



**TESTIMONY
OF
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**PRESENTED TO THE
NEW YORK STATE SENATE FINANCE COMMITTEE
AND
NEW YORK STATE ASSEMBLY COMMITTEE ON WAYS AND MEANS**

**REGARDING THE
NEW YORK STATE EXECUTIVE BUDGET PROPOSALS FOR
EDUCATION**

STATE FISCAL YEAR 2016-2017

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Good morning. My name is Alexis Henry and I am the Policy Associate for Early Education, Education and Youth Services at Citizens' Committee for Children (CCC). CCC is a 72-year-old privately supported, independent, multi-issue child advocacy organization dedicated to ensuring every New York child is healthy, housed, educated and safe.

CCC does not accept or receive public resources, provide direct services, nor represent a sector or workforce. For 72 years, CCC has undertaken public policy research, community education and advocacy efforts to draw attention to children and their needs so that we can advance budget, legislative and policy priorities that produce good outcomes for our youngest New Yorkers.

I would like to thank Chairman Farrell and Chairwoman Young and all the members of the Assembly Ways and Means and Senate Finance Committees for holding today's hearing on the Education-related proposals in the Governor's Executive Budget for State Fiscal Year 2016-2017.

CCC supports many of the Governor's new proposed investments, such as \$100 million for community schools, creating 18,000 units of supportive housing over the next 15 years, expanding prekindergarten to more 3-year olds, and creating six new mental health services for children. We were also extremely pleased to see that the Governor's budget maintains funding levels established by the legislature for runaway and homeless youth services and the Foster Youth Success Initiative.

We also applaud the Governor for once again including a comprehensive and fully-funded plan to raise the age of criminal responsibility in New York. As you know, New York remains one of only two states that prosecutes all 16 and 17- year olds as adults, despite the research proving that this is detrimental both to public safety and to the young people. We urge the Legislature to negotiate a budget with the Governor that includes Raise the Age this year.

We were also pleased to see that the Governor's Executive budget includes a number of proposals that will help all New Yorkers, and particularly the low-income New Yorkers in every part of the state. Specifically we support raising the minimum wage to \$15 an hour, creating a Paid Family Leave program, and increasing poverty initiatives upstate.

On the other hand, the \$143.5 billion Executive Budget limits spending growth to 1.7%, below Governor Cuomo's own 2% threshold. While CCC believes in fiscal prudence, New York has seen recent economic growth, and this artificial cap limits the ability of the state agencies to sufficiently meet the needs of many children and their families.

CCC is disappointed that the Executive Budget fails to include funding for critical programs and services for children. For example, the budget does not include enough funding for the over \$90 million child care budget hole created by new federal rules that must be implemented nor funding for contracted non-profit programs to implement the proposed minimum wage increase. Furthermore, the budget fails to include funding to expand the programs proven to produce good outcomes, such as prekindergarten for 4-year olds, child care subsidies, after-school programs and home-visiting programs such as Healthy Families New York and Nurse-Family Partnership. Finally, the budget also fails to make new investments in areas that CCC has been advocating for

such as creating a funding stream for primary preventive services and increasing the child welfare housing subsidy.

CCC is extremely concerned that the way that the Governor seems able to create new state-funded programs while remaining at 1.7% growth (which due to inflation translates into cuts), is by shifting nearly \$1 billion in costs to New York City. This is not fair or equitable to the residents of New York City, notably the nearly 2 million children, 1/3 of whom are living in poverty. Requiring New York City to pay for its Medicaid increases, which no other county is responsible for, and shifting 30% of the costs of CUNY to the City, is unacceptable. To accommodate these huge costs, New York City would be forced to cut programming for its residents. In recent days, the Governor has seemed to indicate that the Medicaid and CUNY proposals would not cost the City money; we hope this is true and look forward to seeing the details.

Given the state's positive budget outlook and the fact that the State's Budget needs to accommodate the needs of every county in the state, CCC urges the Legislature to negotiate a budget with the Governor that eliminates the cost shifts and invest significantly more in the programs and services that will produce outcomes for the children and families throughout New York.

EDUCATION

Turning specifically to the Executive Budget proposals related to Education, CCC feels that while many of the Executive Budget proposals are steps in the right direction, the State's Fiscal Year 2016-2017 Budget needs to go further to invest the resources needed to ensure every New York City student receives a high quality education that prepares them for college and career.

CCC is pleased that the State FY16-17 Executive Budget proposes investments in improving the quality and access to education for New York's children from pre-kindergarten through college. There are several critical proposals in the Executive Budget related to Education that CCC strongly supports and we urge the legislature to negotiate a budget that includes these items including, \$100 million for community schools, \$22 million for pre-kindergarten for 3- year olds, extending Mayoral Control in New York City for three years, and passing the Dream Act. We are grateful for the Governor's leadership on these issues, as well as the Legislature's long-term commitment to these types of investments. Unfortunately, however, as detailed below, the level of funding that the Executive Budget proposes to commit to education is not sufficient to meet the needs of New York's school children.

Education Aid

The State FY16-17 Executive Budget proposes to increase Education Aid for public schools by \$991 million, or 4.3%. This includes \$266 million for School Aid, a \$189 million Gap Elimination Adjustment restoration, \$408 million in reimbursements for current expense-based aid and \$4 million for Early College High Schools and career and technical education programs. It also includes the \$100 million for community schools, \$22 million for prekindergarten for 3-year olds, and \$2 million for the QUALITYstarsNY child care rating system.

While Education Aid increases are steps in the right direction, we are profoundly disappointed that the proposed increase is not higher. In fact, this year will mark the tenth anniversary of the Campaign for Fiscal Equity (CFE) decision through which the Court of Appeals found that the State had an obligation to increase school aid in order to provide “sound basic education.” Initially, the State calculated the cost of compliance with the CFE decision to be approximately \$5.5 billion over a four year period. While progress was made in 2007 and 2008, since 2009, the State has consistently failed to adequately address the needs of public school students. Current estimates of the shortfall, when taking in to account inflation, are approximately \$4.8 billion. Thus, the Executive Budget proposal falls woefully short of the state’s court-ordered obligation to New York’s children.

We urge the Legislature and the Governor to work together to enact a budget that makes significant increases in Education Aid.

Pre-Kindergarten

High quality early childhood education has been proven to improve school readiness, setting children on the path to successful academic careers and economic outcomes. Rigorous studies of these programs have shown positive and lasting effects, both nationally and internationally, finding that children who attend pre-kindergarten enter school with better reading and math skills, especially those who would otherwise be further behind, setting them up for future success.¹ Children, especially low income children, with access to high quality early childhood education are more likely to graduate school attend college and earn higher wages.

Two years ago the Governor and State Legislature committed \$340 million and agreed to make full day pre-kindergarten universal for all four year olds and last year, an additional \$30 million in State funds were committed to expand UPK options for three year olds as well as four year olds. Building on these steps, CCC appreciates the \$22 million investment Governor Cuomo has proposed to expand access to pre-kindergarten for three year olds in the SFY 2016-2017 Executive Budget. However, the proposed Executive Budget continues to leave thousands of children, including four year olds outside of New York City, unserved. Currently over 80,000 four year olds lack access to half or full day pre-kindergarten. We urge the Legislature and Governor to invest at least \$150 million to expand pre-kindergarten seats for high need three and four year olds, at rates sufficient to assure both quality and equity.

The Governor’s SFY 2016-2017 Executive Budget also proposes the creation of the Empire State Pre-kindergarten Grant Board, consisting of three appointed members, to oversee the pre-kindergarten grant program. CCC is concerned about the impact this transition will have on access and quality as this proposal would create a seventh funding stream, complicate and extend the notification time for distribution of funds and would make it challenging for districts to get seats into place in a timely way. We urge the Legislature to oppose the creation of the Empire State Pre-kindergarten Grant Board and recommend the State Education Department continue to administer these grants.

¹ Institute for the Study of Labor and Columbia University, Long-Term Effects of Early Childhood Care and Education, November 2011. <http://ftp.iza.org/dp6149.pdf>

Community Schools

CCC supports the Governor's proposal to add \$100 million to transform the State's 144 "failing schools" into community schools and we urge the Legislature to support this proposal as you negotiate the budget.

Specifically, the Governor has proposed \$75 million to be allocated amongst 17 school districts with a failing or persistently failing school and \$25 million is allocated to other high-need school districts statewide. The proposal would allow the funds to be used for community school coordinators, before and after-school mentoring services, summer learning activities, health and dental care referrals, and other strategies to maximize student achievement.

Community schools not only have positive impacts on academic achievement, attendance, graduation rates and post-secondary outcomes, but are also well positioned to address the nonacademic needs a child may bring to school.

Special Education

CCC urges the Legislature to oppose the Executive Budget proposal that would allow school districts, approved private schools, or boards of cooperative educational services to petition the State Education Department for flexibility to waive out of state special education requirements.

A waiver would have adverse effects on students as New York State law affords important protections for children and families receiving special education services. These provisions are better for children than the basic federal requirements and we do not want localities to be able to waive out of these protections. For example, New York State law has important provisions governing the size of co-taught classes and other standards for special education instruction, such as the size of caseloads and student groupings. There is no federal equivalent to this law. Thus, allowing waivers from state requirements would erode important safeguards in place for children with special needs and their families.

Common Core

CCC is pleased that in the State of the State Governor Cuomo expressed his commitment to improving implementation of the Common Core Standards. Governor Cuomo has accepted all 21 recommendations of the Common Core Task Force, convened last year. The recommendations aim to increase transparency and educator involvement in standard creation, develop better curriculum guidance and resources, significantly reduce testing time and preparation, ensure test alignment with curriculum and standards, and ensure a successful transition to a new system. These recommendations are an important step toward mitigating the impact of high stakes testing and ensuring all students have the knowledge and skills to succeed after high school graduation.

Mayoral Control

The Governor's SFY 2016-2017 Executive Budget proposes to extend mayoral control in New York City for three years. While we appreciate the Governor's support for mayoral control, we urge the Legislature to extend mayoral control for seven years, as per its original authorization in 2002. Mayoral control has brought continuity and stability to the City's education system though

higher city funding levels and accountability and it is important to build upon this progress. Since 2002, New York City has seen an increase in student achievement and graduation rates as well as meaningful education reforms like universal pre-kindergarten and the expansion of community schools. Research shows and New York's experience indicates that sustained mayoral leadership makes a significant difference on system structures and student outcomes.^{2,3}

Dream Act

Finally, CCC supports the Governor's proposal to enact the DREAM Act and we urge the Legislature to prioritize passing the bill this session. The DREAM Act would allow undocumented youth who graduate from a New York high school the opportunity to apply for state college tuition assistance. This cost effective investment would have a positive impact on the growth of New York's economy as workers with higher education earn more in wages and pay higher taxes than those with a high school diploma. Texas, New Mexico, California, Illinois and Minnesota have already extended state financial assistance for higher education to undocumented students and it's time for New York to do the same.

Conclusion

After so many years of dismal budgets resulting in cuts to programs that have led to negative impacts on children and families, New York State is now poised to be able to pass a budget that will have a positive impact on the well-being of New York's children and families. We urge you to enact a budget that ensures New York's children are healthy, housed, educated and safe.

Thank you for this opportunity to testify.

² Hess, F. (2008) Assessing the Case for Mayoral Control of Urban Schools. American Enterprise Institute for Public Policy Research. Retrieved from http://www.aei.org/wp-content/uploads/2011/10/20080825_0423422EduOAugust_g.pdf

³ Herman, J. (2013). Top 5 Things to Know About Mayoral Control of Schools. Center for American Progress. Retrieved from <https://www.americanprogress.org/issues/education/news/2013/03/22/57723/top-5-things-to-know-about-mayoral-control-of-schools/>

