



# LEGISLATIVE BRIEFS...

May 2008

## **Update: Where Are We With the Promise of School Aid Reform?**

Despite an economic downturn due to the subprime crisis and revenue shortfalls, Governor Paterson and state legislators lived up to the promise to make education a top priority!

Last year, in order to provide every child a sound basic education, our elected officials agreed to provide adequate funding to all districts through a foundation aid formula phased in over a four-year period. On April 9<sup>th</sup>, while decreasing the second year phase-in of the program from 42.5% of the overall four-year increase to 37.5%, an agreement on the 2008-09 state budget was reached, sending a record \$21.5 billion in school aid to districts based on educational need.

Provisions included a significant amount of aid (\$202m) to districts with high property tax burdens, restored the minimum 3% aid increase and eliminated changes to BOCES formula with a slight aid increase. The Contract for Excellence initiative was revised to include programs to help English Language Learners meet grade level requirements as an approved activity under the contract. Additionally, districts must have a school in need of an improvement for two consecutive years in order to be subject to Contracts for Excellence accountability measures, rather than only one year. Despite lobbying efforts, the provision of the Healthy School Foods Act was eliminated.

Given the current status of the economy, the task for legislators was monumental yet, in the end, they spoke with one voice for NY's children. With a \$1.75 billion increase in school aid, our state partners not only worked collaboratively to support our schools but to create the possibility for local tax rates that garner community support. For more information...

[http://www.state.ny.us/governor/press/press\\_0409083.html](http://www.state.ny.us/governor/press/press_0409083.html)

## **Around the State:**

### **Battlefield: Teacher Tenure**

Legislative language regarding teacher tenure embedded in the 2008-09 legislative budget bills led to a clash between the NYS School Boards Association (NYSSBA), NY City School Chancellor Joel Klein and Mayor Bloomberg, and NYS Unified Teachers (NYSUT). Under Chapter 57 of the Laws of 2007 former Governor Spitzer and the legislature approved the creation of statewide minimum standards for teacher tenure as a key component of an enhanced education accountability system for NY's schools. Changes agreed to were provisions to allow peer evaluation, to link student performance data to teacher performance, and for administrative assessment of performance.

NYSSBA asserted that the legislative language would limit a district's ability to use factors in tenure decisions, thereby limiting school board authority while NYSUT countered that the bill language merely delineated accountability provisions and did preserve local control. City leaders were outraged that student performance would be set aside as a basis for assessing teacher performance. The outcome: continuance of the ability for principals to evaluate teachers, a temporary two-year ban on using student performance data, and the establishment of a "Value-Added Commission" to study student performance data to inform instruction. For information...

<http://www.nytimes.com/2008/04/09/nyregion/09albany.html?ref=nyregion>  
[http://www.nyssba.org/index.php?src=news&submenu=on\\_board&srctype=detail&category=On%20Board%20Online%20Mar%2024%202008&refno=258](http://www.nyssba.org/index.php?src=news&submenu=on_board&srctype=detail&category=On%20Board%20Online%20Mar%2024%202008&refno=258)  
[http://www.nysut.org/cps/rde/xchg/nysut/hs.xsl/newyorkteacher\\_9843.htm](http://www.nysut.org/cps/rde/xchg/nysut/hs.xsl/newyorkteacher_9843.htm)  
<http://www.regents.nysed.gov/2008Meetings/March2008/0308hed3.htm>

## **State Legislature Welcomes Dr. Lester Young, Dr. Betty Rosa and Re-Elects Dr. Geraldine Chapey to the NYS Board of Regents**

Did you know that our state board is the oldest, continuous state education entity in America? The New York State Legislature established the Regents of The University of the State of New York on May 1, 1794. The Regents are responsible for the general supervision of ALL educational activities within the State. They preside over The University and the New York State Education Department. The Regents are organized into standing committees and subcommittees whose members and chairs are appointed by the Chancellor.

The Board comprises 16 members elected by the State Legislature for 5 year terms: 1 from each of the State's 12 judicial districts and 4 members who serve at large. Regents are unsalaried and are reimbursed only for travel and related expenses in connection with their official duties.

On March 12<sup>th</sup>, the NYS legislature elected three members to the Board. NYS PTA congratulates our new Regents Dr. Lester Young and Dr. Betty Rosa and welcomes back Regent Geraldine Chapey! For more information...

<http://www.assembly.state.ny.us/Press/20080312/>  
<http://www.regents.nysed.gov/regents.htm>

## **School Resource Officer Program Saved**

In his 2008-2009 Executive Budget proposal, former Gov. Eliot Spitzer recommended that about 200 troopers and investigators, 92 of whom would be removed from 100 schools and reassigned to Operation Impact, a program targeted at reducing crime in high-crime areas. The Senate Republican majority in its budget plan for public safety rejected moving troopers out of schools, citing children's safety. The Senate's position held through negotiations. For information...

[http://www.legislativegazette.com/read\\_more.php?story=2967](http://www.legislativegazette.com/read_more.php?story=2967)  
<http://www.senate.state.ny.us/pressreleases.nsf/a9c64cb05dda7e7e85256aff006d42c0/2c0dd73eb8d3cfc985257420007a1199?OpenDocument>

## ***Around the Capitol:***

### **U.S. Department of Education Proposes New Rules on Student Privacy Laws**

The federal law designed to protect the privacy of students' educational records has been under scrutiny and stress from a variety of angles in recent years, most recently from those concerned about whether the Family Educational Rights and Privacy Act gives college officials sufficient latitude to report their fears about mentally ill students. Responding to the issues raised by Virginia Tech, by laws like the Patriot Act, and by several recent court decisions, U.S. Education Department has proposed new regulations to govern the educational privacy law known as FERPA, which restricts disclosures by educational institutions from a student's records.

The regulations provide new protections for educators who disclose information to protect the health and safety of a student or the general public; the rules would interpret the law to cover the education records of students who take classes through distance learning or over the Internet; school districts would have to ensure that individual students' records were available only to employees with legitimate educational interest in them; and districts would have to enter into written agreements with researchers to whom education records were to be disclosed without parental consent. The agreements would have to specify the purpose of the studies. For information...

<http://www.insidehighered.com/news/2008/03/24/ferpa>  
<http://www.edweek.org/ew/articles/2008/04/02/31ferpa.h27.html>