



# *Testimony*

**to the  
Senate Committee on Education,  
Senate Standing Committee of New York City  
Education & Senate Standing Committee on Budget  
and Revenue**

**September 30, 2021**

*Prepared by*

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*Representing more than 600,000 professionals in education and health care  
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*Testimony of  
Andrew Pallotta,  
President  
New York State United Teachers  
to the  
Senate Committee on Education,  
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Chairperson Mayer, Chairperson Liu, honorable members of the Legislature and distinguished staff, I am Andrew Pallotta, President of New York State United Teachers (NYSUT). NYSUT represents more than 600,000 teachers, school-related professionals, academic and professional faculty in higher education, professionals in education, in health care and retirees statewide.

Thank you for the opportunity to testify before you to discuss how districts are spending Foundation Aid and American Rescue Plan (ARP) dollars. A year and a half ago, NYSUT started the “Fund Our Future” campaign to bring awareness to the funding needs of our schools and students. As part of the campaign, NYSUT convened a bus tour to visit schools around the state and highlight the need for additional educators, social workers, school counselors and school nurses. We had schools that created food pantries and clothing closets to provide students with basic necessities and other supplies. Three months after we started the campaign, COVID closed the Capitol and our schools. While schools were closed, the work of educating and feeding our students continued.

With the Legislature’s help we were successful in securing critical federal and state funding to assist schools and students recover from the past year and a half. When I say recover, I am not focusing on education, but rather the whole child, with an emphasis on the social and emotional needs of our students. We can no longer ignore the role that our teachers play in educating and shaping our children.

After going through a pandemic, our funding priorities must shift. It is unimaginable to me that after COVID, we still have school buildings without a full-time school nurse or a social worker, school counselor or school psychologist. The needs of our students have grown and become more complex. Throughout the pandemic, we had students who were caring for other siblings and relatives, and we had students who lacked internet access, which prevented them from engaging in educational activities.

NYSUT has convened a “Future Forward Task Force,” which is comprised of members from across the state, to consider vital issues that need to be addressed as we move forward. The Task Force met this past weekend to discuss what they are witnessing and experiencing since the beginning school year.

While students are excited and happy to be back in school. They are in need of social and emotional support. Members are seeing five-year old's who are entering Kindergarten in diapers because they are not toilet trained. They are seeing colleagues who are stressed and burnt out. We are seeing staffing shortages. Typically, when we talk about a shortage, we are referencing teachers. However, as we have seen in the news recently, we have a bus driver shortage. In addition to teachers and school bus drivers, we are also witnessing a shortage of cafeteria workers, custodians, school nurses, social workers and teaching assistants.

Members have told us, that some districts are asking teachers and coaches to get their CDL license so that they can drive a bus before and after school. Educators are always willing to do what it takes to help their students, so some have agreed to do this; but at what cost? We have known for years, that being a bus driver is a demanding job. They must worry about safely driving the bus and making sure that students are in their seats. This year, they have the added task of ensuring that all students on board the bus are wearing their masks – and all of this for minimum wage. As one of our members reminded us, Amazon delivery drivers are paid \$30 per hour.

The issues we are seeing now are not surprising and are not new. However, how we respond to these issues can and must be different this time.

### **Stakeholder Engagement**

The enacted budget required school districts to engage with stakeholders to seek public comment and take those suggestions into consideration as they develop their plans for spending the additional Foundation Aid and American Rescue Plan (ARP) dollars. Our members have had a mixed reaction to this approach. Districts created surveys to ask the community how they would like to see their dollars spent. In some districts, the local teacher's union was actively engaged in conversations with the administration as to how this funding will be spent. Others were not consulted in the decision-making process.

Districts are spending money on academic intervention services and not on investments to address the social-emotional health of their students, which is critical to helping students process and ultimately overcome the trauma of the past year.

As we move forward school districts must be held accountable for how they are spending these state and federal funds. We have a unique opportunity to put in place the supports and services we have been talking about for years. They should be investing these funds not only on academic programs and services, but also directed towards the whole child, to teach them conflict-resolution, how to process their feelings and emotions and how to become civic minded adults.

The SFY 2021-22 enacted budget provided \$19.8 billion in Foundation Aid, for a total of \$29.5 billion in school aid – an 11 percent increase. The enacted budget included a long-sought three-year phase-in of the Foundation Aid formula and ensured that every school district received at least a 2 percent increase and at least 60 percent of their Foundation Aid amount.

Our school districts have a unique opportunity to put in place supports, services and programming to not only help students recover, but to thrive. We are hearing that districts are spending their funding on academics and intervention specialists and services. However, the investments in social and emotional health are not on the same scale and in some cases are lacking.

### **Investment Priorities**

I would now like to focus on the areas, we believe our school districts must address using ARP and foundation aid dollars. We have heard that some districts are not willing to make investments in staffing because the ARP dollars will end. We urge them to rethink that decision as it is shortsighted and not in the best interest of students. With this additional funding, schools must address structural issues that negatively impact the education our students receive.

### **Special Education Services**

Our students with disabilities really struggled during the COVID-19 pandemic. The immediate and unforeseen shift to remote learning left many special needs students with not only inequitable resources but also the challenges of using technology that did not meet their needs.

According to a recent report by Comptroller DiNapoli “students with disabilities lost partial or full special education services because of school shutdowns and the shift to remote learning during the pandemic that likely exacerbated pre-existing achievement gaps.”

School districts should be examining ways to compensate for the learning losses students suffered and how to ensure they are meeting students’ Individualized Education Plan (IEP) goals by having an appropriate level of school staff to provide students with disabilities with crucial services, such as speech, occupational and physical therapy.

### **Health and Safety**

Prior to COVID, NYSUT highlighted the need for critical staff, such as school nurses, social workers, school counselors and school psychologists. Students were already experiencing trauma, which impacts their ability to learn. Sadly, this pandemic drastically increased the number of students in need of assistance.

NYSUT firmly believes that when students wish to access trained health and mental health professionals, they should be able to rely on these services being available to them throughout the school day.

We can not take for granted that some students and school communities either have an inability to pay for or limited access to health and mental health professionals. The opportunity to come in contact with these professionals in schools is invaluable.

### School Nurses:

School nurses are the bridge between health care and the state's education system. During the pandemic, they have also become the link between local departments of health and school districts when administering COVID-19 requirements. Needless to say, the job of the school nurse has become even more demanding. As you are painfully aware, prior to the pandemic, school nurses were stretched too thin to meet students' medical needs (e.g., asthma, diabetes, depression, allergies, etc.). In some districts, school nurses would rotate in between school buildings. In the absence of a school nurse being present in some schools, the task of COVID testing was assigned to trained yet unlicensed school staff. This should not be the solution going forward.

Both the CDC and the National Association of School Nurses recommends at least one nurse per school building and not more than a 750:1 nurse to student ratio. In 2018, before the pandemic, the Journal of School Nursing found that nationwide, roughly 39 percent of schools employ a full-time nurse; 35 percent employ a part-time school nurse; and 25 percent do not employ a school nurse at all. Rural school districts are most likely to have either no school nurse or rely on a traveling school nurse once a week or month. This arrangement is unsafe and cannot continue.

NYSUT would like to see ARP and state funding used to recruit, hire and retain additional school nurses. NSYUT supports legislation – S.4782 (Jackson)/A.666 (Cahill) – to require a school nurse in every building

### Mental Health Professionals in Schools

School mental health professionals (school social workers, psychologists and counselors) are trained to recognize and counsel a wide range of significant behavioral and emotional needs of students. However, much like school nurses, access to school mental health professionals who can provide comprehensive mental health services such as evaluations, consultation, individual and group counseling, crisis response and behavioral intervention, is also very limited.

In January of 2021, President Biden pledged to double the number of psychologists, counselors, nurses, social workers and other health professionals in our schools, so students get the health and mental health care they need.

While the state and federal funding supports the hiring of this staff, we are concerned that funding for this investment is not a priority. We believe that every school district should be required to hire the amount of mental health professionals they need. Existing legislation – S.1969 (Jackson)/A.5019 (Gonzalez-Rojas) and S.831 (Gounardes)/A.7473 (Clark) – will ensure that schools can provide full-time licensed social workers, licensed psychologists and school counsellors to meet the needs of their students.

### *HVAC and Extreme Heat and Appropriate Ventilation*

NYSUT was pleased to learn that Governor Hochul has recently committed to allocating \$59 million for a new Clean Green Schools initiative. This plan will allow schools to improve indoor air quality, update their heating, ventilation and air conditioning (HVAC) systems and reduce carbon emissions throughout the state. This is a priority for our schools as it will help limit the spread of COVID-19 and provide relief from heat-related illnesses.

As this legislative body is aware, a properly running indoor ventilation system can effectively and efficiently deliver clean air in our schools, dilute potential contaminants and help reduce the airborne concentrations and the overall viral exposure to building inhabitants. The lower the concentration, the less likely viral particles can be inhaled into the lungs.

This September, New York State Department of Health Commissioner Zucker officially declared COVID-19 a highly contagious communicable disease and issued guidance for classroom instruction, which confirmed our assertion that schools need to have properly functioning HVAC systems.

Proper ventilation in schools is also important to help bring relief from extreme heat conditions.

As New York State continues to experience warmer than usual weather, extreme heat temperatures – defined as a period of high heat and humidity with temperatures above 90 degrees for at least three days – can lead to heat-related illnesses or even death. This issue is only compounded by the COVID-19 pandemic and masking mandates, which are required in schools to minimize the transmission of the virus. In many instances, students in these schools have no relief or remedies to prevent extreme heat illnesses. Also, numerous studies have concluded that learning is impeded by heat exposure and that the excessive heat reduces a student's capacity to learn and teacher's capacity to teach.

The most recently published Government Accountability Office (GAO) report (6/20) revealed that more than half of U.S. schools need to update or replace their HVAC systems. Some districts have been able to do more because of their access to funding, however, all buildings that need to update their HVAC systems should be able to access the funds to do so, especially when reopening during an air-borne pandemic.

To help address this issue, funding must be provided to all schools for installation of air purification systems, air conditioning, shades and any other apparatus that exchanges the indoor air and lowers the heat index in the classroom to provide relief for students and staff. Harmful heat conditions in schools are most prevalent in urban settings. In addition to funding, schools must be directed to develop a plan for removing students from excessive heat conditions, especially while wearing masks, as outlined in S.1825 (Skoufis)/A.8214 (Joyner).

### *School Bus Driver Shortage & the Hiring of Monitors/Aides*

The COVID-19 pandemic is not solely responsible for the school bus driver shortage – drivers leaving the profession has been a long-standing issue for schools, but not to this extent. A lack of bus drivers is obviously problematic if a school's daily schedule is to be maintained. Districts have tried many configurations to transport students to and from school. Some have had to resort to earlier pick-up and later drop-off schedules, which can make for an unnecessarily long day for many students.

While schools were closed during the pandemic, school bus drivers continued to work. These individuals who, when schools went remote in 2020, traveled thousands of miles, delivering meals and learning materials to students who were learning from home. Some school buses were used as mobile hotspots for students who did not have internet access for remote learning. Even when there were no students to transport, these drivers continued to provide the critical services that schools must offer their students and their families, and they deserve our gratitude for it.

Bus drivers are generally paid very low wages (\$14 per hour on average) and are not always asked to work a full eight-hour day. This means they do not receive important employment benefits if they work below a certain threshold of hours in a day/week. The low pay and a lack of benefits, coupled with being solely responsible for policing the behavior of students while also trying to safely operate the bus, results in a very difficult job with a lot of responsibility for little reward.

Bus drivers are now responsible for overseeing masking requirements on the bus (including ensuring that students sit according to the bus's seating chart) before and during their trips. While knowing where students sit on the bus is critically important for COVID-19 tracing, this process puts additional pressure on the driver to not only monitor behavior and the proper student seating, but to do all this in a timely manner for each consecutive pick up to ensure the bus remains on schedule.

Clearly, continuous assistance on the bus is needed so the bus driver can focus on driving safely. We believe that requiring on-board school bus attendants, as is proposed in S.3916 (Kennedy)/A.3871 (Burke), to assist students with special needs, and monitors who can ensure the general safety of all students on each school bus, will improve the working conditions for bus drivers and make traveling on a school bus safer for students.

NYSUT seeks sustained state and federal funding for pay increases, health care benefits, signing/retention bonuses and school bus attendants/monitors to make the profession more attractive for people to become drivers. A recent New York Times article reported that the federal pandemic unemployment benefits caused some bus drivers to look for better job opportunities. We were encouraged to see the Fairport Transportation Association recently settled a contract that utilized federal funds to improve bus driver and bus attendant wages.

Drivers will now earn \$18 per hour and attendants will earn \$15 per hour. Additionally, the district agreed to use federal stimulus money to provide drivers with an extra \$2 per hour for three years and attendants will earn an additional 25 cents per hour for three years.

We appreciate Governor Hochul bringing attention to this issue and applaud her goal of making the profession more attractive, accessible and less bureaucratic. We look forward to working with the governor and the Legislature to further resolve this situation.

### Shortage of School Related Professionals

Teacher aids, monitors, teaching assistants, secretaries, clerks, custodians/cleaners, food service workers and security — our public school-related professionals (SRPs) — all contribute to the efficient, successful operation of every school building and deserve our respect. School districts should provide incentives that include more competitive salaries and benefits. Ample PPE should be made available for all school personnel who need it. Also, inclusion in any school committees or district task forces that discuss and make decisions that concern their jobs should be legislated (where not already applicable) as they can offer institutional wisdom. NYSUT SRPs also have concern about districts that seek to outsource work to private entities as this would result in job losses.

### Teacher Shortage

While we have discussed how districts are using funds to safely return students to in-person instruction, increase graduation rates, reduce class sizes and address students' social and emotional health, I would like to take a moment to talk about some concerns that we have, with regard to the people who are needed to meet these goals — our teachers.

Unfortunately, we have seen a significant decrease in the number of students enrolling in teacher education programs in New York State. In fact, in the 2018-19 academic year, there were almost 30,000 fewer students enrolled in these programs than there was in the 2009-10 academic year. In addition to these declining numbers, we are concerned with lack of diversity in New York's teaching workforce. This unfortunate fact, coupled with a looming state- and nation-wide teacher shortage, demands action.



NYSUT has consistently supported initiatives designed to encourage students to become educators. Programs like Take a Look at Teaching, Teacher Opportunity Corps and My Brother's Keeper are all designed to encourage those considering a career in education, particularly those from underrepresented and/or underserved communities, to become educators. We also support the elimination of unnecessary barriers, like requiring a 3.0 GPA or a set score on the Graduate Record Examination (GRE), which often prevent students from becoming teachers. These two requirements were enacted as part of the 2014-15 state budget.

We will continue to advocate for "Grow Your Own" initiatives, which increase the number of diverse, community-based teachers within districts and provide a solution to both the teacher diversity and supply issues.

We support legislation – S.1100 (Liu)/A4689-A (Sayegh) – that encourages school districts, BOCES, and institutions of higher education to develop partnerships to attract underrepresented candidates into the teaching profession.

## **Conclusion**

I would like to once again, thank the Legislature for your work in securing the over-due funding that our school districts need, and our students deserve. We continue to urge school districts to consult with education stakeholders and invest in services and supports to address the social, emotional and mental health needs of students. To meet this objective, school districts must ensure that students have access to trained professionals and programming to support their students' futures.