



# STUDENTS V. STATE OF NEW YORK

*Opportunity & Justice: Unfunded, Undelivered*

**PUBLIC POLICY AND  
EDUCATION FUND** OF NEW YORK



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later, the state continues to deny the students the opportunity to realize their dreams by failing to provide them with access to the quality education to which they have a right.

As Governor Cuomo has said, we should strive for “our tomorrows to be better than our yesterdays,” but students in New York State have been missing out on their opportunity for a better tomorrow because schools are inadequately funded today. Unfortunately, in the process of crafting a state budget, when each house of the legislature and the governor put forward their 2016-17 budget proposals, only one proposal reflected the willingness to put schools back on track with the CFE statewide settlement.

In 2016 the State Assembly passed a budget that included a multi-year plan to fully fund Foundation Aid and meet the requirements of the statewide settlement of the CFE lawsuit. The state created the Foundation Aid formula when it settled the Campaign for Fiscal Equity (CFE) lawsuit on a statewide basis. In contrast, the Governor proposed a plan that would only provide six percent (6%) of the Foundation Aid still owed to schools from the CFE lawsuit without a multi-year commitment to fulfill it. The Senate Majority proposed a similar plan, providing only 20% of the amount owed to districts without a plan to meet the requirement.

This report provides an update of the amount of basic classroom operating aid, also known as Foundation Aid, owed to each legislative district across the state. Early in 2016, we issued a report showing the amounts of Foundation Aid owed to each legislative district across the state. After the enacted budget 2016-2017 was passed, the State Education Department issued updated numbers of Foundation Aid that is owed to each school district. We organized these school districts in their legislative districts. The report shows that despite statements to the contrary, the state continues to owe \$3.9 billion to schools across the state. Every legislative districts is listed in this report, which shows that districts that have more students in need are owed the most.

## **Introduction and Executive Summary**

The Alliance for Quality Education and the Public Policy and Education Fund issued a report prior to the 2016 state budget quantifying the Campaign for Fiscal Equity funding owed for each legislative district across the state. This current report, *Students v. State of New York—Opportunity & Justice: Unfunded, Undelivered* updates the amount owed by legislative districts following the enactment of the 2016 state budget.

Our public education system has the potential of opening doors of opportunity for all students in New York State, if we only allowed it to; if only we provided our schools with adequate resources to do so. 2016 marks ten years since New York State was found in violation of its constitutional obligation to provide “a sound basic education” to each student in the state. In 2006, the state’s highest court, the Court of Appeals, found that New York State did not provide adequate resources to provide “a sound basic education.” A decade later, the state continues to disregard its constitutional obligation. Ten years later there are still schools across the state that offer limited access to art and music, or to sequences of Advanced Placement courses or other electives. Some schools have classes with 30 or even 40 students. Some schools do not have enough teachers or support staff. Schools have guidance counselor to student ratios as high as 1 to 800 while the recommended ratio is 1 to 250. These are just a few examples; there are many more. Some students graduate each year from schools in the state with only the basics. Some students who are at the top of their class have trouble getting into the college of their choice because they lack of the necessary course work or extracurricular activities that other students had in the schools. As many school officials have stated in recent years, the fact that their schools have not been able to get back to the 2008 level of programming, staff levels, or course work available to students is evidence that they are still in need of adequate resources.<sup>1</sup> A decade

## Executive Summary

- New York State schools are still owed \$3.9 billion in Foundation Aid, ten years after the CFE lawsuit statewide settlement.
- High Need schools are owed 75% or \$2.9b of the Foundation Aid due to schools.
- New York City, the state's largest school district, is owed \$1.63 billion.
- 71% of the Senate Districts are owed more than \$50 million.
  - Thirteen of these Senate Districts are owed more than \$100 million. All of these districts are outside NYC.
    - Five of the Senate districts owed more than \$100 million in Foundation Aid are on Long Island.
    - Six of the Senate districts owed more than \$100 million are in Central and Western NY.
- 67% of the Assembly districts are owed more than \$20 million. Assembly districts are usually one third or half the size of Senate Districts.
  - 25 of these Assembly districts are owed more than \$50 million.
  - Seven Assembly districts are owed more than \$100 million each.
    - Three of these districts are on Long Island
    - Four are in western New York, in the Rochester and Buffalo areas.

## Recommendations:

- The Governor and the Senate Majority should join the Assembly and commit to fully funding CFE. The 2017-18 state budget must provide \$3.9 billion in Foundation Aid over two years.
- Such commitment must include funding the Foundation Aid formula at \$1.95 billion each year
- The Foundation Aid formula must also be revised to reflect current data and poverty level of each district.

## From a historical perspective...

Ten years ago, the New York State Court of Appeals ruled that the state was violating the New York State Constitution by underfunding schools in low income communities in the case called Campaign for Fiscal Equity. Since the Court of Appeals rendered its final ruling on the case, the state committed to providing an increase of \$5.5 billion of basic classroom operating aid, also known as Foundation Aid, to all the schools across the state over four years. This funding was to be distributed based on student need and local wealth. Schools with more student need and low wealth were to receive more Foundation Aid. However, the state provided only two years of this funding, in 2007 and in 2008. In 2009, the state did not provide any additional funding. In 2010 and in 2011, the state made cuts amounting to \$2.7 billion which crippled the schools' ability to continue to implement programming they started in 2007, thereby undoing the gains made. From 2012 forward, the state budgets included very small amounts of Foundation Aid, amounts inadequate to make up for the program and staff lost. 2016 marks the ten year anniversary of that ruling with generations of students graduating without experiencing the positive effects that the implementation of the CFE ruling was intended to have. In New York State, as in the rest of the nation, structural racism has left schools of Black and Latino students inadequately funded. New York State has 18% Black, 25% Latino, 9% Asian and 45% White students. More than half of the students in New York State (54%) are economically disadvantaged. For these students, quality education can be a huge difference maker.

*The Maisto v. State of New York* case, also known as Small Cities case, got a decision by the judge in the Supreme court on September 19th (2016). The *Maisto* ruling finds that, "The performance of the children in these school districts is undeniably unacceptable." But the *Maisto* ruling abandons the fundamental method the Court of Appeals used for determining constitutional deficiencies in the landmark Campaign for Fiscal Equity (CFE) lawsuit. In CFE, the Court of Appeals examined the educational "inputs," the resulting "outputs," and whether is "a causal link between the present funding system and [a] failure to provide a sound basic education." However, the *Maisto* ruling fails to apply this standard, asserting that "an examination similar to the analysis outlined in CFE regarding inputs, outputs and causal linkage is

not required”; this is despite the fact that in an earlier phase of *Maisto*, both the Appellate Division and the Court of Appeals affirmed that this standard applies. By doing so the *Maisto* ruling offers no examination at all of the reams of evidence demonstrating the ways students in these small cities are educationally shortchanged, thus in essence denying the students in these districts their day in court. The parent plaintiffs will appeal this decision as the failure of the trial court to apply the CFE standard is a major flaw underlying the ruling.

After the 2016-17 enacted budget, schools across the state are owed \$3.9 billion.

### **The New York State Assembly proposal would have put the state back on track with CFE.**

In early 2016, there were three distinct budget proposals that illustrate the level of commitment of the Executive, the Senate and the Assembly representatives. The governor’s proposed budget included only \$266 million of Foundation Aid without a commitment to a timely phase in of the remaining funds of Foundation Aid. The NYS senate proposal included \$880 million of Foundation Aid without including a timely phase in period. The NYS Assembly proposal included \$4.4 billion in Foundation Aid and a commitment to a four year phase in period so that each school would receive the full amount in a stable and predictable manner. Only the Assembly’s proposal would have allowed schools to plan ahead to move past temporary and hold harmless situations into improvement with expansion of programming, staffing and services.

Our analysis shows the amount of Foundation Aid that is owed to each school district in each of the legislative districts across the state. We separate New York City Assembly and Senate districts from the rest of the state. Every legislator has a constitutional obligation to ensure that every student in their district receives “a sound basic education.” Most likely, schools with high concentrations of high needs students would receive an even higher proportion as funding which would mean a higher proportion of this funding concentrated in higher needs communities. All districts, listed below, are owed a substantial amount of CFE funding. Research has shown that schools with high need student populations require more resources to provide the level of quality education that more affluent schools

provide. The schools in these legislative districts would benefit the most from fully funding CFE and Foundation Aid. Only the Assembly majority took steps to remedy the chronic underfunding of schools.

### **Small progress made**

With the amount of Foundation Aid that was included in the 2016-17 enacted budget (\$527 million excluding community schools aid set aside in Foundation Aid), some progress was made in decreasing the amount of Foundation Aid owed to schools across the state. Below we show the amount of Foundation Aid owed to each legislative district for 2015-16 and 2016-17, as well as the change in that amount year-to-year. Each year, the State Education Department updates the demographic and other data used in the formulas that produce school aid including Foundation Aid. The data included in the Foundation Aid formula are enrollment, number of students that are English Language Learners, the three year average of students in poverty measured by the Census and the number of students who receive free and reduced priced lunch. Updates to these data are done annually. These updates sometimes make the overall Foundation Aid that is due to each district increase or decrease, regardless of the amount of Foundation Aid increase that they receive in the most recent state budget. For this reason, there are legislative districts that have made negative progress, meaning they are owed more in 2016-17 than 2015-16.

The legislative districts with the progress made on Foundation Aid owed in parenthesis are due more Foundation Aid in 2016-17 than in 2015-16 because of the data changes in the formula.

Assembly District	Assembly Member	Foundation Aid Owed	Foundation Aid Owed 2015-16	Progress made on Foundation Aid owed
1	Thiele	\$ 51,940,558	\$ 39,595,921	\$ (12,344,637)
2	Palumbo	\$ 43,484,812	\$ 35,710,827	\$ (7,773,985)
3	Murray	\$ 23,500,047	\$ 22,317,609	\$ (1,182,438)
4	Englebright	\$ 15,045,679	\$ 12,336,927	\$ (2,708,752)
5	Graf	\$ 11,657,831	\$ 14,249,326	\$ 2,591,495
6	Ramos	\$ 200,716,581	\$ 187,386,546	\$ (13,330,035)
7	Garbarino	\$ 35,718,226	\$ 31,237,623	\$ (4,480,603)
8	Fitzpatrick	\$ 13,044,391	\$ 17,198,844	\$ 4,154,453
9	Saladino	\$ 42,595,223	\$ 38,187,654	\$ (4,407,569)
10	Lupinacci	\$ 40,800,075	\$ 39,698,163	\$ (1,101,912)
11	Jean-Pierre	\$ 55,668,375	\$ 53,660,151	\$ (2,008,224)
12	Raia	\$ 37,101,678	\$ 40,114,303	\$ 3,012,625
13	Lavine	\$ 64,806,489	\$ 63,050,125	\$ (1,756,364)
14	McDonough	\$ 46,564,360	\$ 47,151,872	\$ 587,512
15	Montesano	\$ 75,178,351	\$ 74,021,381	\$ (1,156,970)
16	Schimmel	\$ 14,080,874	\$ 11,804,723	\$ (2,276,151)
17	McKevitt	\$ 60,569,221	\$ 61,592,298	\$ 1,023,077
18	Hooper	\$ 186,515,734	\$ 187,875,666	\$ 1,359,932
19	Ra	\$ 42,671,495	\$ 45,772,378	\$ 3,100,883
20	Vacant	\$ 14,869,550	\$ 14,197,898	\$ (671,652)
21	Curran	\$ 191,099,289	\$ 191,125,299	\$ 26,010
22	Solages	\$ 59,227,950	\$ 61,112,070	\$ 1,884,120
23	Goldfeder	\$ 28,755,382	\$ 38,685,896	\$ 9,930,514
24	Weprin	\$ 39,438,059	\$ 53,057,777	\$ 13,619,718
25	Rozic	\$ 31,055,936	\$ 41,780,933	\$ 10,724,998
26	Braunstein	\$ 29,229,929	\$ 39,324,325	\$ 10,094,396
27	Simanowitz	\$ 21,230,207	\$ 28,561,944	\$ 7,331,736
28	Hevesi	\$ 23,698,158	\$ 31,882,187	\$ 8,184,029
29	Hyndman	\$ 18,490,429	\$ 21,349,144	\$ 2,858,714
30	Markey	\$ 18,949,619	\$ 25,493,766	\$ 6,544,147

31	Titus	\$ 16,782,676	\$ 26,264,426	\$ 9,481,751
32	Cook	\$ 18,177,136	\$ 24,454,511	\$ 6,277,375
33	open	\$ 17,218,829	\$ 23,165,257	\$ 5,946,428
34	DenDekker	\$ 21,993,475	\$ 29,588,802	\$ 7,595,326
35	Aubry	\$ 18,381,391	\$ 24,729,304	\$ 6,347,913
36	Simotas	\$ 17,386,225	\$ 22,462,779	\$ 5,076,553
37	Nolan	\$ 36,199,162	\$ 48,700,345	\$ 12,501,183
38	Miller	\$ 21,617,216	\$ 29,082,604	\$ 7,465,388
39	Moya	\$ 18,378,320	\$ 24,725,172	\$ 6,346,852
40	Kim	\$ 15,481,895	\$ 20,828,483	\$ 5,346,588
41	Weinstein	\$ 16,900,928	\$ 22,737,572	\$ 5,836,643
42	Bichotte	\$ 22,157,800	\$ 29,809,876	\$ 7,652,075
43	Richardson	\$ 13,491,563	\$ 18,150,801	\$ 4,659,238
44	Brennan	\$ 17,463,013	\$ 23,493,769	\$ 6,030,756
45	Cymbrowitz	\$ 23,245,111	\$ 31,272,684	\$ 8,027,572
46	Harris	\$ 22,111,728	\$ 29,747,892	\$ 7,636,164
47	Colton	\$ 18,619,432	\$ 25,049,552	\$ 6,430,119
48	Hikind	\$ 22,205,409	\$ 29,873,925	\$ 7,668,517
49	Abbate Jr.	\$ 22,775,172	\$ 30,640,453	\$ 7,865,281
50	Lentol	\$ 14,841,488	\$ 19,966,914	\$ 5,125,427
51	Ortiz	\$ 26,368,827	\$ 35,475,157	\$ 9,106,330
52	Simon	\$ 27,998,257	\$ 37,667,303	\$ 9,669,045
53	Davila	\$ 28,460,518	\$ 38,289,203	\$ 9,828,684
54	Dilan	\$ 22,862,710	\$ 31,117,725	\$ 8,255,015
55	Walker	\$ 21,727,790	\$ 29,231,364	\$ 7,503,574
56	Robinson	\$ 15,008,884	\$ 20,192,121	\$ 5,183,236
57	Mosley	\$ 26,078,570	\$ 35,084,662	\$ 9,006,092
58	Perry	\$ 17,439,976	\$ 23,462,777	\$ 6,022,801
59	Williams	\$ 17,522,907	\$ 23,574,347	\$ 6,051,440
60	Barron	\$ 20,190,505	\$ 27,163,185	\$ 6,972,680
61	Titone	\$ 26,656,012	\$ 35,861,520	\$ 9,205,508
63	Borelli	\$ 24,294,029	\$ 31,237,560	\$ 6,943,531
63	Cusick	\$ 23,219,004	\$ 32,683,839	\$ 9,464,835
64	Malliotakis	\$ 28,271,621	\$ 38,035,071	\$ 9,763,450
65	Cancel	\$ 31,754,702	\$ 42,721,015	\$ 10,966,313
66	Glick	\$ 14,049,041	\$ 18,900,800	\$ 4,851,759

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67	Rosenthal	\$ 23,047,000	\$ 31,006,155	\$ 7,959,155
68	Rodriguez	\$ 24,823,862	\$ 33,396,648	\$ 8,572,785
69	O'Donnell	\$ 14,726,306	\$ 19,811,956	\$ 5,085,649
70	Wright	\$ 19,789,674	\$ 26,623,930	\$ 6,834,256
71	Farrell Jr.	\$ 15,077,993	\$ 20,285,096	\$ 5,207,103
72	Linares	\$ 25,011,224	\$ 33,648,713	\$ 8,637,489
73	Quart	\$ 4,871,399	\$ 6,553,710	\$ 1,682,311
74	Kavanagh	\$ 18,502,715	\$ 24,892,527	\$ 6,389,812
75	Gottfried	\$ 20,149,039	\$ 27,107,400	\$ 6,958,361
76	Seawright	\$ 12,458,004	\$ 16,760,307	\$ 4,302,303
77	Joyner	\$ 21,440,605	\$ 28,880,125	\$ 7,439,520
78	Rivera	\$ 21,030,560	\$ 28,278,886	\$ 7,248,326
79	Blake	\$ 43,197,575	\$ 59,280,909	\$ 16,083,334
80	Gjonaj	\$ 25,869,708	\$ 34,803,670	\$ 8,933,962
81	Dinowitz	\$ 35,630,935	\$ 47,935,883	\$ 12,304,949
82	Benedetto	\$ 25,448,913	\$ 34,237,555	\$ 8,788,643
83	Heastie	\$ 17,659,589	\$ 23,758,231	\$ 6,098,642
84	Arroyo	\$ 32,800,548	\$ 44,128,037	\$ 11,327,490
85	Crespo	\$ 25,977,210	\$ 35,421,438	\$ 9,444,228
86	Pichardo	\$ 30,645,890	\$ 41,229,281	\$ 10,583,391
87	Sepulveda	\$ 19,313,591	\$ 24,743,767	\$ 5,430,176
88	Paulin	\$ 39,694,120	\$ 39,069,092	\$ (625,028)
89	Pretlow	\$ 62,159,276	\$ 62,304,168	\$ 144,892
90	Mayer	\$ 39,801,259	\$ 39,924,179	\$ 122,920
91	Otis	\$ 43,800,484	\$ 35,976,574	\$ (7,823,910)
92	Abinanti	\$ 21,711,203	\$ 21,572,888	\$ (138,315)
93	Buchwald	\$ 26,295,024	\$ 24,427,322	\$ (1,867,702)
94	Katz	\$ 25,582,602	\$ 25,980,481	\$ 397,879
95	Galef	\$ 38,625,714	\$ 39,847,406	\$ 1,221,692
96	Zebrowski	\$ 54,006,420	\$ 49,586,587	\$ (4,419,833)
97	Jaffee	\$ 35,565,709	\$ 31,471,550	\$ (4,094,159)
98	Brabenec	\$ 48,594,956	\$ 45,456,672	\$ (3,138,284)
99	Skoufis	\$ 74,464,348	\$ 72,844,725	\$ (1,619,623)
100	Gunther	\$ 64,402,236	\$ 70,440,376	\$ 6,038,140
101	Tenney	\$ 24,512,269	\$ 27,648,751	\$ 3,136,482
102	Lopez	\$ 6,930,062	\$ 6,989,461	\$ 59,399



103	Cahill	\$ 11,001,488	\$ 12,009,973	\$ 1,008,485
104	Skartados	\$ 60,776,015	\$ 63,793,714	\$ 3,017,699
105	Lalor	\$ 36,372,933	\$ 40,966,656	\$ 4,593,723
106	Barrett	\$ 37,345,761	\$ 39,738,911	\$ 2,393,150
107	McLaughlin	\$ 17,437,182	\$ 22,693,607	\$ 5,256,425
108	McDonald	\$ 49,925,742	\$ 56,848,379	\$ 6,922,637
109	Fahy	\$ 44,881,748	\$ 46,273,218	\$ 1,391,470
110	Steck	\$ 63,276,885	\$ 73,585,180	\$ 10,308,295
111	Santabarbara	\$ 66,972,395	\$ 79,346,359	\$ 12,373,964
112	Tedisco	\$ 18,808,028	\$ 19,786,124	\$ 978,096
113	Woerner	\$ 14,007,214	\$ 15,382,488	\$ 1,375,274
114	Stec	\$ 5,080,649	\$ 6,314,739	\$ 1,234,090
115	Duprey	\$ 11,915,239	\$ 16,264,919	\$ 4,349,680
116	Russell	\$ 18,651,087	\$ 28,028,417	\$ 9,377,330
117	Blankenbush	\$ 29,765,734	\$ 42,810,572	\$ 13,044,838
118	Butler	\$ 18,783,710	\$ 24,472,242	\$ 5,688,532
119	Brindisi	\$ 49,762,458	\$ 55,262,307	\$ 5,499,849
120	Barkley	\$ 30,758,054	\$ 36,829,589	\$ 6,071,535
121	Magee	\$ 4,306,940	\$ 8,300,661	\$ 3,993,721
122	Crouch	\$ 9,331,738	\$ 15,430,307	\$ 6,098,569
123	Lupardo	\$ 36,032,739	\$ 41,855,842	\$ 5,823,103
124	Friend	\$ 29,711,463	\$ 39,024,872	\$ 9,313,409
125	Lifton	\$ 5,119,714	\$ 9,501,063	\$ 4,381,349
126	Finch	\$ 20,932,733	\$ 25,226,801	\$ 4,294,068
127	Stirpe	\$ 21,618,100	\$ 24,406,478	\$ 2,788,378
128	Roberts	\$ 81,839,235	\$ 92,482,126	\$ 10,642,891
129	Magnarelli	\$ 62,175,111	\$ 72,341,390	\$ 10,166,279
130	Oaks	\$ 33,980,592	\$ 42,695,644	\$ 8,715,052
131	Kolb	\$ 20,720,633	\$ 22,052,005	\$ 1,331,372
132	Palmesano	\$ 7,627,453	\$ 11,534,019	\$ 3,906,566
133	Vacant	\$ 21,790,541	\$ 25,327,921	\$ 3,537,380
134	Lawrence	\$ 24,135,634	\$ 29,904,839	\$ 5,769,205
135	Johns	\$ 16,706,456	\$ 19,592,742	\$ 2,886,286
136	Morelle	\$ 111,688,524	\$ 130,259,225	\$ 18,570,701
137	Gantt	\$ 90,995,533	\$ 110,710,233	\$ 19,714,700
138	Bronson	\$ 97,974,423	\$ 118,147,529	\$ 20,173,106

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139	Hawley	\$ 16,622,208	\$ 27,294,411	\$ 10,672,203
140	Schimminger	\$ 103,952,487	\$ 106,182,515	\$ 2,230,028
141	Peoples-Stokes	\$ 95,556,684	\$ 96,133,048	\$ 576,364
142	Kearns	\$ 108,547,779	\$ 111,384,457	\$ 2,836,678
143	Wozniak	\$ 18,380,754	\$ 21,262,759	\$ 2,882,005
144	Corwin	\$ 18,889,276	\$ 25,176,674	\$ 6,287,398
145	Ceretto	\$ 18,141,781	\$ 24,567,203	\$ 6,425,422
146	Walter	\$ 20,364,760	\$ 21,535,480	\$ 1,170,720
147	DiPietro	\$ 9,690,449	\$ 15,083,652	\$ 5,393,203
148	Giglio	\$ 28,930,356	\$ 39,796,170	\$ 10,865,814
149	Ryan	\$ 101,434,527	\$ 104,173,435	\$ 2,738,908
150	Goodell	\$ 24,380,658	\$ 34,262,695	\$ 9,882,037

The legislative districts with the progress made on Foundation Aid owed in parenthesis are due more Foundation Aid in 2016-17 than in 2015-16 because of the data changes in the formula.

<b>Senate District</b>	<b>Senator</b>	<b>Foundation Aid Owed 2016-17</b>	<b>Foundation Aid Owed 2015-16</b>	<b>Progress made</b>
1	LaValle	\$ 84,364,392	\$ 70,345,602	\$ (14,018,790)
2	Flanagan	\$ 28,940,099	\$ 36,591,254	\$ 7,651,155
3	Croci	\$ 210,998,125	\$ 197,949,117	\$ (13,049,008)
4	Boyle	\$ 186,502,739	\$ 175,665,880	\$ (10,836,859)
5	Marcellino	\$ 73,751,967	\$ 72,497,849	\$ (1,254,118)
6	Hannon	\$ 176,228,609	\$ 183,177,952	\$ 6,949,343
7	Martins	\$ 100,758,036	\$ 100,896,298	\$ 138,262
8	Venditto	\$ 175,022,580	\$ 167,415,548	\$ (7,607,032)
9	Kaminsky	\$ 83,711,041	\$ 83,258,548	\$ (452,493)
10	Sanders	\$ 49,483,399	\$ 70,258,166	\$ 20,774,767
11	Avella	\$ 61,044,525	\$ 79,685,839	\$ 18,641,314
12	Gianaris	\$ 56,431,132	\$ 74,991,631	\$ 18,560,499
13	Peralta	\$ 41,758,577	\$ 56,179,673	\$ 14,421,096
14	Comrey	\$ 53,728,212	\$ 71,196,181	\$ 17,467,969
15	Addabbo	\$ 78,826,974	\$ 106,049,438	\$ 27,222,465
16	Stavisky	\$ 71,191,225	\$ 95,776,726	\$ 24,585,501
17	Felder	\$ 57,544,551	\$ 77,417,247	\$ 19,872,696
18	Dilan	\$ 56,474,133	\$ 76,336,670	\$ 19,862,537
19	Persaud	\$ 49,068,747	\$ 66,014,370	\$ 16,945,624
20	Hamilton	\$ 40,490,048	\$ 54,473,064	\$ 13,983,017
21	Parker	\$ 49,541,758	\$ 66,650,733	\$ 17,108,975
22	Golden	\$ 62,488,130	\$ 84,068,064	\$ 21,579,934
23	Savino	\$ 52,805,226	\$ 71,041,223	\$ 18,235,996
24	Lanza	\$ 67,717,359	\$ 91,103,178	\$ 23,385,820
25	Montgomery	\$ 67,483,925	\$ 90,789,129	\$ 23,305,205
26	Squadron	\$ 60,465,547	\$ 81,346,994	\$ 20,881,446
27	Hoylman	\$ 43,248,254	\$ 58,183,803	\$ 14,935,548
28	Krueger	\$ 24,954,401	\$ 33,572,267	\$ 8,617,866
29	Serrano	\$ 58,077,456	\$ 78,134,188	\$ 20,056,732
30	Perkins	\$ 41,394,604	\$ 55,690,005	\$ 14,295,400
31	Espaillet	\$ 51,416,909	\$ 69,173,457	\$ 17,756,548
32	Diaz	\$ 66,800,516	\$ 91,408,963	\$ 24,608,447

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<b>33</b>	Rivera	\$ 76,776,748	\$ 102,171,345	\$ 25,394,597
<b>34</b>	Klein	\$ 98,528,377	\$ 123,738,894	\$ 25,210,517
<b>35</b>	Stewart-Cousins	\$ 86,894,958	\$ 86,550,617	\$ (344,341)
<b>36</b>	Hassell-Thompson	\$ 65,555,592	\$ 80,495,620	\$ 14,940,028
<b>37</b>	Latimer	\$ 101,512,910	\$ 93,840,973	\$ (7,671,937)
<b>38</b>	Carlucci	\$ 60,634,387	\$ 55,477,840	\$ (5,156,547)
<b>39</b>	Larkin	\$ 100,314,219	\$ 97,681,381	\$ (2,632,838)
<b>40</b>	Murphy	\$ 78,244,445	\$ 80,229,969	\$ 1,985,524
<b>41</b>	Serino	\$ 55,846,448	\$ 62,984,379	\$ 7,137,931
<b>42</b>	Bonacic	\$ 93,638,411	\$ 100,717,136	\$ 7,078,725
<b>43</b>	Marchione	\$ 22,483,611	\$ 26,038,527	\$ 3,554,916
<b>44</b>	Breslin	\$ 61,488,539	\$ 67,169,424	\$ 5,680,885
<b>45</b>	Little	\$ 20,783,595	\$ 27,998,100	\$ 7,214,505
<b>46</b>	Amedore	\$ 39,490,402	\$ 41,145,162	\$ 1,654,760
<b>47</b>	Griffo	\$ 69,767,523	\$ 80,992,345	\$ 11,224,822
<b>48</b>	Ritchie	\$ 50,469,662	\$ 71,903,885	\$ 21,434,223
<b>49</b>	Farley	\$ 72,694,678	\$ 86,771,159	\$ 14,076,481
<b>50</b>	DeFrancisco	\$ 100,100,519	\$ 111,387,144	\$ 11,286,625
<b>51</b>	Seward	\$ 27,612,919	\$ 40,212,726	\$ 12,599,807
<b>52</b>	Akshar	\$ 53,078,922	\$ 67,769,006	\$ 14,690,084
<b>53</b>	Valesky	\$ 69,810,708	\$ 86,888,387	\$ 17,077,679
<b>54</b>	Nozzolio	\$ 49,807,374	\$ 59,721,007	\$ 9,913,633
<b>55</b>	Funke	\$ 131,076,906	\$ 154,030,996	\$ 22,954,090
<b>56</b>	Robach	\$ 127,008,767	\$ 150,888,757	\$ 23,879,990
<b>57</b>	Young	\$ 57,754,754	\$ 79,107,939	\$ 21,353,185
<b>58</b>	O'Mara	\$ 22,247,408	\$ 34,574,253	\$ 12,326,845
<b>59</b>	Gallivan	\$ 28,415,745	\$ 37,485,644	\$ 9,069,899
<b>60</b>	Panepinto	\$ 113,840,164	\$ 118,506,961	\$ 4,666,797
<b>61</b>	Ranzenhofer	\$ 119,570,844	\$ 145,708,938	\$ 26,138,094
<b>62</b>	Ortt	\$ 44,127,495	\$ 60,490,462	\$ 16,362,967
<b>63</b>	Kennedy	\$ 121,626,261	\$ 126,606,624	\$ 4,980,363

## **Methodology**

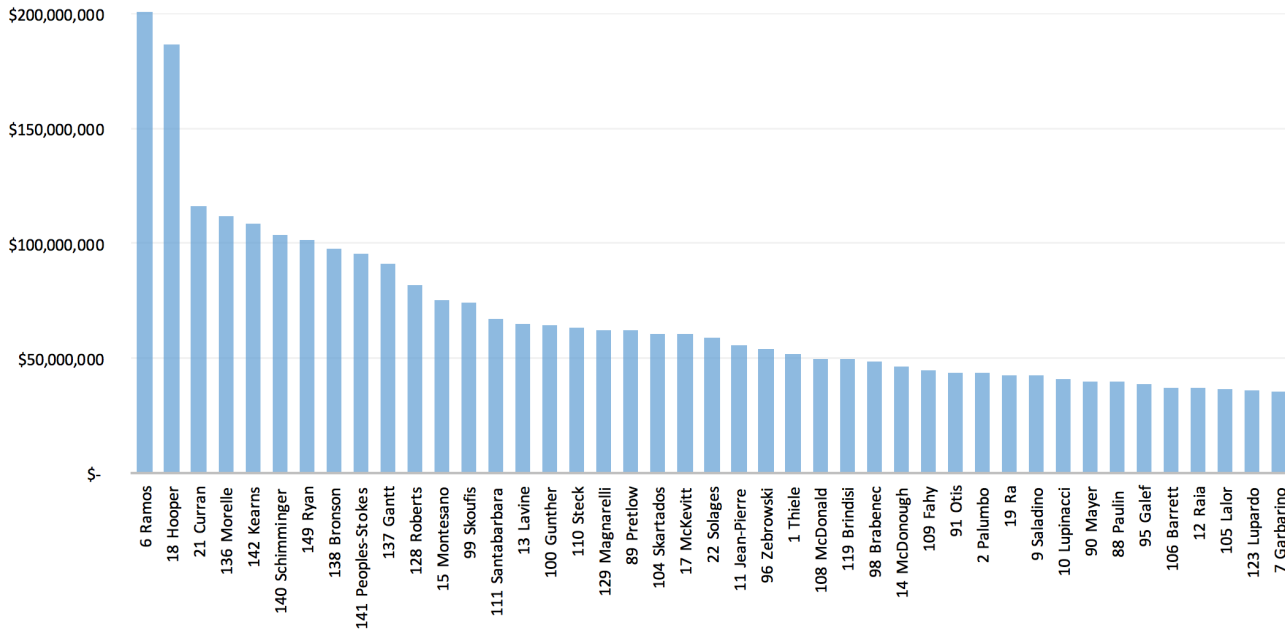
We used New York State Education Department (SED) data as published after the 2016-17 enacted budget. The SED data files include the amount of Foundation Aid that school districts are owed. The calculation for the amount of Foundation Aid owed to each school districts excludes the amount that was earmarked for community schools as that amount was not generated by the formula.

A separate database published by SED for the School Report Cards for 2014-15 lists all the schools and includes enrollment for each school in each district. Schools opened and changes in enrollment since this database was published are not included. To calculate the amount owed per pupil, we divided the total amount owed to each school district by the total student enrollment in the district. We then calculated the amount owed to each school by multiplying this per pupil amount by the number of students in that school. The exact methodology used to distribute funds between schools within a school district will ultimately depend upon additional factors that cannot be accounted for.

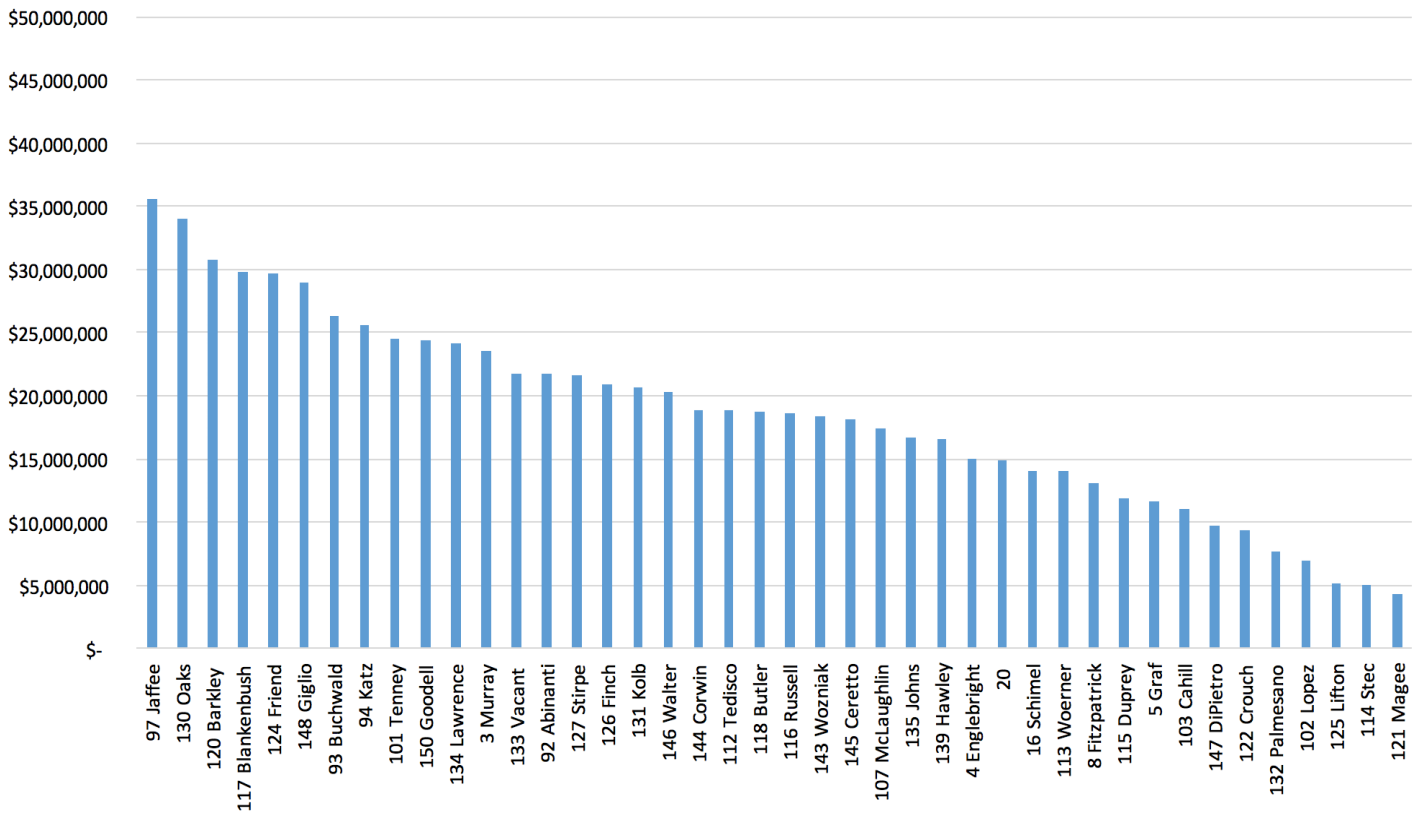
Outside of New York City, many school districts are represented by multiple Senators or Assembly Members. These legislators consider themselves as representing the entire school district. For legislative districts outside New York City, this report includes the entire school district, which means that some school districts show up for more than one legislative district.

Within New York City, we calculated how much is owed to each Assembly and Senate district based solely upon the schools that are within the geographic limits of those legislative districts.

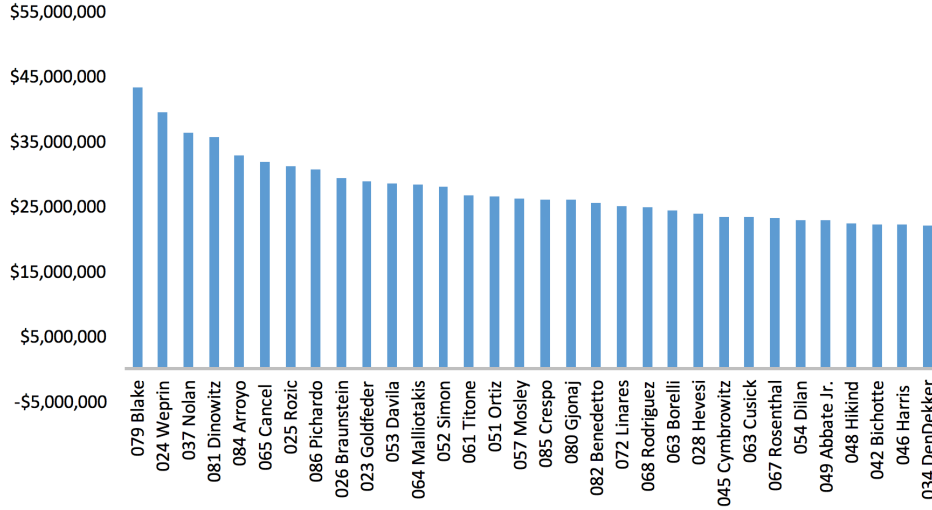
### FOUNDATION AID OWED TO SCHOOLS IN ASSEMBLY DISTRICTS OUTSIDE NYC



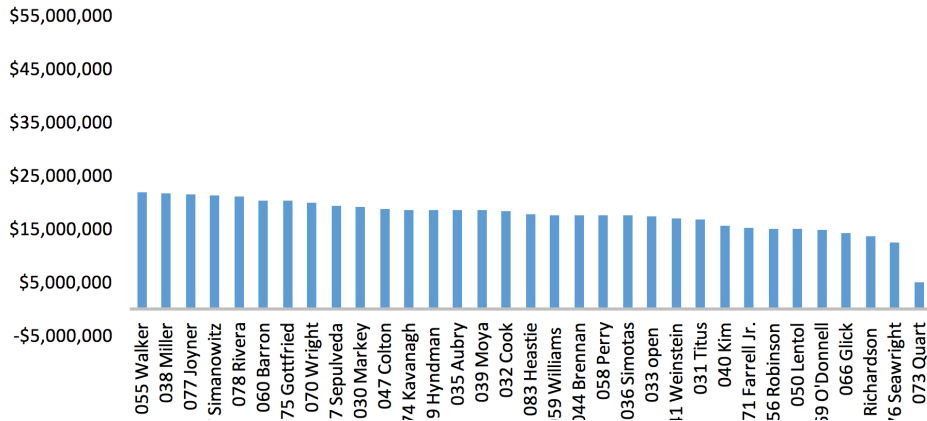
### FOUNDATION AID OWED TO SCHOOLS IN ASSEMBLY DISTRICTS OUTSIDE OF NYC



### FOUNDATION AID OWED TO SCHOOLS IN ASSEMBLY DISTRICTS IN NYC



### FOUNDATION AID OWED TO SCHOOLS IN ASSEMBLY DISTRICTS INSIDE NEW YORK CITY



Students V. State of New York: Still waiting for equity

Assembly District	Name	Foundation Aid Owed	Region
1	Thiele	\$ 51,940,558	Long Island
2	Palumbo	\$ 43,484,812	Long Island
3	Murray	\$ 23,500,047	Long Island
4	Englebright	\$ 15,045,679	Long Island
5	Graf	\$ 11,657,831	Long Island
6	Ramos	\$ 200,716,581	Long Island
7	Garbarino	\$ 35,718,226	Long Island
8	Fitzpatrick	\$ 13,044,391	Long Island
9	Saladino	\$ 42,595,223	Long Island
10	Lupinacci	\$ 40,800,075	Long Island
11	Jean-Pierre	\$ 55,668,375	Long Island
12	Raia	\$ 37,101,678	Long Island
13	Lavine	\$ 64,806,489	Long Island
14	McDonough	\$ 46,564,360	Long Island
15	Montesano	\$ 75,178,351	Long Island
16	Schimmel	\$ 14,080,874	Long Island
17	McKevitt	\$ 60,569,221	Long Island
18	Hooper	\$ 186,515,734	Long Island
19	Ra	\$ 42,671,495	Long Island
20	Vacant	\$ 14,869,550	Long Island
21	Curran	\$ 191,099,289	Long Island
22	Solages	\$ 59,227,950	Long Island
23	Goldfeder	\$ 28,755,382	NYC
24	Weprin	\$ 39,438,059	NYC
25	Rozic	\$ 31,055,936	NYC
26	Braunstein	\$ 29,229,929	NYC
27	Simanowitz	\$ 21,230,207	NYC
28	Hevesi	\$ 23,698,158	NYC
29	Hyndman	\$ 18,490,429	NYC
30	Markey	\$ 18,949,619	NYC
31	Titus	\$ 16,782,676	NYC
32	Cook	\$ 18,177,136	NYC
33	open	\$ 17,218,829	NYC
34	DenDekker	\$ 21,993,475	NYC
35	Aubry	\$ 18,381,391	NYC



36	Simotas	\$	17,386,225	NYC
37	Nolan	\$	36,199,162	NYC
38	Miller	\$	21,617,216	NYC
39	Moya	\$	18,378,320	NYC
40	Kim	\$	15,481,895	NYC
41	Weinstein	\$	16,900,928	NYC
42	Bichotte	\$	22,157,800	NYC
43	Richardson	\$	13,491,563	NYC
44	Brennan	\$	17,463,013	NYC
45	Cymbrowitz	\$	23,245,111	NYC
46	Harris	\$	22,111,728	NYC
47	Colton	\$	18,619,432	NYC
48	Hikind	\$	22,205,409	NYC
49	Abbate Jr.	\$	22,775,172	NYC
50	Lentol	\$	14,841,488	NYC
51	Ortiz	\$	26,368,827	NYC
52	Simon	\$	27,998,257	NYC
53	Davila	\$	28,460,518	NYC
54	Dilan	\$	22,862,710	NYC
55	Walker	\$	21,727,790	NYC
56	Robinson	\$	15,008,884	NYC
57	Mosley	\$	26,078,570	NYC
58	Perry	\$	17,439,976	NYC
59	Williams	\$	17,522,907	NYC
60	Barron	\$	20,190,505	NYC
61	Titone	\$	26,656,012	NYC
63	Cusick	\$	23,219,004	NYC
63	Borelli	\$	24,294,029	NYC
64	Malliotakis	\$	28,271,621	NYC
65	Cancel	\$	31,754,702	NYC
66	Glick	\$	14,049,041	NYC
67	Rosenthal	\$	23,047,000	NYC
68	Rodriguez	\$	24,823,862	NYC
69	O'Donnell	\$	14,726,306	NYC
70	Wright	\$	19,789,674	NYC
71	Farrell Jr.	\$	15,077,993	NYC

Students V. State of New York: Still waiting for equity

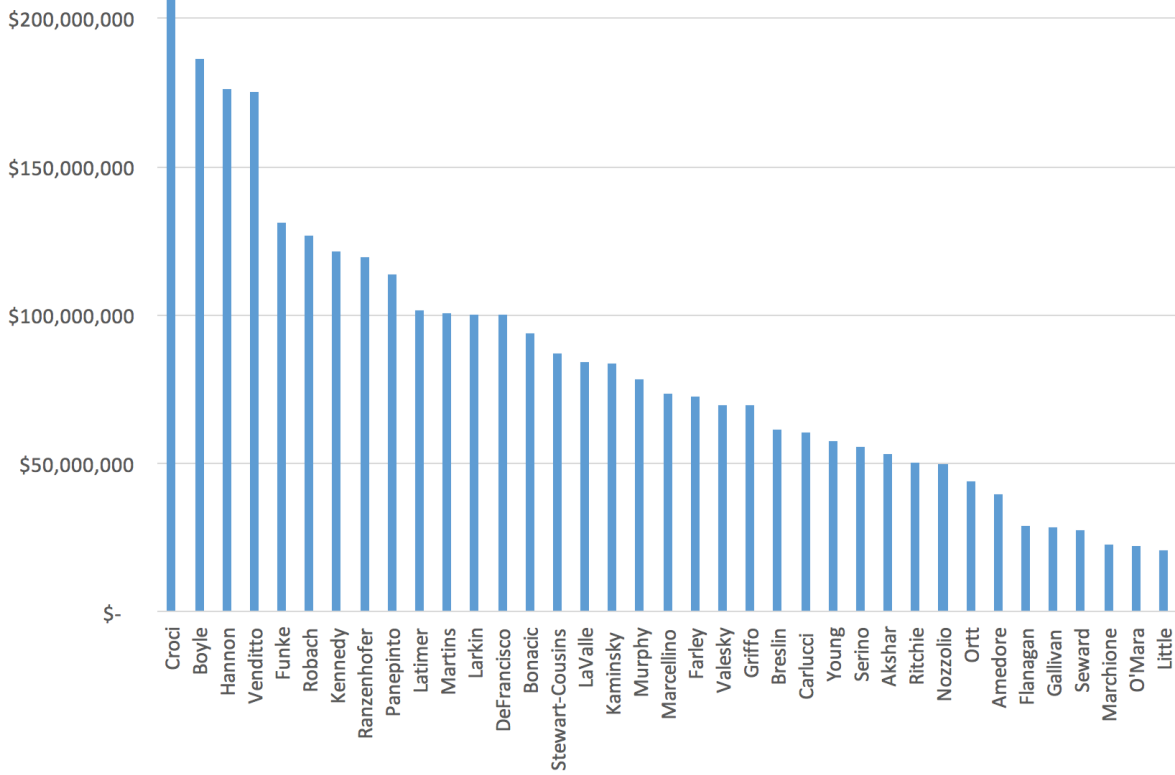
72	Linares	\$	25,011,224	NYC
73	Quart	\$	4,871,399	NYC
74	Kavanagh	\$	18,502,715	NYC
75	Gottfried	\$	20,149,039	NYC
76	Seawright	\$	12,458,004	NYC
77	Joyner	\$	21,440,605	NYC
78	Rivera	\$	21,030,560	NYC
79	Blake	\$	43,197,575	NYC
80	Gjonaj	\$	25,869,708	NYC
81	Dinowitz	\$	35,630,935	NYC
82	Benedetto	\$	25,448,913	NYC
83	Heastie	\$	17,659,589	NYC
84	Arroyo	\$	32,800,548	NYC
85	Crespo	\$	25,977,210	NYC
86	Pichardo	\$	30,645,890	NYC
87	Sepulveda	\$	19,313,591	NYC
88	Paulin	\$	39,694,120	Lower Hudson Valley
89	Pretlow	\$	62,159,276	Lower Hudson Valley
90	Mayer	\$	39,801,259	Lower Hudson Valley
91	Otis	\$	43,800,484	Lower Hudson Valley
92	Abinanti	\$	21,711,203	Lower Hudson Valley
93	Buchwald	\$	26,295,024	Lower Hudson Valley
94	Katz	\$	25,582,602	Lower Hudson Valley
95	Galef	\$	38,625,714	Lower Hudson Valley
96	Zebrowski	\$	54,006,420	Hudson Valley
97	Jaffee	\$	35,565,709	Hudson Valley
98	Brabenec	\$	48,594,956	Hudson Valley
99	Skoufis	\$	74,464,348	Hudson Valley
100	Gunther	\$	64,402,236	Hudson Valley
101	Tenney	\$	24,512,269	Mohawk Valley
102	Lopez	\$	6,930,062	Hudson Valley
103	Cahill	\$	11,001,488	Hudson Valley
104	Skartados	\$	60,776,015	Hudson Valley
105	Lalor	\$	36,372,933	Hudson Valley
106	Barrett	\$	37,345,761	Hudson Valley
107	McLaughlin	\$	17,437,182	Capital Region

108	McDonald	\$	49,925,742	Capital Region
109	Fahy	\$	44,881,748	Capital Region
110	Steck	\$	63,276,885	Capital Region
111	Santabarbara	\$	66,972,395	Capital Region
112	Tedisco	\$	18,808,028	Capital Region
113	Woerner	\$	14,007,214	Capital Region/North Country
114	Stec	\$	5,080,649	North Country
115	Duprey	\$	11,915,239	North Country
116	Russell	\$	18,651,087	North Country
117	Blankenbush	\$	29,765,734	Central NY
118	Butler	\$	18,783,710	North Country
119	Brindisi	\$	49,762,458	Mohawk Valley
120	Barclay	\$	30,758,054	Central New York
121	Magee	\$	4,306,940	Western Adirondacks
122	Crouch	\$	9,331,738	Central New York/Southern Tier
123	Lupardo	\$	36,032,739	Southern Tier / Central NY
124	Friend	\$	29,711,463	Southern Tier
125	Lifton	\$	5,119,714	Southern Tier / Central NY
126	Finch	\$	20,932,733	Central New York
127	Stirpe	\$	21,618,100	Central New York
128	Roberts	\$	81,839,235	Central NY
129	Magnarelli	\$	62,175,111	Central New York
130	Oaks	\$	33,980,592	Finger Lakes
131	Kolb	\$	20,720,633	Finger Lakes
132	Palmesano	\$	7,627,453	Southern Tier
133	Vacant	\$	21,790,541	Finger Lakes
134	Lawrence	\$	24,135,634	Finger Lakes
135	Johns	\$	16,706,456	Finger Lakes
136	Morelle	\$	111,688,524	Finger Lakes
137	Gantt	\$	90,995,533	Finger Lakes
138	Bronson	\$	97,974,423	Finger Lakes
139	Hawley	\$	16,622,208	Finger Lakes
140	Schimminger	\$	103,952,487	Western NY
141	Peoples-Stokes	\$	95,556,684	Western NY
142	Kearns	\$	108,547,779	Western NY
143	Wozniak	\$	18,380,754	Western NY

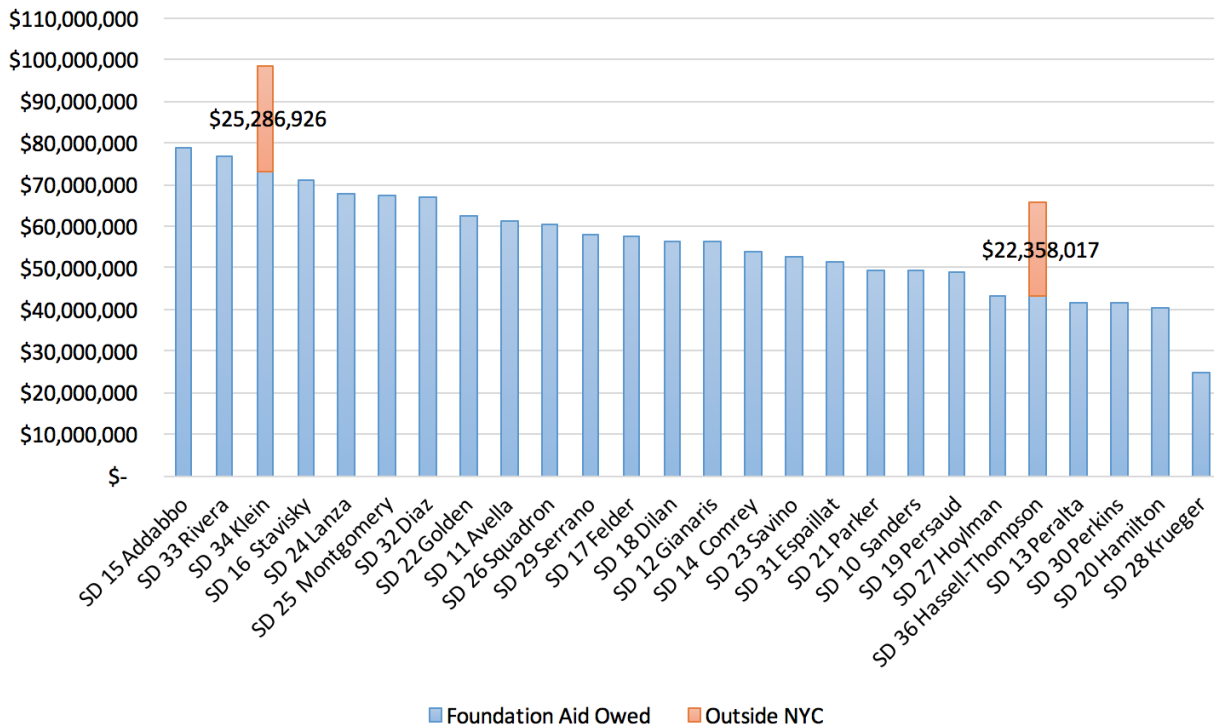
*Students V. State of New York: Still waiting for equity*

144	Corwin	\$	18,889,276	Western NY
145	Ceretto	\$	18,141,781	Western NY
146	Walter	\$	20,364,760	Western NY
147	DiPietro	\$	9,690,449	Western NY
148	Giglio	\$	28,930,356	Southern Tier
149	Ryan	\$	101,434,527	Western NY
150	Goodell	\$	24,380,658	Western New York

### FOUNDATION AID OWED TO SCHOOLS IN SENATE DSITRICTS OUTSIDE OF NEW YORK CITY



### FOUNDATION AID OWED TO SCHOOLS IN SENATE DISTRICTS INSIDE NEW YORK CITY



Students V. State of New York: Still waiting for equity

Senate District	Senator	Foundation Aid Owed	Outside NYC	Area
1	LaValle	\$ 84,364,392		Long Island
2	Flanagan	\$ 28,940,099		Long Island
3	Croci	\$ 210,998,125		Long Island
4	Boyle	\$ 186,502,739		Long Island
5	Marcellino	\$ 73,751,967		Long Island
6	Hannon	\$ 176,228,609		Long Island
7	Martins	\$ 100,758,036		Long Island
8	Venditto	\$ 175,022,580		Long Island
9	Kaminsky	\$ 83,711,041		Long Island
10	Sanders	\$ 49,483,399		NYC
11	Avella	\$ 61,044,525		NYC
12	Gianaris	\$ 56,431,132		NYC
13	Peralta	\$ 41,758,577		NYC
14	Comrey	\$ 53,728,212		NYC
15	Addabbo	\$ 78,826,974		NYC
16	Stavisky	\$ 71,191,225		NYC
17	Felder	\$ 57,544,551		NYC
18	Dilan	\$ 56,474,133		NYC
19	Persaud	\$ 49,068,747		NYC
20	Hamilton	\$ 40,490,048		NYC
21	Parker	\$ 49,541,758		NYC
22	Golden	\$ 62,488,130		NYC
23	Savino	\$ 52,805,226		NYC
24	Lanza	\$ 67,717,359		NYC
25	Montgomery	\$ 67,483,925		NYC
26	Squadron	\$ 60,465,547		NYC
27	Hoylman	\$ 43,248,254		NYC
28	Krueger	\$ 24,954,401		NYC
29	Serrano	\$ 58,077,456		NYC
30	Perkins	\$ 41,394,604		NYC
31	Espaillet	\$ 51,416,909		NYC
32	Diaz	\$ 66,800,516		NYC
33	Rivera	\$ 76,776,748		NYC
34	Klein	\$ 73,241,451	\$ 25,286,926	NYC
35	Stewart-Cousins	\$ 86,894,958		NYC

<b>36</b>	Hassell-Thompson	\$	43,197,574	\$	22,358,017	NYC
<b>37</b>	Latimer	\$	101,512,910			Hudson Valley
<b>38</b>	Carlucci	\$	60,634,387			Hudson Valley
<b>39</b>	Larkin	\$	100,314,219			Hudson Valley
<b>40</b>	Murphy	\$	78,244,445			Hudson Valley
<b>41</b>	Serino	\$	55,846,448			Hudson Valley
<b>42</b>	Bonacic	\$	93,638,411			Hudson Valley
<b>43</b>	Marchione	\$	22,483,611			Capital District
<b>44</b>	Breslin	\$	61,488,539			Capital District
<b>45</b>	Little	\$	20,783,595			North Country
<b>46</b>	Amedore	\$	39,490,402			Hudson Valley/Mohawk Valley
<b>47</b>	Griffo	\$	69,767,523			Mohawk Valley
<b>48</b>	Ritchie	\$	50,469,662			North Country
<b>49</b>	Farley	\$	72,694,678			Capital Region
<b>50</b>	DeFrancisco	\$	100,100,519			Central NY
<b>51</b>	Seward	\$	27,612,919			Mohawk Valley/ Southern Tier/Finger Lakes
<b>52</b>	Akshar	\$	53,078,922			Southern Tier
<b>53</b>	Valesky	\$	69,810,708			Central NY
<b>54</b>	Nozzolio	\$	49,807,374			Finger Lakes
<b>55</b>	Funke	\$	131,076,906			Finger Lakes
<b>56</b>	Robach	\$	127,008,767			Finger Lakes
<b>57</b>	Young	\$	57,754,754			Southern Tier
<b>58</b>	O'Mara	\$	22,247,408			Southern Tier
<b>59</b>	Gallivan	\$	28,415,745			Western NY
<b>60</b>	Panepinto	\$	113,840,164			Western NY
<b>61</b>	Ranzenhofer	\$	119,570,844			Western NY/ Finger Lakes
<b>62</b>	Ortt	\$	44,127,495			Western NY
<b>63</b>	Kennedy	\$	121,626,261			Western NY

## **Key Terms**

### **Campaign for Fiscal Equity (CFE):**

The CFE was a law-suit brought by parents against the State of New York claiming that children were not being provided an opportunity to an adequate education. In 2006, the NYS Court of Appeals ruled in CFE's favor and found that New York State is violating students constitutional right to a "sound and basic education" by leaving schools without the funding necessary.

### **Foundation Aid:**

In 2007, the Governor and legislature enacted the Foundation Aid funding formula in order to comply with the Court of Appeals CFE ruling. In order to fulfill CFE, the state committed \$5.5 billion in Foundation Aid, to be phased in by 2011. Funding was to be distributed based on student need factors including poverty, English language learner status, number of students with disabilities as well as the local level of poverty or wealth, based on income or property values. The formula and the implementation of Foundation Aid have been substantially delayed. Today, the amount of Foundation Aid owed to schools is \$3.9 billion according to the State Education Department data.

## **Footnotes**

<sup>1</sup> CFE Derailed <http://www.aqeny.org/wp-content/uploads/2016/06/CFE-Derailed-June-17-final-1.pdf>

<sup>2</sup> State of New York 2007-08 State Aid Projections; State of New York 2008-09 State Aid Projections





## **PUBLIC POLICY AND EDUCATION FUND** OF NEW YORK

The Alliance for Quality Education is a coalition mobilizing communities across the state to keep New York true to its promise of ensuring a high quality public education to all students regardless of zip code. Combining its legislative and policy expertise with grassroots organizing, AQE advances proven-to-work strategies that lead to student success and ultimately create a powerful public demand for a high quality education.

PPEF was founded in 1986 to address critical social, economic, racial and environmental issues facing low and moderate income New York State residents. Our areas of work have included health care, education, after-school programs, voter participation, economic development and consumer issues. PPEF uses many tools in its work, including grassroots organizing, research and policy development, public education on a wide range of policy issues, and community outreach.