
COALITION OF SPECIAL ACT PUBLIC SCHOOL DISTRICTS

&

COALITION OF 853 SCHOOLS

TESTIMONY

Submitted to

Fiscal Committees of the New York State Legislature

Hearing on
FY 2014-15 Executive Budget Proposal

Tuesday, January 28, 2014

On behalf of the Coalition of Special Act School Districts (CSASD) and the Coalition of 853 Schools (853) we appreciate the opportunity to testify regarding the 2014-15 Executive budget as it pertains to school age special education schools.

2014-15 EXECUTIVE BUDGET

To begin, we would like to extend our appreciation to the Legislature for your ongoing support of our schools. Last year, because of your outspoken support, we received the first increase to our tuition rate in 4 years. After years of 0% increases, the New York State Education Department and the Division of the Budget agreed to extend a 3% increase to our direct care costs. While this increase has not resolved the fiscal stress created by 4 years of 0% it was a significant first step towards reform. We are pleased to report that the 2013-14 school year rates reflecting the 3% on direct care has been certified and our schools can finally secure the investment approved last year.

Special Act Public School Districts and 853 Schools continue to face significant challenges. The tuition rate methodology continues to be a barrier to our stability. However, your support last year opened the door for productive discussions regarding tuition rate methodology reform. Together with DOB and other stakeholder groups, NYSED provided an opportunity for us and others to submit recommendations for reform. From those discussions, the Board of Regents adopted a series of recommendations to help alleviate some of the challenges associated with the tuition rate methodology, but we continue to need the Legislature support.

Currently any adjustments to the tuition rates occur after the State Budget is enacted, while investments in traditional public education occur within the State Budget. The Board of Regents has recommended the establishment of a statutory growth index for the tuition rates based on an average of state personal income growth. This language would be included in the State Budget allowing the Legislature to impact the support of our schools and our students. This recommendation would establish predicable and timely tuition increases and allow for improved budget planning. Finally, this recommendation provides parity in educational support as school aid growth for traditional public schools is currently linked to the personal income growth.

For the 2014-15 school year, a 3% increase would result in \$20 million of revenue for Special Act School Districts and 853 school age programs. However, the fiscal impact of this recommendation to the State would not occur until 2015-16 SFY through the private excess cost aid to school districts. This is by far the single most important recommendation. We urge your support of this recommendation and ask that you place language in the 2014-15 budget to establish a statutory growth index based on the average of state personal income growth.

The 2014-15 Executive Budget proposed the advancement of the Smart Schools Bond of \$2 billion for the purpose of supporting education technology in schools and investment in the construction of new preschool classrooms. Unfortunately, while we support the intention and need for this investment, it does not appear as if our schools would be eligible to receive this support. Our schools serve the most at risk community of children. The demographics of our students are vast ranging from students with multiple disabilities, emotionally and physically abused, to developmentally delay. Access to technology is key in ensuring that they are afforded the same opportunity for academic success as their counterparts in traditional general education public school districts. The tuition rate methodology does not have the capacity to support the technological infrastructure needed for our schools to meet the education reforms mandated by the State and Federal government. We encourage you to consider setting aside funds from this initiative to support education technology for school-age special education schools.

In addition to the recommendation to establish a statutory index growth index for the tuition rate, the Board of Regents has approved several other proposals to reform the tuition rate methodology. As we continue to work with the Department over the long term, we hope to have your support on a number of statutory and administrative recommendations. Specifically, the Board of Regents has recommended the establishment of a general reserve fund. This proposal has long been advanced by the Assembly and we continue to support the establishment of reserve fund and look forward to working with the Legislature to advance this and other reform measures during the session.

Once again, the Coalition of Special Act School Districts (CSASD) and the Coalition of 853 Schools appreciates the opportunity to share our thoughts and recommendations. We look forward to working together in improving the educational services and outcomes for our students and advancing meaningful change in our tuition rate methodology.

We are grateful for the personal attention that many members of the Legislature have given our schools individually over the past several years and invite any and all members to visit our schools and to learn more about our efforts to enable the children we serve overcome profoundly challenging personal circumstances to become successful students and to grow to be successful citizens.

Thank you.

BACKGROUND

“Special Act Public School Districts” are public schools districts created in the late 1960’s by special action of the legislature for the purpose of providing education and related services to students who reside in child care institutions. There are currently ten (10) Special Act School Districts, seven (7) of which are members of the Coalition of Special Act Public School Districts.

Residential facilities affiliated with the Special Act School Districts primarily serve students placed there under Article 81 of NYS Education Law by family court, local social services districts, the Office of Children and Family Services and Office of Mental Health, or in the case of Mt. Pleasant Blythedale UFSD, students are residence of the adjacent children’s hospital. However, while affiliated geographically, the Special Act School District is not operated by the residential facility, but is consider wholly a separate entity. Local public school districts, based on the recommendations of their CSE, also place students with disabilities in Special Act School Districts for day or residential services.

“853 schools” were created by Chapter 853 of the Laws of 1976. They are operated by private not-for-profit agencies and provide day and/or residential programs for students with disabilities. There are a total of 123 approved 853 schools; of which forty-five (45) offer a residential program.

Some students are placed under Article 81 of the NYS Education law by family court, local services districts, Office of Children and Family Services, Office for People with Developmental Disabilities or the Office of Mental Health. However, others are placed when the Committee on Special Education (CSE) determines that the student cannot be appropriately educated in the home school district, a neighboring district or in the programs of a board of cooperative educational services (BOCES) program.

The *Coalition of Special Act School Districts* and the *Coalition of 853 Schools* is pleased be in an advocacy partnership (referred to as the *“Partnership”*) working towards improved academic achievement and social competence through a multidimensional approach whereby all students have access to:

- comprehensive and dynamic curriculum that prepares them for college, career and productive citizenship,

- highly qualified certified teachers with access to mentoring and professional development,
- trained direct service support staff & licensed practitioners,
- positive behavioral interventions focused of character development,
- after-school activities that support learning and development, and
- a safe environment.

Most of the schools in our Partnership – both public and private - are affiliated with a residential facility and serve youth placed by the juvenile justice, child welfare mental health, mental retardation and developmental disabilities and special education systems. Many of our schools also provide educational services to day students referred by committees on special education (CSE). Many of our students have emotional and educational challenges, and some have been victims of abuse or neglect. For others, the education our schools provide serves as a vehicle to rehabilitate out of the juvenile justice system. The vast majority of our students have special educational needs addressed through individualized education programs (IEP).

The students we serve often lack a support structure at home to assist in fostering their development. Many of the students placed in our programs are there as a last hope. They have had frequent encounters with the criminal justice, foster care and mental health systems and confront serious personal and family challenges.

Listing of Coalition of Special Act Members

Berkshire UFSD
 George Junior Republic UFSD
 Greenburgh-North Castle UFSD
 Hawthorne-Cedar Knolls UFSD

Little Flower UFSD
 Mt. Pleasant-Blythedale UFSD
 Randolph Academy UFSD

Listing of Coalition of 853 Members

Anderson Center for Autism
 Andrus Children's Center
 Astor Services for Children & Families
 Baker Hall School
 Cardinal Hayes School
 Cardinal McCloskey Services
 Center For Developmental Disabilities
 Charlton School
 Child and Family Services
 Children's Home of Kingston
 Children's Home of Wyoming Conference
 Devereux: New York
 Gateway-Longview Lynde School
 Green Chimney Children's Services
 Gustavus Adolphus Learning Center
 Harmony Heights School
 Hillside Children's Center
 House of Good Shepherd
 Lake Grove School
 LaSalle School
 Leake & Watts Services

Lincoln Hall
 Lowell School
 Mary Cariola Children's Center
 Maryhaven Center of Hope
 New Directions Youth & Family Services
 Norman Howard School
 Northeast Parent & Child Society
 Oak Hill School
 Parsons Child and Family Center
 School of the Holy Childhood
 SCO Family of Services
 Springbrook New York, Inc.
 St. Anne Institute
 St. Catherine's Center for Children
 St. Colman's School
 St. Dominic's School
 Stanley G. Falk School
 Summit Children's Residence Center
 UCP of Utica
 Vanderheyden Hall
 Villa of Hope