



# *Testimony*

**to the  
Senate Finance Committee  
and  
Assembly Ways and Means Committee  
on the  
Proposed 2021-22 Executive Budget  
for  
Elementary and Secondary Education  
January 28, 2021**

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*Representing more than 600,000 professionals in education and health care  
Affiliated with the AFT – NEA – AFL-CIO*

*Testimony of  
Andrew Pallotta,  
President  
New York State United Teachers  
to the  
Senate Finance Committee  
Liz Krueger, Chair  
and  
Assembly Ways and Means Committee  
Helene E. Weinstein, Chair  
on the  
Proposed 2021-22 Executive Budget  
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Elementary and Secondary Education  
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Chairperson Krueger, Chairperson Weinstein, 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 and staff in higher education, professionals in education, in health care and retirees statewide.

Thank you for the opportunity to testify today on the proposed 2021-22 New York State Executive Budget for Elementary and Secondary Education. I am joined by Michael Mulgrew, President of the United Federation of Teachers.

I appear before you today in a much different world than when we last saw each other in February of 2020. It seems a world away — me, you all our friends in the Legislative Office Building — with an empty pizza box. No masks, no hand sanitizer, not a thought about a dais or meeting room crammed with elected representatives, their staffs, our members and staff and other advocates discussing issues of the day and how to increase support for New York’s vibrant and diverse public education system.

All of that has changed. Only a few short weeks after Michael and I last appeared before you, New York was put on pause to reduce the spread of an emerging global pandemic. To date, NYSUT has lost over 100 members to COVID. Let us never forget the educators who died from COVID or the pain and loss their families still feel.

While school buildings were shuttered, the learning continued. Educators — teachers, staff and school related professionals — doing their jobs, like all other workers on the front lines. Our members made and delivered food to their students and their families; delivered learning materials and other resources like Wi-Fi; checked in on the wellbeing of their students; transitioned to online learning; formed caravans and drove through towns and neighborhoods to see their students, to let them know they were cared for and valued. These are the educators that we are supporting when we talk about the support for New York Public schools.

I come before you today with another pizza box, with even more need and urgency than last year. Now more than ever, we can no longer afford to fight over the last slice of the pie. We believe New York has other options and we should explore all before implementing any cuts that impact our students.

## **Revenue**

The executive budget proposal, or as I call it a “tale of two budgets” sends stark and a clear message to Washington that New York needs its fair share in additional stimulus funding. We agree. However, as we’ve stated in the past, we must pursue a two-pronged approach to address the state’s fiscal crisis, one that includes additional federal funding for public services as well as new state taxes on the ultrawealthy.

New York has a history of raising taxes during economic crises and a coordinated answer to address the needs of our state. We must lay the groundwork for revenue that we would receive this fiscal year, next fiscal year and for the future. There are a number of revenue generating proposals before the Legislature; below I will outline the four commonsense proposals for which NYSUT, along with a coalition of other labor unions, is advocating.

The billionaire’s wealth tax is a tax on billionaires that would create a yearly assessment on the speculative wealth of billionaires, looking at wealth in speculation, which includes unrealized capital gains. The wealth tax on billionaires is projected to generate \$5.5 billion or more per year.

The ultra-millionaire’s tax, as proposed in the 2019 Assembly Budget Proposal and in S.917 (May), would create a higher income tax bracket for incomes above \$5 million, \$10 million and the top bracket of 10.32% for those with an income of over \$100 million per year. It is estimated that these new income tax brackets, which would affect 4% of our residents, would generate upwards of \$2.2 billion. Furthermore, it should be noted that from 2009, when the millionaire’s tax was first enacted, to 2016, the number of millionaires in New York grew by 72% and their wealth increased by 54%. By comparison, the wealth of non-millionaires had risen by only 33% during that same time.

The pied-à-terre tax would add roughly \$650 million per year to state coffers. This tax would be an assessment on luxury, non-primary residences in New York City with an assessed value of over \$5 million. It is estimated that a mere 2% of the city’s housing stock would qualify for the pied-à-terre tax.

And finally, we support the repeal of the Trump tax cuts on the corporate tax rate and on the real estate industry, in our state to 2017 levels, by restoring taxes on the profit a corporation makes each year.

We are happy to see new, more sympathetic, leadership in Washington, both in the White House and in the Senate, and welcome the opportunity for fair funding from the federal government. This funding would translate into much needed resources for K-12 education, higher education and health care. However, under the “worst case scenario” — using federal money while reducing the state’s share of education funding, rather than supplementing state funding — is reminiscent of the Gap Elimination Adjustment we fought for years to close. As a state, we cannot afford to view cuts of any kind to public schools and colleges, public health care and other public services funded

by state and local governments, as a default option — especially when the billionaire class has seen its wealth grow as millions of New York families have struggled during this pandemic.

## **School Aid**

The state owes school districts \$4 billion in Foundation Aid for 2021-22. Based on data submitted to the State Education Department in November, expense-based aids (BOCES, Building, Transportation, Excess Cost, etc.) are scheduled to increase by \$410 million. Instead of funding the scheduled increase in expense-based aids and beginning to pay off the remaining balance owed on Foundation Aid, the executive budget proposes to reduce state support for school aid (including STAR) by \$607 million from 2020-21 school year levels.

This reduction in state support is accomplished by converting eleven expense-based aids into a block grant, called “services aid,” then cutting funding from the 2020-21 levels along with establishing a below the line reduction (Local District Funding Adjustment) of -\$1.35 billion, similar to the GEA that was repealed in 2016.

The growth in overall school aid funding of \$2.1 billion is due solely to the federal government’s December COVID Stimulus Act that provided New York State public schools with \$3.85 billion for 2021-22 school year. This more than replaced the one-time federal CARES Act funding (\$1.1 billion) that is being used in the current school year to replace the state school aid cut that was enacted via the “Pandemic Adjustment.”

The tax cap is set at 1.23% for 2021-22. This is the smallest allowable increase since 2016-17.

In the 2020-21 enacted state budget, the director of the budget was given the unilateral authority to take mid-year actions to withhold state funding from local assistance programs if the state ran a current year budget deficit. The director of the budget activated those powers last summer and began withholding 20% from a variety of local assistance programs, including school aid. In the summer of 2020 alone, school districts had \$237 million withheld from a total of six different statutorily required payments. In addition, there were 20% withholdings from a variety of education grant programs including the Universal pre-K program and the extended day program.

We are pleased that the State Financial Plan now indicates that those withholdings will be reduced to 5% in response to a smaller-than-expected current year state budget gap. We request that all these funds be repaid to school districts, including the \$237 million that was withheld from statutorily required school aid payments.

While we are thankful that there is funding from the December federal bill to support k-12 public education, we ask that you ensure that state support for public education supplement, rather than supplant, federal assistance, and makes whole any school district, pre-K (and other programs) and public higher education so that we can build back better and provide the services that students need and deserve.

## **Expense-Based Aids**

NYSUT opposes, as we have in years past, the executive budget proposal to merge 11 expense-based aids (BOCES, special services, high tax, charter school transitional, textbook, school library materials, computer software, computer hardware and technology, transportation (including summer), supplemental public excess cost and academic enhancement) into a “services aid,” creating a “block grant.”

The funding level for this new services aid is then cut by \$393 million, from 2020-21 levels, to \$3.3 billion for the 2021-22 school year. The total cut from the 2021-22 formula levels is nearly \$700 million. We are thankful that you, in the Legislature, have fought back against this proposal in the past, and we ask that you continue to oppose any consolidation or decrease in expense-based aids.

## **COVID Transportation**

NYSUT is heartened to see that the executive budget proposal makes costs for the delivery of school meals, instructional materials and providing internet service throughout the spring of 2020, during COVID school closures (but not going forward) reimbursable for state aid. However, the proposal does not include any stand-by costs for staff and only applies to 2019-20 expenditures. A large number of districts continued to pay transportation employees and vendors after school buildings were closed last spring, via various executive orders, in order to ensure they would retain the ability to transport all children in the event it did become possible to resume in-person instruction. Further, the federal CARES Act required that recipients of these federal funds take actions to preserve employment levels in order to remain eligible for CARES Act funding. In addition, school districts across the state continue to operate remote education programs this school year, and the same provisions to account for these activities should be in place for 2021-22 transportation aid as well.

NYSUT urges the Legislature to ensure that all such costs and expenses from mid-March 2020, until all students are able to permanently return to on-site learning, including this current school year, be aidable via transportation aid.

## **Community Schools and Receivership**

The executive budget continues to provide \$250 million in community school funding as a set aside through Foundation Aid. The minimum award amount is set at \$100,000. Community schools foster partnerships between the school and other community resources, build relationships with families and address the need to educate the whole child. They focus on academics and services that assist in developing student learning, closing the achievement gap, building stronger families and creating healthier communities.

Certain communities were underserved and struggling prior to the COVID-19 pandemic and are now especially at-risk during this crisis. Since community schools work to provide the supports and services needed by a community, under one umbrella, they are uniquely positioned to provide the invaluable support students, families and their communities need during the pandemic.

Community schools have been creative amid the COVID-19 pandemic by thinking out of the box and offering support to the school community and their families. These schools have been doing

mental health check-ins with students and reaching out to them one-on-one, offering support and building trust. They have also provided access to food pantries, food-to-go packs, fresh fruit and groceries, feminine hygiene products and clothing.

NYSUT urges the Legislature to maintain the \$250 million in existing community school set-aside Foundation Aid funding and provide new funding of \$50 million in Categorical Aid. By providing future funding in Categorical Aid, the Legislature can better track the results of this investment and help ensure stable and consistent funding to these schools. We believe now is the time for New York State to make an investment in community schools to expand the model and pass S.925 (Mayer), which would convert schools in receivership to community schools.

As the chart below shows, there are 43 receivership schools in 11 school districts.

School District	2021-22 Foundation Aid Owed	Receivership Schools
ALBANY	\$37,828,072	2
BINGHAMTON	\$18,002,876	1
POUGHKEEPSIE	\$14,646,637	1
BUFFALO	\$107,633,365	3
ROCHESTER	\$89,414,117	14
HEMPSTEAD	\$74,401,537 (estimate)	2
NEW YORK CITY	\$1,131,836,199	12
SYRACUSE	\$46,748,937	5
TROY	\$12,700,818	1
SCHENECTADY	\$43,092,089	1
YONKERS	\$48,110,458	1
<b>TOTAL OWED</b>	<b>\$1,624,415,105</b>	<b>43</b>

The list of receivership schools is the same as 2020-21 because the Board of Regents froze the accountability status for all schools for the 2021-22 school year since various standardized exams used to establish student performance levels were not administered in the spring of 2020.

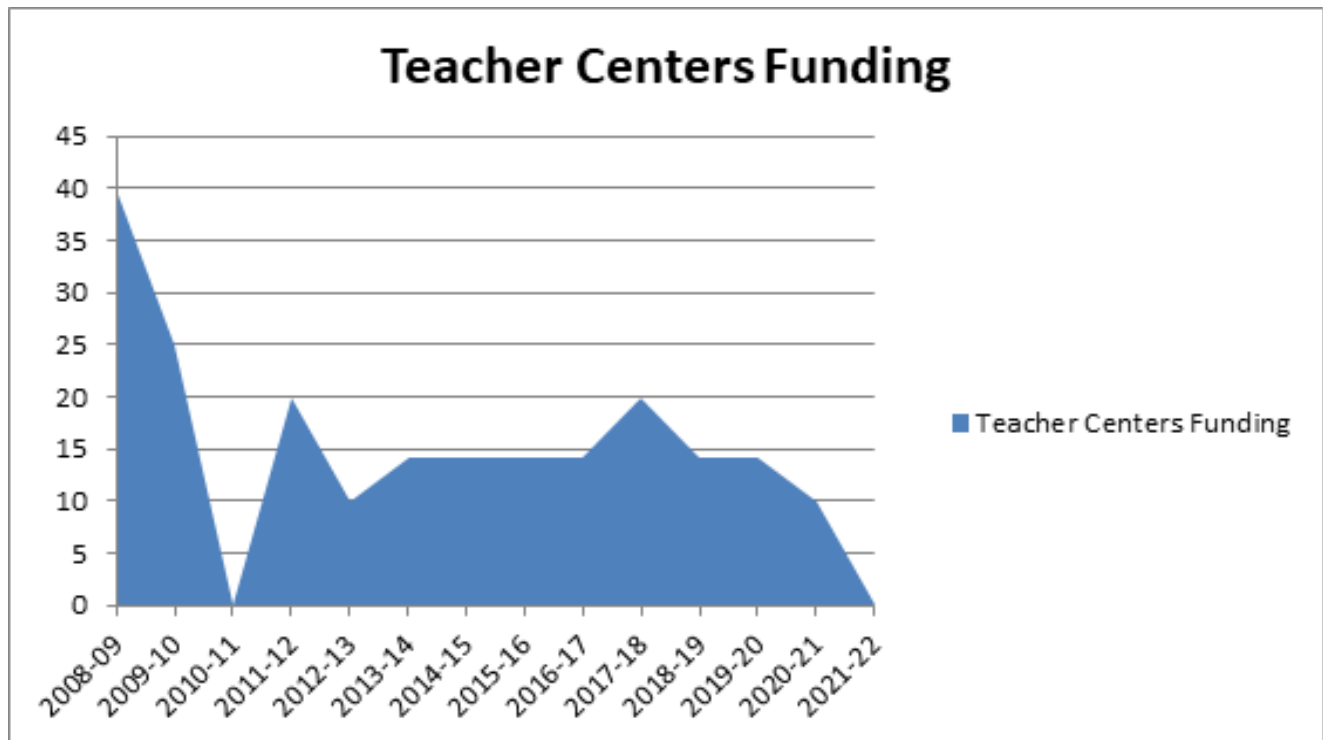
Schools in receivership have suffered from years of chronic underfunding and these school districts are now owed over \$1.6 billion in Foundation Aid. Due to years of inadequate funding, school districts with persistently struggling schools have had to make difficult financial decisions regarding staffing, programs and services. These decisions often have a negative impact on both the schools' and students' academic performance.

NYSUT urges the Legislature to allocate additional funding exclusively for schools that are in receivership to support their school turn-around efforts, as it did in the 2015-16 New York State Enacted Budget.

### **Teacher Centers and National Board Certification**

The executive budget eliminates funding (\$14.26 million) for Teacher Centers and gives them a

current mid-year cut of 30% or \$4.27 million. Teacher Centers were established by the Legislature to provide comprehensive, ongoing professional development and support services to our teachers. They are the only state-funded vehicle guaranteed to support teacher professional development in all school districts, including over 200 high-need schools/districts, BOCES, non-public and charter schools.



From March 2020 to January 2021, these centers have served approximately 313,000 educators and parents. Many centers have waitlists due to the uncertainty of funding to cover the costs of these programs. Teacher centers’ programs are developed with the express purpose of being shared statewide – there is no express ownership of programs or workshops. Every teacher center offers programs to support educators if there is a need to switch to remote or hybrid learning models.

During the ongoing COVID-19 pandemic, teacher centers continue to offer support for specialized educators that include music teachers, teachers of languages other than English and art teachers. Teacher centers help these educators reimagine their content for an online world.

In addition, these centers have created programs that stress the social/emotional well-being of the students, their parents/caregivers and teachers and school staff. The impact of trauma and stress of the COVID-19 pandemic on both teaching and learning cannot be ignored. In addition, these programs use a trauma lens to explore the impact of the COVID-19 pandemic on students and staff and identified strategies to support positive mental health.

These centers provide many other programs to support educators, school related professionals and parents. Some programs include: helping to retrain educators in the classroom during the

COVID-19 pandemic; providing professional development to train mentors who will support new teachers; offering workshops specifically for parents to introduce them to the technology that their children are using and strategies to help their children with online learning; and creating programs to support struggling learners, special education teachers, students with disabilities and English language learners.

We urge you to restore funding for Teacher Centers to 2008-09 level of \$40 million so we can continue to support the state's educators, improve student achievement and provide them with the tools necessary to educate students.

The executive budget eliminates funding for National Board Certification. National Board-Certified Teachers across New York State provide ongoing benefits to their students, schools and communities. Research shows that promoting excellence in teaching directly benefits students by helping them thrive in school and in life. We urge you to support teachers' opportunities for self-directed professional growth by rejecting the executive proposal to eliminate this important initiative. Alternatively, we urge the Legislature to increase funding for the New York State Albert Shanker Grant for National Board Certification to \$1 million.

### **Charter Management Operators**

The executive budget also proposes language to circumvent the cap on new charter schools in New York City by proposing that a reissuance of a surrendered, revoked or terminated charter would not count against the cap. These charters were issued and then were subsequently terminated, revoked or surrendered because of low academic performance and/or the school surrendered its charter and closed. NYSUT urges the Legislature to reject this proposal. Until meaningful reforms are enacted to ensure that these schools are transparent and accountable to the taxpayers, we should not allow for an expansion of charter schools, including reviving expired, surrendered charters, often referred to as "zombie" charters. New York State should not follow the path of the former Trump Administration and his Education Secretary Betsy DeVos, which took numerous steps to shift funding from neighborhood public schools to a "choice" program.

Charter operators, both upstate and in New York City, continue to significantly under-enroll students who are at-risk of academic failure. For example, the Buffalo public school district educates more than three times as many English language learners (ELLs) and almost twice as many students with disabilities as Buffalo charter schools. In Rochester, charter schools enroll 10% of students with disabilities while the public-school district enrolls more than twice as many students with disabilities. In Rochester, charter schools enroll an average of 4% of ELLs while the public school district enrolls an average of 22% — more than five times as many than the charters schools. These are just a few examples of the under-enrollment issues and other practices that occur within the charter industry. These systematic problems must be addressed to ensure students are fairly served compared to their neighborhood public schools.

Additionally, the enrollment practices used by charter management operators serves their best interest. Many corporate charter operators use certain approaches to shape their enrollment, such as discipline policies, push-out policies and back-filling policies. Public schools enroll and accept all students, regardless of their abilities throughout the entire school year. Laws governing charter schools should be amended to require the charter industry to educate a comparable number of ELL students, students with disabilities, students living in poverty and students in temporary housing,



otherwise, non-renewal of a charter should be considered if they are not in compliance.

NYSUT urges the Legislature to enact the following reforms to impose oversight and accountability structures on the charter industry, similar to those that traditional public schools must abide by. These reforms should include but not be limited to the following: S.4237 (Hoylman)/A.8030 (Benedetto) of 2020, which requires transparency and accountability of charter schools; S.1098 (Liu), which repeals charter school facilities aid; S.2743 (Addabbo)/A.6934 (Nolan) of 2020, which requires charter schools to disclose financial information on contracts signed with Education Management Organizations (EMOs) to any authority that can audit charter schools; S.548 (Mayer), which includes school districts and community school districts in the charter approval process in over-enrolled districts; S.1972-A (Jackson), which requires charter school discipline codes to mirror local school district discipline codes; and A.3231 (Pretlow), which provides transparency and accountability of charter schools and provides fiscal relief to the school districts where charter schools are located.

### **Career and Technical Education (CTE)**

NYSUT's CTE educators and school related professionals have had to adapt their instruction and support due to the COVID-19 pandemic. Educators often use remote days for non-hands-on, non-experiential learning. This allows them to maximize hands-on, experience-based learning when their students are in the classroom.

CTE professionals have done a phenomenal job responding to the challenges the pandemic has brought them. A great number of CTE teachers have gone out into the field to create instructional videos for their students so when the students are learning from home, they can still receive the lab experience, even though it is not necessarily hands-on. For example, an animal science teacher visited different veterinarian offices and showed different veterinary technical skills in action while at these offices. In automotive classes, educators went to different dealerships and body shops and created videos of auto mechanics at work.

School districts have been very supportive in providing training for the various new technologies they have implemented but our educators did not receive a stipend or extra time in their day for any of the additional work they have done. Educators are still teaching their students who are learning remotely, in a hybrid setting and in person. While each of these methodologies during a pandemic presents its own unique challenges, educators have adapted their lesson planning and student engagement strategies to maximize students' educational experience while responding to an ever-changing educational landscape.

Fully-funding CTE is essential for the success of these programs. The chronic underfunding by the state limits the creation and expansion of CTE programs while shifting the costs of these vital programs to local school districts, which are already underfunded and constrained by the property tax cap. Just last year, over 90% of high school seniors enrolled in CTE programs graduated; we need to continue these successful programs by providing proper funding, especially during the COVID-19 pandemic. We urge the Legislature to update funding to CTE programs to ensure our students continue to have rigorous and relevant programs they need to be successful in the 21<sup>st</sup> Century workforce.

NYSUT urges the Legislature to include this funding in this year's enacted budget to support and

expand access to CTE programs in BOCES and the Big 5 school districts.

## **E-Learn**

NYSUT is thankful that the executive budget proposal begins to address the digital divide here in our state. While the proposal to create internet service for \$15 per month for families that qualify is laudable, for many of the families that have struggled with these issues before, and during the pandemic, \$15 per month is still too much. NYSUT is strongly supportive of E-Learn legislation – S.9112 (Mayer)/A.11180 (Rules/Benedetto) of 2020. This bill would provide free internet connectivity to students and their families that do not have access to the internet, so they can learn remotely.

## **Teacher Shortage and Diversity**

In 2018, NYUST created the Take a Look at Teaching campaign to address the teacher shortage and address the issue of diversity in the profession. Over the years, we have seen enrollment in teacher education programs decline by as much as 49% between 2012-2017. The education workforce in New York State does not reflect the diversity of our student population. In New York State, 43% of the students are Hispanic/Latino or African American, compared to 16% of the teacher population.

NYSUT urges the Legislature to pass on the below listed initiatives, which we believe will help to diversify the profession as well as address the teacher shortage.

- *Grow Your Own*

As we look to diversify the educator workforce, one of the most powerful programs is the Grow your Own Model. This is a locally driven program that works to enlist new and aspiring teachers at various stages of the pipeline. These programs allow local communities to target diverse candidates who better reflect the student population they serve.

- *The Teacher-Mentor Intern Program*

Funding for the Teacher-Mentor Intern Program is eliminated in the executive budget (-\$2 million). In addition, no funding is provided to finish the current school year program (-\$600,000). This program supports eligible public school districts and BOCES in developing and providing structured guidance and assistance from experienced, highly qualified teachers (mentors) to beginning teachers (interns) who are in their first or second year of teaching. This program provides the opportunity for beginning teachers to broaden and enhance their classroom teaching and related skills while participating in a productive, supportive and collegial mentoring experience. Research shows that when new teachers are mentored, they are more likely to enhance their instructional skills and continue teaching in the classroom. We urge you to restore the current year funding for this important program and fully fund this program in the 2021-22 enacted budget.

- *Teachers of Tomorrow*

Funding for the Teachers of Tomorrow program is also eliminated in the executive budget (-\$25 million). Funding to operate this program for the remainder of the current school year is also eliminated (-\$7.5 million). The Teachers of Tomorrow Program provides a variety of incentives to encourage prospective teachers to teach in a school district experiencing a

teacher shortage or subject shortage, especially in low-performing schools, and assists school districts in the recruitment, retention and certification activities necessary to increase the supply of qualified teachers. We request that you restore both the current year cut and provide \$25 million in the 2021-22 enacted budget so affected districts can continue to use these incentives to attract educators.

## **Teacher Tenure**

Last school year, due to COVID-19, the regents and state exams were cancelled, suspending the annual professional performance review (APPR) process as districts were unable to create a rating. The absence of an APPR rating creates a barrier for teachers who have not yet obtained tenure. In the spring, the governor issued Executive Order #202.39, which allowed teachers in their fourth year to obtain tenure as long as they were on track to be approved, it did not resolve the issue for those in the pipeline (third, second or first year). Educators are already being told by their superintendents that their probation will be extended another year. Educators have gone above and beyond every day during this pandemic to connect with and educate their students while teaching in person, in hybrid and in virtual settings. We ask that those who have not reached tenure, not be penalized for factors beyond their control. As part of the budget, we urge the Legislature to amend the law to address this issue.

## **Special Schools**

New York invests in a diverse array of programs designed to meet the unique educational needs of the state's most vulnerable, traumatized, disabled and marginalized youth. These schools provide education and related services to school-age students who, for many reasons, are unable to be served by either the local public schools or BOCES. These schools were specifically created to meet the intense needs of students placed by the juvenile justice, child welfare, mental health, developmental disabilities and special education systems. This vital continuum provides students with disabilities or with severe behavioral, emotional, educational or physical challenges, both day and residential options to meet their individual educational and therapeutic needs.

The many years of stagnant funding and increased costs endanger the future of Special Act schools, 853 Schools, 4201 Schools that serve the blind and deaf and 4410 Pre-School programs.

At the onset of the COVID-19 pandemic, the dedicated educators who work in these settings nimbly transitioned to meeting the many and varied needs of these students. These schools, because of their unique nature, should be fully reimbursed for the millions of dollars they spent on their PPE and projects undertaken to keep children and educators safe.

The state needs these schools and should ensure that they receive adequate funding increases so they can both educate our children and better plan and prepare for the future without the worry of financial insolvency. As part of ensuring that special schools are ready to receive their students when in-person learning returns, with full programming and staff to address their needs, special schools should not be penalized for temporary enrollment declines during the COVID-19 pandemic in their rate.

NYSUT urges the Legislature to include in the enacted budget: the funding that allows for an annual increase to the school aid adjustment for 4410 Programs; funding parity with school aid increases in Special Act, 853, and 4201 Schools that mirror that of traditional public schools; full and robust

reimbursement of supplies and PPE required to keep children and educators in these unique settings safe; and capital funding for critical building and health and safety needs in our special schools.

## **Special Education Services**

The executive budget again proposes to allow all school districts, BOCES and private schools to petition the State Education Department for flexibility in complying with certain special education requirements. This would allow districts to seek approval to cut services to obtain fiscal relief. We urge the Legislature to reject this proposal as it raises significant concerns regarding the potential erosion of services to students with disabilities.

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

The state should do all it can to assist parents and address the challenges students with disabilities face with hybrid and remote learning. Special education teachers have had to transform how they provide services to students with special needs to meet the educational goals in a student's Individualized Education Program (IEP). Students with disabilities need stability and funding resources to ensure they are educated and receiving crucial services, such as speech, occupational and physical therapy.

## **Mental Health**

More than one in every 500 New York State residents has died of COVID-19 and this has taken a significant toll on students of all ages. As I speak to local presidents and members from all over the state, one common concern continues to be raised — the mental health of our students. Many educators and school related professionals have expressed to me the concern students are facing due to anxiety, loneliness, restlessness, trauma and depression. Students are constantly worried about family members getting sick, those who are sick and those who have passed away. Students' emotional, mental and physical psyche have been negatively impacted by this pandemic and the state must address their mental health needs.

Our schools must be provided the resources to employ school psychologists, school counselors, social workers and other staff needed to support students and their families and connect them with needed services.

## **Promoting Positive Discipline in Schools**

The COVID-19 pandemic has taken a toll on the social and emotional well-being of our students. As we look to the future and students returning to school buildings full-time, we must ensure that we are creating safe and supportive environments. For some children, school was their haven.

Now is the time for New York to invest in a model that looks at the whole child. Programs that support social-emotional learning help to foster characteristics that contribute to student success in education and future employment. In addition, programs that focus on addressing the whole child, rather than just their behavior can decrease student suspensions, expulsions, referrals to alternative institutions and arrests in our public schools. The state should also invest resources to ensure all staff are properly trained to address students presenting disruptive behavior in school.

UFT will discuss their Positive Learning Collaborative program, which incorporates social and emotional learning practices — with educators and all school staff as stakeholders, resulting in a positive and supportive school culture.

NYSUT continues to work to ensure that schools have the necessary resources, curricula and professional learning opportunities to emphasize social-emotional learning by helping students to: recognize and manage their emotions; develop caring and concerns for others; establish positive relationships; make responsible decisions; foster positive conflict-resolution strategies; build self-confidence; realize self-actualization; and use their personal growth to achieve greater academic success.

The executive budget proposal includes \$3 million for alternative discipline grants to high-need districts or districts identified as having a high number of student suspensions or expulsions. We ask the state to increase this funding and make resources available to every school district rather than a competitive grant. NYSUT believes that funding is an integral part of any successful restorative practice initiative to improve and create a positive school environment for every student.

### **School Nurses**

For many years, we have advocated for a school nurse in every school building in our state. The pandemic has laid bare the need for just that; because of the extraordinary need in this pandemic, unlicensed staff had to be trained to administer COVID tests. NYSUT urges the Legislature to pass A.666 (Cahill), which requires a school nurse in every public school building and BOCES.

### **Leave Time for COVID Vaccinations**

Public employees, including educators, who are within the 1A or 1B categories to receive the COVID vaccination search the state website daily for time slots and locations to receive the vaccine. The need for these initial groups to get vaccinated as quickly as possible is a vital first step in vaccinating the over seven-million New Yorkers who will be offered the vaccine in subsequent categories. Due to limited access to the vaccine, public employees often must travel to other counties and have very little control over when their appointment is scheduled.

To accomplish this massive and globally important task, any impediment that creates a bottleneck must be removed; including any arbitrary limits that public employers may place on how and when their employees get the vaccine.

Accordingly, I urge you to pass S.2588 (Gounardes)/A3354 (Fall), which will grant public employees who are eligible to receive the COVID-19 vaccination, up to four hours of excused leave to get vaccinated.

Public employees already receive similar statutory leave for cancer screenings. Understanding that we will one day defeat COVID-19, and our essential public workforce will no longer need this leave, the legislation repeals itself on December 31, 2022, which will hopefully be more than enough time to achieve the CDC's recommended vaccination coverage and truly end this terrible pandemic.

While Governor Cuomo has included a similar proposal in his executive budget, I believe that

waiting for the budget process to conclude, months from now, is a dangerous proposition that will only further stretch out the length of time it takes to get all New Yorkers vaccinated and see our lives return to normal. The passage of this bill will allow educators to receive the vaccination sooner and expedite the removal of any unnecessary barriers.

## **Power Plants**

NYSUT is thankful and supportive of the Legislature's historic support of this program and of the executive budget proposal to increase, from \$69 million to \$140 million, the Power Plant Closure Fund. This fund assists school districts and local governments with resources when a power plant closes and affects the tax base. Our locals have already seen the benefits of this program in Western New York, where coal-fired power plants have been decommissioned.

## **Conclusion**

In conclusion, I would like to reiterate the fact that investing in our state, our students, our public education system, from pk-12 to higher education and our health care systems is imperative as we rebuild our state stronger and more resilient than before.

The events of the past year have highlighted many inequities in our state with regard to education, health care and other opportunities and further reinforce the need for New York to do the right thing and step up, as it has historically done in times of great crisis. The ultra-wealthy in New York State should pay their fair share.

In November, we held a food giveaway, in partnership with the regional food bank and the state AFL-CIO, at NYSUT headquarters, outside of Albany, New York. The distribution was to begin at 9am, to my amazement, cars began to arrive at 8:07am. From 9am to noon, we were able to provide a 42-pound box of fresh, quality food to over 700 families, many mentioned it was their first time partaking in a food giveaway. I was shocked, but not surprised, to see the number of families with children that came through the line as well as people I know and our members who have been furloughed or laid off. That day, we were also able to provide those boxes of food to 156 of our members from Albany and Schenectady, who had been laid off from their districts. Due to this incredible and unprecedented need, we have launched NYSUT CARES, a statewide program that partners with our local unions and regional charities to provide food, emergency funds and clothes to people in need, which have increasingly become educators who have been furloughed or laid off.

During the pandemic, which has brought social turmoil and economic devastation to our state, the 141 billionaires who reside in New York have seen their wealth increase by \$81 billion dollars. The top five tech companies increased their value by \$38 billion, in the third quarter of 2020, alone.

When so many New Yorkers are going without, everyone, must play their part and pay their fair share.

Again, thank you for the opportunity to testify before you today. I will now turn it over to Michael Mulgrew, President of the United Federation of Teachers.

2021 pk-12 testimony