

FEDERAL ISSUES 2015-2016

REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA), ALSO KNOWN AS NO CHILD LEFT BEHIND (NCLB)

The Suffolk County School Superintendents Association supports the reauthorization of the ESEA. The nation's most sweeping education law, the ESEA Act of 1965, is outmoded and broken. At the heart of No Child Left Behind (NCLB) is a promise: to set a high bar for all students and to protect the most vulnerable.

NCLB has given the country transparency about the progress of at-risk students. But its inflexible accountability provisions have become an obstacle to progress and have schools focused too much on a single test score. It drives the requirement for almost all state testing in New York State and removes much flexibility from the state and local school districts.

NCLB is many years overdue for an update. It should be replaced by a law that gives states, systems, and educators greater freedom while continuing to fulfill the law's original promise.

The Suffolk County School Superintendents Association recommends that the reauthorization of ESEA include the following:

- States should be allowed to choose an alternative testing regimen for students in grades 3-8 in English language arts (ELA) and math. Currently, students are tested every year in both areas.
- Districts that have a proven record of success based on state assessments in ELA or math should be allowed greater flexibility in the testing regimen.
- Assessment requirements for limited English proficient students should allow flexibility for testing content areas in their native language. For one calendar year after a student enters the U.S. system, test results on these mandated tests should not be included in accountability measures.



SCSSA



Legislative Priorities

2015-2016

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Executive Director

Mr. Gary D. Bixhorn
scssaexecdirector@gmail.com



STATE ISSUES 2015-2016

Superintendents are the last oasis of reasonableness and a voice that places public education and the students that it serves first. It is time that we work together to diffuse the anger, stop the pushback, and rebuild the trust. Public education is the backbone of this country and the great equalizer. We lay out our legislative priorities for 2015-2016 with this in mind.

Fully Restore State Aid to School Districts

Although school districts saw the largest increase in school aid in years during the 2015-2016 school year, over one-half of the districts across the state are still receiving less state aid than in 2008-2009. During this time, there has been an increase in unfunded State Education Department (SED) mandates and other costs. The implementation of the Regents Reform Agenda and the revisions to the Part 154 Regulations have had a significant impact on many school districts. In spite of a drop in the mandated district contribution rate to the New York State Teachers' Retirement System, the rate for this school year is 70% higher than it was in 2008-2009.

These very real challenges have left many school districts struggling with financial challenges after years of diminished resources. Data reveals that the majority of districts are only hoping to maintain programs at diminished levels after multiple years of cuts in state aid. Many districts have utilized fund balances to stay within the required tax levy cap which this year, is estimated to be significantly below 1%. School districts have also implemented cost savings through renegotiated salary structures, negotiated union salary freezes and other concessions, as well as through implementing shared services. It is important to remember these efforts as we continue to advocate for increased school aid to fund public education through the following:

Completely Eliminate the Gap Elimination Adjustment (GEA)

Although much of the Gap Elimination Adjustment was restored for last year, that does not negate the fact that over \$1.3 billion in school funding due to Long Island schools was not received over the last five years. The fiscal impact of that loss will live on in our schools for years. It is time to completely eliminate the GEA!

Rebuild the Foundation Aid Formula

It is essential for the state to rebuild a functioning operating aid system that provides districts with an aid formula they can count on to plan better. The Foundation Aid Formula was a significant accomplishment; however, it needs to be reconfigured with input from an outside commission in a way that does not negatively impact Long Island. Long Island historically has a higher percentage of students (16.2%) than the percentage of aid it receives (12.2%) compared to other parts of the state. Although the Foundation Aid Formula has never benefited Long Island schools, the additional challenge of shifting demographics on Long Island over the years has created additional needs.

Re-Examine APPR 3012-d

By most accounts, superintendents have found value in the current APPR system as a tool for helping teachers improve practice. The new structure, 3012-d, grossly impedes the evaluation process and jeopardizes its usefulness as a tool for making personnel decisions. In light of these concerns, we advocate for the following:

- **Independent commission:** It is imperative that a completely independent commission be established to rework the flawed APPR system that is in place in New York State. This commission should include capable educators and educational leaders, as well as individuals qualified to provide research based input on the critical components of a valid system. With the thoughtful input of such a commission, we have the opportunity to correct the flaws in the present system and rebuild trust in public education while ensuring students are prepared for the future.
- **Eliminate the requirement of outside observers:** The relationship between an instructional leader, an instructional plan, and the teachers who implement the plan is complex. The requirement to utilize an outside observer who is not a part of this system undermines the core purpose of an evaluation and the authority of the instructional leadership.
- **Eliminate the need for NYSED to approve assessments:** Over the past four years, school districts have expended time planning, as well as ample funds, to develop an assessment system that fulfills their APPR requirements. The requirement put forth in 3012-d for school districts to utilize only assessments that are approved by SED is financially unsound. More importantly, it impedes the continuity of our ongoing efforts to use student data to improve instruction.
- **Allow school districts to submit APPR plans without union sign-off:** School districts that can document attempts to bargain toward an agreement in good faith should not be precluded from submitting APPR plans that lack the endorsement of their union(s).
- **Decouple state aid from a school district's ability to submit an approved APPR plan:** Withholding state aid pending the implementation of an approved APPR plan will once again result in APPR plans that are developed with concessions in an effort to meet a deadline, rather than plans that are focused on developing effective teachers and principals.
- **Phase in a state-developed APPR scale:** Maintain presently negotiated scales during a phase-in period to minimize any unintended impact on teachers and principals.