

New York Suburban Consortium for Public Education
Meeting with Legislators, October 14, 2014

Participants: Patty Nashelsky, a parent from Rye Neck, moderated the discussion. Legislators included: Assemblyman David Buchwald (93rd district), Senator George Latimer (37th District), Senator Andrea Stewart-Cousins (35th District) and Assemblyman Thomas Abinanti (92nd District).

Purpose of the Forum: for elected officials to hear Consortium members' questions and for the members to learn how the legislators address these concerns in Albany.

1. TAX CAP QUESTION

Since the Property Tax Levy Cap was enacted in 2011, the vast majority of schools have proposed budgets within the cap by lowering their reserves and cutting program and staffing. This year the tax cap limit will be 1.46% vs. 2% due to lower inflation. What is your opinion on the cap? Do you feel the cap is a viable law going forward or will it erode school quality to unacceptable levels?

George Latimer: indicated that he voted "no" on the property tax cap and was one of 15 other legislators to do so. The political process has shown it is an unpopular vote: bad for both schools and government. He said that it's particularly bad because relief did not accompany the cap from unfunded mandates. He stands by his vote and feels that those who voted for it will have trouble changing their vote to discontinue the tax cap, in which case we will have it for another five years. We can only hope to modify the cap by excluding some things or changing the 60 percent override provision.

David Buchwald: indicated that he was not in office when the tax cap was enacted, but he has seen its effects. He feels that the way the cap is formulated is a problem. As inflation goes down, the cap gets tighter. Capital expenditures are impossible in certain years. Schools have to go to the public for large expenditures anyway so the rationale behind the cap is not there. Fundamentally in Westchester, two things that unify his constituents are support of education and complaints about property tax. In other parts of the state, the property tax issue/tax cap issue is not the same. He warned that districts that are not prepared will have to hit hard times in order for there to be change.

2. GEA QUESTION

The Gap Elimination Adjustment was created as a temporary measure in a time of crisis. Do you feel the GEA should continue or be eliminated? Should funds be restored?

Andrea Stewart-Cousins: indicated that we need to get rid of the GEA. She explained that this happened during a time of crisis, but the reality is that before the economic downturn we had a real formula for education. When Governor Spitzer came into office there was to be a basic accounting of what districts were supposed to get. However, then the recession happened and everything that was promised was frozen and Spitzer left office. She said that they are working to get rid of the GEA, but Cuomo does not feel he owns this policy because it was not his. That is the

reality. This year we have a billion dollars more in education, but she does not believe Cuomo will honor the former governor's promises.

David Buchwald: indicated that we should set as our goal to eliminate the GEA and that significant progress has been made. Westchester school districts have received more than most in funding increases. This should be at the top of priority list.

George Latimer: is frustrated on this issue. There are real hurdles to get rid of the GEA:

1) Budget process that is controlled by governor. The Governor and the Budget Director present the budget, the legislature responds and the legislature has limited power to negotiate the budget. All legislators want the GEA eliminated, but the Governor does not.

2) Lower economic performance means few dollars available. Everybody knows that we have not returned to the same economic strength after the economic downturn, so there are not the real dollars there to follow through on that promise – we have not seen the revenues grow. Income tax is where we get the single largest hit and it is not enough, sales tax is down – we don't have the same resources we did.

3) We are competing with other parts of the state and this issue is not a priority in some other areas. In other parts of the state there is very little sympathy for Westchester, they do not differentiate between Port Chester and Eastchester.

3. COMMON CORE QUESTION

Do you feel that the Common Core math and ELA exams for grades 3-8 should be made available in full to the public?

David Buchwald: Yes, the exams should be made available to the public after they are given. He recognized there has been some progress, but NYS Dept of Education now only releases half the questions. He said he does not know why this is an issue. This is a relatively small expense (\$7-10 million) in the scheme of the state budget. When implementing a new system you need transparency for public 'buy in'.

George Latimer: In general, he is a critic of Common Core from talking to building administrators, parents and teachers. Teachers are teaching to tests, children "come home crying saying school isn't fun." Everyone believes in higher standards. The Regents were already on that path. Now, we are on the wrong path, we are not cutting our speed with icebergs on the horizon. The whole implementation of Common Core has not been thought out properly. "One size fits all" does not work. The problems of Mount Vernon and Rye are totally different. However, King and Tisch want "one size fits all", and they are more powerful than one senator. Just a side note, some people do not want Common Core because of curriculum issues, but that is not his concern.

Andrea Stewart-Cousins: indicated that everyone should know what the questions are and whether they have been impactful. If the Democrats retain a majority in the upcoming election, she will be the Senate democratic leader. If this happens, she will put Senator Latimer on the education committee because he is in touch with

constituents and he can articulate points of view that inject a degree of intelligence and creates a broader conversation.

Thomas Abinanti: indicated that in simple terms the test should be made available. If you cannot see where your mistakes are, how are you supposed to learn? Common Core was rolled out unprofessionally. He called for John King's resignation. Abinanti agrees with Latimer that every child needs to get the same education. We should have started with those districts that need the help. Many districts were doing fine and should have been left alone. Some schools report they are better. This Common Core initiative is being used to beat down public schools so private funded charter schools can come take over.

4. BOARD OF REGENTS SEAT QUESTION

Thomas Abinanti: said that citizens can cause the legislators to replace a Regent and that is what needs to be done. The general voting population does not know who the Board of Regents are. We need to educate the population that Regents are not an exam, but are a group of people who make education policy. We should keep putting up people who have strong backgrounds, but it is hard to find someone who will do this job for nothing.

David Buchwald: This past year was the first time a sitting Regent was denied reappointment. He hopes that it signals there is a new era coming. Regents should not view their tenure as something that gets rubberstamped. This year, he is looking for people who are willing to be the voice for our region, and who can convince other Regents of their view. He asked that we please advise the legislators on the criteria **and specific individuals** who will be worthy of consideration.

George Latimer: Both houses of the legislature confirm the Regent. Usually deference is given to the legislators from the region where the Regent resides. He said that a consortium like this, if it has a candidate that it endorses, would carry great weight with the delegation and further. There will be hearings on the candidate. Anyone who steps forward will have to face questions. In the past, if the regional people are fine with someone, it has been automatic. It may not differ much this time, although it could.

Andrea Stewart-Cousins: said that the reality is that our Consortium could sway decisions. The Consortium should come up with a candidate and give it directly to those on the panel. The Speaker and ASC have a good relationship and there is always sensitivity to the region where the Regent resides. This is our opportunity to put forward what we think. We want someone with good credentials, etc.

5. PROPERTY TAX FREEZE QUESTION

The NYS property tax freeze was enacted in 2014 to encourage school districts and governments to merge. What is your position on this measure? If you are in favor of this measure what data leads you to believe that school district consolidations would be more economical?

George Latimer: indicated that he is not a fan of consolidation. He believes that the government should not pressure people to consolidate based on his school board experience. The bulk of the costs that drive property tax have little to do with

salaries of individuals. If you merge two school districts, then you may have to merge elementary schools, and then people are up in arms. This particular plan is a two-year freeze; school districts are not going to go for the override. However this is a problem we will face as we go down the line.

Andrea Stewart-Cousins: said that consolidation is not a new idea and for Governor Cuomo this is a continuing theme. However, she believes that it does not consider what we have already done and the government should not make people go find new ways to consolidate. The thrust to find more ways to consolidate has been on the Governor's mind, but we will try to find ways to do it, or find ways to push back. Your input does matter – don't be discouraged that things have not changed immediately. The tax cap and tax freeze exist because the Governor hears that the biggest problem is taxes. He believes we need to make things smaller.

Thomas Abinanti: indicated that he voted against the tax cap. The tax freeze takes a bad idea and makes it worse. It was an attempt to bully the public. If the goal is consolidation, bigger is not necessarily better. Maybe you would get more courses, but you would not save money and education will not get better. If a school wants to consolidate, that is a separate decision rather than being able to afford it. Small school districts are the incubators of ideas and give people control. A democracy costs money and so does having a local school district. There have been several votes where people do not want consolidation and have voted against it and that is democracy. This is an example of the state not providing enough to cover the cost of education. When the recession hit, there was a major cut in educational spending. Instead of giving tax cuts to big business to come to Buffalo, we should give money to schools.

David Buchwald: said that the tax freeze will not lead to consolidation. If the recession did not cause that to happen, the tax freeze will not bring it about either. Encouraging shared services is not necessarily bad. There are examples where that works. He hopes that there is a recognition that districts are already at the point where we do a lot that makes economic sense. More of the burden needs to be on the State to give the local governments the flexibility that they need. When you analyze the tax freeze, often there may be ways in which you want to share, but then state law does not permit it. If there are walls, we should try to break them down.

6. MANDATE RELIEF QUESTION

Mandate relief was promised with the enactment of the tax cap in 2011. Thus far, there has been no meaningful mandate relief. Do you support mandate relief? If so, which types of mandates would you seek to fund or cut and what is a realistic timeframe for relief? What financial assistance should school districts expect from the state when implementing mandated new curriculum and/or technology that will be necessary for future electronic testing (PARCC)?

Andrea Stewart-Cousins: We did talk about mandate relief in conjunction with tax cap, but there has not been enough done. There was a task force, then a council, and now the Mandate Relief Council. She suggests that the Consortium should put together a proposal for mandate relief. There is a lot more we can do together. There is a \$2 million dollar bond to pay for the technology for scoring tests and she advised that the Consortium should look at that too.

Thomas Abinanti: indicated that he never promised mandate relief, but feels there are too many mandates– Common Core, tax freeze, etc. Often times things are connected, for example, the tax cap was connected to rent control. We have to stop with more mandates. We have to pay for Common Core changes and keep what works and get rid of what does not work. He suggests a commission to start this process. He added that in the past, several Superintendents put together ideas, although that would not really save a lot of money, but would be of substantive help.

David Buchwald: said it is not progress that only one mandate has been lifted. He is skeptical of the Mandate Relief Council, however, he asked that people send ideas to the legislators **and** to the Council, not just to the Council. If you have resources, send the ideas in draft bill form so legislators can get others signed on easily. That is how he suggested that we could move forward.

George Latimer: said that he is currently working on a mandate relief bill. If you are under the 2 % tax cap then your pension growth cannot exceed 2%. If you can cap what you can tax, then you can cap what you can control. If we can stop the impact of the pensions hitting the budget, that would be significant mandate relief.

7. DATA PRIVACY

What measures will you support to ensure that our children's data is private and secure?

Thomas Abinanti: said we should ban the consolidation of data above the BOCES level. School districts formerly brought data to the regional level, but it was redacted and did not have personal information on students. There was nothing wrong with that system. A bill was passed that set up privacy protections. Required deletion of school data and allowed people to opt out. InBloom collapsed. He would like to see legislation that bans “big data”.

David Buchwald: opined that the idea that we turned over data to a precarious entity showed the SED's rush to do things was not wise. School districts want to evaluate data for their own use. But once that data leaves the school district, we have to be highly skeptical. If SED cannot guarantee data safety, then they cannot go forward with this.

George Latimer: agreed and said that they are all on the same page. Data should stay local. As far as reporting, he is fine with reporting aggregate data. Ideally, the Board of Regents will ratify that policy. There is a value for the independence of the Board of Regents. If the Board of Regents cannot confirm that policy then the legislators should do it.

Andrea Stewart-Cousins: indicated that we have all said the same things. There is a parent bill of rights. She said that the Consortium should take credit for speaking out that privacy violations are unacceptable. As such, while the legislators are advocates for all our children, our power comes from people like those in the Consortium. When you rally you help people see the light. We have a lot of work to do collectively. We have a lot of eyes on us because of the cost and it matters for our future. Thank you for having us. Vote on November 4th and let's get to work in December!