowry, from the New York State Council of  
23 School Superintendents, and thank you for  
24 this opportunity.



1           I'll make three points. First, the  
2           7.1 percent statewide increase in total state  
3           and federal funding shown on aid runs is not  
4           representative of what most districts would  
5           get. The new federal aid is heavily targeted  
6           to high-poverty districts, so fewer than one  
7           in 10 districts would receive increases of  
8           7 percent or more. Half the districts would  
9           get increases of 2.1 percent or less,  
10          including one-quarter that would see  
11          reductions in total funding, notwithstanding  
12          the one-time \$3.8 billion boost in federal  
13          help.

14          Second, the budget would make two cuts  
15          in state support that would entirely offset  
16          the federal aid for over 70 percent of  
17          districts. One would impose a \$1.3 billion  
18          reduction in reimbursements to school  
19          districts for STAR property tax exemptions.  
20          The financial plan states that the cut is to  
21          be recurring. So that begs the question,  
22          what's supposed to happen to STAR when the  
23          federal money is gone? To replace that  
24          revenue, school districts subject to budget

1 votes would need to cut spending by an  
2 average of 3 percent, or raise local taxes by  
3 5 percent, or do some combination of the two.

4 The other cut is part of a proposal to  
5 consolidate 11 aid categories into services  
6 aid, and cut the total by almost \$700 million  
7 from what districts would receive under  
8 existing formulas. This raised a few alarms.  
9 The cuts would be generally regressive,  
10 taking more per-pupil from the higher-need  
11 districts. New York City alone would lose  
12 close to \$620 million.

13 Also, the proposal would obliterate  
14 one remaining strand of predictability in  
15 school revenues. Districts can't predict  
16 from one year to the next what will happen  
17 with Foundation Aid, and the tax cap has made  
18 predicting -- forecasting property tax  
19 revenues more difficult. At least until now,  
20 districts had known that if they spent more  
21 on transportation or charter school  
22 transition or charter school tuition or BOCES  
23 services, they could expect to get more aid  
24 from those categories. That wouldn't be the

1 case anymore.

2           You've heard from a few witnesses  
3 about problems with reimbursement for special  
4 transportation aid expenses this past year.  
5 We expect to support the Regents proposal on  
6 that, but I'll add that that fact tends to  
7 create exaggerated increases in services aid  
8 because some districts have depressed  
9 estimates of Transportation Aid for the  
10 current year.

11           For my last point, I'll close by  
12 saying that while the pandemic is  
13 unprecedented, we've been through tough times  
14 before, and one of the lessons is that the  
15 hardest choices come when the federal aid is  
16 gone. And this budget proposes to use the  
17 entire \$3.8 billion in the coming year.

18           We did a survey in 2011, three years  
19 after the onset of the Great Recession. That  
20 was the year the federal aid was gone, and we  
21 found that 80 percent of districts eliminated  
22 teaching positions in their budgets that  
23 year. That was on top of 66 percent who did  
24 so the year before, and 44 percent who did so

1 in the first year after the Great Recession.

2 So we'll support efforts to raise  
3 additional state revenue, including taxes  
4 paid by the wealthiest New Yorkers, and will  
5 continue to join in efforts to get more  
6 federal fiscal relief for state governments.

7 Thank you for your time and for all  
8 your past support.

9 CHAIRWOMAN KRUEGER: Thank you.

10 Next?

11 MR. CANNIZZARO: Good afternoon.  
12 Thank you for hearing me today, and thank you  
13 for your endurance. I've been with you most  
14 of the day, so I understand what it's been  
15 like.

16 You know, as most of you know, the  
17 incredible work that school leaders do across  
18 the state -- and in particular, from my  
19 perspective, in New York City -- on any given  
20 year -- this year, though, the work has been  
21 nothing short of phenomenal. They have  
22 opened their buildings while being faced with  
23 forcing to reprogram time and time again due  
24 to shifting students in and out, staff

1 members maybe going out on accommodation, and  
2 programing that required additional teachers  
3 that most of the schools still do not have.

4           They've done it despite some poor  
5 communication that has been coming down from  
6 above, and changing communication,  
7 constantly. In fact, they haven't had a  
8 moment of downtime since back in March.  
9 They're up all night on evenings and weekends  
10 now, waiting for what we call the situation  
11 room to contact them and let them know  
12 whether their school will be closed for the  
13 next day. And when they get a call at 10:30  
14 or 11 o'clock at night, they're up for hours  
15 after that trying to contact families and  
16 staff members to let them know that the  
17 school is either open or closed for the  
18 following day.

19           Yet they show up in the morning with  
20 smiling faces, greeting the students and  
21 doing what they have to do to make sure that  
22 the kids are getting what they need.

23           I know you've heard so much about  
24 school aid today, and you get it. It's

1 obvious from hearing you that you get all  
2 about don't supplant, supplement. You know  
3 the difficulties we're in. So I am going to  
4 assume you've got that and you're going to  
5 advocate for us. But keep in mind while  
6 you're doing so, come September, most of our  
7 students who show up in school buildings --  
8 and I hope they do show up in September in  
9 school buildings -- most of them will not  
10 have been in a building in 18 months, so it's  
11 going to require more effort, more resources  
12 than ever before in order to reacclimate our  
13 students in many areas, not only academic but  
14 social and emotional.

15           And I'll close with asking you for  
16 your continued support for our Executive  
17 Leadership Institute. You have been there  
18 for us every single year, and our Executive  
19 Leadership Institute provides professional  
20 development for school leaders that is not  
21 found in most places, and most districts do  
22 not provide for the school leaders.

23           Two of our major programs really need  
24 to be funded and funded well. The one that I

1 want to concentrate on right now is our ALPAP  
2 program, which prepares experienced assistant  
3 principals for the role of principal. We're  
4 pretty certain we're going to experience  
5 greater than normal turnover, and we would  
6 like to double the size of that program, and  
7 we're going to need to be funded to do so.

8 It is an extremely successful program.  
9 We have produced over 200 principals in the  
10 last eight or 10 years from that program that  
11 are highly successful and have done a great  
12 job. So the data is there, the program  
13 works, and we're very proud of it. And we  
14 just hope that we're able to count on you  
15 again to keep us in mind when that  
16 opportunity comes.

17 So thank you all so much.

18 CHAIRWOMAN WEINSTEIN: Thank you.

19 Cynthia Gallagher?

20 MS. GALLAGHER: Yes, good afternoon.

21 And it is so nice to see all of you.

22 I thank you for the opportunity to  
23 present testimony. It is always a privilege  
24 to do that before this body. As you know,

1 the School Administrators Association of  
2 New York State represents about 8,000  
3 building administrators and program  
4 directors.

5 At this time last year, I was  
6 momentarily citing a study that indicated  
7 that our principals were the most respected  
8 persons in their community, even outpacing  
9 clergy, ministers and police officers.

10 I'm here to say, for all the reasons  
11 that Mark just reiterated, that that trust  
12 was well-placed this year, as our building  
13 leaders really led the way through this  
14 pandemic.

15 As we have talked to members this  
16 year, there are three things that they've at  
17 least brought up consistently regarding the  
18 fiscal picture. And that was they needed to  
19 be assured about reimbursement for all of the  
20 COVID-related expenses. Two, fear that that  
21 20 percent withholding, whether there was  
22 accurate information on it or not, there was  
23 still that fear that that in fact would be  
24 enacted or, worse, made permanent.



1           And then third, personnel costs. We  
2 haven't heard too much about that today, but  
3 the personnel costs in terms of substitutes  
4 and personnel in business offices, but more  
5 importantly the amount of training and  
6 turnkey training that was needed this year.  
7 Every time new protocols came out, every time  
8 that new guidance from health departments  
9 came out, every time a new software program  
10 was introduced or a new platform or whatever  
11 it was, that was at the impetus of our  
12 building administrators doing that.

13           I raise that now because in the  
14 past -- thank you -- you've supported us  
15 through \$475,000 of professional development,  
16 and that was eliminated from the budget this  
17 year.

18           Longer look, this year has shown us  
19 that the pandemic has shone a bright light on  
20 many of our systems that have not served us  
21 well -- none more so, perhaps than the  
22 financing of education. And when I was  
23 putting this testimony together, I was  
24 reminded that this really was a discussion

1 about the state's fiscal funding of  
2 education -- not an understanding of how  
3 fiscal dollars were going to help us stop  
4 that or stopgap what we needed.

5 So I think the bright light, the  
6 spotlight, the extraordinary light is put on  
7 our finance now, and it shows us the same  
8 programs that Bob addressed. We have a  
9 Foundation Aid formula that is in name only.  
10 We've reduced that, we play with the  
11 components, and then we siphon off money  
12 through another set-aside, community school  
13 districts, and then we collapse aids.

14 And then, further, this year we put in  
15 year-to-year losses and decreases for what?  
16 For a relief program that will only last a  
17 year. Interestingly enough, we backloaded  
18 that federal relief funding into the  
19 2021-2022 school year. Other states have  
20 used that over multiple years and have used  
21 it strictly for COVID.

22 So I thank you for your support in all  
23 of the previous budgets, and we continue to  
24 express our deep desire to work with you in

1 any way that we can. Thank you.

2 CHAIRWOMAN WEINSTEIN: Thank you.

3 Brian Fessler, please.

4 MR. FESSLER: Hi. Good afternoon,  
5 everyone. Thank you for the opportunity and  
6 for your collective support of our public  
7 schools and public education.

8 I think, given the circumstances,  
9 NYSSBA is pretty relieved that the -- that  
10 statewide we see a net \$2 billion funding  
11 increase rather than the \$5 billion state aid  
12 cut that we were facing the real prospect of  
13 only weeks ago. However, when we look into  
14 those numbers, as you've heard plenty of  
15 times today, we see that more than  
16 600 districts would receive less than the  
17 7 percent statewide increase, on average, and  
18 more than 150 districts would see a net  
19 decline in funding.

20 Now, those numbers are true even after  
21 factoring in the allocation of the entire  
22 \$4 billion in stimulus funding.

23 With that, while we understand the  
24 current state budget challenge and strongly

1 support the new stimulus package, with  
2 funding for both the state and school  
3 districts, NYSSBA does have serious concerns  
4 about the Executive's overreliance on federal  
5 funding to fill the state deficit through  
6 backfilling the new \$1.35 billion cut to  
7 school aid, and the decision to fold STAR  
8 property taxpayer funding into those school  
9 aid figures.

10 At best, I think the stimulus funding  
11 for education, you know, was intended to help  
12 school districts meet the extraordinary costs  
13 of the pandemic, not to balance the state  
14 budget. And at worst, the one-time  
15 application of the entirety of the nearly  
16 \$4 billion creates really catastrophic  
17 challenges in '22-'23 and beyond, with a  
18 nearly \$2 billion hole in state aid alone.

19 NYSSBA is strongly opposed to the  
20 consolidation and elimination of  
21 expense-based aids into this new services aid  
22 block grant. This proposal reduces school  
23 aid in the coming year alone by nearly  
24 \$700 million and would freeze those funding

1 levels indefinitely. The proposal would  
2 eliminate one of the few areas of  
3 predictability that school districts have  
4 when it comes to state aid, and it would also  
5 put the basic viability of BOCES as  
6 educational institutions at risk.

7 While funding will always be critical,  
8 NYSSBA -- I think it's fair to say -- is  
9 disappointed by the lack of proposals related  
10 to budget flexibility and relief from cost  
11 drivers. Given the volatility of state and  
12 federal funding right now, we think it's  
13 important to at least temporarily allow an  
14 increase to districts' fund balance limits to  
15 both protect districts and taxpayers from  
16 what would be massive funding cliffs after  
17 '21-'22, and we strongly encourage at least  
18 temporary adjustments to the property tax  
19 cap, which will limit school districts to the  
20 lowest tax cap level in half a decade.

21 Lastly, we strongly oppose the  
22 elimination of the more than \$300 million in  
23 approved school aid through the cancellation  
24 of the prior year aid claims list. And while

1 we appreciate the Executive's affirmation  
2 that school district transportation expenses  
3 related to delivery of student meals and  
4 instruction materials should be aided, the  
5 proposal leaves millions of dollars in  
6 standby costs from '19-'20 unaided, and the  
7 proposal should also cover the entirety of  
8 the pandemic, including costs incurred during  
9 the current school year.

10 Thank you.

11 CHAIRWOMAN WEINSTEIN: Thank you.

12 And lastly, ASBO New York.

13 MR. CECHNICKI: Thank you. Good  
14 afternoon. My name is Brian Cechnicki, and  
15 I'm the executive director of ASBO New York,  
16 the Association of School Business Officials.  
17 You have our written testimony, and I'd like  
18 to highlight a few items.

19 ASBO New York represents the people  
20 who work in business offices in 92 percent of  
21 school districts and BOCES across New York.  
22 School business officials, as the chief  
23 financial officer of their district or BOCES,  
24 are responsible for the fiscal management of

1 their institutions.

2 As the financial experts in the school  
3 districts who experienced the Gap Elimination  
4 Adjustment of the 2010s and know a fiscal  
5 cliff when we see one, we are greatly  
6 concerned about what this budget proposal  
7 sets up for the future. Between 2009 and  
8 2011, the state cut aid to schools and  
9 backfilled those cuts with federal ARRA  
10 funding. When those federal dollars expired,  
11 districts faced a \$2.5 billion reduction in  
12 state aid that took five years to fully  
13 restore.

14 This year's proposal is a ghost of the  
15 past that school districts are all too  
16 familiar with, as they're still dealing with  
17 the programmatic fallout from those cuts.

18 While there's unquestionably good news  
19 that the federal government has provided  
20 \$3.8 billion for New York schools on top of  
21 the \$1.1 billion from the CARES Act funds,  
22 the Governor's own financial plan still  
23 leaves a major funding gap. In just  
24 12 months, the projected growth in school aid

1 over a four-year period has been cut by  
2 \$10 billion, or \$13.6 billion when you count  
3 payments to school districts for reimbursing  
4 the STAR program. That leaves an  
5 \$8.7 billion fiscal cliff that school  
6 districts will be pushed over after this  
7 year, resulting in dramatic cuts to  
8 educational programs. That is a GEA 2.0.

9 Unlike the original GEA, school  
10 districts face this new crisis having  
11 incurred expenses from operating under a  
12 pandemic for the past year. Compounding this  
13 reality is the Governor's services aid  
14 proposal, which would block-grant, cut and  
15 forever freeze important reimbursements like  
16 BOCES and Transportation Aids.

17 Cutting \$700 million from these aids  
18 and forever freezing their funding levels  
19 will decimate BOCES, special education and  
20 CTE programs and create a cost shift from the  
21 state to schools for their fixed  
22 transportation costs, which will also  
23 ultimately lead to reductions in quality  
24 educational programming.



1           Cutting state aid alone will have  
2           devastating consequences, but on top of that,  
3           school districts are facing a tax levy limit  
4           that is only 1.23 percent. The tax cap law  
5           should be amended to eliminate negative tax  
6           caps, make the growth factor the larger of  
7           2 percent or the rate of inflation, and to  
8           exempt all of the costs of responding to the  
9           COVID crisis that the state is shifting to  
10          school districts as a result of this  
11          proposal.

12           We would like to thank the Governor  
13          and the Division of Budget for providing  
14          clarity on their plan to fully restore  
15          payments that have been withheld from school  
16          districts to the 2019-'20 and 2020-'21 school  
17          years. School business officials know the  
18          economic and financial challenges facing the  
19          state. We must face those challenges smartly  
20          and use the additional federal money that's  
21          already in hand wisely, without creating a  
22          fiscal cliff that we can see coming.

23           We look forward to working with you to  
24          ensure that school districts have the

1 resources necessary to provide a high-quality  
2 education to all New Yorkers, now and in the  
3 future.

4 CHAIRWOMAN WEINSTEIN: Thank you.  
5 Thank you all. We have a couple of members  
6 who have some questions and comments.

7 Assembly chair of Education,  
8 Assemblyman Benedetto, first.

9 ASSEMBLYMAN BENEDETTO: Thank you.  
10 All I want to say is thank you for your  
11 testimony. It was enlightening, it's  
12 correct. And I personally want to say hello  
13 to my friend Mark Cannizzaro who I haven't  
14 seen in such a long time because of all this.  
15 And it's kind of nice to see you even if it  
16 isn't --

17 MR. CANNIZZARO: Good to see you.

18 ASSEMBLYMAN BENEDETTO: Thank you,  
19 folks, for your testimony today.

20 CHAIRWOMAN WEINSTEIN: Before we go to  
21 the Senate, I just wanted to acknowledge that  
22 our colleague Inez Dickens has been on with  
23 us and was leaving now. But I appreciate her  
24 diligence in being with the committee this

1 whole time.

2 Now for the Senate. Liz?

3 CHAIRWOMAN KRUEGER: I'm sorry. Hi.

4 Senator Shelley Mayer.

5 SENATOR MAYER: Thank you. Thank you  
6 very much, Senator Krueger.

7 And thank you to all of you. Special  
8 thanks to you, Mark and Cindy, for your  
9 members, really under incredible pressure.  
10 But all of you who work in buildings or  
11 represent school boards, I think, you know,  
12 we all know what a really tough time and what  
13 work you did.

14 Two questions. Brian, do you have a  
15 the list of the actual costs that districts  
16 incurred in meeting the COVID challenges this  
17 year? Is there some itemized list that you  
18 could share with those of us on this call at  
19 some point?

20 MR. FESSLER: I don't know which Brian  
21 that is.

22 SENATOR MAYER: Oh, I meant -- I meant  
23 the ASBO Brian, sorry.

24 MR. CECHNICKI: Well, actually the

1 answer is we -- prior to my starting here at  
2 ASBO, ASBO and school boards had partnered on  
3 a paper to look into these. So we have some  
4 information. It's -- it was survey-based,  
5 and so it's not fully comprehensive, but we  
6 can certainly make sure that you get that  
7 information.

8 SENATOR MAYER: Well, I think clearly  
9 it's quite important for us to be able to  
10 demonstrate that there were actual costs  
11 incurred and they are -- you know, we can  
12 compute what they are. And that, in our  
13 understanding, is what these federal funds  
14 should be used for, rather than simply to,  
15 you know, basically take the place of the  
16 state's responsibility.

17 My other question for you, Mr. Lowry,  
18 one of the things in the Governor's proposal  
19 is that these federal funds cannot be used in  
20 this current fiscal year, they're all  
21 allocated to the next fiscal year for the  
22 next group of federal funds. Whereas as  
23 you're pointing out, many schools both  
24 incurred expenses and are having financial

1 troubles now.

2 Can you comment on, you know, the  
3 sense that this is all put off until the next  
4 fiscal year, as opposed to right now, when  
5 you could use the money?

6 MR. LOWRY: Yes, that was an  
7 interesting point that one of the earlier  
8 speakers made. The federal law actually  
9 allows the money to be spent over three  
10 years. This would, as you say, put it off  
11 until next year and spend it all next year.

12 One of the things that we saw among  
13 superintendents -- we did not attempt to  
14 survey superintendents about the cost, but we  
15 heard that districts were basically spending  
16 whatever it took to open schools safely. And  
17 in some cases, that meant millions of dollars  
18 of expenses for, you know, PPE, for plastic  
19 barriers, for reconfiguring classrooms and so  
20 forth. And on top of that, we have the  
21 effects of the pandemic and the disruptions  
22 on students' learning and on their  
23 well-being.

24 So we don't have an estimate of the

1           dollar cost, but it's been significant. And  
2           one concern is that districts -- how do  
3           districts pay for that? They used up  
4           reserves. So they may not have money to deal  
5           with any cuts going forward in years to come.

6                        So, you know, as I say, we don't have  
7           solid dollar estimates, but we know that it  
8           was significant. And again, districts  
9           typically were spending whatever it took this  
10          year to open safely.

11                       SENATOR MAYER: Thank you very much.  
12          Appreciate it. Thank you.

13                       CHAIRWOMAN WEINSTEIN: Thank you.

14                       We go to Assemblyman Ra.

15                       ASSEMBLYMAN RA: Thank you, Chair.

16                       Thank you, guys, for being here.  
17          There's definitely a very knowledgeable and  
18          experienced group of people on this panel, so  
19          we thank you for your advocacy and your --  
20          and all the information you're able to  
21          provide to us.

22                       I just wanted to see if you could  
23          expound a little bit. So with regard to the  
24          consolidation of the expense-based aids

1 categories, in particular BOCES aid, two  
2 falls ago our conference held a series of  
3 roundtables around the state talking about  
4 our Learn For Work initiative, and we heard  
5 from lots of local BOCES in all different  
6 parts of the state. And one of the issues  
7 that in particular came up on Long Island  
8 was, you know, the ability of getting  
9 students into those programs and dealing with  
10 obviously the expense of it.

11 And so my issue or concern last year  
12 when this came up, and again now, is what  
13 does consolidating an aid category in that do  
14 to your ability within your local districts  
15 to, you know, send a student to a BOCES  
16 program when you feel that's the best fit for  
17 them?

18 MR. LOWRY: Well, I'll start.

19 You know, one thing about the  
20 proposal -- first of all, yes, it would make  
21 it unpredictable going forward. You know,  
22 right now you spend money on BOCES services,  
23 you can anticipate being reimbursed for that.  
24 This would freeze BOCES aid, in effect, and

1           reduce the total, and we wouldn't know from  
2           one year to the next whether that funding  
3           would go up or down or how much.

4                     Another issue is that this year, BOCES  
5           aids may be depressed for many districts  
6           because, for example, districts didn't do  
7           summer school. Often many districts rely on  
8           BOCES to provide summer school.

9                     So, you know, we're especially  
10          concerned about the effect of the proposal on  
11          BOCES.

12                    MS. GALLAGHER: If I may, also, it  
13          struck me through listening to this morning's  
14          presentations that it reduces students'  
15          options, CTE programs for sure. But as the  
16          State Ed Department tried to increase the  
17          number of options for different graduation  
18          pathways, whether it be art, music -- we see  
19          through the pandemic just how much reduction  
20          in optional programs offered by districts  
21          really affects student involvement and  
22          student engagement.

23                    MR. FESSLER: And I think that the  
24          challenges are there on the district side



1           between the potential, you know, comparative  
2           cost increases and potential loss of academic  
3           opportunities for students, but then on the  
4           provider's side, as a BOCES, not only are  
5           they offering a number of kind of traditional  
6           and emerging educational opportunities for  
7           students, but we've also seen, as school  
8           districts kind of are pushed and moved  
9           towards consolidation of services and finding  
10          efficiencies, they've been able to tap into  
11          their BOCES to provide non-instructional  
12          services and back office functions.

13                    And this proposal would kind of  
14          threaten, as I noted, you know, the viability  
15          of BOCES as institutions. So you would have  
16          the potential, whether short term or long  
17          term, you know, to eliminate some of those  
18          efficiencies and challenges, which would then  
19          have, you know, kind of a secondary potential  
20          cost increase for school districts statewide.

21                    CHAIRWOMAN KRUEGER: Thank you.

22                    MR. FESSLER: Thank you.

23                    CHAIRWOMAN KRUEGER: If I can continue  
24          with -- thank you -- our chair of Education,

1 Sean, hi.

2 SENATOR RYAN: Thank you very much.

3 CHAIRWOMAN WEINSTEIN: The chair of  
4 Libraries, you mean.

5 CHAIRWOMAN KRUEGER: Oh, I'm so sorry.  
6 I am tired. I apologize to everyone.

7 SENATOR RYAN: I thought you didn't  
8 tell Shelley yet, but --

9 (Laughter.)

10 CHAIRWOMAN KRUEGER: We've had a busy  
11 day here.

12 (Overtalk.)

13 CHAIRWOMAN KRUEGER: Sean Ryan, the  
14 brand-new Senator from Buffalo, also known  
15 well to the Assembly, the new Libraries  
16 chair.

17 SENATOR RYAN: Thank you. Thank you.

18 Everyone -- it's been a crazy year,  
19 everyone's been pitching in, doing fantastic  
20 work. And I know all your organizations have  
21 been great resources to districts as they  
22 were muscling through this. And I know you  
23 provided, you know, guidance to districts  
24 about the districts who chose to reopen

1 before Christmas, in an area like Buffalo,  
2 which we were in an Orange zone then and  
3 there was a lot of mandated testing.

4 So I have a question on the same  
5 wavelength as Shelly's about is there a  
6 possible reimbursement, you know, anywhere  
7 for the districts who did reopen and did all  
8 that testing while they were in the Orange  
9 Zones?

10 MR. CECHNICKI: If I may jump in, you  
11 know, part of -- that's part of the intent  
12 behind that additional \$3.8 billion that  
13 we're receiving from the federal government,  
14 right? The intended expenses for those funds  
15 are really a lot of those same reopening  
16 costs. And so I think so the challenge here  
17 for districts is if we're to use those to --  
18 and I know we've heard this a lot today, but  
19 to use those to supplant state funding, then  
20 you're right, those monies are not available  
21 for those expenses.

22 And so it's important to make sure  
23 that that federal money we're receiving is  
24 supplemental so that those costs can be

1 covered and traditional state resources are  
2 providing sort of the ongoing operational  
3 costs.

4 MR. LOWRY: And I'd say that, you  
5 know, there's no explicit funding to  
6 reimburse districts for those costs. There's  
7 partial funding for the special  
8 transportation costs that districts incurred  
9 last spring in delivering meals, instruction  
10 materials, creating mobile hotspots. Those  
11 aren't aidable under regular Transportation  
12 Aid.

13 But with the federal money, as we've  
14 said, almost half of it would be offset by  
15 reductions in state funding, and for  
16 70 percent of the districts it would be fully  
17 offset by the reductions in state funding.

18 SENATOR RYAN: So I would also  
19 encourage districts that you dealt with  
20 that -- you know, who did things like incur  
21 all this testing that other districts  
22 didn't -- {inaudible} expense.

23 And then on more of an esoteric  
24 matter, I keep getting people reaching out to

1 me about diversion of state sales tax from  
2 the schools to a distressed provider  
3 assistance account for hospitals. Did anyone  
4 hear about anything about that?

5 (No response.)

6 SENATOR RYAN: Well, I'll reserve that  
7 one offline and I'll send it to Bob in an  
8 email to see if you can make head or tails of  
9 it for me.

10 Thank you.

11 CHAIRWOMAN WEINSTEIN: Thank you.

12 Thank you, Sean. Good to see you.

13 We go back now to the Assembly.

14 Assemblyman Otis?

15 ASSEMBLYMAN OTIS: Hi, there,  
16 everybody. Thank you -- thank you for the  
17 good testimony. And I think this is one of  
18 the most important panels that we hear from  
19 today, and that's because since this is a  
20 budget hearing, the key components at issue  
21 that we have to try and fix in the budget are  
22 outlined in your highlights of your oral  
23 testimony and your written documents.

24 And I think that what's vitally

1 important in addition to what you've shared  
2 today is to your regional associations -- and  
3 we meet with the people here in Westchester  
4 and the Hudson Valley -- but for your member  
5 organizations, your school districts and your  
6 superintendents and your business officers,  
7 that they more than ever communicate to their  
8 legislators around the state how these  
9 different changes that are proposed in the  
10 budget affect their districts.

11 Because we have some of the things  
12 that are proposed this year, or we've seen  
13 before consolidation of aids, which is  
14 problematic at all times. And all these  
15 other things really are especially dire this  
16 year.

17 So that's my request. And I think  
18 you're probably already doing it, but to make  
19 this more granular on a school district level  
20 helps all of the members of the Legislature  
21 make the case for their districts.

22 CHAIRWOMAN WEINSTEIN: Thank you.

23 Senate, do you have any further  
24 members?

1                   CHAIRWOMAN KRUEGER: Definitely  
2           Senator John Liu, and I see a hand from  
3           Senator Robert Jackson, so maybe we'll have a  
4           multiple.

5                   Senator John Liu.

6                   CHAIRWOMAN WEINSTEIN: Okay. Because  
7           we have no other Assembly members, so we can  
8           move forward.

9                   CHAIRWOMAN KRUEGER: Okay.

10                   SENATOR LIU: Thank you, Madam Chair.  
11           And in fact, many of my questions have  
12           already been answered. I Just want to say --  
13           shout out a thank you to our school  
14           administrators and, in particular, to the  
15           members of CSA, who are well represented by  
16           Mark Cannizzaro here.

17                   You know, I interact with all of my  
18           local principals, and these are people who  
19           are caught between a rock and a hard place  
20           like you could never wish on anybody.  
21           Between these mandates, many of them  
22           ridiculous or at least, you know, seemingly  
23           irrational coming from the Department of  
24           Education, and then parents who are --

1 screaming parents who are irate, and  
2 justifiably so, and the principals are just  
3 caught in between.

4 So, Mark, thank you to you and your  
5 members, and thanks to the other  
6 administrators on this panel for the work  
7 that you do.

8 MR. CANNIZZARO: Thank you, Senator.

9 CHAIRWOMAN KRUEGER: Thank you. And  
10 now Senator Robert Jackson, if you're there.  
11 See, sometimes he is and sometimes he isn't.  
12 Oh, here he is.

13 SENATOR JACKSON: You know, like  
14 everything else, all day you have to juggle,  
15 you know?

16 CHAIRWOMAN KRUEGER: Trust me, I do  
17 know that.

18 (Laughter.)

19 SENATOR JACKSON: Well, first,  
20 committee members, let me apologize, I was in  
21 another meeting. But when I came in, I heard  
22 a couple of you. I just want to say that the  
23 struggle continues every single day with  
24 respect to dealing with this budget



1 situation.

2 And obviously it's an Executive Budget  
3 proposal, but I was talking, listening to the  
4 chancellor and listening to other people  
5 speak, and New York City, with some of the  
6 impact it's going to have, it's going to be  
7 like a billion dollars. And so I turn to  
8 Mark, the president of the Council of  
9 Supervisors and Administrators, that  
10 basically is New York City -- Mark, I ask  
11 you, and I wanted to ask this of some other  
12 panelists, are you in favor of the  
13 legislative body raising revenue from the  
14 wealthiest New Yorkers in order so that we  
15 can carry out the programs that we need to  
16 carry out with respect to having every child  
17 given the opportunity to get a sound basic  
18 education -- that's number one -- and also to  
19 make sure that we as a state, that we survive  
20 this pandemic together. And it's going to  
21 take revenues from the federal government,  
22 but also from us.

23 So -- and I meant to ask that to  
24 everyone, from an organizational point of

1 view, even though you are representatives, of  
2 the director of government affairs, so forth  
3 and so on. I ask you to go back to your  
4 boards or to your leadership and ask them,  
5 Are you willing to do that? And if the  
6 answer is yes, then communicate that in  
7 writing to the Governor and to the  
8 legislative leaders. If the answer is no,  
9 you're not, then answer my question, how are  
10 we going to survive this pandemic if we don't  
11 have the revenues that we need?

12 So I throw that out there, Mark, for  
13 you.

14 MR. CANNIZZARO: We sent you a letter  
15 of support last year on that, Senator. Happy  
16 to do it again, and happy to continue to  
17 advocate.

18 Look, we cannot operate on level  
19 funding, let alone a billion-dollar loss.  
20 The needs next year are going to be far  
21 greater than ever before. And we've been  
22 struggling along, and I heard some folks talk  
23 about spending any type of surpluses down.  
24 We have -- 60 percent of our schools right

1 now are scheduled to be in a deficit rollover  
2 for next school year.

3 There is no way that any school can  
4 start next year behind the eight ball, let  
5 alone not have the increases they need in  
6 order to serve the students that we need.

7 Again, I said before, it will be  
8 18 months before approximately 80 percent of  
9 our students are back in school. Right? So  
10 80 percent of our students will have been out  
11 for 18 months if we get back in September.  
12 There is no way we can do it without the  
13 funding. So anything that needs to be done,  
14 you know, on a temporary basis or a permanent  
15 basis, we need to do, because it's going to  
16 cost a hell of a lot more later if we don't  
17 fund education now.

18 CHAIRWOMAN KRUEGER: Thank you. And  
19 also --

20 CHAIRWOMAN WEINSTEIN: Thank you.

21 SENATOR JACKSON: Are there any other  
22 comments from anyone else? Even though my  
23 time is up --

24 CHAIRWOMAN KRUEGER: Your time is up.

1           CHAIRWOMAN WEINSTEIN: Your time is  
2 up, Senator.

3           SENATOR JACKSON: -- I ask you to  
4 consider that -- I know. I ask you to  
5 consider that and take it back to your boards  
6 and then put it in writing.

7           CHAIRWOMAN KRUEGER: Thank you,  
8 Robert.

9           I also, just in closing, I have to  
10 share John Liu's view about if you're from  
11 New York City, as I am, you know that if  
12 there's ever an issue in your schools, you  
13 have the parents and the children and the  
14 teachers, and if you want it to work, you get  
15 great principals in there. And if you have  
16 great principals, you don't actually have  
17 problems in your schools.

18           So thank you and your members so much  
19 for all that they do. And I don't know how  
20 anybody's kept their head on straight this  
21 year, given that --

22           MR. CANNIZZARO: Thank you, Senator.

23           CHAIRWOMAN KRUEGER: -- we change the  
24 rules of the road every single day, it feels

1 like.

2 CHAIRWOMAN WEINSTEIN: I want to  
3 second Senator Krueger's comments and say  
4 thank you, on behalf of all our members, for  
5 what you've been able to do this year under  
6 such trying circumstances.

7 Thank you. Thank you all. And we're  
8 ready for the next panel.

9 MR. CANNIZZARO: Thank you.

10 CHAIRWOMAN WEINSTEIN: Panel F, which  
11 is New York Charter School Association,  
12 Yomika Bennett; Charter Parent Council, Maria  
13 Cruz; New York City Charter School Center,  
14 James Merriman; Charter Parent Council of  
15 New York State, Sabrina Skelton; and  
16 StudentsFirstNY, Crystal McQueen-Taylor.

17 I wonder what the subject matter is of  
18 this panel.

19 MS. BENNETT: Good afternoon.

20 CHAIRWOMAN WEINSTEIN: Hi. So if we  
21 can go in that order, Yomika Bennett,  
22 executive director.

23 MS. BENNETT: Thank you. Thank you  
24 for the opportunity to provide testimony

1           today.

2                   My name is Yomika Bennett. I'm the  
3           executive director of the New York Charter  
4           Schools Association. We represent the  
5           interests of public charter schools, students  
6           and families across the state.

7                   Throughout the pandemic, charter  
8           schools, like many schools, have worked  
9           tirelessly to provide meals, drop-in  
10          childcare resources, access to technology,  
11          and more. And at the same, of course,  
12          schools went above and beyond to deliver a  
13          quality education for their students.  
14          Families delivered in adjusting to new  
15          learning environments and supporting  
16          students. And I'm so glad to see the  
17          empowered parents of charter school students  
18          here ready to testify today.

19                   As you negotiate the final terms of  
20          the budget, we ask that you ensure funding  
21          parity is maintained for all public schools,  
22          upstate and downstate, district and charter,  
23          including ensuring the charter tuition  
24          formula is -- fairly and equitably provides

1 funding for charter school students. Every  
2 public school student deserves an equitable  
3 level of resources regardless of the type of  
4 public school they attend or where the school  
5 is located.

6 And I'll add, of course, that a  
7 holistic view of funding and recovery is  
8 needed, and it has to include all sectors --  
9 education, transportation, environment and  
10 more. We need an all-out effort to stimulate  
11 the state's economy, and we need the funding  
12 not only for education but for our families  
13 who lost jobs, lost income, who are  
14 struggling to recover from the crisis as  
15 well.

16 As we look ahead to the school year,  
17 post-COVID-19 recovery is of course the  
18 primary focus. Two priorities are supporting  
19 students' return to schools full-time,  
20 safely, and ready to engage and learn with  
21 their friends, peers and teachers, as well as  
22 equity in resources to help achieve a  
23 successful recovery, including addressing  
24 learning loss and trauma, for all students

1           regardless of race, needs, or zip code.

2                     We support the proposal to reissue  
3 charters. This fair proposal will allow  
4 educators to start good schools and provide  
5 diversity and innovation in education for the  
6 benefit of the children in the state.

7                     As you know, too many students are in  
8 schools that are not meeting their academic,  
9 cultural, social or emotional needs. And we  
10 also know, right, that Black and Brown  
11 students and other students of color are  
12 likely to be more successful in schools where  
13 educators look like them, understand and  
14 respect their culture, and foster culturally  
15 responsive and academically rigorous  
16 educational spaces. Similarly, attention to  
17 fostering anti-racist, culturally responsive  
18 workplaces can help attract and retain  
19 educators of color.

20                     Public charter schools offer the  
21 unique and powerful opportunity for people of  
22 color to start schools and change the  
23 trajectory of education for many Black, Brown  
24 and other students of color in New York



1 State. We urge you to facilitate and  
2 encourage the establishment of new public  
3 charter schools that serve the diverse needs  
4 of all students.

5 Education is a civil right and a  
6 social justice issue. School leaders and  
7 parents across the state stand in solidarity  
8 to fight these issues and provide great  
9 schools. Charter schools are ready.

10 We all knew, even before the pandemic,  
11 the inequity in education was painfully  
12 evident, right, particularly for and as  
13 experienced by Black and Brown students,  
14 English language learners, and students with  
15 special needs. The pandemic and the focus on  
16 the social justice issues we've seen during  
17 this crisis have only brought those  
18 inequities into full relief.

19 We know that you have been in this  
20 fight for years, members of the Legislature.  
21 We trust that all students and families can  
22 count on your support to help address these  
23 inequities, and we look forward to working  
24 with you and other education stakeholders and

1 partners for fair funding for education and  
2 for educational equity.

3 Thank you, and I'll take any questions  
4 you have.

5 CHAIRWOMAN KRUEGER: Don't we have  
6 more panelists?

7 CHAIRWOMAN WEINSTEIN: I'm sorry, I  
8 was muted. Maria Cruz, please.

9 MS. CRUZ: Hi, thank you for having  
10 us. Thank you for this opportunity. Thank  
11 you for your patience and time; I know it's  
12 been a very long day.

13 My name is Maria Cruz, and I wear many  
14 hats in my community, but today I'm wearing  
15 my mommy hat. There's no doubt that there's  
16 the need for funding education, especially  
17 now at a time of crisis. But as a charter  
18 parent, I'm very concerned about funding  
19 equity, as COVID came to teach us that  
20 learning is different for every child.

21 I don't want to address why we should  
22 raise the funds for education, I just want to  
23 ask why. Why are we sending the message that  
24 children are worth different amounts based on

1 the type of public school that they attend?  
2 We know that there is not a one-size-fits-all  
3 in education, so why are we boxing children  
4 in a one-size-fits-all type of education and  
5 forcing parents to choose between a fully  
6 funded education and what works best for the  
7 child?

8 For eight years, I struggled with my  
9 district that was looking at my daughter's  
10 ability to learn and totally ignoring her  
11 needs. For eight years, my cries fell on  
12 deaf ears. After making no progress in the  
13 district, I decided to keep my children home  
14 and make myself responsible for their  
15 education. Home schooling continued for two  
16 years until my daughter received an offer  
17 from Young Women's College prep charter  
18 school in Rochester.

19 I chose to enroll my children in  
20 charter school because I understand that  
21 charter school curriculums have more to offer  
22 my children than academics. Charter schools  
23 are making a difference in our inner-city  
24 communities, allowing our children to receive

1 the type of education that few parents can  
2 afford.

3 The support my daughter receives from  
4 YWCP is immeasurable. YWCP takes care of the  
5 whole girl -- socially, emotionally,  
6 physically and academically. Failing is not  
7 an option a YWCP. My daughter and her peers  
8 are surrounded by trusting and caring adults  
9 that not only care about their academics but  
10 also make sure that their needs are met.  
11 They really go the extra mile for them, and I  
12 am particularly grateful for one specific  
13 teacher, her name is Miss Senecal, who is an  
14 amazing educator.

15 Because they recognize the importance  
16 of in-person education, YWCP began to bring  
17 the young ladies in the building, starting  
18 with those with IEPs, but only when they were  
19 confident that they could do so in a way that  
20 was safe and supportive for everybody.  
21 Teachers are risking their lives in the  
22 middle of a pandemic to educate and support  
23 my child, and the least thing that I can do  
24 is advocate for them and for every child they

1 feel is worth risking their lives for.

2 It amazes me how Rochester charter  
3 schools do so much with so little resources.  
4 These excellent schools, their educators and  
5 their students deserve to be fully funded.  
6 There are three things that we should  
7 consider when making decisions about  
8 education funding. That is that all children  
9 deserve it, that all children are worthy, and  
10 that it's only fair for all children.

11 Thank you for this opportunity, and  
12 God bless you.

13 CHAIRWOMAN WEINSTEIN: The panelists  
14 have three minutes each; I wasn't sure if I  
15 had mentioned it. You did fine, Maria.

16 Next, James Merriman.

17 MR. MERRIMAN: Good afternoon,  
18 everyone. Thank you, and thank you to the  
19 chairs. I've been here all day, heard all of  
20 it. I want to thank you in particular for  
21 allowing the charter parents to speak.

22 And in light of that, you know what  
23 our position is on the budget from my written  
24 testimony. I'm happy to take questions about

1           it, but I will cede my time to the good of  
2           all and just say one thing. Which is  
3           throughout, I've heard over and over from  
4           folks, the electeds who understand what  
5           people in schools have gone through over this  
6           last year.

7                     And I want to tell you, when you guys  
8           give such praise to the educators, to the  
9           staff members who set up cafeterias and food,  
10          to the principals, whose job is an impossible  
11          one, my being able to take back to them your  
12          praise for their work will mean an enormous  
13          amount to them.

14                    So with that, I'll conclude my  
15          testimony. I'm happy to take questions.

16                    CHAIRWOMAN WEINSTEIN: Thank you.  
17          Thank you. We'll move on to Sabrina Skelton.

18                    MS. SKELTON: Hi. My name is Sabrina  
19          Skelton, and I thank you for allowing me to  
20          testify this evening.

21                    As the parent of two New York City  
22          public charter school students, as well as  
23          the parent of a child at a district school in  
24          the Soundview section of the Bronx, it hurts

1 to know that I have to choose two different  
2 experiences for my children, based on my  
3 needs.

4 All three of my children live in the  
5 same household and go to an elementary school  
6 in the same district, yet one child is  
7 allotted more money for the educational  
8 experience than the others. As a DOE  
9 graduate of the same district my children  
10 attend, still not much has changed. And I'm  
11 here to advocate for the equity of funding  
12 for all, no matter what school I choose to  
13 place them in.

14 Two of my children attend Success  
15 Academy Bronx 4, an elementary school that  
16 serves Grades K-4. In these unprecedented  
17 times, I was at ease to know that my charter  
18 choice didn't think twice about being the  
19 first to close their schools as an immediate  
20 response to keeping our kids and community  
21 safe. The transition from in-person to  
22 remote learning has continued to be a  
23 well-executed decision that has kept my  
24 family and I with a peace of mind.

1           While I know that my remote transition  
2           experience has been much more positive than  
3           that of many other public school families,  
4           unfortunately many families in the Bronx and  
5           across the city may not have had the same  
6           experience. Never have the inequalities and  
7           inequities of our education system been laid  
8           so bare. I'm incredibly hopeful that we can  
9           work together to meet the needs of our city's  
10          students. As a constituent and member of the  
11          New York State Charter Parent Council, I ask  
12          that you consider a fair and equitable budget  
13          that allows me not to choose which child gets  
14          more. Would you?

15                 On behalf of all New York City public  
16          school parents, whether they are charter  
17          parents or district parents, I urge the  
18          committee to protect education in the state  
19          budget and to ensure that all of our children  
20          are valued equally. This is the time to put  
21          politics aside and make real, meaningful  
22          change for all of our children -- maybe some  
23          of yours.

24                 Thank you for your time.



1 CHAIRWOMAN WEINSTEIN: Thank you.

2 And lastly, we have Crystal  
3 McQueen-Taylor.

4 MS. McQUEEN-TAYLOR: Good evening.  
5 Thank you so much for the opportunity to  
6 present my testimony, particularly at this  
7 late hour of the evening. I've also been  
8 with you here all day, so I really appreciate  
9 your endurance and giving us the opportunity  
10 to speak.

11 My name is Crystal McQueen-Taylor. I  
12 am the chief advocacy officer of  
13 StudentsFirstNY. I am also a proud parent of  
14 a public charter school student, and I have  
15 navigated through various schools for him in  
16 the past couple of years as we've embarked on  
17 his education career.

18 When New York gets a cold, communities  
19 like mine, Bedford-Stuyvesant in Brooklyn,  
20 communities like the one that I taught in the  
21 South Bronx at P.S. 75, catches the flu. In  
22 the past several months we've seen the  
23 widening gap in what happens when a pandemic  
24 or another crisis hits. There's been food

1           insecurity, housing insecurity, there's a  
2           lack of access to healthcare. Now we're  
3           having lack of access to vaccines for  
4           essential workers and for senior citizens.

5                     And on top of that, we need to make  
6           sure that the students and the families and  
7           the communities that public schools,  
8           including public charter schools are serving,  
9           do not have to bear the burden of an  
10          additional crisis. We're on the precipice of  
11          an educational crisis.

12                    There are students who should have  
13          learned this year in kindergarten and will  
14          not, because they haven't been able to be in  
15          schools with their teachers, learning side by  
16          side. There are high school students who  
17          have left the system that schools cannot  
18          account for, and we do not know if they're  
19          going to come back.

20                    And this is why I've heard so many  
21          people this evening talk about the amazing  
22          work of teachers and school leaders, and I  
23          want to reiterate that, that public charter  
24          school staff and students have done herculean

1 tasks, they've moved mountains to make sure  
2 that schools can serve the needs of our most  
3 vulnerable children.

4 And so what I am here to ask you for  
5 is that you take the children that schools  
6 serve, including public charter schools, and  
7 keep them in the heart of the decision around  
8 the budget that you negotiate this session.  
9 We know that there will be hard decisions to  
10 make, but the children who have the most to  
11 lose should not have to shoulder the burden  
12 of those hard decisions.

13 Thank you so much for the time.

14 CHAIRWOMAN WEINSTEIN: Thank you.

15 We have Assemblywoman Hyndman with a  
16 question.

17 CHAIRWOMAN KRUEGER: And I have a  
18 couple of Senators after you.

19 CHAIRWOMAN WEINSTEIN: Okay. I think  
20 Alicia is our only Assemblymember.

21 Go ahead, Alicia.

22 ASSEMBLYWOMAN HYNDMAN: I'm still  
23 here!

24 (Laughter.)

1           ASSEMBLYWOMAN HYNDMAN: Thank you very  
2 much, Chair Weinstein. Yomika, it's always  
3 great to see you, and I'm going to try and  
4 direct all my questions so we can get  
5 answers.

6           To the parent Sabrina, how soon after  
7 the schools closed did your children have  
8 devices?

9           MS. SKELTON: They had devices I  
10 believe by late April, early May.

11          ASSEMBLYWOMAN HYNDMAN: And these are  
12 all three of your children, even the one  
13 that's in the --

14          MS. SKELTON: So my third child --

15          ASSEMBLYWOMAN HYNDMAN: The Success  
16 I'm asking.

17          MS. SKELTON: Oh, the Success children  
18 had theirs by late April, early May.

19          ASSEMBLYWOMAN HYNDMAN: Okay. And  
20 even though the children receive less money,  
21 they were able to get the -- I mean the money  
22 per student, I'm saying, they still had  
23 devices. Was it tablets or was it laptops?

24          MS. SKELTON: It was tablets.

1           ASSEMBLYWOMAN HYNDMAN: It was  
2           tablets. Okay, thank you.

3           To Ms. Cruz, one of the things that  
4           the Rochester superintendent said, that  
5           there's -- they don't want -- they would  
6           like, if at all possible, not to see anymore  
7           charter schools in the Rochester school  
8           district. How do you feel about that?

9           MS. CRUZ: Like I said, I wear many  
10          hats. And in my professional life, I serve a  
11          lot families in the district. As a mom, I  
12          truly believe and I truly support charter  
13          schools, not just for what charter schools  
14          are doing in the community, but for what it  
15          does for the child itself.

16          So charter schools tend to attend the  
17          child the way that they learn, it teaches the  
18          way that they learn. It teaches -- it takes  
19          care of every single aspect and every single  
20          need the child has.

21          So not giving the opportunity to other  
22          children to benefit from being educated --  
23          from having this type of education, I don't  
24          think is right. But I understand about the

1 budget and all the challenges that we have  
2 right now when it comes to budget and the  
3 crisis and everything. But it would be a  
4 shame not to give other children in the  
5 community this opportunity that my children  
6 have to be served as a whole person, not bits  
7 and pieces.

8 Children don't learn the same way. So  
9 having a cookie-cutter kind of education I  
10 don't think is the choice for our children.

11 ASSEMBLYWOMAN HYNDMAN: Thank you.

12 And my last question is to James. The  
13 Executive proposes to eliminate all state  
14 reimbursement to New York City for charter  
15 school rental assistance. What have you  
16 heard, if any pushback -- I mean, I'm sure  
17 the chancellor spoke about it today, I missed  
18 it. But what are you hearing, if you can say  
19 without --

20 MR. MERRIMAN: I mean, I've heard a  
21 lot of pushback. And this is a bit of a  
22 perennial battle, after all. And I think, in  
23 context, part of a larger battle between the  
24 state and the city over reimbursements for

1 various things, not just -- this is not the  
2 only thing that ever comes up. It may be the  
3 one in education, but sprinkled throughout  
4 the budget I'm sure people are aware, the  
5 Finance chairs are aware of other things that  
6 come up.

7 So I think it's part of a larger  
8 context of the budget. It was something that  
9 was proposed back in 2018 for the '19-'20  
10 state budget -- a little bit different, it  
11 had a cap of 10 million and then the state  
12 stopped paying after that. That was not  
13 enacted into law.

14 ASSEMBLYWOMAN HYNDMAN: Okay, thank  
15 you, that's my time. Thank you,  
16 Chair Weinstein.

17 CHAIRWOMAN KRUEGER: Thank you.

18 MS. BENNETT: Good to see you,  
19 Assemblywoman.

20 CHAIRWOMAN KRUEGER: Senator Shelley  
21 Mayer.

22 SENATOR MAYER: Thank you very much.  
23 And thank you to all of you, particularly  
24 parents. Thank you for being here and being

1           so passionate for the education your kids are  
2           getting. That's really -- that is what  
3           matters.

4           I had a question for Ms. Skelton. So  
5           your two children that are at Success got a  
6           device, you said, at end of April, right?

7           MS. SKELTON: Around that, either --

8           SENATOR MAYER: Yeah. And your child  
9           that's in public -- also elementary school,  
10          right?

11          MS. SKELTON: Yes.

12          SENATOR MAYER: When did that child  
13          get -- did that child ever get a device?

14          MS. SKELTON: We ended up -- so at  
15          that time, no, she didn't have a device as  
16          she was in a different school at that  
17          particular time.

18          SENATOR MAYER: Did the New York City  
19          public schools ever get her a device?

20          MS. SKELTON: Yeah, she had a device  
21          when she entered school -- when she -- yeah,  
22          when she had -- when she was in the school  
23          now, yeah.

24          SENATOR MAYER: And your two children



1 that are in Success Academy, that has been  
2 remote the whole time since March, as I  
3 understand, right?

4 MS. SKELTON: Yes.

5 SENATOR MAYER: And your child that's  
6 in public school, is that in-person?

7 MS. SKELTON: No.

8 SENATOR MAYER: Oh, it's remote as  
9 well.

10 So how have you felt that the remote  
11 education has worked? I mean you're speaking  
12 so highly of a fully remote education for  
13 younger children, and I'm interested in your  
14 experience that it's worked so well. What do  
15 you think is the success of it?

16 MS. SKELTON: Well, first and  
17 foremost, having -- the safety and well-being  
18 of our children is most important. And so  
19 we -- and the fact that Success Academy was  
20 the first to initiate that response was a  
21 tell-tale sign for me that they considered  
22 all children first.

23 With that said, I believe that the  
24 remote is not ideal for everyone. Of course

1 we want our children to have the experiences  
2 that we all had. And so for me, it's more  
3 about safety. That's the main concern for  
4 the population that, you know, we have.

5 I think remote learning is a dual  
6 process, it's not just children alone, it's  
7 not just teachers alone, it's also the input  
8 of parents and support with that. And I  
9 think with Success Academy, they have been  
10 great in the conversation and having the  
11 communication that's needed for an education  
12 process that's been working remotely.

13 I think that's -- that's their -- I  
14 think their standard, for me, I think that's  
15 really what puts the standard out there, is  
16 that the communication and that the input  
17 from parents and support from their parents  
18 really allow for this to be what it is and  
19 remote learning to be a great experience as  
20 we have it right now.

21 SENATOR MAYER: That's remarkable. I  
22 mean, we've heard that before.

23 Ms. Cruz, is your child in a fully  
24 remote situation?

1 ASSEMBLYWOMAN CRUZ: So my  
2 11-year-old, when September came, they were  
3 hybrid. So I chose my child to go to school  
4 three times a week. December came, and they  
5 went fully virtual. Now we're transitioning  
6 back. Now my 9th-grader, she's once a week  
7 because she has an IEP but the entire school  
8 year, first semester, they were fully  
9 virtual.

10 SENATOR MAYER: Okay. All right.  
11 Thank you. Thank you all very much.  
12 Appreciate it.

13 CHAIRWOMAN KRUEGER: Thank you.

14 We have Senator John Liu.

15 SENATOR LIU: Thank you, Madam Chair.

16 Senator Mayer asked about this a  
17 little bit also, and Assemblymember Hyndman  
18 mentioned -- had also asked about the  
19 distribution of the remote learning devices,  
20 specifically the tablets.

21 I just want to say, I mean, as much as  
22 I criticize the Department of Education of  
23 New York City, I think the parent from  
24 Success had mentioned that her child got it

1 in late April or early May. And the  
2 Department of Education in New York City, by  
3 April 30th of this past year, had already  
4 distributed 250,000 iPads to students. And  
5 by their count, it was everybody who had  
6 requested one at the time, or at least two  
7 weeks before that April 30th cutoff. And  
8 they continue to provide devices.

9 So, you know, the argument that  
10 charters are more nimble or agile, you could  
11 maybe choose some isolated measures here or  
12 there, but the public school system can match  
13 many of those measures just as well.

14 I do appreciate these parents for  
15 staying with us all day. And James, we  
16 appreciate you being here also, as you are  
17 every single year.

18 MR. MERRIMAN: My favorite day of the  
19 year.

20 (Laughter.)

21 SENATOR LIU: Well, look, the night is  
22 young. We still have four more panels after  
23 this, so please stay with us.

24 MR. MERRIMAN: Fully aware.

1           SENATOR LIU: Mostly for James --  
2           because I appreciate the parents' input, but  
3           James has a long history with charters, and  
4           my questions are a little bit technical.

5           I'm wondering if -- because, you know,  
6           we talk with people who work at charter  
7           schools, and there's -- you know, more than  
8           once I've heard that, Oh, they can't tell us  
9           certain things, because they've signed  
10          nondisclosure agreements. Does that happen  
11          with charter schools? Do they have  
12          employees, including teachers, sign NDAs  
13          before they can get hired?

14          MR. MERRIMAN: I'll be honest, I've  
15          not heard much of that. It is certainly  
16          possible. I wonder how legal they are.

17          SENATOR LIU: Okay. Yeah, I question  
18          that also myself, because I feel like NDAs  
19          can't be a normal operating procedure for  
20          employers, including charter schools.

21          Another question I have for you,  
22          James, is, you know, there's a -- with regard  
23          to school discipline, suspensions, et cetera,  
24          there is a state law -- New York State

1 Education Law, it's actually Section 3214.

2 MR. MERRIMAN: Yup.

3 SENATOR LIU: You're aware of that.

4 And there are certain charter schools in  
5 New York that -- I think they claim that  
6 they're exempt from that law, or that law  
7 does not apply to them. Is that true?

8 MR. MERRIMAN: Yes, I think -- I think  
9 it is true that under current law, not all  
10 aspects -- the law has a lot of stuff in it,  
11 as you know. I think some things are  
12 applicable, others are not, depending on the  
13 status of the student. Obviously students  
14 who are in special ed are subject to  
15 provisions that non-special ed aren't.

16 SENATOR LIU: It just seems to me that  
17 when kids are being suspended or expelled,  
18 that we have a state law that is meant to  
19 apply to all schools. But for some reason,  
20 certain charter schools have been making the  
21 argument that parts of that law does not  
22 apply to them. I feel like it's something  
23 that we need to fix. Would you agree, James?

24 MR. MERRIMAN: It's something we're

1 happy to talk about.

2 I would say increasingly over the last  
3 few years we have noticed a trend of schools  
4 that basically are following 3214.

5 SENATOR LIU: A trend, okay. But  
6 there are certain key notable exceptions.

7 MR. MERRIMAN: That I can't speak to.  
8 I haven't looked at everyone's, you know,  
9 discipline policies. Would it surprise me  
10 that some aren't? No, it would not surprise  
11 me.

12 SENATOR LIU: Thank you. Thank you,  
13 Madam Chair.

14 CHAIRWOMAN WEINSTEIN: I think it's  
15 still the Senate. You have --

16 CHAIRWOMAN KRUEGER: We have one more.  
17 But I don't want to cut you off if the  
18 Assembly has someone.

19 CHAIRWOMAN WEINSTEIN: No, no, we're  
20 done. You don't need to come back to us.

21 CHAIRWOMAN KRUEGER: If Senator Robert  
22 Jackson is here, we will let him -- here he  
23 comes.

24 SENATOR JACKSON: Hi, everyone. I

1 heard that some of you have been here since  
2 the beginning, just like I have. Well, it's  
3 a long haul. And that's a good thing. And  
4 especially as John and others said, as far as  
5 the parents that are here advocating and  
6 expressing yourselves with respect to this  
7 important issue. So let me thank you for,  
8 you know, fighting for your kid's education.

9 I've been fighting for all of our kids  
10 around the state, no matter where they live  
11 at, no matter what their zip code, no matter  
12 if they're black, white, yellow, green or  
13 blue, whether you're rich or you're poor.  
14 All of the children deserve a good education.

15 And the state has not lived up to its  
16 obligation, according to the highest court in  
17 the State of New York in the lawsuit of the  
18 Campaign for Fiscal Equity versus the State  
19 of New York.

20 I say to you that in listening to the  
21 State Board of Regents, the president and  
22 also the chancellor, as far as the budget --  
23 this is a budget hearing. And so with a  
24 budget hearing, as you know, there's certain



1 monies that are going to be cut and  
2 supplanted with federal monies. And in the  
3 long run, New York City could be out a total  
4 of a billion dollars more than anyone else.  
5 And that's going to hurt everyone.

6 So in the last panel, if you were  
7 watching and listening, I asked some of the  
8 leaders of the various organizations that if  
9 they believe that we need more money in order  
10 to make sure that every child gets a good  
11 education, I asked them to go back to their  
12 boards and ask their boards to take a vote to  
13 say that yes, we are willing to tax the  
14 wealthiest New Yorkers a little bit more so  
15 that everyone can survive this pandemic.

16 That's the same question I ask of all  
17 of you, quite frankly, because if we don't  
18 act in concert in that respect, then  
19 everyone's going to lose. Quite frankly, I  
20 want to make sure that every child, no matter  
21 where they live at, whether they live  
22 50 miles outside of Buffalo or down in New  
23 York City or Long Island, in Westchester  
24 County, Rockland County, Suffolk County -- I

1 want to make sure everyone has what they need  
2 to get a good education. And so that's what  
3 really the fight is going to be about.

4 And so I hope that we have you in this  
5 fight together. And so if you belong to a  
6 parents' association or any other  
7 organizations, I ask you to consider whether  
8 or not they will write a letter to the  
9 Governor and our two leaders, Andrea  
10 Stewart-Cousins, the Majority Leader of the  
11 New York State Senate, and Carl Heastie, the  
12 Speaker of the New York State Assembly, that  
13 we need to raise revenue from the wealthiest  
14 New Yorkers to help everyone else survive.

15 If you're willing to do that, then  
16 you're in it with me. If you're not willing  
17 to do that, that means to tell me that you --  
18 when I say you, not you individually, but the  
19 collective you -- are not willing to fight to  
20 make sure everyone survives.

21 So with that, I want to thank you. I  
22 didn't really have a question, I just wanted  
23 to say that. I meant to say it earlier in  
24 earlier panels, but I didn't say it. But

1           that's what this fight is about. And so I'm  
2           in it to win it on behalf of all of our  
3           children.

4                     CHAIRWOMAN KRUEGER: Thank you,  
5           Senator Jackson. You're out of it now, and  
6           that will be it for this evening with that  
7           speech. Thank you.

8                     Assembly.

9                     CHAIRWOMAN WEINSTEIN: Yes, we are  
10          complete with this panel. Thank you. Thank  
11          you all for being here and spending the time  
12          with us today.

13                    MR. MERRIMAN: Thank you so much.

14                    MS. BENNETT: Thank you.

15                    MS. CRUZ: Thank you.

16                    CHAIRWOMAN WEINSTEIN: Next we go to  
17          Panel G, New York Library Association, Briana  
18          McNamee, director, government relations and  
19          advocacy; Association of Public Broadcasting  
20          Stations of New York, Christopher Goeken,  
21          executive director.

22                    MS. McNAMEE: Good evening.

23                    CHAIRWOMAN WEINSTEIN: Briana?

24                    MS. McNAMEE: Yes. My name is Briana



1 of 1 percent in the State Budget, yet year  
2 after year, it's eroded. This year the  
3 Governor has proposed an \$87 million  
4 appropriation for Library Aid. This is  
5 7.5 percent less than the enacted budget from  
6 2020. I should also note that this  
7 is \$16 million less than what is required by  
8 our state's Education Law.

9 In regards to our construction aid,  
10 the Governor has called for flat funding from  
11 2020. While for many this would appear as a  
12 victory, this program was cut by \$20 million  
13 last year. The state Division of Library  
14 Development estimates that library renovation  
15 and construction needs are \$1.5 billion  
16 statewide. Over 50 percent of public  
17 libraries in New York State are 60 years old  
18 or older, and an additional 31 percent are  
19 30-plus years old.

20 Investment in the Library Construction  
21 Aid program must be increased to address  
22 aging infrastructure, energy inefficient  
23 buildings, and the evolving ways people use  
24 their libraries. At \$14 million, I want to

1           remind everyone on the panel today that this  
2           program can address less than 1 percent of  
3           the community's needs.

4                     The Executive Budget also includes a  
5           proposal to consolidate multiple  
6           expense-based and categorical aids into a new  
7           services aid category for '21 and '22.  
8           Amongst the 11 categories are instructional  
9           materials that include textbooks, software,  
10          computer hardware, and library materials.

11                    In addition to the consolidation of  
12          the 11 aid categories, the Governor has  
13          proposed to drastically reduce the newly  
14          formed services aid, a topic that many of my  
15          peers here today have spoken to you about.

16                    School library materials include  
17          audio, visual and printed materials. Under  
18          current law, library materials may be  
19          purchased and reimbursed to a school district  
20          at the rate of up to \$6.25 per pupil. The  
21          rate was last increased 14 years ago.

22                    While consolidation is often viewed as  
23          a measure to promote efficiency, this act is  
24          anything but. It will force school

1 administrators and their boards to identify  
2 the programs and services they deem capable  
3 of surviving with as little as possible,  
4 forcing them to prioritize operations over  
5 instruction and academia.

6 Last but not least, I'd like to  
7 highlight the library's role during the  
8 ongoing pandemic. The coronavirus has been a  
9 catalyst for change. For libraries, this is  
10 apparent in their operations. From curbside  
11 pickup to expanded digital collections and  
12 unique virtual programs for patrons of all  
13 ages, libraries and their staff have chosen  
14 to adapt, reimagine, and overcome. This  
15 comes at a cost. Libraries are facing  
16 millions of dollars of unforeseen costs --

17 CHAIRWOMAN WEINSTEIN: Excuse me,  
18 Briana, you --

19 MS. McNAMEE: I'm just finishing. I'm  
20 just finishing, I'm sorry.

21 CHAIRWOMAN WEINSTEIN: You're way over  
22 time.

23 MS. McNAMEE: Libraries across the  
24 state have reported spending over \$6500 on

1 items like PPE, Plexiglass, and HVAC  
2 upgrades -- and that was only through  
3 September.

4 While I would continue, I will turn it  
5 over to you all, and I'm happy to answer any  
6 questions that you have.

7 CHAIRWOMAN WEINSTEIN: Thank you.

8 Now we go to Christopher, please.

9 MR. GOEKEN: Of course. Yes, can you  
10 hear me?

11 UNIDENTIFIED SPEAKER: I can.

12 MR. GOEKEN: So thank you very much  
13 for the opportunity to testify, and thank you  
14 all for staying so long. I was just saying  
15 it's a little more comfortable being at home  
16 instead of in the big hearing room there, but  
17 it is a little weird getting dressed up and  
18 sitting in my kitchen to testify. So I'm  
19 sure you're all experiencing the same thing.

20 So you have my written testimony. I  
21 just want to highlight two of the things that  
22 the PBS stations have done this year, and  
23 really bring those out from the testimony, in  
24 response to the coronavirus. When schools



1 closed last year, we really upped the game in  
2 two different ways.

3 One is that we changed what we were  
4 broadcasting on our stations throughout the  
5 state to serve students that were at home,  
6 and we started a whole new "Learn at Home"  
7 programming, which I'm going to talk about a  
8 little bit more.

9 The second thing we did was take our  
10 preexisting digital platform, PBS  
11 LearningMedia, that's used by teachers to  
12 bring PBS content into the classroom -- we  
13 revamped that to make it easier for teachers  
14 to use that in their virtual classroom. It  
15 connects with Google Classroom and also with  
16 Zoom, so they can play video clips to their  
17 classroom and also use a lot of interactives.

18 So what we did with our "Learn at  
19 Home" broadcasts is we actually turned our  
20 airwaves over to New York State-certified  
21 teachers, and we've been recording and  
22 broadcasting throughout the state all kinds  
23 of lessons across the board for all grades --  
24 STEM, ELA, even arts, gym, for the little

1 kids to get their wiggles out. And this is  
2 broadcast throughout the day for students  
3 that are trying to learn at home that don't  
4 have access to broadband. In some areas --  
5 for example, the North Country, that's about  
6 20 percent of the students in some school  
7 districts.

8 So having a teacher, a New York State  
9 certified teacher, teaching the subjects that  
10 are appropriate for the time of year -- we  
11 worked in conjunction with SED on making sure  
12 it's aligned to the state standards -- has  
13 been a lifeline for a lot of these students.

14 At the end of the school year, all of  
15 those lessons added up. It's going to be  
16 about a thousand hours of brand-new lessons  
17 that we're broadcasting. They're also  
18 available online for students that are lucky  
19 enough to have broadband. And that's been a  
20 real lifeline.

21 We did a virtual summer camp for four  
22 weeks that ended up being broadcast  
23 nationwide. It was spearheaded by WNET in  
24 New York. So we've really been trying to

1           rethink what we can do for these students  
2           that are stuck at home during coronavirus and  
3           how we can use our airwaves to bring teachers  
4           right to them.

5                     What's important is that you don't  
6           need cable TV to see these teachers on your  
7           TV. All you need is a TV antenna, one that's  
8           available for \$10, \$20 from a Home Depot or a  
9           CVS, even, and you can get multiple digital  
10          channels from PBS throughout the state.  
11          Ninety-eight percent of the households in  
12          New York State can receive a PBS station.

13                    So we're really, really proud of that.  
14          We did that over and above the programming  
15          that we normally do.

16                    I just wanted to highlight those two  
17          points, and I'll pause there if you have any  
18          questions.

19                    CHAIRWOMAN WEINSTEIN: We do have a  
20          number of members with questions. First to  
21          Kimberly Jean-Pierre, chair of the Assembly  
22          Libraries Committee.

23                    ASSEMBLYWOMAN JEAN-PIERRE: Well, good  
24          evening, everyone. And thank you,

1 Chair Weinstein.

2 I first want to say I too am in my  
3 kitchen. It is definitely a different time.

4 But I want to thank you both. And I  
5 want to thank Briana, and I'm looking forward  
6 to, as Library chair, to learn the ropes and  
7 to work hard to restore some of the cuts that  
8 were proposed and to help, hopefully in the  
9 near future, have new funding.

10 I am a product of public libraries. I  
11 grew up in a library. I understand the  
12 importance of libraries, not only for myself  
13 but for families. And I think it's important  
14 that we save libraries and we give libraries  
15 the opportunity to meet with modern-day  
16 technology in modern-day ways.

17 And I just want to -- first question,  
18 are you working with maybe the Department of  
19 Education or any institute to help with  
20 resources for virtually -- for schools, and  
21 hopefully that we can diversify? Because one  
22 of the things I have an issue with is how  
23 when we go -- I go to my public library, and  
24 some books I can't get at my library, such as

1 black authors, and making sure that we  
2 diversify our shelves.

3 So I think my time is almost up.

4 MS. McNAMEE: Sure. Sure. So yeah,  
5 so we work closely with our partners at the  
6 State Education Department as well as our  
7 community partners, and that means our school  
8 districts as well as other organizations, and  
9 allies within our community.

10 And as far as diversifying the  
11 collections that we have, each community is  
12 unique and we try our best as possible to  
13 curate our collection for all ages to make  
14 sure that it represents those that you need.

15 So the best thing I would say as far  
16 as specific titles or authors are concerned,  
17 is to make sure that your libraries know that  
18 those are desirable. Because that's how we  
19 get them on the shelves. So yes. And school  
20 libraries and publics, we are certainly doing  
21 the best we can, especially during the  
22 pandemic, where e-readership is up triplefold  
23 or more. So we are doing the best we can to  
24 keep up with the demand.

1           ASSEMBLYWOMAN JEAN-PIERRE: Thank you.  
2           Just if I can quickly, to Christopher -- I  
3           see I have 30 seconds -- just talk about  
4           broadband, and particularly in low-income  
5           communities, how important that is to ensure  
6           that we have access and how --

7           MR. GOEKEN: Sure. So what we're  
8           finding when we talk to -- we partner with a  
9           lot of local school districts. We find that  
10          in some areas it's infrastructure, there's  
11          just no broadband available. And in other  
12          areas, of course, it's financial. And in  
13          some areas it's both.

14          So what we've tried to do with our  
15          airwaves is to try to bridge that gap for the  
16          students that are being left behind from the  
17          digital divide. And with some of the school  
18          districts what we've been able to do --  
19          partnering with actually libraries -- is to  
20          work with teachers and the school districts  
21          to get PDF files printed out and delivered to  
22          local libraries, and then parents would go  
23          pick those packets up for their students so  
24          that they can actually do work while there's

1 a teacher on the screen telling them, oh,  
2 okay, fill out your answers here, fill out  
3 your answers there, and then the teachers in  
4 the local -- their local school district,  
5 knowing that that student can't Zoom in, is  
6 still able to reach them somehow.

7 CHAIRWOMAN KRUEGER: Thank you.

8 Senator Shelley Mayer.

9 SENATOR MAYER: I didn't mean to get  
10 ahead of Chairman Ryan, but --

11 CHAIRWOMAN KRUEGER: He'll forgive  
12 you.

13 SENATOR MAYER: Okay.

14 CHAIRWOMAN KRUEGER: I tried to give  
15 him your Education chair before.

16 SENATOR MAYER: I'm sure you did.

17 (Laughter.)

18 SENATOR MAYER: Thank you to both of  
19 you, and before we had a Libraries Committee,  
20 you know, it was my pleasure to work with  
21 both of you and fight for you. And thank you  
22 for being here and fighting for -- I did want  
23 to acknowledge, you know, Christopher dressed  
24 up multiple times as characters in events





1           that.

2                   MS. McNAMEE: Yeah, absolutely. This  
3 past year has been difficult, just like for  
4 anyone. But as far as construction is  
5 concerned, we have made some progress and we  
6 are continuing to do so over the next year.  
7 Last year, during the pandemic, we were able  
8 to extend the Construction Aid program  
9 eligibility over an additional 12 months. We  
10 will actually be seeking for that eligibility  
11 to continue over a permanent amount of time,  
12 at least for the foreseeable future, just  
13 because again, given the current  
14 circumstances, construction is running a bit  
15 slower, as is the process.

16                   And we will also be seeking a policy  
17 initiative that will open up the eligibility  
18 for libraries to be able to partake in the  
19 program at a lesser dollar amount. So we are  
20 working with our chair, Senator Ryan now,  
21 forward in '21 and '22 in that way. So we're  
22 really -- we're hoping and we're very  
23 grateful for what projects we can commence  
24 over the next 12 to 24 months.

1                   SENATOR MAYER: Great. Thank you very  
2 much.

3                   CHAIRWOMAN KRUEGER: Assembly?

4                   CHAIRWOMAN WEINSTEIN: Yes. Our next  
5 member is Assemblyman Jensen, who is the  
6 ranker on libraries, for three minutes.

7                   ASSEMBLYMAN JENSEN: Thank you, Madam  
8 Chair. And thank you, Chris and Briana, for  
9 joining us.

10                   I'm very disappointed, as are probably  
11 a lot of my colleagues, about that  
12 \$4.6 million cut, and I'm looking forward to  
13 working with Chairwoman Jean-Pierre to  
14 helping restore that, increase that number.

15                   And my first job as a 16-year-old was  
16 actually as a library page at the Greece  
17 Public Library, so certainly I have an  
18 affinity in my heart for libraries.

19                   I just want to ask, you know, ask  
20 three questions and give you time to expand  
21 on those. The first one is, could you tell  
22 us a little bit more about this cost that  
23 libraries have had to incur dealing with the  
24 effects of the pandemic?

1           Secondly, do you see the need for more  
2           coordinated federal or state guidance when we  
3           talk about reopening our libraries and  
4           welcoming back to 75, 100 percent?

5           And when we talk about capital aid,  
6           Construction Aid, maybe expand about how  
7           critically important it is that that aid --  
8           people just don't think it goes to more books  
9           or more shelving, but really expanding on the  
10          whole experience. Maybe it's more  
11          interactive areas for children, maybe it's  
12          more career learning, guidance for people who  
13          are taking civil service exams, for tutoring.

14          So if you could really expand on those  
15          questions, I'd appreciate it.

16          MS. McNAMEE: Sure. I'll try to  
17          remember in order. And the first one that  
18          comes to mind is, of course, like the  
19          importance of the capital aid, because that  
20          just pings in my brain.

21          So capital aid, when we're talking  
22          about library aid, comes in two formats.  
23          It's our general library aid that oftentimes  
24          a large portion goes to our library systems,

1           who act as umbrellas and conduits to the  
2           services and programs that are so well-known  
3           and renowned in New York State by their  
4           public libraries.

5                     But as you said, also capital aid  
6           comes in the form of formal infrastructure or  
7           tangible infrastructure. And that means  
8           children's spaces and, especially in the time  
9           that we're talking about right now, that  
10          means safety and health procedures and  
11          different mechanisms that make people and  
12          patrons, as they come into our libraries'  
13          infrastructure and their walls, feel welcome  
14          but also safe to be able to browse and to be  
15          able to partake in the ways of our libraries  
16          that they have before, but maybe a bit  
17          modernized.

18                    And as -- I'm trying to think of the  
19          other questions you mentioned. I'm so sorry,  
20          Ranker. Go ahead.

21                    ASSEMBLYMAN JENSEN: Federal or states  
22          guidance on reopening --

23                    MS. McNAMEE: Oh, absolutely. Thank  
24          you. Thank you.

1           So as far as the guidance from our  
2 government, it could honestly be welcome from  
3 both the federal and from the state.

4 Libraries do not fit a one-size-fits-all  
5 model by any means. We have everything from  
6 municipal libraries to publics to schools,  
7 and everything in between. So as we are  
8 welcoming and opening up our operations in  
9 the time of post-pandemic, we have really  
10 craved the knowledge and clarification from  
11 the state and federal government of how we  
12 can best serve our communities in a safe and  
13 effective way. So while we always ride on  
14 the side of local autonomy and that there is  
15 not a one-size-fits-all, anytime that there  
16 can be clarity is absolutely welcome.

17           ASSEMBLYMAN JENSEN: Thank you,  
18 Briana, and thank you to Chairwoman  
19 Weinstein.

20           MS. McNAMEE: Thank you.

21           CHAIRWOMAN KRUEGER: Thank you. Next,  
22 our Library chair, Sean Ryan.

23           SENATOR RYAN: Thank you very much.  
24 And really happy to see my friend Kimberly

1           Jean-Pierre over in the libraries corner.  
2           They do great work over there. And  
3           congratulations to you on your growing  
4           family. So great work, look forward to  
5           working with you.

6                     So libraries have done just a terrific  
7           job during the pandemic all over my  
8           community. They have done so many creative  
9           things to keep kids engaged -- you know,  
10          waive all back fees, allow people to get  
11          their library cards going again, book club  
12          online, young adult book club, and so many  
13          things -- that it's been really amazing and  
14          really widely received by my community,  
15          especially during the lockdown. So thank you  
16          so much for that.

17                    Sort of two issues that we already  
18          know about. You know, last year you guys had  
19          a cut, this year is going to cut you again.  
20          And we've got to fight hard to prevent that,  
21          because once we get too far behind, you know,  
22          we're never catching back up. So we don't  
23          like to say in 2021 we like to get you back  
24          to '19 levels, but we're going to work to

1 keep you above that.

2 And the second, in terms of capital,  
3 you know, I agree with Chair Mayer, we need  
4 to find ways to keep this library capital  
5 flowing. So I would like to work to increase  
6 the library capital, because I view it as a  
7 stimulus program. You know, we need people  
8 back to work, we need construction contracts,  
9 we need architectural services, and we can do  
10 that through our libraries. You know,  
11 there's no -- this is just a good way to do  
12 it, because every community in New York State  
13 has libraries.

14 But I would like you to address this  
15 question of some of the consolidation, you  
16 know, that's been heard. I know educators of  
17 all types are concerned not only for the aid  
18 consolidation, but the fact that that newly  
19 created line would be reduced by a big dollar  
20 amount, I think almost 700 million. Could  
21 you speak of how that would impact libraries?

22 MS. McNAMEE: Sure. So right now  
23 the -- we have -- each of the school  
24 districts could receive up to \$6.25 per pupil

1 for Library Aid reimbursement. And what  
2 those would go towards is materials like  
3 tangible books, e-books, equipments, maps,  
4 visual aids, anything up and beyond.

5 So the concern is that by  
6 consolidating that aid into, one, a singular  
7 category, as I mentioned in my testimony,  
8 you're really asking the superintendents and  
9 the school administrators and boards to  
10 prioritize operations over instructional  
11 needs and academia -- really over the  
12 students or over things that are needed just  
13 to operate their school district.

14 It is also the singular aid category  
15 that assists librarians and the school  
16 library to have the most recent and  
17 modernized equipment and material that  
18 reflects their student body at that time. So  
19 again, just like I said in former answers,  
20 there's not a one-size-fits-all. Every  
21 school district is different. Every student  
22 population is different. That means every  
23 school district and school library looks  
24 different.



1           And without this I would say singular  
2           line, the fear is that perhaps operational  
3           needs overpower those that are instructional.  
4           And we understand the need, especially when  
5           you're crunching dollars, but not on the  
6           backs of our students, not at their  
7           education, not at their expense.

8           SENATOR RYAN: That's great. Thank  
9           you. And I look forward to continuing to  
10          exchange ideas about how to streamline and  
11          grow the construction fund. Thanks again for  
12          your work.

13          CHAIRWOMAN KRUEGER: Thank you.  
14          Assembly.

15          CHAIRWOMAN WEINSTEIN: Thank you. We  
16          have Assemblywoman Solages for three minutes.

17          ASSEMBLYWOMAN SOLAGES: I want to  
18          first thank Chris and PBS for being such a  
19          great resource for parents, including myself,  
20          during the pandemic. Your TV classroom shows  
21          were really essential and got us some  
22          reprieve during a difficult time, so thank  
23          you. And we should support PBS for their  
24          request.

1           As a former library employee, I know  
2           that libraries are education, and we should  
3           be fully funding these public institutions as  
4           so. And the Governor's Executive Budget cuts  
5           funding again -- now for the fifth straight  
6           year -- by attempting to cut the budget, like  
7           you said, aggressively, 7.5 percent. And,  
8           you know, those cuts mean that they're  
9           undercutting opportunity for all New Yorkers.  
10          And libraries are doing more with less.

11           But I have just two general questions.  
12          The first question is, have library directors  
13          reported an increase in internet usage  
14          because of the pandemic?

15           MS. McNAMEE: Yes, they absolutely  
16          have. So for our public libraries  
17          especially, not only have they increased some  
18          of their high-speed access, but they've also  
19          moved their routers so they can expand the  
20          radius to which that internet access is  
21          available.

22           And for some of our public libraries  
23          across New York State, they have actually  
24          created, I would say, external opportunities.

1           So they are going to town parks and different  
2           public areas during the week and allowing  
3           their patrons to access that high-speed  
4           internet so -- whether it be for general  
5           searching capabilities or for our students to  
6           be able to access their curriculum and do  
7           some homework.

8                     ASSEMBLYWOMAN SOLAGES: And now that  
9           libraries have been forced to expand their  
10          digital collection because many people are  
11          choosing to use e-books, we know that a  
12          publisher -- and I'm going to be nice --  
13          publishers recently have changed the way that  
14          e-books are only exclusively sold to  
15          libraries nationwide.

16                    So did that hit the budgets of  
17          libraries this year especially?

18                    MS. McNAMEE: Oh, absolutely. Our  
19          digital readership is up over 300 percent  
20          across the board. And while you may be able  
21          to go onto a private site like Amazon or  
22          another partner and publish a title for \$25  
23          for a library, they are purchasing that  
24          license by double or triple that amount. The

1 average, we have heard, as of September was  
2 \$45 per license, and that only allows a  
3 circulation at once, like one at a time.

4 So again, it's -- it's increasingly  
5 difficult to provide to the demand that we  
6 are seeing, but we're going to keep rising to  
7 the challenge.

8 ASSEMBLYWOMAN SOLAGES: And have many  
9 of the libraries reported they had to use  
10 capital monies or extra fund monies to  
11 upgrade HVAC systems and other systems that  
12 purify the air?

13 MS. McNAMEE: Yeah. We've seen  
14 everything from \$6500 to some of our larger,  
15 more urban libraries go up to \$15,000 or  
16 above for different upgrades to ensure the  
17 safety and the health of their staff and  
18 their patrons.

19 ASSEMBLYWOMAN SOLAGES: Thank you. We  
20 should be fully funding our libraries.

21 MS. McNAMEE: Thank you.

22 CHAIRWOMAN KRUEGER: Thank you.

23 Senator Pete Harckham.

24 SENATOR HARCKHAM: Thank you, Madam

1 Chair. Good evening, everybody. And thank  
2 you, Briana and Chris, for sticking this out.  
3 The hour is late.

4 I just wanted to make a comment in  
5 support of Construction Aid. In my district  
6 many of the libraries are either old or  
7 older, and the two areas that they're  
8 primarily expanding are the teen sections and  
9 the technology sections. Why? Because  
10 they've become the stopgap for the digital  
11 divide. They're staying open later so that  
12 teens can come in, students can do homework.  
13 Many people who are out of work do their job  
14 search in the library.

15 So it's vital that we get that  
16 Construction Aid flowing. Really, really  
17 important. I look forward to working with  
18 Chairman Ryan on that. He's got my full  
19 support.

20 And I just want to say hi to Chris.  
21 We used to work together when I was on the  
22 county board. Different capacity, but great  
23 to see you. Feel free to call if you need  
24 anything.

1 Thank you, Madam Chair.

2 CHAIRWOMAN KRUEGER: Thank you.

3 Assembly?

4 CHAIRWOMAN WEINSTEIN: We are finished  
5 with this panel. We can let you folks go --

6 THE MODERATOR: We still have  
7 Assemblyman Doug Smith and Assemblyman Steven  
8 Otis.

9 CHAIRWOMAN WEINSTEIN: Oh, I'm sorry,  
10 I didn't see people who joined.

11 Okay, Assemblyman Otis, you snuck in  
12 there. Why don't you go first.

13 CHAIRWOMAN KRUEGER: Are you there,  
14 Steve?

15 ASSEMBLYMAN OTIS: Here we go. Yeah,  
16 great.

17 Well, certainly all in support for  
18 public television, for libraries.

19 Want to just ask a question for Briana  
20 because having followed the library scene for  
21 a while, one of the things that we're hearing  
22 is the financial stress of libraries around  
23 the state and with layoffs, with lower  
24 revenues coming in. And so our state funding

1 programs are more important than ever.

2 But if you can give a little more  
3 detail about hearing from your members that  
4 are on the edge in terms of really survival  
5 and being able to maintain services, that  
6 would be a good assist in terms of sending  
7 the message today.

8 MS. McNAMEE: Sure. So for many of  
9 our libraries across New York State, when the  
10 20 percent temporary withholding was cast  
11 for -- like so many of the other agencies and  
12 organizations in the state that received that  
13 state aid, it was deemed temporary. And  
14 those furloughs were temporary. The cut of  
15 programs were temporary. But as we move  
16 forward and we come to the realization that  
17 we are in a fiscal crisis, those are  
18 seemingly going to become permanent. Which  
19 is -- which is unfortunate and is at the  
20 detriment of your constituents and our  
21 patrons who are so beloved.

22 So the first place we go to are the  
23 curated collections that patrons seek. So as  
24 we see the increase in demand, we actually

1 will not be able to provide that. So it is  
2 the collection first, it is the services and  
3 the programs, and the last we really try to  
4 tap into is the actual staff itself, into  
5 those services. Because even at this moment  
6 where so many of our libraries and our  
7 systems are in a virtual world and we are  
8 only doing curbside pickup, they are  
9 answering the phone and they are addressing  
10 emails, and they are responding to Q&A chats.  
11 So we really try to keep the manpower as long  
12 as we can.

13 But certainly I would say with this  
14 Executive proposal and the 7.5 percent  
15 reduction, we are hemorrhaging, and our  
16 members are as close to panic as possible.  
17 And the last thing we want to do is not be  
18 able to respond to your constituents and  
19 their patrons. We are reverse indicators  
20 when it comes to the fiscal health of our  
21 state. As the fiscal health of our state  
22 declines, our demands and the needs of our  
23 patrons and the constituents increase. And  
24 we want to be there as much as possible.



1 ASSEMBLYMAN OTIS: Thank you very  
2 much. And thank you, Chairs.

3 CHAIRWOMAN WEINSTEIN: Yes, go back to  
4 the Senate now.

5 CHAIRWOMAN KRUEGER: Thank you.

6 When I -- we just have to keep  
7 investing in libraries. They provide endless  
8 resources for our populations in so many  
9 ways. So just thank you and your members.

10 And to Chris, hi, who I've known  
11 forever. Do you have "Mister Rogers'  
12 Neighborhood" on your programs for our  
13 schools?

14 MR. GOEKEN: That is a very good  
15 question. I don't know. And I will get back  
16 to you on it.

17 I know that a lot of the -- so Fred  
18 Rogers Foundation has produced programming  
19 since Mr. Rogers went off the air. One  
20 character in particular, "Daniel Tiger's  
21 Neighborhood," is very, very popular with  
22 very young children. And I know there's a  
23 ton of material available linked to that.

24 So we actually have two online digital

1 platforms for this type of learning. One is  
2 the PBS LearningMedia, which is for teachers  
3 to use in school, and the other is  
4 PBSKids.org that has games and online  
5 interactives and, you know, activity sheets  
6 to print out for much younger kids, preschool  
7 and parents. And I know there's a ton of  
8 "Daniel Tiger's Neighborhood" materials on  
9 there, and Mr. Rogers.

10 CHAIRWOMAN KRUEGER: I would prefer  
11 the "Mister Rogers" himself, because I've had  
12 several early childhood experts tell me that  
13 particularly during the pandemic, when these  
14 small children don't even see any human  
15 beings besides their parents, that actually  
16 the lessons of civility and learning to  
17 interact well with other people is more  
18 important than ever, and that that show is  
19 timeless in the lessons it has for children.

20 And I had a couple of people complain  
21 that they could get it on a streaming service  
22 that was charging them money. But it's such  
23 a phenomenal program. Anyone who doesn't  
24 know what I'm talking about because you're

1 the wrong age, trust me, you're never the  
2 wrong age for "Mister Rogers' Neighborhood."

3 So I'm just putting in a plug that we  
4 should make sure you're making that  
5 available. Thank you.

6 MR. GOEKEN: I will check into it, and  
7 I will get an answer.

8 CHAIRWOMAN KRUEGER: Thank you.

9 MR. GOEKEN: Thanks.

10 CHAIRWOMAN WEINSTEIN: And now our  
11 last member to -- is Doug, Assemblyman Smith,  
12 three minutes.

13 ASSEMBLYMAN SMITH: Thank you, Chair.

14 And actually that's a perfect  
15 transition, because my daughter Sophie, who's  
16 two and a half years old, her favorite thing  
17 in the whole world is "Daniel Tiger's  
18 Neighborhood," which is the program put out  
19 by the Fred Rogers Company. And I can just  
20 say my wife and I have talked about it -- her  
21 language development, the words that she  
22 chooses, you know, it really has had a very  
23 net positive impact.

24 So I want to just take a moment. Our

1 libraries, I think we all share the sentiment  
2 that we're going to be fighting to try to do  
3 whatever we can to fully fund our libraries.  
4 They're really doing a great job during this  
5 pandemic to get our students the resources  
6 they need. A lot of our libraries are  
7 lending out the portable -- you know, the  
8 hotspots that are helping with the  
9 educational purposes.

10           And then, Chris, because I really  
11 don't want to take too much time -- but  
12 Chris, for PBS, a thought that I had, because  
13 I'm telling you my family is a big PBS  
14 family, we spend a lot of time watching PBS.  
15 If you could -- and I'm a bit of a techie  
16 myself. But if there's any way you can make  
17 it so that people can donate by texting --  
18 and I'll tell you, you know, when there's  
19 programs out there, it's very -- you know, I  
20 was watching recently a couple of weeks ago,  
21 Metallica and the New York Philharmonic, or  
22 something like that, it was some -- it was a  
23 great mash-up. But you had to either go on  
24 the website or send a check. Which -- fine,

1           that's great.  But if you're talking about  
2           people who may only tune in once a year, if  
3           you had an option where people could text a  
4           certain number and donate an amount of  
5           money -- and again, I'm not trying to say  
6           that our state's responsibility is any fewer  
7           dollars, because that's not what I'm -- but  
8           it would make it -- we were -- a few friends  
9           and I were watching this program and we were  
10          like, ah, if only we could text to donate,  
11          that would be great.

12                        So I don't know if you could pass that  
13          along.

14                        MR. GOEKEN:  I will pass that along.  
15          I know some stations are trying that.  So I  
16          don't know what region -- what station you  
17          were watching on, if it was NET or WMHT,  
18          depending on where you were that day.

19                        ASSEMBLYMAN SMITH:  I'm down WLIW, 21,  
20          on Long Island.  But --

21                        MR. GOEKEN:  So LIW.  So I'll check  
22          into it, so --

23                        ASSEMBLYMAN SMITH:  Yeah, if you can.  
24          Again, I just think it might be -- you know,

1           it might be something. And you could have  
2           event codes, you know, and -- God, all of us  
3           do it with political things. So it's easy  
4           enough to do. If we can figure it out, I'm  
5           sure you guys can.

6                     Thank you so much.

7                     MR. GOEKEN: Thank you.

8                     CHAIRWOMAN WEINSTEIN: Thank you.

9           Thank you to this panel. I think we're ready  
10          for Panel H.

11                    So Panel H is the New York Association  
12           for Pupil Transportation, David Christopher,  
13           executive director; New York State School  
14           Facilities Association, Fred Koelbel,  
15           legislative committee cochair; and New York  
16           School Bus Contractors Association, Corey  
17           Muirhead, president.

18                    So if you're all here, we can start  
19           with David.

20                    MR. CHRISTOPHER: Thank you, Madam  
21           Chair. My name is David Christopher, and I'm  
22           the executive director of New York  
23           Association for Pupil Transportation.

24                    I want to thank the committee for

1 sticking with us today and giving us an  
2 opportunity to share some recommendations  
3 regarding the Executive Budget as it relates  
4 to school transportation services.

5 I'm here today on behalf of the  
6 members of the New York Association for Pupil  
7 Transportation, who are responsible for the  
8 safe and efficient transportation of  
9 2.3 million schoolchildren across our state,  
10 and whose primary purpose is to provide  
11 access to education for our children. We  
12 appreciate the Legislature's continued  
13 commitment to our school districts and to  
14 school transportation operations.

15 There are two areas of concern in the  
16 Executive Budget that affect school  
17 transportation that I'd like to share with  
18 you tonight. First, the Executive Budget  
19 proposes to combine 11 expense-based aids,  
20 including Transportation Aid, into a  
21 block-grant services aid. We've heard this  
22 several times today. NYAPT opposes this  
23 proposal to consolidate, reduce and cap  
24 Transportation Aid.

1           We believe the result of this  
2           proposal, if approved by the Legislature,  
3           would cause school districts to amend  
4           transportation policy, and the result would  
5           be removal of students off school buses or  
6           place heavier burdens and increase taxes on  
7           localities. Neither option is desirable.

8           And in terms of removing students from  
9           school buses, we would essentially put them  
10          into more dangerous kinds of transportation  
11          to and from school.

12          We understand that school  
13          transportation service is expensive.  
14          However, expenses are driven by mandates that  
15          are out of our control. Those include  
16          maintenance, training, driver qualifications,  
17          requirements to transport to -- {audio/video  
18          freeze} -- supports them. However, they come  
19          at a cost.

20          The expense-based aid formula properly  
21          addresses these unpredictable expenses and  
22          has proven to be an effective way for school  
23          districts to manage costs. We urge you to  
24          reject the Executive proposal to combine



1 expense-based aids into a new service aids  
2 category and to eliminate expense-based aid  
3 in its current form, in the interests of  
4 safety for our schoolchildren.

5 Next I would like to speak to the  
6 Executive Budget proposal to allow state aid  
7 reimbursement for expenditures incurred for  
8 the delivery of food, instructional supplies  
9 and WiFi during the spring 2020  
10 Executive-ordered pause. We appreciate that  
11 the Executive Budget proposes to approve  
12 state transportation aid for these expenses;  
13 however, it does not go far enough.

14 Many school districts, at the request  
15 of the state, maintained their bus fleets,  
16 retained personnel on standby, and honored  
17 contracts with their private school bus  
18 contractors in the spring of 2020,  
19 anticipating that state transportation aid  
20 would be paid on those expenses. It was  
21 disappointing to learn otherwise.

22 In effect, also, many school districts  
23 did not do those kinds of things, and it had  
24 a negative effect on the openings of schools

1 and of course on those private contractor  
2 businesses.

3 We ask for your support in providing  
4 school transportation aid for these  
5 mission-critical expenses incurred during any  
6 past, ongoing and future emergency shutdowns  
7 of our schools.

8 Lastly, we appreciate the way that the  
9 Executive Budget proposal includes \$400,000  
10 for the continued funding of the State  
11 Education Department's School Bus Driver  
12 Safety Program. This program plays a vital  
13 role in keeping our students safe in and  
14 around school buses, and accident data  
15 supports that effective program. We ask the  
16 Legislature to support this important safety  
17 program.

18 In closing, thank you for the  
19 opportunity to share our concerns and  
20 recommendations regarding the Executive  
21 Budget. The school transportation industry  
22 has stepped up, like many other industries in  
23 our state in these unprecedented times, to  
24 provide a valuable service for our

1 communities and our schoolchildren. They've  
2 developed and adapted to new safety  
3 procedures and protocols in the face of an  
4 unprecedented pandemic, while successfully  
5 doing their jobs, and have done so with a  
6 can-do attitude. They are all unsung heroes  
7 for the work they do. Please support their  
8 work by adopting a state budget that will  
9 provide them with the resources needed to  
10 successfully transport our schoolchildren.

11 Thank you.

12 CHAIRWOMAN KRUEGER: Thank you. I  
13 gave you the extra minute; I shouldn't have.  
14 I'm sorry.

15 Okay, Fred.

16 MR. CHRISTOPHER: Yeah, I'm sorry  
17 about that.

18 CHAIRWOMAN KRUEGER: It's okay, David.

19 MR. KOELBEL: Can you hear me?

20 CHAIRWOMAN KRUEGER: Yes.

21 MR. KOELBEL: Okay. Just a couple of  
22 brief points.

23 You know, since the start of the  
24 school year, our members and their staff have

1 cleaned, disinfected, configured classrooms,  
2 installed desk shields, upgraded filters,  
3 procured PPE in quantities never before  
4 imagined in overwhelmed markets, so our  
5 students could learn. It's expensive, we  
6 expect to be dealing with this into 2021-'22.  
7 The budget must fund this essential work.

8 David just spoke about service block  
9 grants. And while we're happy that Building  
10 Aid was not included, other categories like  
11 BOCES Aid and Transportation Aid will leave  
12 districts with very little ability to control  
13 their budgets.

14 You know, in speaking to  
15 Transportation Aid, we echo what David said.  
16 You know, many of our districts paid  
17 contractors or paid drivers because there's a  
18 big driver shortage in New York State,  
19 there's limited contractors in New York  
20 State. We want to make sure that the  
21 services -- we wanted to make sure those  
22 services were there when we all came back to  
23 school.

24 CHAIRWOMAN WEINSTEIN: Excuse me, is

1           somebody doing a screen share? Okay. Thank  
2           you.

3           MR. KOELBEL: Okay. So just in  
4           concluding, you know, we care about these  
5           expenses because, you know, in a school  
6           district budget we all share the same pie.  
7           When the pie gets smaller, so do all the  
8           pieces.

9           So I thank you on behalf of our  
10          members, and ready for any questions you may  
11          have.

12          CHAIRWOMAN KRUEGER: Thank you.

13          And now Corey.

14          MR. MUIRHEAD: Thank you, Madam Chair.

15          Hello. My name is Corey Muirhead, and  
16          I'm the president of the New York School Bus  
17          Contractors Association. I'm here today  
18          proudly representing 200 private pupil  
19          transportation companies that provide safe,  
20          reliable and cost-effective student  
21          transportation for over 300 districts  
22          transporting more than half of the  
23          2.3 million students who ride the school bus  
24          every day.

1           Under the Executive Budget proposal,  
2           transportation expenses incurred by districts  
3           during the period when schools were required  
4           to go remote -- mid-March till the end of  
5           June 2020 -- would not be eligible for  
6           transportation aid. This is due to a  
7           loophole in the State Education Law that  
8           requires students to be physically  
9           transported to and from school in order for  
10          expenses incurred to be reimbursable.

11          While we appreciate that the Executive  
12          Budget proposal would make costs related to  
13          delivery of school meals, instructional  
14          materials, and internet connectivity during  
15          the 2020 school closures eligible for  
16          transportation aid, this only addresses a  
17          small part of the problem.

18          The Executive proposal is calling for  
19          a cut of approximately \$500 million to pupil  
20          transportation services statewide. School  
21          bus transportation is a vital part of the  
22          education system, and before cuts are made to  
23          pupil transportation -- an essential  
24          government service -- we need to think about

1 down the downfalls and unintended  
2 consequences of that decision.

3 High-need, high-aid districts are  
4 significantly more impacted than others. I  
5 understand that there are financial concerns  
6 at the state level, but this multi-  
7 million-dollar retroactive clawback will  
8 disproportionately hurt districts with high  
9 state aid ratios. They are the very  
10 communities that are underserved and least  
11 able to fill the fiscal hole that will be  
12 created. The situation will then be more  
13 severe next year, with the potential  
14 transportation cuts, or increasing the mile  
15 limits so that children may have to start  
16 walking to school, directly relating to the  
17 reduction in state aid.

18 180-day contracts. School bus  
19 contracts are competitively bid from one to  
20 five years, based on the school calendar of  
21 180 days. In addition to our costs being  
22 predominantly labor-related, a central piece  
23 of our costs are directly connected to  
24 keeping our operations ready, willing and

1           able to conduct business. These include  
2           vehicle maintenance and inspections, employee  
3           training and certifications, insurance  
4           requirements, utilities, and other services.

5                   Every school transportation contract  
6           is approved by New York State Education  
7           Department, and school districts expect  
8           reimbursement from the state for these  
9           transportation costs, per the 180-day  
10          contracts. This has been a process and  
11          understanding for quite some time.

12                   In conjunction with maintaining our  
13          state of readiness so that there is no lapse  
14          in transportation services when called upon,  
15          we must meet stringent regulatory agency  
16          requirements by New York State. We must  
17          provide 19-a medicals, New York State  
18          Department of Transportation physicals,  
19          19-a road tests, blood pressure and diabetes  
20          follow-ups, physical performances, annual  
21          monthly abstracts, CPR/first-aid training,  
22          13 county background checks, and other  
23          courses regulated by the New York State  
24          Department of Education.



1           How are these regulatory requirements  
2 not services provided to the school  
3 districts? If these are not done, there is  
4 no transportation to be provided.

5           Let me put this into context. For  
6 example, my company transports over  
7 2500 school buses. Now, if we were to just  
8 shut down all operations, as per the  
9 Governor's budget proposals back in March,  
10 and did not inspect 2500 school buses or keep  
11 2500 driver certifications in compliance from  
12 March until today, then none of my buses or  
13 drivers would have been able to operate in  
14 September.

15           This means that the 55,000 students my  
16 company transports would not have been able  
17 to get children to school. That simple.

18           The Board of Regents is seeking to  
19 push legislation that will allow districts to  
20 be reimbursed for costs associated with  
21 keeping transportation contractors and  
22 employees on standby between last March 18th  
23 and May 1st, and for costs incurred to  
24 maintain the infrastructure necessary to have

1 transportation services available to support  
2 in-person education.

3           While this is better than the  
4 Executive Budget proposal, to not support  
5 transportation expenses from May and June is  
6 to suggest that the school bus transportation  
7 system could have been completely shut down,  
8 leaving banks to repossess vehicles,  
9 insurance payments to lapse, and employees to  
10 go noncompliant as well as to linger without  
11 wages or benefits, including health  
12 insurance. All the while this industry has  
13 had to remain ready for summer school and  
14 while the New York State DMV was closed and  
15 not testing for drivers.

16           The matter of honoring the 180-day  
17 transportation contracts is simply not about  
18 wages and benefits, but retaining experienced  
19 and highly trained professional bus drivers,  
20 mechanics and matrons, all unionized, and  
21 their collective bargaining agreements many  
22 times call for a guarantee of 40 paid weeks  
23 throughout the school year.

24           We are here today not asking for an

1 increase in spending for school  
2 transportation; instead we are --

3 CHAIRWOMAN WEINSTEIN: Can you sum up,  
4 Corey? Because we're --

5 MR. MUIRHEAD: Yeah, that's my last  
6 sentence. And I apologize for running over.

7 The school transportation industry  
8 remains the backbone of the educational  
9 system, and this important industry must be  
10 protected. We are here today not asking for  
11 an increase in spending for school  
12 transportation; instead, we are merely asking  
13 to be paid for the services that were  
14 provided to our school districts.

15 I'm happy to answer any questions, and  
16 thank you for the time.

17 CHAIRWOMAN WEINSTEIN: Thank you. So  
18 we will go to our ranker on Ways and Means,  
19 Assemblyman Ra, for a question, and then to  
20 the Senate.

21 ASSEMBLYMAN RA: Thank you. Thank you  
22 all for your testimony.

23 Certainly the Transportation Aid is  
24 concerning. And I think, you know,

1 oftentimes we use the term "infrastructure"  
2 to talk about, you know, roads and bridges  
3 and stuff, but certainly school buses are a  
4 very essential part of the infrastructure  
5 that gets students to and from schools.

6 And, you know, many districts, as you  
7 talked about, had to adapt last year and  
8 utilize them in different ways, with the, you  
9 know, kind of idea and assurances that they  
10 were going to be able to be reimbursed, and  
11 then were surprised when they weren't.

12 But my question is specific to as we  
13 got into this year, do you know what -- are  
14 there districts that are continuing to  
15 utilize them in that similar way or that were  
16 spooked from doing that because all of a  
17 sudden they found out, hey, they're not going  
18 to reimburse us? So I think it's, I think,  
19 not just taken care of from last year, but it  
20 might be something that is a continuing need.

21 MR. CHRISTOPHER: There are numerous  
22 of our members who are delivering food,  
23 supplies, et cetera, this year as well, yes.  
24 And I could give you that information.

1 ASSEMBLYMAN RA: Okay, I'd appreciate  
2 that.

3 Thank you. Thank you to all your  
4 members for -- you know, like so many others,  
5 they are out there trying to help make sure,  
6 you know, our kids are still getting  
7 educated. So thank you.

8 CHAIRWOMAN WEINSTEIN: Thank you.

9 So we'll go to the Senate. Senator  
10 Shelley Mayer, chair of the Senate Education  
11 Committee.

12 SENATOR MAYER: Thank you.

13 I have a question for David and Corey,  
14 I think. It's a follow-up on Assemblyman  
15 Ra's question.

16 Of those companies that continue to  
17 operate from March till or -- or were  
18 anticipating operating from March till the  
19 end of the school year, how many companies  
20 would not be -- or districts would not be  
21 eligible for reimbursement under the  
22 Governor's proposal, since you have to have  
23 transported food or these other essentials?

24 There's a lot of bus companies that

1           were not doing that and districts who are at  
2           risk of not being reimbursed. Do you know  
3           how many districts would not be reimbursed if  
4           the Governor's proposal were adopted?

5                     MR. CHRISTOPHER: I don't have data on  
6           those districts. But I can tell you that any  
7           district that was open, any operation who's  
8           opened stayed open so they could continue  
9           meeting the mandates on maintenance driver  
10          qualification, et cetera. And most districts  
11          did that.

12                    Even the districts who delivered food  
13          and will be reimbursed for that had other  
14          kinds of things that they did to maintain  
15          readiness, that continuity of service piece  
16          that we've mentioned, in order to be ready to  
17          go when the schools were reopened.

18                    So I would say there's a significant  
19          number of school districts and contractor  
20          operations that did in fact maintain their  
21          buses, keep their drivers qualified,  
22          et cetera, during that period of time. And  
23          many did deliver food supplies, et cetera,  
24          which they'll get reimbursed for.

1           It's, you know, that other state of  
2           readiness that's certainly a concern. You  
3           know, the expenses associated with those  
4           we're also concerned about, that were not  
5           included.

6           SENATOR MAYER: Right, I understand  
7           that. But what I'm trying to get is I think  
8           some of us feel the Governor's proposal is  
9           not good enough and not strong enough to  
10          compensate all the districts. And it would  
11          be helpful if you provided a list of  
12          districts that continued or could not -- were  
13          not required to do these other tasks, but the  
14          district anticipated paying the bus company,  
15          and the bus company anticipated getting paid.  
16          And -- so that would be helpful.

17          The second is, do you know, of the  
18          number of aides who were laid off as a result  
19          of the bus no longer transporting students,  
20          that they did not need the bus aides, and  
21          many of those bus aides, for various reasons,  
22          were not eligible for unemployment.

23          Do you know, of your bus companies,  
24          the number of people laid off, drivers or

1 aides?

2 MR. MUIRHEAD: For a time during the  
3 pandemic, I believe the total got up to about  
4 165,000 workers spread across both public and  
5 private drivers, matrons, mechanics,  
6 administrative staff and so on and so forth.

7 SENATOR MAYER: That's very helpful to  
8 know. And do you know -- I don't know if  
9 it's true elsewhere, but in our experience  
10 some of these people have full-time jobs in  
11 the school, like in the cafeteria. So under  
12 the current rules of employment, they were  
13 ineligible for their loss of bus-related  
14 income unemployment. Hopefully it's  
15 something we're going to change.

16 But, you know, we are -- we've been  
17 working on this bus issue for a long time,  
18 and I appreciate your testimony here tonight.

19 MR. CHRISTOPHER: Thank you.

20 CHAIRWOMAN WEINSTEIN: Thank you. We  
21 do not have any other questioners. Thank you  
22 all, and thank you for the work that your --  
23 the drivers did during -- and continue to do,  
24 with food deliveries and such. Thank you.



1 MR. CHRISTOPHER: Thank you.

2 CHAIRWOMAN WEINSTEIN: We're going to  
3 move on to the next panel, Panel I: Rural  
4 Schools Association of New York State, David  
5 Little, Esq., executive director; New York  
6 State Catholic Conference, James Cultrara,  
7 director of education; League of Women Voters  
8 of the State of New York, Marian Bott,  
9 education finance specialist.

10 So why don't we start with David  
11 Little.

12 MR. LITTLE: Yeah, I think I'm  
13 unmuted. Thanks for your determination  
14 today, everybody, appreciate it. It's taken  
15 a lot just to watch it, let alone  
16 participate, and I appreciate you guys  
17 hanging in there with us today for this long.

18 Rural Schools Association, we're also  
19 the Rural Schools Program at Cornell  
20 University, and so we do research or  
21 advocacy, depending upon the side of the  
22 fence that we're working on.

23 I guess my biggest concern today --  
24 obviously agreeing with everything that's

1           been said over the last 10 hours or so about  
2           the deficiencies in the Governor's budget.  
3           But I want to take the time specifically to  
4           talk to you about the situation facing rural  
5           New York right now and why that Executive  
6           Budget proposal makes such a disproportionate  
7           impact on them.

8                     It's 300 school districts. And, you  
9           know, almost half of the school districts in  
10          the state, about a third of the students.  
11          And yet over four days of the Governor's  
12          State of the State messages and his budget  
13          presentation, he mentioned rural New York  
14          exactly twice. One was to talk about the  
15          Whiteface Mountain Ski Lodge being renovated,  
16          and the other time was in talking about a  
17          solar farm to be put in Washington County so  
18          that he could transmit low-cost power to  
19          New York City.

20                    So, you know, we have a  
21          disorientation, I guess, in rural New York  
22          that over the past decade the census in USA  
23          Today has documented that a million and a  
24          half New Yorkers have left. And as a result,

1           we have an increasingly impoverished  
2           population in rural New York.  And although  
3           we graduate so many of our students -- over  
4           90 percent -- that belies the fact that they  
5           have a tremendous lack of success, even in  
6           community college, let alone in a four-year  
7           endeavor.

8                     And so the reason for that is because  
9           they have to take so many remedial courses  
10          and they have so little help in the college  
11          process, because all guidance counselors,  
12          social workers, advisors and particularly the  
13          coursework has all been gutted after years  
14          and years of underfunding, systematically,  
15          for our rural schools.

16                    The problem that I see with this  
17          particular proposal is that it really forces  
18          you to choose when Armageddon will happen,  
19          not whether or not Armageddon will happen.

20                    The phrase I've used is, you know,  
21          it's not whether the storm is coming, it's  
22          how we weather the storm.  Because, you know,  
23          the Governor can backfill all of the federal  
24          money he wants, but we've been through this

1 before. We've been through the GEA, we know  
2 what happens. We know it takes a child's  
3 entire education before the State of New York  
4 can make up that money that it had intended  
5 to before.

6 And so 20 percent cuts now or the  
7 cliff later on, it doesn't make a lot of  
8 difference. Except that once it happens, it  
9 truly will mean the end of several rural  
10 schools because they won't be able to  
11 function anymore. And yet we don't even have  
12 regulatory relief in allowing us to do  
13 something structural, like create regional  
14 high schools that have been in effect in all  
15 of our surrounding states successfully for 40  
16 years.

17 So thanks for the opportunity, and  
18 happy to talk about your concerns.

19 CHAIRWOMAN WEINSTEIN: Thank you.  
20 Let's move on to Jim.

21 MR. CULTRARA: Thank you. And even  
22 though it's on a computer screen, I'm glad to  
23 see all of you. So nice to see you.

24 So let me briefly summarize the impact

1 of the pandemic on Catholic schools -- and  
2 the same can really be said of all religious  
3 and independent schools -- and how the  
4 Executive Budget relates to that.

5 So, in short, our income dropped  
6 dramatically. From tuition income to  
7 charitable giving, support from our parishes  
8 and faith communities dropped dramatically.  
9 On the flip side, as we went to faithfully  
10 implement the Health Department's protocols,  
11 our costs skyrocketed. Right? So they  
12 dropped in income, skyrocketing costs. And  
13 that's why you saw more than 30 Catholic  
14 schools close. A couple of Lutheran schools  
15 closed, Christian schools closed, and more  
16 are struggling.

17 The Catholic superintendents  
18 anticipate that there will be another round  
19 of closings, because these schools went into  
20 debt, they went into their -- that few of  
21 them that had reserves went into those  
22 reserves that were going to be used to repair  
23 a roof, repair this, and to -- those other  
24 sort of deferred payments -- went into those.

1 They have to recover from that debt, and they  
2 won't be able to unless there's sufficient  
3 reimbursement. So there will be another  
4 round of closings.

5 In the Executive Budget there's a  
6 little bit of good news, but mostly bad news.  
7 So the good news is that the Governor passes  
8 through the federal emergency assistance for  
9 nonpublic schools, worth \$250 million.

10 But in total, we're estimating that  
11 the religious and independent school  
12 community has at least \$750 million in costs.  
13 That's at the minimum.

14 The other good news is that the  
15 Governor is going to do -- administratively,  
16 he's going to hold harmless last year's  
17 mandated services aid that you gave us. As a  
18 result, we would have had a \$30 million cut  
19 from the cancellation of the state tests, and  
20 he's going to hold us harmless.

21 Here's the bad news. The Governor is  
22 permanently limiting the state's liability  
23 under the Mandated Services Aid Program to  
24 whatever appropriation happens to be that

1 year. That is going to gut the program, and  
2 that must be rejected.

3 Other bad news is he does not fund the  
4 Immunization Program. Our colleagues at  
5 Agudath Israel fought hard for that. That's  
6 reimbursement for complying with  
7 immunizations in our schools located in  
8 Buffalo, Rochester, and the City of New York.  
9 And we support Agudath Israel in that request  
10 and join them in that request for restoring  
11 those funds.

12 The Governor also puts in a payment  
13 schedule, which is good, but we want that  
14 adjusted, and I'll give you specifics on  
15 that.

16 We've always relied on you and your  
17 colleagues around the state to support the  
18 religious and independent schools in your  
19 districts, and you've been very supportive  
20 and we are grateful for that continuing  
21 support. Thank you.

22 CHAIRWOMAN WEINSTEIN: So next we have  
23 the League of Women Voters of New York State.  
24 Marian? You have to unmute yourself, please.

1 Thank you.

2 MS. BOTT: Okay. How are you? Good  
3 evening.

4 So I've been testifying for these  
5 hearings for about 23 years now. And as I  
6 approach trying to figure out what to talk  
7 about, I asked myself, Is this as bad as a  
8 budget has ever been? And so the logical  
9 comparison was 2008-2009, and then there was  
10 2001. Those were the other years where there  
11 were just drastic gut-punches to our budgets.

12 And at first I didn't really know what  
13 I could do, because the League does not have  
14 a strong, explicit position on the  
15 revenue-raising measures that probably a lot  
16 of the other advocacy groups with whom we  
17 usually lobby are strongly in favor of. And  
18 yet we do, because of our position, strongly  
19 recommend progressive taxation, and we  
20 strongly also recommend, when it's possible,  
21 to export the burden. So I want to dwell on  
22 that a little bit, because you've heard a lot  
23 today about the federal government's  
24 involvement and about the going off of the



1 cliff.

2           There may be a way that we can turn  
3 going off the cliff into our advantage  
4 because of the political situation now in  
5 D.C. We've long needed an adjustment to some  
6 of the factors in the Title I funding  
7 formula. We now have a 2020 Census. We  
8 don't know exactly what the data will look  
9 like, but we do know that you have to be a  
10 lot poorer, for example, in a New York City  
11 school to be a Title I funded school than  
12 elsewhere in the state. And likewise,  
13 comparing New York State to other states,  
14 there's just always been a political fix on  
15 the formula.

16           So in order to alleviate some of the  
17 concerns about falling off the cliff, we  
18 should aggressively as a state look towards  
19 the next year or so as an opportunity to take  
20 a look at the Title I formula, the underlying  
21 components of it, how poverty is measured,  
22 and how our children stack up.

23           So that's my biggest and most  
24 important comment, because everything else is

1 so depressing.

2 The little comments that I wanted to  
3 make, the services aid consolidation, no one  
4 seems to like it. But the one part that I  
5 like about it is that it includes high tax  
6 aid. And many of you have heard me testify  
7 and provide tables and documents about high  
8 tax aid. So much of that aid goes to  
9 relatively wealthy districts on Long Island,  
10 and it's not a category of aid that's well  
11 spent.

12 The STAR program, the League does not  
13 like STAR anyway. We should still be  
14 working, on a long-term basis, on a property  
15 tax adjustment that makes more sense for  
16 individuals.

17 The last comment is that the Smart  
18 Schools Bond Act, we thought it was strange  
19 that the Executive states that the fund  
20 distribution will be expedited. What's that  
21 all about? Smart Schools Bond Act money is  
22 essential to what we're going to be doing,  
23 hopefully, to provide equitably the broadband  
24 services that our kids need. So whatever is

1 not being expedited should be expedited.

2 So you've heard enough today. Very,  
3 very happy to testify, and thank you, all of  
4 you elected representatives, for all of your  
5 service during this very, very challenging  
6 time.

7 CHAIRWOMAN WEINSTEIN: Thank you,  
8 Marian.

9 We do not have an Assemblymember --

10 CHAIRWOMAN KRUEGER: We do have two  
11 Senators, however.

12 CHAIRWOMAN WEINSTEIN: Okay. So take  
13 it away, Senator Krueger.

14 CHAIRWOMAN KRUEGER: Shelley Mayer  
15 first.

16 SENATOR MAYER: I'm sorry to be so  
17 persistent, but I have questions for  
18 everyone, or comments.

19 So first, thank you, David Little, for  
20 being here and speaking on behalf of rural  
21 schools. And we know we need to pay  
22 attention this year particularly. And I look  
23 forward to seeing your written testimony; I  
24 did not see it yet.

1           And to James Cultrara, thank you very  
2 much, and thank you for being a partner and  
3 working with me on many issues. I appreciate  
4 it.

5           I would ask, given what you said about  
6 likely closure of additional Catholic diocese  
7 schools, that there be some notice given in  
8 advance, or at least conversation with the  
9 parents of these schools, particularly those  
10 that are sort of successful, as opposed to  
11 those that are struggling, to give the  
12 parents a chance to have a heads-up. And I  
13 hope we can move towards better communication  
14 on that front.

15           That being said, I know these issues  
16 of -- the proposals, a number of the  
17 proposals in the Governor's budget are very  
18 adverse and that you face economic  
19 challenges. So we look forward to working on  
20 those together, and continue to be  
21 supportive.

22           But it's fascinating to hear you,  
23 Marian, to say that it's the worst budget. I  
24 sort of think it is the worst, and most

1 complicated, because there's new things that  
2 were never in there.

3 And your interest in reviewing the  
4 Title I formula, has that come up in prior  
5 years? Because the last CARES Act also had a  
6 Title I distribution. That was after our  
7 hearings, it's true, that we came up with  
8 using the CARES Act to replace the Foundation  
9 Aid and the distribution by Title I. But I  
10 wonder if this is something that you or the  
11 League has ever reviewed before.

12 MS. BOTTE: I have. In my capacity as  
13 Dr. Bott, I did a huge paper on Title I back  
14 in 2001. And the flaws that were in it at  
15 that time are still the flaws that are in it  
16 now.

17 The way that fits into our usual  
18 League testimony is that we're concerned  
19 about inaccurate or inadequate poverty  
20 measures in the state formula. But this adds  
21 to it, because let's face it, most of our  
22 money does come from the state and local  
23 governments. But in this case, we're looking  
24 to increase the share of our total

1 educational expenditures that are going to be  
2 paid for in the next four to eight years by  
3 the federal government, because we've --  
4 unless we're crazy, we realize that we've  
5 been shortchanged, not just with some of the  
6 other tax measures that came into being, the  
7 ability to deduct state and local payments,  
8 et cetera.

9           So we really need to get at the  
10 details of the Title I and the individual  
11 sort of Disabilities Education Act monies by  
12 researching what our current census  
13 population of poverty looks like, and trying  
14 to recommend, to those on the national  
15 committees for education and finance, ways  
16 that they can make the funding formula  
17 fairer.

18           And it's not so hard to do. I mean,  
19 you go up and you get the old data and you  
20 show what the distribution is, and you point  
21 out the flaws of it. It just takes time to  
22 do. And I'm more than happy to help work  
23 with any other organizations.

24           I had reached out to SED, by the way,

1 and I haven't heard back in time for this  
2 hearing.

3 SENATOR MAYER: Well, thank you. If  
4 we have the bandwidth to take on something  
5 extra --

6 (Laughter.)

7 SENATOR MAYER: Thank you.

8 CHAIRWOMAN WEINSTEIN: Thank you. We  
9 do have Assemblymember Mike Lawler, who would  
10 like to speak. Three minutes, yes.

11 ASSEMBLYMAN LAWLER: Thank you.

12 Just for James, just to kind of echo  
13 what Senator Mayer said, you know, obviously  
14 in my district in Rockland County we have had  
15 some closures among parochial schools within  
16 the last year or two, and it's had obviously  
17 an impact on a lot of families and parents  
18 trying to figure out how to, you know, get  
19 their children into a different Catholic  
20 school that they -- obviously they want that  
21 type of education for their child.

22 So I think just in terms of my  
23 district, we have a great parochial school,  
24 St. Margaret's, in Pearl River. You know,

1           they did close down Sacred Heart in Suffern.

2                       So, you know, I just want to make sure  
3           that we're staying in touch on that.  If  
4           there are any further potential closures in  
5           Rockland County that you see in the near  
6           future, it would be very helpful to be in  
7           touch on that and see what we can do to try  
8           to avoid any further closures.

9                       MR. CULTRARA:  Thank you for that  
10          comment -- and with you, Senator Mayer -- we  
11          do take it to heart.

12                      But I would be negligent if I didn't  
13          say that, you know, we're also dependent on  
14          the federal government to provide aid to us.  
15          The PPP program was essential for keeping our  
16          schools from closing before the end of the  
17          school year.  They could not have made  
18          payroll without the PPP program.  That tells  
19          you how slim their margins are.

20                      But as you know, we also advocated for  
21          an education tax credit scholarship several  
22          years ago.  And I was very impressed with the  
23          parents from the charter organizations,  
24          especially Maria Cruz, who really espoused



1           what parents are going through in terms of  
2           wanting the best education for their  
3           children.

4                     I won't repeat what she said, but I'll  
5           tell you this. It's a lot cheaper for you as  
6           lawmakers to provide modest scholarships to  
7           parents than it is to have those parents  
8           shift to another school that's going to cost  
9           twice as much -- a charter school. You'll  
10          save money by providing assistance to parents  
11          and keeping our schools open. Because the  
12          30 schools that we closed, right, not only  
13          did it disrupt the lives of those children,  
14          it's now costing taxpayers more money because  
15          those children, they can't go to a  
16          neighboring private school, they're in public  
17          school at a higher cost.

18                    ASSEMBLYMAN LAWLER: And James, not to  
19          cut you off, but since my time is running  
20          out, I would just say to you, you know, I am  
21          a big believer in school choice. I do  
22          believe parents have the right to send their  
23          child to a school of their choosing, whether  
24          that's a parochial school, a yeshiva, a

1 private school, a charter school.

2 I believe in our public school system.  
3 We have one of the best public school systems  
4 in the country. But it couldn't educate all  
5 of the children. And so the private schools  
6 do play a role, the Catholic schools do play  
7 a role. And I certainly want to work with  
8 you to ensure that those parents, certainly  
9 in my district, that want to send their child  
10 to a private Catholic school have the  
11 opportunity to do that.

12 CHAIRWOMAN WEINSTEIN: Thank you.

13 To Senator Krueger now.

14 CHAIRWOMAN KRUEGER: Thank you. I'll  
15 just start with Marian, following up on your  
16 analysis. I would say I think I've tried to  
17 read everything you give us every year, but  
18 perhaps I wasn't reading in 2001. Although I  
19 was -- I was almost a Senator.

20 But I would certainly like to follow  
21 up with you on that. Because if the federal  
22 government has been giving New York State  
23 short shrift in the way they do their formula  
24 calculations for Title I, that's potentially

1 an enormous amount of money we're not getting  
2 for both our urban poor and our rural poor  
3 schools. Because Title I follows where the  
4 kid is.

5 And so we definitely want to look into  
6 that. And frankly, you know, this thing  
7 about Chuck Schumer being the Majority Leader  
8 of the U.S. Senate, he's very competitive on  
9 behalf of New York State. Don't do sports  
10 with him, and don't --

11 (Laughter.)

12 CHAIRWOMAN KRUEGER: Brooklyn people  
13 will get it. And don't mess with him by  
14 pointing out that the federal government  
15 hasn't been giving New York its fair share.

16 So I'm very excited about following up  
17 on that with you, so thank you.

18 And then for the rural schools  
19 representative, help me understand. Because  
20 I agree with you completely that we have to  
21 recognize rural schools are different and  
22 they have additional problems. So why can't  
23 we get these regional high schools taken care  
24 of after, you said, 40 years of people

1           trying. Like what's so hard about it?

2           You're not on, you're on mute, sorry.

3                     MR. LITTLE: Quite honestly, union  
4           opposition. There's been a general feeling  
5           in the past by the union that by  
6           consolidating into regional high schools,  
7           that you'd lose positions.

8                     I think at least at the national  
9           level -- I did one of the Reimagining  
10          Education panels for the Governor's panel,  
11          and Randi Weingarten was part of that  
12          meeting, and she actually expressed  
13          tremendous support for regional high schools.

14                    All of our neighbors -- Massachusetts;  
15          in particular, Connecticut -- have had  
16          tremendous success with rural schools going K  
17          through 8 and then from there going to a  
18          regional high school. New York in fact has  
19          them, there are four of them on Long Island,  
20          but we haven't authorized them anywhere else  
21          in the state.

22                    And I think it's Old World thinking  
23          that you're going to lose positions by having  
24          a regional high school. We've lost

1           10,000 teachers in rural New York. We want  
2           every -- we can't find them. I mean, we  
3           literally can't find them. We panicked when  
4           the Regents said that they were going to  
5           require certification for substitute  
6           teachers, because we can't find permanent  
7           teachers with certification.

8                        So the idea that we would want to lose  
9           any positions really is about a generation  
10          old in terms of its thinking. We just need  
11          teachers to teach across a broader  
12          curriculum. Rural New York can't afford to  
13          pay for four separate high school chemistry  
14          teachers anymore. We need to consolidate  
15          into a regional high school, have one  
16          chemistry class, so that we can then offer  
17          the other advanced classes that make our kids  
18          competitive with the suburban and even the  
19          urban schools.

20                        So right now they're not getting that,  
21          they're having to pay for that for remedial  
22          classwork when they go to community college  
23          or college. And by the time they get through  
24          about a year of that, they've had it.

1           And I have to tell you, I'd be really  
2           remiss -- because for me it was a profound  
3           experience watching -- as it was for  
4           everybody -- watching our U.S. Capitol being  
5           besieged. So I actually went back over the  
6           arrest list, and rural America has to own  
7           that particular incident. And one of the  
8           reasons for that is because they feel that  
9           their government has let them down, they  
10          distrust their government. We've cut all of  
11          the classes for civics because they're  
12          unaffordable. We've cut all of the arts  
13          where they learn an expressive method  
14          beyond -- beyond the violent method, beyond  
15          shouting at each other. Many people no  
16          longer have the ability to differentiate  
17          between a different opinion and hating the  
18          person who's giving it.

19                 And yet we're surprised when a group  
20          of people goes over the top with something as  
21          untowards as that act was, a truly heinous  
22          act. Well, the fact of the matter is figure  
23          out why it's happening, figure out where the  
24          frustration is coming from, figure out where

1 the inability to communicate is coming from.

2 And so I really think that we ignore  
3 these kind of -- the loss of these classes in  
4 rural schools at our peril.

5 CHAIRWOMAN KRUEGER: I had the exact  
6 same reaction when I was watching that event  
7 that day. So we will talk more offline. I  
8 would really like to talk more with you about  
9 how we can accomplish these things, because  
10 we're failing our state and it's putting our  
11 entire democracy at risk.

12 So thank you very much for your work.

13 MR. LITTLE: Sure. Thank you.

14 CHAIRWOMAN WEINSTEIN: Thank you. We  
15 thank the three of you for being here and  
16 sticking with us so much of the day, and for  
17 the work you -- the various work you do in  
18 our communities.

19 We are up to our last panel of the  
20 day -- evening -- Panel J. We appreciate  
21 people being here with us. Greater Rochester  
22 Parent Leadership Training Institute,  
23 Kearstin Brown, member, Education Committee;  
24 and Lower Hudson Education Coalition, Karen

1 Belanger, administrator. So if we can get --  
2 make sure those people -- there they are.

3 So, Kearstin, if you want to start,  
4 please.

5 MS. BROWN: Sure. Good evening, and  
6 thank you for this opportunity to address  
7 this esteemed body.

8 I am Kearstin Brown, a parent leader  
9 of two young boys in the Rochester City  
10 School District, representing the Greater  
11 Rochester Parent Leadership Training  
12 Institute. And I would like to speak on the  
13 urgent need to fund the Foundation Aid  
14 formula.

15 At a time when child poverty is at a  
16 high and academic outcomes at a low, now is  
17 the time to commit to funding our school  
18 districts across the state that are in most  
19 dire need. Sixteen of the 18 school  
20 districts in Monroe County are grossly  
21 underfunded, with \$1,586,423,042 owed to the  
22 Rochester City School District alone since  
23 the formula was introduced.

24 Our suburban school districts in the



1 Rochester region are also underfunded. The  
2 average percent of Foundation Aid received in  
3 Monroe County is 76 percent, and the lowest  
4 funded district receives only 49 percent of  
5 what it is due.

6 When will we finally see relief? And  
7 when will we see your plan?

8 Now, while extra money going to  
9 high-needs districts for the time being is  
10 great, it is not the long-term, fair funding  
11 commitment that we need from our legislators.  
12 Yes, we're in the midst of a pandemic, and  
13 resources are limited. But that doesn't mean  
14 that the state can't commit to fully funding  
15 and charting a path that will get us there.

16 We know that if you don't feed a child  
17 over a period of time, he or she will be  
18 malnourished and starve. Well, our  
19 children's educational futures are certainly  
20 malnourished and on the verge of starving.  
21 At a time in history where we see racial  
22 disparities coming to the forefront of our  
23 collective consciousness across the state,  
24 let's remember that our Black and Brown

1 children especially lose out when we choose  
2 to ignore their needs and say no to funding  
3 their futures.

4 As an active parent leader, I have  
5 walked the halls, participated in school  
6 improvement meetings, and stood by in Zoom  
7 classrooms as our teachers do their very best  
8 with not enough help to make our scholars  
9 reach their individual learning potential.

10 We've taken in refugees and children  
11 displaced by natural disasters. We've  
12 provided food and resources for families and  
13 so much more. We educate and provide for  
14 children the best we can. But we need your  
15 help desperately in order to not make  
16 detrimental cuts to our various district  
17 budgets -- cutting more teachers and services  
18 than we can afford to. We need you to fully  
19 fund our schools and the futures of children  
20 who do not deserve to be ignored any longer.  
21 It is past time to recommit to the future of  
22 our children. Do you want upstanding  
23 citizens in the State of New York? Fund our  
24 schools. Do you want a strong workforce that

1 attracts businesses to the State of New York?  
2 Then fund our schools. Do you want our young  
3 scholars to look back and find that the  
4 adults who made some of the most important  
5 decisions for them stood up for them when  
6 they needed it? Then please fairly and fully  
7 fund our schools.

8 Thank you so much for your time and  
9 service.

10 CHAIRWOMAN WEINSTEIN: Thank you.

11 And Karen, we'll move on to you.

12 MS. BELANGER: Thank you. Greetings,  
13 Chairs Weinstein, Krueger, and education  
14 chairs Benedetto and Mayer, and everyone else  
15 who's managed to stay on and last till the  
16 end of today's hearing.

17 I'm Karen Belanger, the executive  
18 director of the Westchester Putnam School  
19 Boards Association, and I'm here representing  
20 the Lower Hudson Education Coalition, which  
21 is a joint project of school board members  
22 and school superintendents of four counties  
23 in the Lower Hudson Valley.

24 We join with a chorus of voices today

1           who are fearful of the financial cliff if all  
2           federal pandemic relief funds are used to  
3           supplant state aid, instead of the intended  
4           use for districts to manage the extraordinary  
5           costs of the pandemic and recovery. More  
6           than half of the 67 districts in the LHEC  
7           region will be receiving less aid than last  
8           year, according to the Executive Budget aid  
9           run.

10                   We also ask you to reject the proposed  
11           consolidation of expense-based aids and the  
12           reduction of those needed aid categories. In  
13           addition to the proposed aid cuts, the  
14           proposed permanent cost shift of the state's  
15           share of costs related to special education  
16           residential placements is a significant cost  
17           factor for local districts and does not serve  
18           our neediest special education students well.

19                   While the LHEC applauds the Executive  
20           Budget recommendations to permit  
21           transportation aid for school bus runs to  
22           deliver meals or devices to students, we  
23           believe transportation aid should be provided  
24           for standby costs, as districts were faced

1 with significant uncertainty last spring and  
2 for this entire school year on whether  
3 in-person instruction would happen from week  
4 to week.

5 Freezing levels of Foundation Aid for  
6 two years has put many more districts behind  
7 on fully funding the formula. Twenty-five of  
8 the LHEC region's 67 school districts are  
9 projected to be at less than 60 percent of  
10 full funding of Foundation Aid in the coming  
11 school year, according to the Executive  
12 Budget.

13 We also ask for a revised and updated  
14 formula that includes updating the Regional  
15 Cost Index to ensure the index reflects the  
16 higher cost structure of districts in all the  
17 New York City commuter communities.

18 Property and tax revenues are also  
19 critical to funding schools. The State  
20 Comptroller's office has announced a  
21 1.23 percent allowable growth factor --  
22 {inaudible; audio/video freeze} -- additional  
23 cost of providing school programs and  
24 services during the pandemic. We propose the

1 allowable growth factor for the coming year  
2 be set at 2 percent. This will permit school  
3 board members who live and pay taxes in their  
4 local community the flexibility to ask local  
5 voters to approve a budget based on up to a  
6 2 percent growth factor.

7 We have some proposals for increasing  
8 the management flexibility of school  
9 districts that you can read in the written  
10 testimony.

11 And I would be remiss if I didn't  
12 bring up the needs of Special Act school  
13 districts, which are public school districts  
14 providing specialized services to some of  
15 New York State's most challenged students.  
16 The fiscal and programmatic stability of  
17 SASDs can be enhanced through  
18 unappropriated reserve funds, designating  
19 COVID-19 expenses as direct care costs, and  
20 ensuring interim plus rates are provided at  
21 the start of each year.

22 We call on legislators to make  
23 significant resources available for the  
24 mental health services of our students, and

1 LHEC does support measures to ensure  
2 affordable, accessible home broadband. Our  
3 school districts have been providing students  
4 and families with devices and WiFi hotspots;  
5 we look forward to a more permanent solution  
6 to the digital divide.

7 Thank you for your ongoing support of  
8 public education throughout New York State  
9 and all you do to assist educators and public  
10 school districts to provide academic,  
11 extracurricular, social, and mental health  
12 programs and services for the young people of  
13 our state.

14 CHAIRWOMAN WEINSTEIN: Thank you both  
15 for being here.

16 We have a couple of Assemblymembers.  
17 First I'd like to call upon Assemblyman Mike  
18 Lawler -- there he is. Okay.

19 ASSEMBLYMAN LAWLER: Thank you,  
20 Chairwoman.

21 Karen, I appreciate you being here  
22 today and testifying and all the work that  
23 you and the Lower Hudson Valley Education  
24 Coalition are doing on behalf of our

1 districts, especially here in Rockland where  
2 I represent.

3           And as you may know from the state  
4 school aid runs, five of the six districts in  
5 my Assembly district are receiving cuts, and  
6 seven of the eight schools in Rockland County  
7 are receiving cuts. The only reason that the  
8 one school district is not is because of the  
9 work that Senator Schumer was able to do in  
10 December to get federal assistance for the  
11 East Ramapo School District. And we need to  
12 make sure that that money stays in that  
13 school district and is not diverted by the  
14 Governor through this budget process in any  
15 way.

16           But as I spoke about earlier when the  
17 commissioner was on, as well as when Andy was  
18 on from NYSUT, you know, Rockland County and  
19 Westchester -- and I know Shelley knows this  
20 well -- you know, we're severely shortchanged  
21 when it comes to the Regional Cost Index.

22           You know, our labor costs in Rockland  
23 and Westchester are undoubtedly equal to and  
24 in some cases greater than Long Island and



1 New York City, and yet we're treated like  
2 other parts of the Hudson Valley and upstate  
3 New York when it comes to the Regional Cost  
4 Index. And so I've put in legislation to  
5 change that, to make sure that we are  
6 receiving parity with Long Island and  
7 New York City for both Westchester and  
8 Rockland, and certainly would appreciate your  
9 help and support in advocating for a change  
10 on that.

11 You know, frankly, I'd be happy if the  
12 whole Hudson Valley got changed, but  
13 certainly I think it's important for Rockland  
14 and Westchester, given that we pay the  
15 highest property taxes in the country, which  
16 is primarily driven by school taxes.

17 So, you know, I put that out there for  
18 you. Look forward to working with you. But  
19 certainly as you're doing your work, you  
20 know, I want to partner you with on that and  
21 see what we can do to get that fixed.

22 MS. BELANGER: Thank you so much. I  
23 really appreciate your support of our  
24 districts, but also your work on their

1           behalf.

2                   I think we are very much in favor of a  
3           change to the Regional Cost Index reflecting  
4           the fact that -- the way we framed it is more  
5           around the entire MTA commuter region, that  
6           any county that has commuters into New York  
7           City has essentially a different cost  
8           structure to their labor costs and so on than  
9           what you would see from counties that are  
10          outside that particular region.

11                   And note as well as what you were  
12          saying in terms of the lack of support, shall  
13          we say, that is in the Executive Budget for  
14          most of the school districts in our region,  
15          when we looked at, in the Lower Hudson  
16          Education Coalition, all the districts,  
17          despite the fact that the Governor has been  
18          announcing a 7.1 percent increase in state  
19          aid statewide, once you take out the  
20          extraordinary amount that is given to  
21          East Ramapo under the CRRSA funding, we're  
22          looking at a total for the Lower Hudson  
23          Education Coalition, all the rest of the  
24          districts, of only a 2.9 percent increase.

1 And as I stated earlier, more than half of  
2 those districts are receiving less state  
3 funding than last year.

4 ASSEMBLYMAN LAWLER: No question. And  
5 I want to work with you and certainly Senator  
6 Mayer and others from the Hudson Valley to  
7 try and fix that.

8 Thank you.

9 CHAIRWOMAN WEINSTEIN: Thank you.

10 And with that, we go to the Senate and  
11 to Senator Mayer.

12 SENATOR MAYER: Thank you very much.

13 Kearstin, I want to first say thank  
14 you. You know, I know Senator Jackson is not  
15 here, and our two new Rochester Senators in  
16 our conference are not here, but let me  
17 assure you that last year, working with SED  
18 and the representatives of Rochester and  
19 certainly Mr. Bronson as well, and this year,  
20 we are very committed to helping address the  
21 issues in Rochester that you described.

22 So I appreciate that you stayed this  
23 long. And I know you've been talking to my  
24 staff as well. And we know how serious the

1 situation is in Rochester. So thank you for  
2 identifying it and making it real about the  
3 students, because that's what it's about.

4 And to my friend Karen, thank you for  
5 being here and waiting so long.

6 You know, one thing I don't think you  
7 said, but I may have missed it, is this STAR  
8 shift has a disproportionate impact on  
9 Westchester and Long Island. It's really  
10 targeted at the high-tax counties around  
11 New York City, and it will have a tremendous  
12 permanent impact if the Governor's proposal  
13 goes through and we don't have a COVID  
14 bailout every year.

15 So I look forward to working with you  
16 on that. I'm quite worried about that  
17 completely new idea, which I don't think has  
18 ever been in the conversation about school  
19 aid before. But I am very worried about our  
20 districts, both the ones that are poor and  
21 the ones that are not so poor, all of whom  
22 have faced really big challenges this year.

23 MS. BELANGER: Oh, I absolutely agree.  
24 I couldn't agree more. I think that even

1 putting sort of STAR into the aid runs was  
2 really kind of an inappropriate place for  
3 them, as far as I'm concerned. It really is  
4 very much assistance to property taxpayers  
5 and normally would not net any additional  
6 funds to the district.

7 But the way that they have been pulled  
8 out, and the disproportionate impact that  
9 that had on some of our districts,  
10 particularly Yonkers -- when you take a look  
11 at the amount of the CRRSA funding that is  
12 essentially clawed back on the basis of the  
13 level of their STAR funds, it's just hard to  
14 imagine that that is in any way equitable.

15 And it really -- you know, just to  
16 bring up another district as well, is I know  
17 that Mount Vernon, for instance, is at the  
18 top of the fiscal stress list in the latest  
19 {inaudible} report, and once again the entire  
20 CRRSA aid was all taken away, clawed back by  
21 state aid, and they're going to receive no  
22 additional funds. So yeah.

23 SENATOR MAYER: Well, I'm glad you  
24 brought up Mount Vernon, because we didn't

1 get to discuss it today, but thank you. And  
2 I look forward to working with both of you in  
3 your separate struggles to make sure that our  
4 schools are funded.

5 MS. BROWN: Thank you.

6 MS. BELANGER: Thank you.

7 SENATOR MAYER: Thank you, Madam

8 Chair. I think we're at the end.

9 CHAIRWOMAN WEINSTEIN: Well, we have  
10 Assemblyman Otis --

11 CHAIRWOMAN KRUEGER: And another  
12 Senator popped up.

13 CHAIRWOMAN WEINSTEIN: Another  
14 Senator, yes.

15 So Assemblyman Otis, we go to you.

16 ASSEMBLYMAN OTIS: Thank you. Thank  
17 you, Karen, for your advocacy.

18 And I want to talk a little more about  
19 the financial pressure, a different way of  
20 looking at the financial pressure for  
21 districts in the region.

22 Last year we had kept the funding  
23 level from the state, so that already put  
24 pressure on the districts. And with what's

1           being proposed this year, what are you  
2           hearing from districts about program cuts  
3           that have already occurred, layoffs that have  
4           already occurred, layoffs of teachers? And  
5           what are they saying about the prospects for  
6           more of that in the upcoming year if we don't  
7           make some changes to this budget?

8                     MS. BELANGER: Thank you. Thank you,  
9           Steve.

10                    No, this is definitely incredibly  
11           worrying. I think that everybody has been  
12           hanging on by their fingernails, honestly,  
13           this year, especially with the threat of the  
14           20 percent aid cut. So the aim has been to  
15           try and, in the words of a superintendent the  
16           other day, preserve and protect, doing their  
17           best to preserve and protect the programs  
18           that they've got.

19                    And I don't see that this particular  
20           low level of funding is (a) sustainable. And  
21           if the cuts are to come next year when  
22           federal funding may no longer be available,  
23           given it was all used in this particular  
24           budget, everybody is exceptionally worried

1 about a new iteration of the GEA and the kind  
2 of cuts that that could do.

3 We saw it in our region 12 years ago,  
4 when the GEA was first instituted, and the  
5 kind of dramatic layoffs and cuts that were  
6 required of school districts all around our  
7 region. And we certainly don't want to see  
8 that happen again, especially when, you  
9 know -- I mean, right now I think we've  
10 honestly seen the tip of the iceberg when it  
11 comes to pandemic costs. We've seen it with  
12 cleaning supplies and devices and so on.

13 In the coming years, we're going to  
14 have to deal with mental health issues, we're  
15 going to have to deal with learning loss,  
16 we're going to have to deal with permanently  
17 closing that digital divide. Those are not  
18 going to be either easy or cheap.

19 ASSEMBLYMAN OTIS: Well, thank you.  
20 And I think that's the message about -- that  
21 there's a hurt and that we're seeing layoffs  
22 and program cuts. So thank you very much,  
23 Karen.

24 Thank you, Helene, for the time.



1 Appreciate it.

2 CHAIRWOMAN WEINSTEIN: Thank you.

3 Back to Senator Krueger, if you have  
4 an additional Senator.

5 CHAIRWOMAN KRUEGER: Yes, we did. I  
6 see that Rochester Senator Samra Brouk,  
7 earning her first year's salary, has joined  
8 us again.

9 SENATOR BROUK: Hi, everyone. Thank  
10 you for welcoming me back. I can't leave my  
11 girl Kearstin here without Rochester  
12 representation, especially as we go into -- I  
13 lost the number of hours, but as I started  
14 today, you know, I do think this is one of  
15 the most important conversations we're going  
16 to have all year.

17 And so you have surrogate Senators,  
18 Kearstin, both in Senator Mayer and Senator  
19 Jackson, who have been fighting the fight.  
20 And as they mentioned, you now have two  
21 fighting the fight here locally. And so I  
22 want to thank you for taking the time out  
23 today. You are fighting on all sides of  
24 this -- as a parent, as part of the institute

1           which helps with, you know, I know parents  
2           all over Monroe County, in the Greater  
3           Rochester area.

4                        So I wanted to give you a chance --  
5           you know, you talked a lot about the effect  
6           that this is having on our students, right,  
7           and our teachers. And I also think it's  
8           important to note that this also affects  
9           families, because it affects a parent's  
10          ability, this lack of funding and the lack  
11          of, you know, actually fulfilling the  
12          Foundation Aid formula.

13                       Do you want to speak on, at all, the  
14          effect it has on you as a parent and on  
15          families?

16                       MS. BROWN: If I may speak about the  
17          effect it has on my children, mostly. You  
18          know, that's why we're all here, for our  
19          children.

20                       I didn't know about the Foundation Aid  
21          formula until December of 2019. I'm pretty  
22          new to Rochester, came from Fairfax County,  
23          Virginia, where I used to teach and live  
24          there. And what I found was how bothered my

1 children were to see their teachers being  
2 laid off.

3 And that's when I figured out that at  
4 the bottom of this, yes, there are many, many  
5 {screen freeze} -- budgeting and all of that,  
6 but the Foundation Aid formula. And I didn't  
7 know what it was, and I learned. And what  
8 I've seen, my children -- I've seen other  
9 children -- feel like they're being punished,  
10 like they're less than other children because  
11 their teachers are leaving.

12 I was also in the school building when  
13 some of our teachers were being laid off. I  
14 did volunteer, where I could. I have the  
15 privilege to do that as a parent with a  
16 flexible work schedule. Not all families do.  
17 But I literally held up teachers in the  
18 hallway who just had to cry in my arms and  
19 pointed into their classroom: "Do you see  
20 her? Do you see how she's working with our  
21 children? They're going to lose that, and  
22 they're going to fall behind."

23 And so I knew that we couldn't have  
24 that, and we can't have it again. We can't

1 afford -- we are at our low, we cannot afford  
2 to lose any more teachers, any more funding.

3 And so Samra Brouk, I am just so very  
4 happy that you are there. And I am looking  
5 forward to your commitment to Rochester  
6 children and children all over Monroe County  
7 and the State of New York. And thank you so  
8 much for your advocacy.

9 SENATOR BROUK: Thank you, Kearstin.  
10 And please send a message from their Senator  
11 that your kids do matter, and that we will  
12 continue to fight for them. And thank you.

13 MS. BROWN: School 12 loves you.  
14 Thank you.

15 (Laughter.)

16 CHAIRWOMAN WEINSTEIN: On that happy  
17 note, we are concluding the Education  
18 hearing. The advantage of it being virtual  
19 is that we were able to have representatives,  
20 have people come speak to us from around the  
21 state.

22 So happy that we're able to have so  
23 many people from Rochester in particular here  
24 with us today -- today, tonight. So --

1                   CHAIRWOMAN KRUEGER: And also thank  
2                   you, Helene, for your endurance, for leading  
3                   us today in this extensive and intense  
4                   hearing.

5                   CHAIRWOMAN WEINSTEIN: Thank you, Liz.  
6                   So this ends --

7                   SENATOR LIU: Madam Chair, I was  
8                   hopeful that we'd break last year's record,  
9                   getting from -- I guess not this year.

10                  CHAIRWOMAN WEINSTEIN: No, we have.  
11                  No, we have broken last year's record.

12                  CHAIRWOMAN KRUEGER: So unless you  
13                  want to stay on for the rest of the night --  
14                  we're going to sign off, but you could use  
15                  your Hollywood Square to do whatever you  
16                  wish.

17                  CHAIRWOMAN WEINSTEIN: We are --

18                  SENATOR LIU: Helene, you want to stay  
19                  on?

20                  CHAIRWOMAN WEINSTEIN: Well, right  
21                  before we sign off officially, before we  
22                  officially sign off, I just wanted to  
23                  announce, for anybody who is listening, this  
24                  will conclude our third day of joint budget

1           hearings between the Assembly and Senate.  
2           Our next joint budget hearing will be on  
3           February 2nd, next Tuesday, starting at 9:30  
4           with Housing and 1 p.m. with Workforce.

5                        So with that, everybody stay warm.  
6           It's going to be a cold weekend. And for my  
7           colleagues who have been with us these past  
8           three days, get some rest.

9                        CHAIRWOMAN KRUEGER: Thank you.

10                      SENATOR LIU: Thank you, Chairs. Good  
11           night.

12                      (Whereupon, at 7:49 p.m., the budget  
13           hearing concluded.)

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