

**NASSAU-SUFFOLK  
SCHOOL BOARDS ASSOCIATION**

**INVITED TESTIMONY PRESENTED BY  
JIM KADEN, N-SSBA VICE PRESIDENT**

**ASSEMBLY STANDING COMMITTEE ON EDUCATION  
HEARING ON IMPLEMENTATION OF THE  
COURT OF APPEALS DECISION IN THE  
CAMPAIGN FOR FISCAL EQUITY LAWSUIT**

**DECEMBER 19, 2003**

**Suffolk County Legislature Auditorium  
William H. Rogers Building  
Hauppauge, New York**

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**Assemblyman Sanders and Members of the Assembly Standing Committee on Education:**

**On behalf of the 115 member boards of the Nassau-Suffolk School Boards Association and our President Jeannette Santos, I thank you for providing an opportunity to voice the concerns of our members with regard to the implementation of the Court of Appeals decision in the Campaign for Fiscal Equity lawsuit.**

**The high value Long Islanders place on their public schools can be measured by their willingness, year after year, to vote for school budgets that reflect escalating costs and decreasing percentages of state aid. Given the continuing bleak fiscal climate and the unease created by the potential impact of the CFE decision, we can no longer depend on the local taxpayer to continue to bear the major responsibility for funding New York's schools.**

**For at least the past three decades it would have been difficult to find any school district that has not felt ill-used by New York's state aid distribution. Long Island districts are no exception. Although we are regarded as "suburbia personified", we are a diverse region. Among our member districts are the wealthiest school districts in the state along with the poorest; the largest school district in the state (outside of New York City) as well as the smallest; rural schools that deal with the problems of sparsity and small city schools that confront urban ills. While we can boast of some of the highest-achieving schools in the country, we cannot ignore our responsibility to schools with high-needs populations.**

**Since its founding in 1959, the Nassau-Suffolk School Boards Association has endeavored to advocate for the funding concerns of the broad spectrum of our membership. In doing so, we have steadfastly refused to engage in the politics of pitting district against district or region against region. We actively participated in the formation and adoption of the New York State School Boards Association "Principles of Funding" that recognize inequities in school funding in every region of the State.**

**In acknowledgment of the need to "speak with one voice", Long Island's educational associations, independently and collectively, have embraced a set of state aid recommendations that are not only remarkably similar but mirror the more global positions of our parent state associations. The impetus for unity on school funding issues has been furthered by the CFE's call for a statewide approach as well as its emphatic renouncement of any "Robin Hood" solution.**

**Coalescence around a common set of funding principles is the result of many years of effort. The cooperative approach, however, is fragile and in constant danger of derailment should one region of the state or one set of districts be portrayed as undeserving recipients of education aid. It comes as a surprise, therefore, that our State's Board of Regents has chosen to redistribute the monies within its woefully underfunded state aid proposal through the gradual elimination of "save harmless" and through what can only be described as a "Robin Hood" approach. We are puzzled by the apparent effort to create dissension over save harmless provisions that would, if eliminated, produce very little savings. Historically, one purpose of "save harmless" has been to stabilize a district's state aid through inevitable fluctuations in enrollment.**

Given that the New York City Department of Education predicts an enrollment decline of 100,000 students over the next decade (10% reduction) how does the elimination of “save harmless” address the call to provide New York City with a sustainable and increasing amount of aid over the next seven years?

Further analysis of the Regents proposal awaits the release of important details. Thus far, requests for a breakdown of the impact on each district of the state have been met with the response that it would “be not helpful” to the debate over the proposal. Whether the Regents proposal will be of help or hindrance to the Legislature as it faces the daunting task of complying with the Court directive remains to be seen.

In the course of your hearings you have received input from the New York State School Boards Association, New York State Council of School Superintendents, New York State Association of School Business Officials, NYSUT, as well as the Campaign for Fiscal Equity. Our Association’s long-established state funding positions have been endorsed in the testimony of these organizations.

As you deliberate, we urge you to consider the following:

- The inequities established in the Court of Appeals decision occur in districts across the state;
- The state’s share of education costs must be increased. *An Education Week analysis ranks New York State 47<sup>th</sup>-49<sup>th</sup> in equity of resources. The state must end its reliance on local property taxes as the major source of funding for its public education system;*
- Regional cost variances must be recognized within any fair distribution formula;
- Regional wealth factors must be considered in any determination of ability to pay (property wealth, income wealth or combined wealth ratio);
- Additional state aid is but one factor for increasing the resources available to New York City’s students. The city itself should be required to contribute additional local effort;
- Equitable distribution of state aid to eliminate the disparity between high and low needs districts should be achieved by “leveling up”;
- “Save harmless” provisions should be retained;
- Aid for enrollment growth should not be capped;
- Unfunded mandates drive up school costs;
- Quality public schools and well-educated students are the fuel that drives New York’s economic engine. Short-changing education will have wide-spread and long-term repercussions.

Reform of the state’s funding of education has been a priority of the Nassau-Suffolk School Boards Association. Our Legislation, Finance and Executive Committees devote many hours each year to analyzing state aid proposals. We are represented at the meetings of the Long Island Education Coalition, Hudson-Long Island Coalition for Fair Distribution of State Aid, State Aid Data Analysis and cooperate on state aid issues with the Nassau and Suffolk Councils of School Superintendents, Long Island Association of School Business Officials, R.E.F.I.T., Nassau and Suffolk Region PTAs as well as Nassau and Suffolk NYSUT. Our Legislators hear from us often. We hope you will call upon us should you desire further background or information on our Association’s positions.

Thank you.