



SET UP TO FAIL

HOW CUOMO'S
SCHOOL CUTS TARGET
NEW YORK'S BLACK
& BROWN STUDENTS



PUBLIC POLICY AND
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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 school 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 echoes a powerful public demand for a high-quality public school education for all of New York's students.

The Public Policy Education Fund 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.

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INTRODUCTION

In 2020, in the middle of a pandemic that has hit Black, Brown and low income communities the hardest, Governor Cuomo looks to balance the state's budget on the backs of Black and Brown, and low income students once again.¹ Governor Cuomo says "Black Lives Matter," but his actions devastate Black communities and limit opportunities for Black students.

CUOMO'S LEGACY OF CUTTING FUNDING FOR BLACK, BROWN & LOW INCOME STUDENTS

This is an old tale for New York State and Governor Cuomo. When Andrew Cuomo was sworn in as governor in 2011, one of his first actions was cutting \$1.4 billion from aid going to public schools across the state. Those cuts were devastating to Black, Brown and low income communities, as they came on top of another \$1.3 billion school aid cut that his predecessor enacted in 2010. It took the state a total of six years to fully restore the funding it cut from school districts. This year, the Governor has started down this path once more.

APRIL 2020 | CUOMO'S CUTS AGAIN TARGET BLACK, BROWN & LOW INCOME STUDENTS

In April 2020, just as Congress passed the CARES Act, the Governor decided to balance the budget by cutting school aid. Governor Cuomo cut \$1.1 billion from high need, low income schools for FY 2021. The methodology he used was based on the distribution of funding of the CARES Act dollars, which is based on Title I funding going to the highest need school districts with the highest need students. A detailed analysis of those cuts was done by the Education Law Center (NJ).² The analysis shows that the schools districts with the highest need suffered the greatest hit. For instance, the school aid cut to New York City was \$717 million. The cut to Rochester City School District — a district that was facing a \$60 million deficit before the COVID-19 pandemic — lost \$29 million. In fact, 87 percent of the April 2020 cuts were made to high need, low income school districts.

The Pandemic Adjustment, as the Governor named the cuts he made in April, was equal to the amount of the CARES Act funding that school districts were meant to receive. The intent of the CARES dollars was, as the Education Law Center analysis states:

“...to assist districts in providing effective and equitable remote learning opportunities to all students and to begin to narrow the nation’s digital divide, Congress authorized emergency funding for K-12 education in the CARES Act. In this legislation, Congress made clear its intent that the one-time federal funds should be used to deliver urgently needed resources to connect students to their teachers and enable a continuity of instruction, and learning supports while at home. The CARES Act identifies “educational technology” as a key focus, specifically designating broadband access, hardware and software, online learning platforms, and meals and support services, especially for vulnerable student populations, as approved expenditures for the federal funds.”³

Not only did the Governor nullify Congress’s intention to mitigate the effect of COVID-19 on school districts; he also stole the opportunity from the most cash-strapped districts to get extra funding to meet their students’ needs in a time of crisis. As a result, the highest need school districts are forced to make due with less, even as their costs continue to rise by five to six percent. Districts are coping with the additional costs of connectivity and technology access for every student, and ensuring that every student had at least two meals as school buildings were shut. New York City cut nearly \$1 billion from the Department of Education to balance its budget. Before the pandemic, Rochester City School District cut over 100 positions. During the pandemic, it was not able to provide reliable internet access and computers to every student in the district. Albany City School District has cut 142 positions. And New York's children are the ones suffering.

\$1.1 BILLION IN PANDEMIC ADJUSTMENT CUTS MADE IN APRIL 2020

87%

Percent of Total Cuts to High Need Districts

63%

Percent of Black and Latinx Students in High Need Districts

75%

Percent of Economically Disadvantaged Students in High Needs Districts

As the table above shows, 87 percent of the Pandemic Adjustment cut was to high need districts. Out of the \$1.1 billion cut, \$978 million was made to New York City, Buffalo, Rochester, Syracuse and Yonkers — together known as the Big 5 — and to the high needs small cities, suburbs and rural school districts. On a per pupil basis, these cuts translated to a \$640 cut per student in a high need district, compared to the \$138 cut per student in the average and wealthy school districts. The Pandemic Adjustment cut per student in high need school districts — which also educate the majority of Black and Latinx students in New York State — is six times greater than in school districts that have half the student need.

An additional 20 percent cut would absolutely decimate high needs school districts across the state.

AUGUST 2020 | CUOMO IS PROPOSING ANOTHER ROUND OF SIGNIFICANT CUTS TO BLACK, BROWN AND LOW INCOME STUDENTS

Now, almost six months later, the Governor is at it again. After months of making threats, the state is currently withholding portions of the July and August payments to schools.⁴ The State Education Department notified school districts that the Department of Budget is withholding 20 percent of the Universal Pre-K allocation, cutting pre-K aid for the first time in recent years. The threat to cut total school aid by 20 percent is becoming more real as the Governor continues to be an obstacle in making the income tax structure more fair and the state's services more sustainable. Already, as school districts receive less funding from the state, some districts have begun the process of making further cuts to their programming and personnel.

If Governor Cuomo moves forward with his threat to cut 20 percent of total state aid to schools, Black, Latinx, and poor students will bear the brunt of it. Once again, the schools that cannot trim any more from their budgets — the schools in the communities that have the hardest hit by COVID-19; the same schools Governor Cuomo has refused to adequately fund over the last decades, and whose parents have sued the state time and time again — will be forced to cut vital personnel and programs. The proposed across-the-board 20 percent cut in state aid to schools will be three times greater for high need districts than wealthy districts.

A 20 PERCENT CUT TO ALL SCHOOLS IS INEQUITABLE AND WILL DISPROPORTIONATELY IMPACT BLACK & BROWN STUDENTS

The reason for the disparity in the impact of the cuts lies in how New York funds its schools. The New York State system is based on a state mandate to fund schools with a built-in minimum local contribution, which is in turn based on ability to raise local revenue, through property taxes. School districts with higher local property values (and adequate taxable base) can raise much more revenue than school districts, or cities who have lower property values. As a result, wealthy districts get a much smaller percentage of state aid. Higher need school districts including the Big 5 (New York City, Buffalo, Rochester, Syracuse, and Yonkers) get a much higher percentage of state aid.

A 20 percent cut in state aid to schools equals \$5.7 billion. Of that \$5.7 billion, \$4 billion would be taken from 205 high need districts. These 205 school districts educate 75% of the economically disadvantaged students in the state, 63 percent of Black and Latinx students, have 20 percent

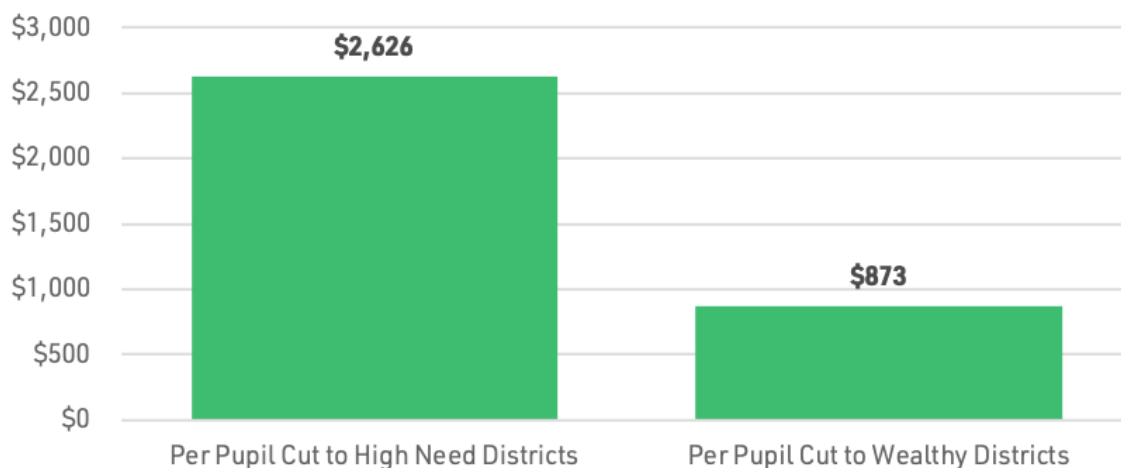
HIGH NEED SCHOOL DISTRICTS ARE FACING A \$2,626 PER STUDENT CUT. WEALTHY SCHOOL DISTRICTS ARE FACING A \$873 PER STUDENT CUT.

students with disabilities and 13 percent English Language Learners. **High need school districts are facing a \$2,626 per student cut.**

In contrast, wealthy districts are only facing a \$313 million state aid cut. Their student population is 16 percent Black and Latinx, 16% economically disadvantaged, 14 percent students with disabilities, and 3 percent English Language Learners. **Wealthy school districts are facing a \$873 per student cut.**

This manifestation of educational racism, Cuomo-style, proves once again that the Governor's actions do not match his rhetoric. In fact, it is a lesson in gaslighting.

Per Pupil 20% Cut in School Aid



In addition to general aid for public schools, the Governor is already “withholding” 20 percent of the state’s Pre-K aid. This translates into a \$170 million cut. **Unsurprisingly, \$151 million of this cut is made to high need school districts across the state.** Wealthy districts, which notably do not need state funded pre-K as their residents can typically afford to pay tuition to private programs, are only taking \$1.7 million cut.

A Republican Governor in Ohio can teach Cuomo a lesson in equity. The Governor of Ohio, a Republican, has taken a different approach to the education budget and the issues his state was facing back in May.⁵ Ohio Governor Mike DeWine made a \$300 million cut to public schools. He did not, however, cut the same amount from each school district. He publicly stated that he had an obligation to protect the most vulnerable students and balance the cuts fairly. Under Governor DeWine’s plan, the high need, low income districts in Ohio lost 1 percent of their state funding; meanwhile, the wealthy districts bore the brunt of the state cuts, and lost 40 percent of their state funding. The rationale in Ohio was that wealthy districts are much better able to handle school aid cuts, whereas low income schools cannot afford to. The thinking of the Republican Governor of Ohio serves as a stark contrast to the thinking and actions of the Democratic Governor of New York. Governor Cuomo is proposing a 20 percent, across-the-board cut. Such a cut will not only be devastating; it will mean the end of public schools in most low income, Black and Brown communities.

WHAT WOULD THE CUTS MEAN FOR EACH DISTRICT?

New York City Chancellor Richard A. Carranza announced that a 20 percent state aid cut — a loss of over \$2 billion for the district — would be catastrophic, and would mean that New York City Schools will not be able to open school buildings this fall. It would also translate into the elimination of 9,000 positions, as well as program cuts that will be far reaching in the classroom. Rochester would have to cut \$128 million, which would mean the loss of over 100 paraprofessionals

“I FEEL LIKE, PERSONALLY, WE’RE BEING SET UP FOR FAILURE.”

working in pre-K classrooms, and most of the district’s social workers, restorative coaches and safe zones.⁶ Other school districts have mentioned that losing 20 percent of their state aid would be so catastrophic that they would need to cut back to only what is absolutely required under the law,

eliminating their music, art or science programs. Albany City School District originally released a reopening plan that would have all middle and high school students attend school in person for some days; but with the looming threat of 20 percent cuts, the district announced that grades 7-12 will be completely virtual because the district cannot afford to teach those students in person. Albany also announced that any program that is not mandatory (including band, sports, clubs and more) will be under review and potentially restructured or cut, which in turn will also result in staffing cuts.

School districts will be forced to cut programs and services they already have built into their budgets and reopening plans. A school superintendent explained: “The expense-based aid is absolutely factored into that budget we built. I feel like, personally, we’re being set up for failure.”⁷ Another superintendent mentioned that with the cuts in aid, they cannot afford to provide both pre-K and special education services; they have to choose one over the other.⁸

How much would each school district in New York lose in funding with a 20 percent cut?
To see the amount that would be cut from each school district, [click here](#).

Without state aid, local school districts will not be able to recover from this crisis. New York State Comptroller Tom DiNapoli noted that since sales tax collections are down, localities will become even more dependent on the state.

“Collections will likely continue to decline over the next several months, though perhaps not at the same rate, and further mid-year reductions in State aid are still possible. This combination puts counties, cities and less-wealthy school districts in an especially tenuous position.” While property tax has proven to be a more stable revenue stream, the report found that it “is not able to make up for losses in other revenues as it once did.”⁹

THE SOLUTION: STOP THE CUOMO CUTS

Schools are just a few short weeks from the start of a new school year, one full of new challenges and additional costs. Districts have purchased technological equipment and online learning services for students. They have adjusted transportation schedules to reduce the number of students on school buses, purchased cleaning equipment and personal protective equipment. School leaders have spent months carefully crafting plans to meet the educational and emotional needs of students,

NEW YORK'S CHILDREN HAVE ALREADY EXPERIENCED ENOUGH TRAUMA FROM THIS PANDEMIC. TO CUT 20 PERCENT FROM SCHOOLS NOW WOULD ONLY ADD TO THAT TRAUMA AND FURTHER DISRUPT CHILDREN'S EDUCATION.

while practicing social distancing and keeping everyone safe. To cut funding to districts now would mean districts will have to throw out current plans and create new reopening strategies, with limited time and resources. New York's children have already experienced enough trauma from this pandemic. To cut 20 percent from schools now would only add to that trauma and further disrupt children's education.

The most immediate action the Governor can take is to tap into the state's reserves so he does not have to make any cuts. The state has about \$3.7 billion in reserves that can be used to mitigate the devastating

effects of cuts until Congress takes action. This is a short term immediate solution to essentially “stop the bleeding.”

However, more long term, sustainable action is necessary. The legislature has introduced a series of revenue raising options. The Governor stands firmly against any such option. He prefers to cut aid to schools than raising the income tax rate on his friends in the Hamptons (*with whom he talks every day*). Senator Robert Jackson and Assemblymember Linda Rosenthal have introduced S7378/A10363 bill in their respective houses of the State Legislature, which would raise the income tax rate on those making over \$1 million, creating brackets up to \$100 million (the tax rate for that bracket is 11.82%). This bill would raise \$4.5 billion annually, and devote the revenue raised to funding school operating aid. The legislature must take action to raise revenue and override the Governor if he vetoes such action. Our Black, Latinx and low income school children cannot bear the brunt of another round of cuts. We must act to put an end to Cuomo’s policies of educational racism.

If the Governor does enact cuts, he cannot make a regressive cut of 20 percent to all school districts. It is essential that the most vulnerable students are protected. The Governor, Department of Budget and state legislature will need to develop a more equitable solution to cut the least from high need districts and cutting the most from wealthy districts.

ENDNOTES

- 1 <https://www.aqeny.org/2018/09/11/report-educational-racism-cuomos-record-of-underfunding-schools-in-black-latino-communities/>
- 2 https://edlawcenter.org/assets/files/pdfs/publications/NY_Pandemic_Adjustment_final.pdf
- 3 *Ibid.*
- 4 The different types of school aid are paid on a monthly schedule by the state. By the 30th or the 31st of each month school districts are supposed to receive a payment by the state. In July the State Division of Budget (DOB) withheld 20% of the reimbursement of July building aid (for capital projects that were already approved by local school boards and the State Education Department) that approximately a third of school districts were supposed to receive. They also withheld 20% of the August Excess Cost aid, a type of special education aid payment.
- 5 <https://www.chalkbeat.org/2020/5/26/21271188/ohio-new-york-schools-budget-cuts>
- 6 <https://www.lohud.com/story/news/politics/2020/08/19/amid-covid-woes-schools-new-york-have-20-state-aid-withheld/3400634001/>
- 7 <https://www.timesunion.com/news/article/Weeks-away-from-school-year-start-administrators-15493219.php>
- 8 <https://www.lohud.com/story/news/politics/2020/08/19/amid-covid-woes-schools-new-york-have-20-state-aid-withheld/3400634001/>
- 9 <https://www.cityandstateny.com/articles/policy/budget/why-upstate-cities-are-extreme-financial-peril.html>