



**SUBMISSION OF THE UNITED FEDERATION OF TEACHERS
FOR THE
ROCKEFELLER INSTITUTE OF GOVERNMENT
FOUNDATION AID PUBLIC HEARING
*July 16, 2024***

My name is Michael Sill, and I am the assistant secretary of the United Federation of Teachers. On behalf of the union's over 190,000 members, I would like to thank the Rockefeller Institute of Government for holding today's hearing on such a critically important topic.

In 2007, the Foundation Aid formula was created to ensure that New York State was meeting its constitutional obligation to provide all students with a sound basic education — one that provides students with strong academics, social-emotional learning, small class sizes and robust academic intervention services. However, it is now 2024, and the outdated formula is failing to provide the children of New York City with the education they deserve.

In the years since 2007, New York City's population has shifted and changed. The pedagogy and curricula we use to educate students has changed. And the cost of educating a child has changed. We need an updated Foundation Aid formula that reflects these changes so that every public school has the resources it needs to support all students in 2024 and beyond.

First, we must amend the methodology used to determine the base cost of education per pupil. Currently, the formula relies on the Successful Schools model to determine the base cost. This model takes the average per-pupil spending from a smattering of districts that were deemed "successful" due to arbitrary proficiency rates. There are several flaws with this model. The most glaring is that the set of "successful" schools being used today has not been updated since 2012. The base cost is the building block of the entire Foundation Aid formula — it is the starting point for determining what each district will receive. As it stands, we are starting from a place of inadequacy.

Second, it is imperative that the Foundation Aid formula allocate funding based on specific student needs. In New York City, we have a particularly high number of students living in foster care and temporary housing. Since the spring of 2022, New York City has seen a sharp uptick in asylum-seekers, many of whom are children in our schools. These children are living in temporary shelters, from which they are evicted after just 60 days. This level of uncertainty at home affects students greatly, and they require additional support services when they enter

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the classroom. The Foundation Aid formula should provide for these additional support services.

The majority of these students are also English language learners (ELLs) who enter our schools in the middle of the year with little to no English proficiency. To provide these children with the appropriate services, we need a growth aid formula to address mid-year changes in enrollment.

Third, the funding formula must differentiate between the types of students with disabilities. The Foundation Aid formula has one weight for all students with disabilities, despite the fact that not all disabilities are the same. Students with physical disabilities versus intellectual disabilities require very different interventions throughout the school day, and the funding formula should recognize this. There should also be tiered weights for students that require different levels of service as dictated by their Independent Education Program (IEP) as well as post-IEP transitional weights.

Fourth, additional weights for students requiring English as a new language (ENL), related service or social-emotional learning (SEL) services must be accompanied by a lockbox — as we have testified over the years — to make certain those funds are not diverted. To ensure that our students are treated equitably, it is imperative that this additional funding go directly to the students that need it.

Fifth, sufficient funding for the implementation of New York City's class size law should be baked into the Foundation Aid formula. Based on the passage of the class size law, it is clear that Governor Hochul and the legislature understand the value and importance of small class sizes and recognize it as a priority. However, the formula does not currently provide funding for capital expenditures, despite them forming part of the sound basic education standard. As NYC complies with the class size law, we will need a consistent stream of funding each year — one that can be used to acquire more teachers *and* classroom space.

Sixth, the regional cost index (RCI) is another aspect of the Foundation Aid formula that is overdue for a refresh. The RCI is intended to account for the varying labor costs across nine different regions in New York. However, it has not been updated since 2006, despite rising costs of labor. As NYC residents know, living in our city is exceptionally expensive. NYSED has acknowledged this as well. For instance, we have the highest regional cost factor in the state to offset the city's high labor costs of school construction.¹ Additionally, when NYSED was appropriating COVID recovery grants, New York City was the only district eligible to receive over

¹ <https://p1232.nysed.gov/facplan/Reports/2020-2021RegionalCostAllwaceFactors.html>

\$5 million for learning loss and mental health recovery.² New York City often requires its own calculus, and the RCI needs to acknowledge this.

The Foundation Aid formula must account for the students that are in our schools today — not the students that were in our schools 20 years ago. Until the formula does this, we cannot say that New York State has provided its students with an adequate and equitable sound basic education.

I thank you again for holding this hearing, and we look forward to our ongoing collaboration.

² <https://www.p12.nysed.gov/funding/2023-2025-recover-from-covid-grant/home.html>