



New York State Joint Budget Hearings - Elementary and Secondary Education

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Testimony of Rabbi Yeruchim Silber¹

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Chairs Krueger, Weinstein, Mayer, Benedetto, and members of the committees - thank you for this opportunity to testify before this joint committee hearing.

Background:

My name is Yeruchim Silber, and I represent Agudath Israel of America. Founded in 1922 to serve as Orthodox Jewry's umbrella organization, Agudath Israel is the arm and voice of American Orthodox Jewry. With national and DC offices, and regional branches serving the entire country, Agudath Israel advocates for its constituents at federal, state, and local levels. Agudath Israel and its many divisions provide social, educational, and youth services to its constituents, continuing a century-long tradition of championing the evolving needs of Orthodox Jewish life in America.

For over 60 years, our organization has been at the forefront of advocating for the nonpublic school community, specifically for yeshivas and day schools in the Orthodox Jewish community. In addition to advocacy, our Education Affairs department helps our schools navigate the maze of applicable laws, regulations and government programs. We also host an annual Yeshiva Summit² which covers a

¹ Thank you to my Agudath Israel colleagues Yehoshua Pinkus and Avrohom Weinstock for their assistance in the preparation of this testimony

² <https://yeshivasummit.org/>



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myriad of compliance topics. It is attended by hundreds of school administrators and addressed by elected officials, State Education Department, and local education departments personnel.

Yeshiva Education

Before enumerating our specific requests, I would like to address the general topic of yeshiva education, an important issue for New York State yeshiva parents.

First, Agudath Israel does not operate any schools. Our role is one of advocacy, guidance, and representation. There are over 500 yeshivas and Jewish day schools across New York State, nearly all of whom are independent entities with their own board and administration. They are not all monolithic. Many yeshivas are among the highest scoring schools in regent exams across the state. Others may place more of an emphasis on Judaic studies. But a common denominator among all yeshivas is that the vast majority of their graduates lead successful lives. There are tens of thousands of professionals, businesspeople, entrepreneurs and religious leaders who attended yeshivas. In communities populated by yeshiva graduates, there is almost no violent crime or illegal drug usage. It would be fair to say that the prime reason for the exponential growth of the Orthodox Jewish community over the last 80 years is due to the success of the yeshiva system.

Yet despite these successes, there seems to be a misconception of rampant poverty in the Hassidic and other Orthodox communities. These assumptions are based on metrics that are deeply flawed. Hassidic communities tend to have large families. So, for example, a family with seven children whose parents jointly earn \$94,000 annually would be eligible to receive reduced priced lunch. But that \$94,000 is 33% higher than the median U.S. income of \$70,784.³ Poverty rates also do not take into account the age of the earner. As described in a Wall Street Journal⁴ opinion piece discussing the exclusively Hasidic community of Kiryas Joel, New York, younger workers on average earn less than older ones, and Kiryas Joel is a youthful community. Eighty-two percent of adults in Kiryas Joel are under 45, compared with 47% of adults in New York state. According to 2017 census data, the median income for 25-year-old married male heads of household in New York state was \$37,200 – less than half the \$78,700 median income for comparable 45-year-olds. While the poverty rate for 18- to 34-year-

³ <https://www.census.gov/library/publications/2022/demo/p60-276.html>

⁴ <https://www.wsj.com/articles/dubious-stats-fuel-attack-on-jewish-schools-11576107404>

old Kiryas Joel residents is 52%, it's only 16.8% for those 60 and over – lower than the 18% rate for New York City.

Yeshiva graduates also do well by objective financial measures: According to a 2021 Pew Research Study,⁵ 22% of Orthodox Jewish households earned more than \$150,000 annually, compared to 8% of the general public, and only 26% of Orthodox Jews earned less than \$50,000 compared to 48% of the general public. Furthermore, in the Hassidic sector, median household income was \$102,000 – far higher than the median U.S. income of \$70,784.⁶

Clearly, by almost any metric, yeshivas are successfully preparing their students for life.

Nonpublic Schools are a Good Investment for the State of New York

According to the most recent data from the New York State Education Department,⁷ there were 181,270 students enrolled in Jewish affiliated schools in New York State, accounting for 43.09% of the 427,724 students enrolled in nonpublic schools statewide. This represents an 8.59% increase over the last five years. Furthermore, in New York City, Long Island, and Westchester over 100,000 students were enrolled in schools that are ideologically affiliated with Agudath Israel, although we respond to inquiries and serve all schools across the ideological spectrum.

If all nonpublic school students attended public schools, the annual cost to federal, state, and local governments would be close to \$15 billion. The Governor's Executive Budget Proposal allocates over \$35 billion for education aid. Yet nonpublic schools, which comprise approximately 15% of the student population, were allocated just over \$400 million (just over 1% of the total allocation), and even then, those funds were primarily for reimbursement of services they provide on behalf of the state, as well as for various non-education ancillary services such as security or transportation. To put it in simpler terms, the entire non-public school budget allocates less than \$1000 per pupil.

Now I would like to take this opportunity to outline our budgetary priorities.

⁵ <https://www.pewresearch.org/religion/2021/05/11/economics-and-well-being-among-u-s-jews/>

⁶ <https://nishmaresearch.com/assets/pdf/REPORT%20-%20Nishma%20Research%20-%20The%20Finances%20>

⁷ <https://www.p12.nysed.gov/irs/statistics/nonpublic/>

NPSE (Non-Public School Safety Equipment Grant)

This year's budget once again allocates \$45 million for the NPSE and expands the usage to critical capital needs that enhance safety of school facilities. However, sadly hate crimes keep increasing. In New York City alone, 325 antisemitic hate crimes were reported in 2023,⁸ a significant increase from 263 incidents reported in 2022 and 96 in 2021.⁹ Moreover, according to the Audit of Antisemitic Incidents of 2022, released by the ADL (the Anti-Defamation League) in March 2023, visibly Orthodox Jews were the victims of 64% of the assault incidents in New York State.¹⁰ And the numbers have only gotten worse. Since the October 7th Hamas massacre in Israel, antisemitic incidents in the U.S. have skyrocketed, reaching a total of 3,291 incidents between Oct. 7 and Jan. 7, according to ADL's preliminary data.¹¹ This represents a 361-percent increase compared to the same period one year prior, which saw 712 incidents. Schools, especially Jewish schools that are more at-risk of being attacked, are forced to increase spending on security needs. Many nonpublic schools are in aging facilities that require extensive repairs in order to ensure student safety and could not do so without the help of an NPSE grant.

For most schools, enhanced security is no longer an option or a luxury. It is now a necessity. Many of the schools represented by Agudath Israel have as much as 90% of their students on scholarship; oftentimes schools are faced with the difficult choice whether to enhance their students' education or their security. In addition, New York City schools with less than 300 students are not eligible for the city's program to reimburse them for security guards. That is why the NPSE program is so essential and why it is critical to fund it at a higher level.

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<https://app.powerbigov.us/view?r=eyJrIjoieYjg1NWl3YjgtYzkyOS00Nzc0LTkwMDAtNTgzM2I2M2JmYWY1IiwidCI6IjJiOWY1N2ViLTc4ZDEtNDZmYi1iZTgzLWEyYWZkZDdjNjA0MyJ9>

⁹ <https://www.timesofisrael.com/police-data-shows-antisemitic-incidents-in-nyc-more-than-doubled-over-last-2-years/>

¹⁰ <https://www.adl.org/sites/default/files/pdfs/2023-03/ADL-2022-Audit-of-Antisemitic-Incidents-2021.pdf>

¹¹ <https://www.adl.org/resources/press-release/us-antisemitic-incidents-skyrocketed-360-aftermath-attack-israel-according>

Late last year, close to 100 members of the Legislature signed on to letters asking Governor Hochul to double the NPSE to \$90 million. **We firmly supported that request, and we now ask the legislature to advocate for that increase in the enacted budget.**

Securing Communities Against Hate Crimes Grant

The Executive Budget for FY 2024 allocates \$35 million, an increase of \$10 million from last year, for this very important program which allows nonpublic schools, day care centers, community facilities, and summer camps to apply for competitive grants of up to \$50,000 for capital needs to secure facilities that are at risk for hate crimes. **Agudath Israel strongly supports this allocation.**

Mandated Services Reimbursements

Originally passed in the 1970's, MSA (Mandated Services Aid) and CAP (Comprehensive Attendance Policy) reimburse schools for services they provide at the behest of the state such as attendance taking, pupil data, testing, and similar items.

For the 2021-22 school year the state allocated \$195 million for MSA. However, that still left a shortfall of close to \$8 million. As a result, schools were not fully reimbursed for the services they had already performed. Since claims for the 2022-23 school year will be based on the budget enacted in April 2023, which only included a minimal increase over the \$195 million, we anticipate a similar shortfall for the 2022-23 school year. Since costs typically rise, especially given the current inflation, we anticipated that the cost of MSA claims for the 2023-24 school year would similarly rise. Thankfully, the executive budget for FY 2024 allocates over \$239 million for MSA-CAP claims, which will likely make up for the two-year shortfall as well as fund all of the 2023-24 reimbursements. **We urge the Legislature to keep this funding in place in the enacted budget.**

Support Universal School Lunch

Students experiencing hunger often have difficulty focusing in school, have lower attendance than their peers, and are at greater risk of mental and physical health problems. School meals are one of the farthest-reaching anti-hunger programs for school-aged children, yet the free and reduced-price payment structure leaves many students behind. Additionally, the schools represented by Agudath Israel serve only kosher food which has many requirements and higher costs.

Last year Agudah joined a large [statewide coalition](#) advocating for universal free school meals. The final budget did not allocate as much as we had hoped for but thanks to an allocation of \$134 million, many schools and districts are able to serve free meals to all of their students.

Agudath Israel supports S.1678 Hinchey/A.1941 Gonzalez-Rojas which will provide free breakfast and lunch for all students and we are working to help Jewish schools participate in this expansion.

Correct the Immunization Recordkeeping Reimbursement Shortfall

Among the list of mandated services that are supposed to be reimbursed by the state is the cost of immunization recordkeeping. Additionally, an Article VII statute reimburses additional services for New York City, Rochester and Buffalo.

For over 30 years nonpublic schools in the above localities have been collecting, collating, and reporting extensive student immunization data to the state. In return for their efforts and expenses, the schools were being reimbursed pennies on the dollar, receiving just 60 cents per student annually for their work. Surveys and financial modeling estimate that the current cost is \$ \$9.56 million or over \$30 per student.

The appropriation for immunization recordkeeping reimbursement has been \$1 million for the last five budget cycles, which is far below the actual cost.

Child vaccination rates, which fell during the COVID-19 pandemic, have still not risen to pre-pandemic levels. Considering this, the government should send a message emphasizing the importance of vaccination by prioritizing this funding and doing its

utmost to ensure that schools have the resources to collect and report immunization data for every student.

We respectfully request that the actual cost be included in the full list of mandated services and not as a separate appropriation, enabling schools to be fully reimbursed for their work

I look forward to working with you and your legislative colleagues as we move forward in the budget process. Thank you.

