



Public Education: A NYS Constitutional and Moral Obligation

Responsible stewardship for our children in providing them with a world-class education must be New York State government’s first priority.

NYS sets laudably high standards and should support what it demands. Improvement in education requires adequate, equitable, flexible, predictable, understandable, and sustainable State funding.

The initiation of a foundation aid formula has partially addressed many of our past issues surrounding school aid. The requirement for a “Contract for Excellence” for selected school districts restricts the uses of these funds and diminishes the ability of those affected districts from fully benefiting from the funding.

	Contract for Excellence law creates new problems.
Adequate	While the foundation aid has begun to provide adequate resources, Contract for Excellence restrictions prevent districts from applying the additional money to meet student needs as they see best. Many successful local programs may be discontinued to meet contract mandates for something “new”. Only 3% of a district’s state aid plus 25% of the remainder can be spent on programs that local boards have determined to be helpful to their students in need. The Contract for Excellence law is NOT about more aid; it is about the state regulating how aid is spent. The law provides NO extra aid for schools not making adequate yearly progress, only more regulations on how aid money is spent.
Equitable	While the foundation level of state aid is based on the cost of a sound basic education, the SED should adjust on a bi-annual basis any regional cost parameters. The Contract for Excellence creates a further inequity by the way it determines which districts must comply; if the issue is test performance of every student sub-group, the amount of state aid increase (more than 10% currently) should not be a factor . Also, the Contract for Excellence requires abandonment of successful programs because they’re not new, but does not mandate that the required new programs directly serve the low-performing sub-groups that forced the district into the program. Labeling of districts as not meeting AYP occurs at the time of the passage of the NYS budget; then, even if by the start of the next school year particular districts are no longer labeled as in need of improvement, they must still abide by Contract for Excellence strictures. Such districts are forced to spend money on new programs for problems that have already been solved.
Flexible	Increased operating aid allowing local control by elected school boards to best address local needs is still not addressed by the foundation aid formula. In addition, the Contract for Excellence law removes most flexibility for districts if even one of their student sub-groups fails to make adequate yearly progress as measured by the SED. All but 3% of the total plus 25% of the remainder of state aid must be spent on unproven new programs rather than on existing programs known to be helpful to students in need. The mandate that Contract for Excellence schools can only spend additional aid for new programs undermines existing successful programs, and leads to mandated replacement of successful programs annually.



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Predictable	While we have seen the timely passage of the state budget in recent years, a multi-year and stable funding distribution plan is needed to ensure a consistent and uniformly applied formula. There are many questions about how the Contract for Excellence will be applied in succeeding years. Will further new programs be required to the detriment of existing programs?
Clear	The foundation formula needs to be translated in to common language so that the public can fully understand how the aid is generated. The use of 10% aid increase as the determinant for participation in a Contract for Excellence is arbitrary, capricious, and political—and unrelated to meeting the needs of students in the sub-groups identified as not making enough progress.
Sustainable	There is still the need for a funding system that is maintained over time, allowing for long-term planning. State leaders have already suggested that the state’s economy may not support further increases as promised for the next two years. Programs created in response to the Contract for Excellence could be jeopardized if funding is eliminated in coming years.

Prevent unfunded mandates.

- * Legislators need to **KNOW** the impact of any legislation on their constituent school districts before they vote to approve it.
- * Legislators should consider potential laws in the context of all existing laws and mandates.
- * In many instances new requirements differ only slightly from existing district programs and force unnecessary duplication of effort to comply with new regulations.

Money is a limited resource.

Laws that impose new financial obligations on school districts create an unfair burden on local taxpayers.

Time is an irreplaceable resource.

Laws that continuously require the reallocation of staff time burden human resources.

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