



NEW YORK STATE  
SCHOOL FACILITIES ASSOCIATION

# TESTIMONY

By

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

Joint Fiscal Committees of the New York State Legislature  
Hearing on the FY 2017-18 Executive Budget

February 14, 2017

On behalf of New York State School Facilities Association (NYSSFA) and our 600 School Facilities Professional members working in the State's 728 public school districts and 36 BOCES, we are grateful for the opportunity to share our recommendations regarding the 2017-18 Executive Budget and present our 2017 legislative priorities.

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

There are over 3,050 school buildings in New York State. These buildings are the places of learning and growth for over 2.7 million students. This means they must have adequate space, equipment and capacity. They must be clean, bright, safe and appropriately maintained.

### TODAY'S SCHOOLS

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

All too often, our mission becomes a struggle just to get by, to find a way. As we strive to provide essential services, too often we can only provide a "make-do" answer. This just does not make sense for our members, our students, our staffs or our communities.

Education is changing. As such, our facilities must also adapt to those changes in a fiscally responsible way that takes into consideration maintenance, energy, and eventual replacement or upgrades. It takes a professional with knowledge of current best practices in efficiency, green products, procurement, and management to ensure

that the funds invested in school facilities and grounds meet the needs of students, faculty and our communities. School buildings are actually part of how children learn now, not only where. Allow us a couple of brief examples:

- The U.S. Department of Education honored the Schuylerville Elementary School last year as a federal "Green Ribbon School," the only one in the State. This elementary school won an EPA Energy Star Award and designed school facilities to meet LEED Silver standards. The school practices a coordinated school health approach, gets produce and eggs from local farmers, grows vegetables and herbs in hydroponic and raised-bed gardens, and introduces environmental and sustainability concepts at each grade level through the use of an outdoor classroom, bird trail and retention pond.
- The Port Jefferson School District won funding from the State Environmental Protection Fund for a "green roof." The grant paid the district to install a bed of vegetation on part of the high school's roof to serve as a basin to catch and treat storm water prior to discharging it into the village's storm water system. The green roof will reduce the overall pollutant loading entering Port Jefferson Harbor, as well as educate students and the public on the benefits of green infrastructure.

NYSSFA asks for your consideration of the following recommendations:

#### **SUPPORT THE OFFICE OF FACILITIES PLANNING AT THE NYS EDUCATION DEPARTMENT**

We thank you for supporting additional resources for the Office of Facilities Planning at the New York State Education Department over the last two years. As you may know, the Office of Facilities Planning reviews all purchases or construction of school buildings, additions, and alterations. Staffed by highly qualified professionals, this office includes engineers and architects who are especially knowledgeable. Unfortunately, dramatically reduced in recent years were staff positions in the office. The support provided by the Legislature was a solid step forward in rightsizing the Office by

providing them the resources to hire additional staff. Our districts turn to and depend on this office daily.

The software system they rely on is now ineffective and outworn, acquired by the Department in 1987 and running on an obsolete DOS-based platform. The original manufacturer no longer supports the system and it is at risk of failure. If the Department loses the ability to issue building permits, track and report on projects, and pay out building aid, the cost to local school districts in delayed work is inconceivable. An investment in a new facility planning system will allow the Office to replace outdated business practices, decrease the timeline for processing applications, allow local districts to check on the status of their projects, and merge internal systems to allow for seamless and accurate sharing of data.

NYSSFA supports the New York State Education Department's request for \$2 million for a new facilities planning system.<sup>1</sup>

### **BUILDING AID**

NYSSFA supports the Executive Budget proposal to increase Building Aid by 6% for the 2017-18 school year.

The Executive Budget proposes Building Aid be funded at \$3.09 billion, an increase of \$178.33 million, or 6.13 percent. This appropriation supports school building projects throughout the State, including Reorganization Incentive Aid for building expenses incurred by those school districts that reorganize under section 3602 of the Education Law.

Chapter 296 of the Laws of 2016 mandates that schools across the state test drinking water for lead contamination. That legislation provides that the state will fund a portion of the testing and remediation costs through Building Aid. The lead testing requirement enacted in 2016 were extremely labor intensive and costly to implement. Literally

thousands of water samples – dozens in every school building in New York State – have been taken and processed since last September.

### **SCHOOL SAFETY FUNDS**

NYSSFA supports the continuation of the NYSAFE Act proposed in the 2017-2018 Executive budget, which provides enhanced aid for the purchase of stationary metal detectors, security cameras and safety devices for electrically operated partitions. You should know that BOCES are not eligible for these funds, even though BOCES serve some of the State's most vulnerable students. BOCES should receive similar health and safety investments in the future too.

### **MAINTENANCE FUNDING**

The property tax cap has made it difficult for our members to advance energy conservation measures. In this time of very limited resources and competing priorities, Boards of Education are often hesitant to use current year funding on increased maintenance. In addition, there are no minimum standards for funding maintenance. As such, many of our structures, equipment, and grounds age faster than necessary.

NYSSFA is grateful to Senator Valesky and Assemblymember Englebright for sponsoring legislation to establish a minimum standard for maintenance funding and allow school districts to make these investments outside the restrictions of the property tax cap (*A.5530 by M.A. Englebright/S.1245 by Senator Valesky*).

### **BOCES CAPITAL PROJECTS**

The New York State School Facilities Association appreciates the efforts of Assemblymember Galef and Senator Marcellino over several years in trying to resolve issues with the property tax cap relating to capital expenses within a BOCES budget. NYSSFA was pleased with the steps outlined at the end of the 2015 legislative session to address these longstanding issues administratively. Like others, we are concerned that no action has resulted in the days since. The failure to resolve this issue comes at a cost to school districts, and delays much-needed upgrades to BOCES facilities.

With the property tax levy growth for school districts now capped at 0.12 percent next year, school districts will find it challenging to support the needs of their students. Schools will not be able to raise any substantial new revenue without obtaining a 60 percent supermajority vote in support of their budgets.

NYSSFA recommends a continued discussion on the property tax cap and the development of policies to alleviate unnecessary burdens to the system, such as for BOCES capital projects.

#### **INCREASE COST THRESHOLD FOR SCHOOL CONSTRUCTION PROJECTS**

NYSSFA supports legislation proposed by Assemblymember Thiele and Senator Seward (S.3970/A.3231), to increase the cost threshold for school construction projects. This measure would provide cost and administrative relief to districts, as well as a cost savings to the State.

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

However, costs are rising, technological advances are creating greater demand for capital improvements, and districts are finding it difficult to fund these projects in real time. We ask that the FY2017-2018 State Budget contain provisions to increase the \$100,000 threshold for eligibility to a more reasonable \$250,000 in order to help districts meet these demands and to achieve savings on interest payments to the state.

### ENERGY RESERVE FUND

Energy costs are a wild card for school districts. The cost of these commodities is very difficult to predict. Districts use many tools to address price fluctuations such as purchasing cooperatives. However, unlike any other factor that affect a child's education, the lights and heat must be on in order to provide our children with a sound education in a safe environment. Unfortunately, the fluctuations in energy costs make it extremely difficult for school districts to plan and budget effectively. Today, energy costs are at some of their lowest in a number of years, but this was not the case one, two or three years ago. Enacting legislation to permit school districts to establish an energy reserve fund this year would allow us to set aside a prudent amount for future years in which energy prices may be higher than predicted. Our members believe in planning now for tomorrow's needs.

NYSSFA is grateful to Assemblymember Cahill and Senator Funke for sponsoring legislation to establish an energy reserve fund (*A.151 by Assemblymember Cahill/ S.545 by Senator Funke*).

### CONCLUSION

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

Respectfully submitted,

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