

CFE Derailed

The State of Our Schools
in the Wake of the
2016 New York State Budget



*A report from the
Alliance for Quality Education
Education Law Center
Public Policy and Education Fund of New York*

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CFE Derailed:

The state of our schools in the Wake of the 2016 New York State Budget and a Decade after the Campaign for Fiscal Equity

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This report would not be possible without the input from the following school districts:

Albany, Brentwood, Buffalo, Herkimer, Jamestown, Schenectady, Syracuse, and Utica

CFE Derailed: The State of our Schools in the Wake of the 2016 State Budget & Ten Years after the Campaign for Fiscal Equity

2016 marks the tenth year since New York State's highest court, the Court of Appeals, ruled on the Campaign for Fiscal Equity (CFE) school funding lawsuit. The 2006 Court of Appeals decision was the last of several court orders in CFE finding that New York State was in violation of its own constitution by failing to provide all students with the "sound basic education" or "meaningful high school education" which is their constitutional right. A full decade after the final CFE court order this report examines how the 2016 New York State Budget stacks up for students, both in terms of meeting their educational needs and in terms of fulfilling the constitutional standard established by the courts in CFE. The report analyzes the 2016-17 Enacted Budget and its impact on high need school districts across the state. The report details the constitutional standard defined by the courts in the CFE case and examines whether the state provides adequate funding to meet that standard. The report includes a first ever analysis of whether schools would be on track to receive their full Foundation Aid (CFE funding) within four years based upon the level of Foundation Aid they received in this year's budget. The report identifies whether CFE Funding for the schools is **On Track, Off Track, Way Off Track** or **Totally Derailed based** on this year's state budget. Then, the report provides profiles of high need school districts to illustrate the specific impacts in terms of students' educational needs.

Executive Summary

- In 2006 the state issued the final court order which led to the 2007 statewide settlement of the Campaign for Fiscal Equity case by committing to provide \$5.5 B in basic classroom operating aid, also known as Foundation Aid. A decade later, this funding continues to be denied, which deprives students access to educational programs, services and adequate staff levels.
- This denial most severely affects the 205 high need school districts which are owed \$2.8 billion in Foundation Aid increase.
- The 2016 state budget did not include a four-year phase-in. Although both the Board of Regents and the State Assembly proposed this phase-in, the Senate majority and the governor opposed it.
- There are 44 high need rural districts which the State Education Department's records show are not owed any Foundation Aid. All of them are among the lowest income communities in the state. However, a flaw in the Foundation Aid formula significantly undercounts poverty in the community, thus underestimating the amount of Foundation Aid they need. Due to this flaw in the formula we have excluded these school districts from the analysis that follows.
- Of the remaining 161 high need districts, 130 school districts **are in the CFE Funding Off Track category which includes 78 in the CFE Funding Way Off Track category** and **15 in the CFE Funding Totally Derailed category**. CFE Funding Off Track means districts received less than 25% of their remaining Foundation Aid, CFE Funding Way Off Track means they received between 10% and 19% and CFE Funding Totally Derailed means they received less than 10%. The CFE Funding Off Track category includes the schools in the CFE Funding Way Off Track and CFE Funding Totally Derailed categories.
- 30 out of the 33 school districts with high concentration of Black and Latino students, are in the CFE Funding **Way Off Track** or CFE Funding **Totally Derailed** categories.

- Profiles from eight school districts paint the picture of the educational opportunities and needs in schools a decade after the CFE case.

Recommendations:

1. The State must fully fund Foundation Aid and commit to a phase-in of no more than three additional years in order to get back on track to meet the constitutional standard as determined by the State's highest court, the Court of Appeals.
2. The state must also update the Foundation Aid formula and fix any flaws in it.

Meeting the Constitutional Standard through Foundation Aid

In response to the final 2006 court order in CFE, New York State enacted the Foundation Aid formula. This formula was designed to ensure that the state fulfilled its constitutional obligations to all students in the state by phasing in a \$5.5 billion increase in classroom operating aid over a four-year period. The four-year phase-in was designed to ensure that high-need schools had the funding necessary to provide rapid improvement in educational opportunities. The Foundation Aid formula increases equity by driving 72% of new Foundation Aid to high need school districts. This funding distribution was intended to help chronically underfunded high need school districts catch up to the level of programming, staffing, and services that the state's highest court, the Court of Appeals, determined was necessary to fulfill the constitutional obligation. The Foundation Aid formula was also designed to replace the annual ritual of politically-driven manipulations of school aid with a fair, transparent and predictable school funding formula.

The Foundation Aid formula was widely hailed across the state as a success during its first two years of implementation. For two years, 2007 and 2008, the formula was followed and \$2.3 billion in Foundation Aid was delivered to schools. The result was that students in poor school districts saw significant improvements in their educational opportunities. But since 2009, the Foundation Aid formula has not been properly used. First it was frozen, then the Gap Elimination Adjustment—a formula that cut \$2.7 billion from schools—was implemented. In subsequent years whenever the Foundation Aid formula was used it was manipulated in ways that distorted its original intentions. Because the state has failed to fulfill its constitutional obligation, a second CFE-type lawsuit known as *Maisto v. State of New York* and commonly referred to as the Small Cities Case, has been brought and is awaiting the decision of a trial court judge at this time.

The Court of Appeals ruling in 2006, affirming their 2003 decision:

Mindful of the fundamental value of education in our democratic society, we agreed with plaintiffs' interpretation of the Education Article. The State must ensure that New York's public schools are able to teach "the basic literacy, calculating, and verbal skills necessary to enable children to eventually function productively as civic participants capable of voting and serving on a jury" (id.).

The 2016 State Budget: Helpful, but Inadequate

The 2016 State Budget included a \$1.34 billion increase in funding for public schools, an amount that fell significantly short of the 2007 total state aid increase of \$1.58 billion and the 2008 total state aid increase of \$1.5 billion, the first and second year of CFE implementation. The \$1.34 billion increase was also far short of the \$2.4 billion increased the NYS Board of Regents proposed, as well as the \$2.9 billion increase recommended by the Alliance for Quality Education for 2016-17. The Enacted Budget increase was certainly helpful to schools, but it did not meet the needs of all students and it lacked any commitment to meet the constitutional standard established in CFE.

Inadequate

The \$1.34 billion funding increase, while more than the year before, is inadequate to address the needs of students in the high need communities across the state. It included only \$627 million that was classified as Foundation Aid, \$100 million of this was actually community schools funding and not generated through the Foundation Aid formula. Therefore, the actual Foundation Aid was only \$527 million. These are the funds we looked at in these report. Contrast this amount (the \$527 million) with the \$1.3 billion recommended by the Board of Regents and this is far less than half of what was needed and is necessary for the formula to function properly and have the desired impact that the courts had in mind when they ordered the state to adequately fund schools.

Of the 674 school districts in the state, 205 are classified as high need by the state. Since the priority of the Alliance for Quality Education, the Education Law Center, and the Public Policy and Education Fund is educational justice for high need communities, these schools are the focus of this report. High need districts are those with greater levels of student poverty, significant numbers of English Language Learners, and more students with disabilities; and they are in communities with low property and income wealth. Since this classification has not been updated in several years, there are probably more school districts that should be classified as high need.

For the high need districts, 2016-17 Foundation Aid increase was \$494 million for over 1.5 million

students, an amount inadequate to address their needs, especially considering that these same school districts are actually owed \$2.8 billion in Foundation Aid from the 2007 statewide settlement. Eighty-five percent (85%) of these 205 high need school districts have “high poverty”, which means more than half of their students live in poverty.¹



¹ The classification “high poverty” comes from the Gary Orfield’s work at the Civil Rights Project at Harvard University <https://civilrightsproject.ucla.edu/research/k-12-education/integration-and-diversity/why-segregation-matters-poverty-and-educational-inequality/orfield-why-segregation-matters-2005.pdf>

Four Year Phase-In: Essential to the Constitutional Standard

One of the key elements of the Foundation Aid formula as enacted in 2007 was a four-year commitment to phase-in the full amount of Foundation Aid funding. This commitment was honored for two years, but has been eviscerated by subsequent state budgets. A clear scheduled phase-in of all the Foundation Aid owed, is now necessary to fulfill the constitutional standard. AQE called for a four-year phase-in as part of the 2016 state budget. This was also part of what the remedy being asked for by the plaintiffs in the Small Cities Case (*Maisto v. State of New York*), a lawsuit filed because the state has failed to fund the Foundation Aid formula and by the Board of Regents. The State Assembly recognized the essential need for this commitment and included a four year phase-in of the full Foundation Aid as part of their 2016 budget proposal. However, both the Senate Majority and the Governor opposed the Assembly proposal to include a phase-in in the state budget. Therefore, the 2016 Enacted Budget did not include a four year phase-in of the Foundation Aid.

The phase-in is essential to meeting the constitutional standard for two reasons. The state needs to provide the full amount of funding that is due to schools in order to fulfill its constitutional obligation. The phase-in was enacted in 2007 in order to ensure that the full constitutional amount was actually paid. In addition, the phase-in scheduled was designed to ensure that schools were able to make significant improvements in educational offerings over a relatively short period of time—four years. A phase-in that is too slow ends up with most of the funding only covering inflationary costs and will not enable actual improvements. For these reasons, the failure to include a full phase-in within no more than four years ensured that the 2016 state budget failed to meet the constitutional standard for providing a “sound basic education.” The 2007 Enacted budget provided a \$5.5 billion commitment in new Foundation Aid phased-in over four years as follows:

- 2007-08-- \$1.1 billion in Foundation Aid, 20% of the total increase;
- 2008-09--\$1.24 billion in Foundation Aid, 22.5% of the total increase;
- 2009-10-- \$1.51 billion in Foundation Aid, 27.5% of the total increase;
- 2010-11-- \$1.65 billion in Foundation Aid, 30% of the total increase.

A four year phase-in in the 2016 state budget of the remaining Foundation Aid would have resulted in the large infusion of funding that school districts need in order to improve their programming, staffing, and services.

Excerpt from the response by the Plaintiffs to the State’s legal brief on the motion to dismiss in 2011 in the *Maisto Vs. State of New York* case .

On motion to dismiss in this case, the State represented to the Court of Appeals that Foundation Aid was enacted state-wide “in response to *Campaign for Fiscal Equity v. State of New York*” and that Foundation Aid consists of “long-term formulaic changes . . . that were enacted to reflect the estimated cost of *III*” and that “factors and weightings” in Foundation Aid “track the formula the State proposed in *CFE III*.” Addendum at 2,11. The State further acknowledged that the “need-based Foundation Aid formula remains the law of the State and is enconced in the Education Law at § 3602(1) and (4).”

Measuring if CFE Funding is On Track, Off Track, Way Off Track or Totally Derailed

As mentioned above, Foundation Aid was intended to be phased-in over four years. This report evaluates the level of Foundation Aid increase that high need school districts received in 2016 relative to the amount they were owed. School districts needed to have received at least 25% of the Foundation Aid they were owed to be in the **CFE Funding On Track** category. If school districts received less than 25%, then they are in the **CFE Funding Off Track** category because it would take more than four years to receive the amount of Foundation Aid they are owed from the statewide settlement of the CFE case. If school districts received between 10% and 19%, then they are in the **CFE Funding Way Off Track** category and if they received less than 10% then they are in the **CFE Funding Totally Derailed** category. The **CFE Funding Off Track** category includes the CFE Funding Way Off Track and Totally Derailed categories.

Among school districts which the State Education Department reports are not due any additional Foundation Aid, 44 are high need rural districts which are all affected by one significant flaw in the Foundation Aid formula. If this flaw were fixed, all 44 high need rural districts would be due additional Foundation Aid. This flaw fails to account for school districts with extreme poverty. A calculation known as the *Income Wealth Index* dramatically overestimates the level of household income in the school districts with the lowest income levels in the state, thus significantly underestimating the amount of Foundation Aid these schools need.² The Legislature recognizes the significance of this flaw in the Foundation Aid formula which is why in 2014 they fixed this part of the formula--but unfortunately it was only fixed temporarily for one year. Due to the impacts of this flaw, we have excluded these 44 districts from this analysis.

The report analyzes the 2016 state budget in terms of whether it puts the remaining 161 high need schools districts on track for CFE funding.

In the 2016 budget, 130 out of 161 school districts are in the **CFE Funding Off Track** category. These districts received less than 25% of the Foundation Aid increase they were owed.

Of these:

- 78 school districts are in the **CFE Funding Way Off Track** category as a result of the 2016 budget. These districts received between 11% and 19% of the Foundation Aid increase they are owed.
- Another 15 school districts are in the **CFE Funding Totally Derailed** category as a result of the 2016 budget. These districts received less than 10% of the Foundation Aid increase they are owed.

² The Foundation Aid Formula does not look at actual values of the Income Wealth Index (IWI). Instead, for any district that is below 65% of average income wealth, their IWI is rounded up to 65%, thus ignoring extreme poverty

	Number of districts	Percent
Number of School Districts	161	100%
CFE Funding Off Track (<25% of CFE funding)*	130	81%
CFE Funding Way Off Track (11-20% of CFE Funding)	78	48%
CFE Funding Totally Derailed (<10% of CFE Funding)	15	9%
*Note: Off Track numbers includes those districts that whose CFE Funding is Way Off Track and that are Totally Derailed		



School Districts with Large Populations of Black and Latino Students: CFE Funding Way Off Track and Totally Derailed

All of the school districts with high concentrations of Black and Latino students are high need school districts. High concentration means 40% or more of the student body is Black and Latino. There are 33 such school districts in New York State. Thirty out of the 33 are either in the CFE Funding Way Off Track or Totally Derailed category.

Region	County	School District	Percent Black and Latino	Increase as percent of CFE funding owed	CFE Funding Level in 2016 Budget
Long Island	SUFFOLK	AMITYVILLE	90%	1%	Totally Derailed
Long Island	NASSAU	WESTBURY	96%	2%	Totally Derailed
Hudson Valley	WESTCHESTER	PORT CHESTER	81%	2%	Totally Derailed
Long Island	SUFFOLK	COPIAGUE	80%	3%	Totally Derailed
Long Island	NASSAU	FREEPORT	89%	3%	Totally Derailed
Long Island	NASSAU	HEMPSTEAD	96%	4%	Totally Derailed
Long Island	SUFFOLK	BRENTWOOD	91%	4%	Totally Derailed
Long Island	SUFFOLK	CENTRAL ISLIP	92%	4%	Totally Derailed
Long Island	NASSAU	ROOSEVELT	100%	4%	Totally Derailed
Hudson Valley	ROCKLAND	EAST RAMAPO	89%	4%	Totally Derailed
Long Island	SUFFOLK	WYANDANCH	98%	4%	Totally Derailed
Hudson Valley	DUTCHESS	BEACON	46%	8%	Totally Derailed
Hudson Valley	WESTCHESTER	PEEKSKILL	87%	11%	Way Off Track
Hudson Valley	WESTCHESTER	YONKERS	76%	11%	Way Off Track
Capital Region	SCHENECTADY	SCHENECTADY	52%	12%	Way Off Track
Capital Region	ALBANY	ALBANY	67%	12%	Way Off Track
Hudson Valley	WESTCHESTER	MOUNT VERNON	93%	13%	Way Off Track
Hudson Valley	ORANGE	MIDDLETOWN	76%	13%	Way Off Track
Capital Region	RENSSELAER	TROY	47%	13%	Way Off Track
Mohawk Valley	ONEIDA	UTICA	44%	14%	Way Off Track
Finger Lakes	MONROE	ROCHESTER	85%	14%	Way Off Track
Hudson Valley	ORANGE	NEWBURGH	72%	14%	Way Off Track
Western NY	CHAUTAUQUA	DUNKIRK	56%	14%	Way Off Track
Western NY	NIAGARA	NIAGARA FALLS	40%	16%	Way Off Track
New York	New York	NEW YORK CITY	68%	16%	Way Off Track
Hudson Valley	DUTCHESS	POUGHKEEPSIE	85%	17%	Way Off Track
Central NY	ONONDAGA	SYRACUSE	63%	17%	Way Off Track
Western NY	ERIE	BUFFALO	67%	18%	Way Off Track
Hudson Valley	SULLIVAN	MONTICELLO	46%	19%	Way Off Track
Hudson Valley	SULLIVAN	FALLSBURGH	52%	19%	Way Off Track
Hudson Valley	ULSTER	ELLENVILLE	44%	20%	Off Track
Mohawk Valley	MONTGOMERY	AMSTERDAM	46%	20%	Off Track
Hudson Valley	SULLIVAN	LIBERTY	46%	26%	On Track

Students' needs are not being prioritized by the state

The 205 high need school districts in New York State educate two thirds of the state's student population. The overwhelming majority of these school districts are classified as high poverty because they have more than half of their students living in poverty.³

Foundation Aid is not just about the money. It is about the programs, staff and services that money brings to schools for students. This report provides detailed profiles of eight high need districts across the state that illustrate the impact of these schools' CFE Funding or Foundation Aid being **Off Track**. Foundation Aid was intended to provide for significant improvement in school resources over the four-year period from 2007 to 2011. In 2007 and 2008 schools began making these significant improvements, but then the Foundation Aid was frozen. In 2011 and 2012 the state made massive cuts to schools totaling \$2.7 billion. As a result, schools cut the improvement that had been made and cut beyond that. Now schools are struggling to get back to where they were in 2008 in terms of programs and educational resources. The whole purpose of CFE and the Foundation Aid, which intended significant improvements over what was occurring in 2008, has been lost in the shuffle.

The eight school district profiles included in this report show that school districts are trying to catch up the programming they had eight years ago. But, all of the districts indicate that they are still behind. These profiles include high need large cities, high need small cities and suburbs and a high need rural district. Some of the school districts indicate they had to make cuts for eight years in a row. Others stated that they are still behind in staffing levels, access to art and music, social emotional supports and staffing. Others have had to close schools for financial reasons and others say that they have only been able to meet half of the educational goals they have set.

Methodology

The data used in this report comes from the New York State Education Department, Fiscal Analysis and Research Unit publication of the 2016-17 Enacted Budget School Aid. Each year, SED calculates how much Foundation Aid each district would receive had the phase-in been completed. To calculate the amount of Foundation Aid increase owed to school districts, we subtracted the 2016-17 Foundation Aid amount from the amount of Foundation Aid districts would have received with a complete phase-in. The result was the amount of Foundation Aid districts are still owed.

³ Students in poverty are determined by the NYS Education Department as economically disadvantaged which includes students in the Free and Reduced Price Lunch, in the Welfare program, and students in temporary housing.

Demographic Information of students

Enrollment 9,443

Black 49.5%

Latino 16%

Asian or Native Hawaiian/Pacific Islander: 9%

Students with Disabilities 14%

English as New Language 9%

Students in Poverty 58%

The capital of New York has the fourth highest poverty rate in the state, with 25.3% of residents and 28% of its resident children living below the poverty line.

In 2008 ...

Albany High School had a graduation rate of 64%.

Class sizes were below 20 for all subjects (except HS Social Studies). The district employed 1,700 principals, teachers and support staff.

In 2016

Albany district has been able to make additions to its staff with this year's funding, to bring the total number of principals, teachers and support staff to 1,500 with 1,000 students more than it had in 2008. During the recession years, Albany cut 350 positions by eliminating administrative positions, taking teaching aides out of classrooms unless mandated, reducing food service, buildings and grounds, technology, security and central staff.

Class sizes are at or above 21 for all subjects and levels. Albany HS has a graduation rate 59%.

Albany's enrollment of English as a New Language students has more than doubled over the last four years to nearly 1,100 students, or about 12 percent of the district's total PK-12 enrollment. The district has significantly expanded its teaching and support staff to serve this rapidly growing population, and to meet new unfunded state mandates regarding the delivery of academic and support services for ENL students. The district recently has added 12 new ENL teachers and support staff, an increase in staffing of 27 percent in this area with no additional state aid specifically dedicated to help the district support this fragile student population.

While Albany is adding staff to support K-1st classrooms and the social-emotional needs of students, it continues to need more aid to support pre-K through 3rd grade literacy in order to get all students reading at grade level by 3rd grade. The district needs additional teaching aides and elementary reading teachers, academic coaches and administrators to enhance the teaching process.

Demographic Information of students

Enrollment 18,142

Black 11.4%

Latino 81%

Students with Disabilities 13%

English as New Language 30%

Students in Poverty 87%

In 2008 ...

Brentwood had more teachers and more programs than they do now. Students had music and art every day. The district offered a variety of advanced electives to meet students' needs and interests without any restriction in enrollment.

The district had more administrators who provided guidance and support to teachers and technical support staff who worked on any issue that arose.

In 2008, there were 5 elementary school assistant principals. Each of the three elementary schools with over 700 students had an assistant principal. The assistant principals were able to provide the support and guidance to the staff and the students.

In 2016 ...more cuts and compelling need

Brentwood needed \$16 million to maintain the programming and services they had the year before. The district received only \$9 million in new aid, which left it with a budget gap of \$7.5 million.

Brentwood currently has 26 bilingual teachers. They need another 16.

Currently 7 of the eleven elementary schools educate over 650 students each, and of the 11, only 4 have assistant principals. Those positions had to be cut, leaving one administrator (the principal) to provide, guidance, support and leadership.

In 2016, Art and Music are being offered on a rotating basis, week by week. Advanced electives are not offered if they do not have at least 15 students enrolled.

With 30% ELLs, Brentwood needs another 10-15 bilingual teachers.

They need another 3 Music and 3 Art teachers, and at a minimum 4 additional social workers and 6 additional guidance counselors to meet students' needs.



Demographic Information of students

Enrollment 32,165

Black 49.4%

Latino 18.1%

Asian or Native Hawaiian: 8%

Students with Disabilities 22%

English as New Language 14%

Students in Poverty 79%

Buffalo is the 4th poorest city in the nation and the 3rd for New York State in terms of highest percent of people living below the poverty line at 31.4%. Buffalo ranks 6th in the nation for black concentration of poverty with 46.4% and 9th in the nation for Latino concentration of poverty with 41.6%. While conditions are beginning to improve for some segments of the population, people of color and lower income individuals continue to be left behind. Cuts to food stamps and Welfare budgets have hit them hard, and the child poverty rate of 38.4% has been very slow to improve.

In 2008 ...

Buffalo city school district was implementing programs such as Saturday academies for English language learners and their families.

The district had more reading teachers, more teaching aides, more instrumental music teachers and more bus aides.

In 2016

With this year's state aid, the district will be able to restore about 100 positions. Overall, there is need for more reading teachers and elementary school teachers.

Buffalo set out to convert 18 of its schools to community schools in order to meet students' needs, but the insufficient state aid allowed for only 12 to be converted.

There is also a need for more resources to reduce class size. Currently, class size is at or over 23 students. With additional resources, the district would be able to reduce class size in order to improve results.

Buffalo had a new career and technical education, specialty schools phased-in, but they are not able to provide access to all the students that want to attend because of a lack of resources. In addition, the district is restricting access to summer and after school programs even though students need the programs to enhance learning and reduce learning loss.

Regarding social and emotional supports, Buffalo needs more staff at the elementary level as most of the schools have half time staff. There is need for more high school guidance counselors and social workers.

With the growing English as New Language population, the district is required to provide instruction in the students' native language, but it is unable to hire because there is no resources to recruit from abroad.

Demographic Information of students

Enrollment 1,131

Black 2.7%

Latino 2.4%

Students with Disabilities 14%

Students in Poverty 53%

Herkimer is a high need rural school district in the Mohawk valley.

Since 2008 ...

Herkimer had 200 employees in 2008. 112 of them were teachers and support staff such as social workers and guidance counselors.

Herkimer had a vibrant music program with five music teachers. They also had 4 Art teachers.

They offered their students a business and technology program, as well as a Science, Technology, Engineering and Math (STEM) program.

In 2016

Herkimer has 136 teaching and support staff, a 32% reduction in staff since 2008. This year, there are 94 teachers, three more than the year before, but far fewer than 2008. This reduction also includes, one fewer art teacher, 1.5 fewer music teachers, 3 fewer social workers and guidance counselors.

The business program does not exist anymore as it had to be cut due to the massive state funding cuts in 2010 and 2011. There aren't enough computer science sequences which translates into students being denied access.

The Academic Intervention Services and special education programs are more based on the availability of staff rather than students' needs, something that can be addressed with additional resources.

The district also needs additional counselors and social workers to address the needs of students and their families.

JAMESTOWN

Demographic Information of students

Enrollment 4,839
Black 4%
Latino 19.4%
Multiracial 9.5%
Students with Disabilities 12%
English as New Language 4%
Students in Poverty 73%

Jamestown is the 6th poorest school district in the state. Jamestown has been experiencing negative job growth over the last several years. Job prospects have fallen along with per-capita and household income levels. In fact, Jamestown has double the national average in people earning less than \$15,000. The roughly 36% of children who live in poverty struggle to find jobs and opportunities when they graduate.

In 2008 ...

Jamestown district provided students a multitude of subjects and programs such as: music and art, strings, library, accelerated Math and Science. In 2008, there was afterschool for students that needed it. There were academic supports for students that required it and administrators to provide guidance and support to staff and students. **But then, "we were cheated out of our fair share."**

In 2016"the damage done in years passed is so great that we can't catch up"

Even though 2016 is the first year in 9 years Jamestown is not making any cuts, the district is also not restoring any of the programs cut. The only program growing is community schools with the community schools funding that is available in this year's state budget. Still, Jamestown has no social workers in schools. The district is working with the county in order to get people who are trained as social workers into the schools to address students' social and emotional needs.

Jamestown had to close a school, drain its fund balance, eliminate over 100 jobs. With too few administrators, their comprehensive high school of 1,400 students has only the principal and two assistant principals. Their K-6 Social studies coordinator also coordinates Art, Music, Foreign Language and ESOL.

The district now offers music, art and library on an eight-day rotation because they don't have enough staff to restore the programs back to their weekly schedule. Currently, there is not summer school available except for those who need it to graduate.

The district needs another two administrators (asst. principals) for the high school, a coordinator for Fine Arts, another for Social Studies, another for technology, another for social emotional learning, and another to supervise counselors. With the lack of needed people to coordinate and supervise, everyone is stressed and overburdened.

The district needs a boatload of teachers as well. They want to return to classes for art, music and library weekly, instead of once every 8 days. They also need intensive early intervention for Pre-K through 2nd grade and continued academic, social, emotional work for 3rd through 6th grade to ensure students are ready for high school.

Schenectady

Demographics

District Enrollment: 9,500

Ethnicity

- ◆ Black or African American - 33%
- ◆ Hispanic or Latino—19%
- ◆ Asian, Native Hawaiian, Other Pacific Islander—16%
- ◆ White—28%
- ◆ Multiracial—4%

Students with Disabilities: 17%

English as New Learners (ENL): 3%

Economically Disadvantaged: 81%

Combined Wealth Ratio—.350 (1.0 is considered average)

Inequities in New York State School Aid

The Impact is Significant

Between 2009 and 2015, the Schenectady City School District was forced to cut nearly \$40 million worth of staff, programs and services. Budget gaps ranged from \$5.7 million to nearly \$10 million each year. Staffing was reduced across the district. Every area of programming was affected. Organizational changes were forced and central office restructuring took place. Consequently, class sizes increased, the school day was restructured and the length of the day at the high school was shortened by an entire period. Some athletic teams were eliminated and high school course offerings, library services and fine arts programming at the elementary level, were reduced. Most non-mandated programs were cut and support services for students were reduced. Much needed professional development opportunities for staff were fewer. Also during this period, in order to create efficiencies and reduce staffing, two district schools closed.



Schenectady has a significant number of students reading below grade level and struggling with mental health issues.

The impact of inequitable funding: Students, who already come to the district with significant need, are starved of necessary resources and do not have equal access to quality education.

The Budget Picture in 2016

The 2016-17 School Year is the first year that Schenectady is able to add staff, services and programming back into the budget. While funding for the district improved for the 2016-17 School Year, it does not account for the more than \$60 million that the district was shorted between 2008-2015.

Schenectady is able to add 40 positions in 2016-17 including teachers, paraprofessionals, social workers, a psychologist and other positions that address priorities such as early literacy, equity, disproportionality, mental health and increased student opportunities. Today, the district is still shorted more than \$50 million. This funding is absolutely needed to address the significant mental health issues of the district's youngest students, provide intervention services and support to the significant number of students who are reading below grade level, to provide important mentoring and internship opportunities to high school students so that they graduate college and career ready and to ensure that all Schenectady's children have equal access to quality education.



SYRACUSE

Demographic Information of students

Enrollment 20,084

Black 49.6%

Latino 13.2%

Students with Disabilities 20%

English as New Language 13%

Students in Poverty 77%

The city of Syracuse, with a poverty rate of 35%, ranked 16th out of all U.S. cities, and first out of all cities in New York in 2014. This means that more than 48,000 people have annual incomes of less than \$23,500 for a family of four. It also means that one out of every two children in Syracuse lives below the poverty line.

In 2008 ... before the Cuts

Before the massive cuts the state made to the education budget, the Syracuse City School District had 60 social workers and 47 School Counselors which allowed them to address more of their students' needs than before the Campaign for Fiscal Equity Foundation Aid money reached schools.

They were able to expand Pre-K to offer full day programs to eligible children. They invested in Career

In 2016

After several years of position reductions, the Syracuse City School District has 13 fewer social workers, 7 fewer guidance counselors, and 358 fewer teaching assistants. In total, the District has experienced a decrease of about 440 positions since 2008. The district closed 3 school buildings due to financial pressures. Students are being denied the opportunity to participate in the same arts programming that their more affluent peers enjoy, just five miles away. For the past four fiscal years, the District has used appropriated fund balance to balance the budget, a non-recurring "savings account" revenue source that is then no longer available to offset future budget gaps. The District also deployed a new instructional coach model as a cost-saving measure, reducing one instructional coach in each building.

There is still a great deal of need, even though the District has committed to and is implementing smaller class sizes (below contractual maximums), increased investment in school climate reforms with more training for teachers and building staff, and more supports for Behavioral Intervention Centers, places where students go to work through behavioral issues before re-entering the class.

Syracuse continues to need at least 30 more staff to address the needs of their English as New Language students, and additional funds to ensure that students who live in violence and crime-plagued areas can be provided transportation even if they are within the 1.5 mile radius for which transportation aid is provided by the state. The district also continues to put off maintenance of buildings and replacement of furniture and vehicles due to fiscal constraints.

Utica

Demographic Information of students

Enrollment 9,715

Black 26%

Latino 18%

Asian/Pacific Islander 16%

Students with Disabilities 16%

English Language Learners 21%

Students in Poverty 85%

Languages spoken 46

Utica, like other large New York cities, suffers from very high poverty rates. 31.7% of residents, and 48.1% of children were below the poverty line in 2013. The child poverty rate for Latino children, black children and Asian children is significantly higher than the rates for white children. What is notable about Utica is the sheer amount of refugees— perhaps as much as one-fourth of Utica's population of 62,000 is made up of refugee families.

Since 2008 ...

Utica schools tried to preserve their programming by depleting its reserve fund. Then, in 2011 and 2012, they were forced to make cuts. They had to cut 192 teachers, 41 teaching assistants, 46 support staff which includes social workers and school psychologists, 23 administrators, 52 clerical staff, and 10 custodial staff. As they described it, they were down to bare bones, mandatory programming. Their guidance counselor to student ratio is 1:400, well above the recommended 1:250 ratio, resulting in many students not getting adequate guidance. They were forced to cut 23 reading teachers. They had to eliminate their Academic Intervention Services.

Students and their families had to fundraise for chemistry material, field trips, and other educational resources.

Down to bare bones education ...

In 2016

This year, the district is able to restore 40 teaching positions and support staff, including 2 social workers, 2 guidance counselors, 1 school psychologist. Despite that, there are still between 32-33 students in a given classroom, there is still a 1:400 ratio of guidance counselors to students, and they still have bare bones art, music, and intramural activities. Some of the advanced classes, such as AP Biology, has 32 students. There is great need for at least 15 more English as New Language (ENL) teachers in order to address the need of the 2,100 (ENL or ELL) students, of which 130 are in Kindergarten. There are no resources for enrichment, no resources to add more music, no resources to add physical education sections, or add more sections of higher level electives and Advanced Placement courses. They are only able to offer full day pre-K to the highest need students, not to every four-year-old, and they are worried that they will not be able to sustain that program because the funding is provided through grants and is not formula-based.

"We offer nothing special to our kids, nothing extra because we do NOT have the resources."



The Alliance for Quality Education was founded in 2000 as 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, income or race. Combining its legislative and policy expertise with grassroots organizing, AQE advances proven-to-work strategies that lead to student success and echo a powerful public demand for a high quality education.

PUBLIC POLICY AND EDUCATION FUND OF NEW YORK

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.

ELC EDUCATION LAW CENTER

Founded in 1973, the Education Law Center (ELC) serves as the leading voice for New Jersey's public school children and has become one of the most effective advocates for equal educational opportunity and education justice in the United States. Widely recognized for

groundbreaking court rulings on behalf of at-risk students, ELC also promotes educational equity through coalition building, litigation support, policy development, communications, and action-focused research in New Jersey, in other states, and at the federal level.