



Education Council Consortium

Comments of the Education Council Consortium on the New York State Foundation Aid Formula

September 6, 2024

Thank you for this opportunity to submit a comment letter on the New York State Foundation Aid Formula. Education Council Consortium is a grassroots organization with the mission to develop and support NYC public school parent leadership through education, networking and organizing. We work toward the vision of a New York City public school system that is equitable, inclusive, antiracist and free of all forms of oppression and that provides an appropriate and humane education for all students in New York City. Our members are parent leaders, caregivers, community members, advocates and educators who believe in our vision.

Public schools are the foundation for a democratic society. At a time when the nation is deeply divided with decision makers at the national level seemingly unable to engage in constructive discourse, public education is even more important in ensuring a better future. At the local level, public schools are anchors for local communities, providing not only education for students but critical support and resources for families. It is our belief that high functioning public schools benefit all New Yorkers, whether they have children in public schools or not. As such, it is the responsibility of all New Yorkers to ensure our schools are properly funded by our tax dollars.

Unfortunately our schools are currently not properly funded to provide a sound basic education for every student, as guaranteed by the State's constitution. A formula developed more than 17 years ago is clearly outdated. Our students' needs have changed significantly, particularly since 2020. Many students require more robust mental health and academic support. Homelessness continues to plague our students at an increasing rate. As a sanctuary city, we have welcomed many migrant students who require particular types of support and resources. Technology has continued to evolve, bringing about new opportunities and challenges for schools.

The Foundation Aid Formula (FAF) must be updated to reflect the current needs of our students and must be based on the true costs of educating our students. The formula should also reflect the changing landscape of public education. New York City has been a pioneer in early childhood education, offering PreK and 3K at unprecedented levels. At the same time, the recent changes to the State regulations require public schools to serve students with disabilities until they turn 22 years old.



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Based on the aforementioned issues, and other intrinsic faults of the current FAF, we would like to share the following comments on some specific elements of the formula.

Include funding for 3K, Pre-K and students with disabilities through the age of 22

New York City has made great strides in providing early childhood education in the last decade. Pre-K is an integral component of many neighborhood elementary schools. The demand for 3K seats exceeds available seats. Research has shown the importance of early childhood education, particularly for students living in poverty. At the other end, the state has affirmed the school districts' legal obligation to educate students with disabilities until their 22nd birthday, if they have not yet graduated. We recommend Foundation Aid Formula to include funding for 3K, Pre-K and students with disabilities until they graduate.

Move away from using Districts that are performing well as the basis for the cost of instruction

We strongly recommend against using districts that are performing well as the basis for the cost of instruction. "Performance" is presumably measured by the ESSA accountability system, which relies heavily on standardized test scores, which are not necessarily a measure of a school district's instructional quality. Furthermore, a district's performance is very likely influenced by factors other than the amount of funding spent on public schools, making such expenditure figures a gross underestimate of the true cost of educating students. In an affluent district, some of students' needs may be met by private spending external to the district's budget (e.g., mental health maintenance, educational enrichment). Non-cash resources, such as partnerships with institutions and highly engaged parents with time and resources to volunteer, will not show up on the District's ledger but contribute significantly to the performance of the district.

The true cost of educating students in a district with high percentages of students in temporary housing, students with disabilities, English language learners, students in foster care and migrant students is very likely much higher than the cost of educating students in a district that is "performing well." The formula should be based on the cost of educating students in districts that have high percentages of students with fewest opportunities and greatest challenges.

Develop a better indicator of poverty and consider concentration of poverty

We know that in New York City there are many families who are living below the poverty line but are not captured in Census data or by the lunch forms. Many of these are undocumented immigrants are fearful of sharing their data with the government. We



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recommend the State evaluate other sources of data for true levels of poverty in school districts.

In addition, research has shown concentration of poverty adversely affects school performance. The formula should provide more funding to those districts with high concentrations of poverty.

Examine the efficacy of Foundation Aid Combined Wealth Ratio (FACWR) as the District's fiscal capacity

We wonder if a District's fiscal capacity should be based only on income and property values. These two metrics may indicate New York City has a high fiscal capacity. After all, New York City has some of the most expensive real estate and highest income earners. However, New York City also has great fiscal needs to ensure the welfare of its residents as well as commuters and tourists who number in tens of millions annually.

It is often said that New York City sends more money to Albany and Washington DC than it receives. We would like to know whether an index like FACWR is one of the reasons why this may be so.

Update the Regional Cost Index

As the cost of living continues to increase and seemingly faster in New York City than many other parts of the state, recalculating the Regional Cost Index is warranted.

Expand and increase the weights for categories of Pupil Needs Index

We recommend adding students in temporary housing and students in foster care as groups receiving additional funding. In New York City there are more than 100,000 students who, at one point during the school year, experience homelessness and more than 6,500 students in foster care. These students are not distributed evenly across all community school districts in NYC: there were two community school districts that had more than 20% of their students in temporary housing in school year 2022-2023¹. These students need a great deal of additional support, anything from basic supplies like personal hygiene products to counseling and mental health services. Schools continue to struggle to meet the needs of these students.

¹ <https://advocatesforchildren.org/policy-resource/student-homelessness-data-2023/>



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We also believe the weights for English Language Learners and Students with Disabilities should be increased to ensure these students receive services they are legally entitled to receive.

Fund class size reduction in Foundation Aid for New York City

Finally New York City needs resources to meet the legal requirement to reduce class size, so that students' constitutional rights to a sound basic education are not violated. We understand that the fully funded Foundation Aid was supposed to pay for class size reduction. But 17 years after that court decision, we finally received the full Foundation Aid funding, which is no longer adequate to provide a sound basic education for all students. The Independent Budget Office estimate to comply with the class size law puts the price tag at nearly \$2 billion. As the State's highest court determined, it is the responsibility of the State to fund New York City schools so that students receive a sound basic education and class size reduction is a significant component of that court decision.

We are fully aware that what we ask for will undoubtedly increase significantly the amount of state funding needed for Foundation Aid. But we know that investing in public education is ensuring a better future for the state and will decrease resource needs in the future.

Thank you for the opportunity to submit our comments.

A handwritten signature in black ink that reads 'NeQuan C. McLean'. The signature is fluid and cursive, with the first name 'NeQuan' being the most prominent.

NeQuan C. McLean
President
Education Council Consortium