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TESTIMONY

**School Administrators Association
of
New York State
(SAANYS)**

**Presented to
Assembly Ways & Means Committee
&
Senate Finance Committee**

**Joint Hearing on
Education Proposals of the SFY 2013-2014
Executive Budget**

**January 29, 2013
Albany, New York**

Introduction

Good afternoon Chairman Farrell, Chairman DeFrancisco, Assemblymember Nolan and Senator Flanagan. Thank you for this opportunity to offer testimony concerning the education proposals contained in the Executive Budget for fiscal year 2013-2014.

My name is James Viola and I serve as the Director of Government Relations for the School Administrators Association of New York State. SAANYS is the largest professional association of school administrators, with membership exceeding 7,000. On behalf of our principals, assistant principals, supervisors, deans and many others, I thank you for your continued advocacy and support for public education. We also applaud you for recognizing the critical importance of school leadership in our public schools.

Our school leaders work indefatigably to provide quality education programs and services to their students. The importance of their work was recently quantified in a study published in the winter 2013 edition of *Education Next*. Researchers found that highly effective principals raise the achievement of a typical student in their schools by between 0.05 and 0.21 standard deviations – equating to two to seven months of additional learning per year. The effectiveness of administrators' work is reflected in continued improvement in the graduation rate published by the State Education Department (74 percent in four years), and hundreds of schools listed in the *U.S. News Best High Schools* 2012 rankings (including 68 gold medals, 174 silver medals, and 128 bronze medals). Moreover, the January 2013 Education Week - Quality Counts *State of the States Grading Summary*, for a second consecutive year, gave New York State an overall rating of B, which is again the third best in the country and the same rating received by Massachusetts. All this was accomplished against the odds, with historic cuts in fiscal resources, instructional personnel and school leaders. Our positive trajectory cannot be sustained without necessary support.

The continued and cumulative reductions of key personnel not only jeopardize academic performance, but may impact school safety as well. (A survey by The Council of School Superintendents indicates that during 2011-12 and 2012-13 alone, there has been a 13.4 percent reduction of Other Support Personnel including school psychologists, school social workers, and guidance personnel who play an essential role in identifying and interceding with students who may hurt themselves or others.) At the local level school personnel should review and enhance safety plans (including chain of command procedures), and may

implement school safety audits along with targeted professional development. School leaders are also encouraged to contact local law enforcement agencies to use schools for Rapid Response practice. SAANYS supports the allocation of funds to school districts, and to BOCES, for renovation and equipment (video surveillance, metal detectors, internal gates, bulletproof glass, etc.) safety measures. However, SAANYS is strongly opposed to arming teachers and principals as a means to promote school safety. Contrary to fostering a safe and inviting environment, the presence of armed school officials would likely increase parents' and students' safety concerns, and would introduce a new array of safety and liability concerns.

State School Aid

Although the Governor announced that his proposed state budget would increase school aid \$889 million (4.4 percent), the actual formula-based school aid allocation to all school districts is \$611 million (3 percent). We recognize that this amount is restricted by the cap that is linked to annual changes in personal income, but this cap and the method for its calculation are subject to great vacillation on a per year basis (approximately one month earlier the calculated personal income index increased by 3.5 percent which would have yielded an state aid cap of \$709 million) and on a year-to-year basis.

The \$203 million now allocated for the pension and fiscal stabilization program is almost one-third the amount to be allocated under school aid. Although the intent to assist school districts with rising local contribution rates is appreciated, it is doubtful that all school districts will participate in this optional, long-term program.

\$75 million is to be directed to four initiatives announced in the Governor's State of the State address: full-day pre-kindergarten, \$25 million; extended school day/year, \$20 million; community schools, \$15 million; and master teacher program, \$11 million. All these initiatives exceed current requirements and amount to a top-down approach to local level programming that may not be fiscally prudent (e.g., supporting the program when the special allocation ends) and may not make programmatic sense (e.g., operating a full-time pre-kindergarten program followed by a half-time kindergarten program, or no kindergarten program). In addition, some school districts will not be eligible to apply for such funding, and in other instances, school districts will expend the time and personnel to complete an application only to not have it funded.

Educational insolvency is not years away – it is here. In his December 2012 analysis *Deficient Resources*, Michael Rebel, a member of the Governor’s New NY Education Reform Commission, cites many examples of schools already falling short in providing students adequate educational programs. Other school districts based on budget projections are now planning for the likelihood of non-compliance in 2013-14 in a manner that will have the least negative impact upon students. The Executive Budget does not include sufficient school aid for school districts and will, therefore, further eviscerate our educational system

Recommendations Regarding State School Aid:

- Statutory provisions establishing the school aid cap should be discontinued as it constitutes a self-imposed restriction in meeting the state responsibility to provide support necessary for all school districts to make available adequate education services.
- The \$278 million currently directed for pension stabilization and for State of the State initiatives should be added to formula based aid, as should the \$50 million scheduled for a new round of competitive grants. Such funds should be further augmented to the full extent possible so that all school districts are equitably and adequately supported for the provision of education services.
- To the extent personal income data are considered in education aid determinations, a 10-year average of change should be used as a means to avoid radical year-to-year fluctuations.

Annual Professional Performance Reviews

In presenting his State of the State address and Executive Budget, Governor Cuomo announced that the Annual Professional Performance Review (APPR) system is in place, is working and is a success. While such systems are now in place in nearly all school districts, the basis upon which it may be declared a “success” is unclear.

To say that the state fiscal and personnel resources dedicated to the implementation of the APPR system are “substantial” would be an understatement. Add to that the additional funds required at the local level to address the Race to the Top funding gap – the total amount is unknown. It is expected that the personnel time needed by the state for APPR implementation is dwarfed by that at the local level. According to a recent survey conducted by the NYS Council of School Superintendents, 32 percent of district leaders project that

principals and other school administrators need to direct between 30 and 40 percent of their time to APPR implementation, 41 percent of district leaders projected that APPR implementation will consume more than 40 percent of school administrators' time. Is the APPR system indeed successful? Is it more effective and constructive in its approach to evaluating teachers and principals? No data are available.

Recommendation Regarding Annual Professional Performance Reviews

- A formal, independent review of the state APPR process and its implementation across the state should be commissioned and undertaken as soon as practicable. The review should include both qualitative components (e.g., impact on school climate and culture, including teacher-principal relationships) and quantitative components (e.g., state and local level costs and impact on student performance).

High School Equivalency Program

The Pearson Testing Service GED® will be implemented in January 2014. The State Education Department is taking timely and appropriate action in issuing an RFP to make available a less costly test battery alternative that is rigorous and aligned with common core standards. The current cost for GED test administration is \$60; the Pearson TS product will cost \$120. Consistent with state law, in order to ensure access, test-takers are not required to pay a fee.

Recommendations Regarding High School Equivalency Program:

- A state allocation should be developed with the understanding that the current GED testing program will remain in place until December 2013. Funding should be more generically allocated, for the high school equivalency program (rather than for GED testing), recognizing that a state HSE test program may be available in addition to GED®, beginning in January 2014.
- In order to provide equitable access to this testing program and credential that plays a vital role in extending educational and career opportunities, the "no cost" provision in state law §117 should be maintained.

SAANYS Supports:

Mandate Relief -- Reports – In regard to “unnecessary reporting requirements,” as of April 1, 2014, the Executive Budget would eliminate all report requirements for school districts unless the Mandate Relief Council approves continuing them. This will appropriately place the burden of proof on state agencies and authorities to justify continuation of report requirements. This provision may be expected to produce a meaningful reduction in school reporting requirements.

Related Recommendation:

- It is recommended that the Mandate Relief Council also review proposed statutes and regulations that contain unfunded mandates to limit their establishment and implementation to the maximum extent practicable.

Mandate Relief – Special Education – As recommended by the Mandate Relief Council, SAANYS supports the establishment of a new waiver process to allow school districts to petition the State Education Department for flexibility in regard to special education requirements.

Mandate Relief – Internal Auditor – Small school districts with fewer than 1,000 students should be relieved of the burdensome requirement of having to maintain an independent auditor.

Regional Transportation – SAANYS believes that school districts should be authorized and provided incentives to contract with other entities, such as school districts, counties and municipalities to provide more efficient student transportation, and to partner together for school bus maintenance.

Early Retirement Program – Educators and civil service employees who are at least 55 years of age with 25 or more years of service should be permitted to retire without penalty. This will result in the controlled departure of higher paid veteran employees (who will receive a pension less than would be the case if they remained employed), achieving school district cost savings by hiring a new employee or not replacing the position.

SAANYS Opposes

Reduced State Aid to Public Schools through the Gap Elimination Adjustment
SAANYS understands the need to phase-in the Foundation Aid Formula over a greater span of years. However, the Gap Elimination Adjustment (GEA)

functions as an additional and unnecessary procedure that adds complexity of State aid calculations. The GEA should be discontinued as it functions like a tax upon school districts.

School Aid Increase Linked to Teacher and Principal Evaluation System
~~SAANYS opposes the linking of each school district's state aid increase to the~~ implementation of a teacher and principal evaluation system by September 1, 2013. Such an action is tantamount to a fine – on students who will suffer from additional cuts of personnel, services and programs. We urge the Legislature to reject this proposal and allow school districts to resume discussions without the threat of losing funding.

Forced Consolidation of School Districts – SAANYS opposes the establishment of any law that would compel school districts to merge. Such a system would be expected to further politicize education, diminish locally appropriate services, constrain community engagement, and compromise travel safety and school responsiveness in emergency situations. Incentives should be made available to address consolidation roadblocks, such as differences in district-to-district property taxes. In cases where school district consolidation is determined to be unfeasible, the foundation aid formula should include an appropriate adjustment to ensure that adequate educational services are available to students.

SAANYS Recommendations:

Scheduling Flexibility – More than three years ago, the Senate Education Committee held hearings on flexible school schedules. Although not all school districts may desire such an approach, SAANYS recommends that the state establish a pilot program based upon a school district plan and application to be approved by the State Education Department. In the current era of reform and innovation, it is time to try a new approach to the traditional school week.

Utilization of BOCES to Enhance School District Efficiency – SAANYS believes that the BOCES system has a long history of providing quality educational, administrative and managerial services in a cost-effective manner. Based on this record of success, SAANYS has long advocated the expanded use of the BOCES model to provide shared services to school districts (including large cities), municipalities, libraries, charter schools and institutions of higher education. The extent and types of services would likely be different from BOCES-to-BOCES, as it is for school districts.

Closing

The public's tremendous rate of approval of school district budgets in 2012 (96.5 percent, based on information from the NYS School Boards Association) is strong evidence that the public sees education as a priority in our state. Just as noteworthy is the very conservative approach used by school districts in developing budgets that minimize tax burdens as much as possible. But education is a "people business," both in terms of our workforce and our product: well-educated students. The degree to which education is cut or supported affects us all.

We look forward to working with you to help craft a budget that is fiscally responsible and fair to children. We appreciate all that you and your colleagues do for public education, and we are grateful for this opportunity to share our observations and recommendations.