

Section 1

Equity in Educational Funding

Introduction and History: Despite the constitutional requirement that the legislature provide a sound basic education for every child in New York State, districts have been suing the state to secure adequate educational funding and losing for more than twenty-five years starting at least with *Levittown vs. Nyquist* in 1978. As you have no doubt heard, the Campaign for Fiscal Equity has finally won its case, but the legislature has yet to act, and the state is appealing.

In March 2004 the Campaign for Fiscal Equity and the NYS School Boards Association performed a costing out study measuring the amount spent versus the amount that should be spent to provide a sound basic education for every child and found 517 of 702 districts under funded to some degree. The methodology they used has been approved by New York courts and used in other states. According to Michael Rebell twenty-five states have had cases similar to the current New York case, but only New York has totally defied the courts. We deserve better.

Would it surprise you to learn to learn that 191 districts are under funded by 25% or more? And that 42 are more under funded than New York City? Despite what you may have heard this is not a New York City Problem or even a large city problem. Many branches are more interested in local issues than state and national ones, and **school funding affects many of our communities directly.** Not only the city of Buffalo but nine other districts in Erie County are under-funded by 25% or more. Seven districts in Jefferson county, three in Schenectady including Schenectady itself, both Amsterdam and Johnstown, Rochester, nine districts in Saint Lawrence country, five districts in Oswego county, Poughkeepsie, Elmont and Brentwood on Long Island, Phelps/Clifton and Noneoye in Ontario country are all seriously under-funded. Albany is under-funded by 22%. Need I go on? If ever there was an issue where we should stand up and be counted, this is one. This is a statewide problem which requires a statewide solution.

Provisions of the Act: The **Schools for New York's Future Act**, which we are committed to support, provides for a clear, predictable, transparent and fair system of school funding. The Campaign for Fiscal Equity has written the act to make the recommendations of the courts apply state-wide. According to the LWV the current draft is version twenty as attempts were made to make it broadly acceptable. It codifies the recent decisions. It is expensive because the problem has been allowed to linger for many, many years. The longer a solution is delayed, however, the more expensive it will be to resolve it. Thus it is essential to take action now.

The CFE's Act replaces a rat's nest of more than thirty formulas for funding with a basic foundation amount per pupil with adjustments for low SES students, ESL learners, handicapped children, local living costs and a sparsity factor (very large, low density districts). In addition it establishes the state and local share of the funding, considers district wealth and provides that no district is to lose money. It provides for capital construction, allows a four year phase-in, periodic cost studies to keep the funding standards current, and requires accountability as to how the money is spent and how the

students progress. It establishes a system that is transparent, fair and predictable—something districts have not had resulting in local budgets using assumed numbers.

It assumes a base figure of \$8,000 per student for every student in the schools and for all four-year-olds enrolled in a district operated pre-K program

A minimum district contribution is required to prevent districts simply shifting responsibility to the state, and districts may spend more money if they wish. The overall state share is approximately 49%. The new law authorizes the Dormitory Authority to issue up to \$10 billion of new bonds for capital construction. The complete law, the summary, the original estimates of district needs, and the runs of the money the new law would provide by district are available at www.cfequity.org. Changes in funding are phased in over four years.

Assemblyman Steven Sanders has introduced Schools for New York's Future Bill but it has not been voted on it, and it has not even been introduced in the Senate. In addition to finding a senate sponsor, there is a need to secure the cooperation of George Pataki unless a veto-proof bill can be passed. As you know we have a leadership driven legislature and unless Bruno, Silver and Pataki can be persuaded to accept the bill, passage will be very, very difficult. The fact that it will be difficult does not mean that it is not worth doing.

In June of 2003 the Court issued the following three-part remedy:

1. The State must determine the actual costs of providing a sound basic education in New York City.
2. The State must reform the funding system to ensure that every school in New York City has the resources necessary. The State must establish a comprehensive accountability system that will ensure that the reforms are actually implemented.
3. The State must reform the funding system to ensure that every school in New York City has the resources necessary for providing the opportunity for a sound basic education.

Where do we stand currently?

The state challenged the decision and referees were appointed to set the provisions of a remedy. As of this writing the state's reaction has been to appeal the suit. Normally this would delay the process for a year, but the courts have speeded the process up and a decision is expected in October 2005. Regardless of the October outcome, the decision will likely be appealed to a new level. The final decision should be out in the spring of 2006.

In the fall of 2005, the CFE began a series of meetings throughout the city of New York to prepare a plan for spending the increased funds should they materialize to assure the new monies are spent on the most important programs and as efficiently as humanly possible. Final recommendations are expected by the first of the year.

But the court decision will affect only New York City. The legislation would serve all the children of New York and also moot the case.

Currently the state has requested a stay of the court orders while it prepares an appeal. CFE has challenged this and on May 3 was granted an expedited appeal which will be heard in October. This gives the governor and the legislature an excuse for further delay and a public information program will definitely be needed.

Even more than a money issue, this is a justice issue. Every child is entitled to use toilets that flush and to sit in classrooms where the plaster stays attached to the walls even if it doesn't increase her test scores. She is entitled to a reasonable class size and to textbooks that are accurate and current. She is entitled to decent education. If you discriminate sufficiently well in school funding, you easily achieve other forms of discrimination. If education is not equitable, admission to graduate school will be unequal, untrained workers will not get the better jobs, thus incomes will be unequal, housing will be unequal because of the resulting economic disparity and because the ill-served will be unqualified to earn the necessary dollars. The occasional very fortunate individual will break through but not in sufficient numbers to require any re-adjustment. And the fortunate individual can be used to justify the unfair system.

The key word here is equity, but transparency, predictability and timeliness are essential.

We need to get the message out that something must be done now. If the CFE bill is not acceptable, another must be written with a better chance of passage. It makes no sense to ask for less than what you want, but realistically the final bill will have changes in it. We need to think carefully and insure that the final product holds to the principals of equity, transparency and predictability and creates the means to make school funding truly fair within a reasonable—as short as possible—time.

Please see next section on planning an action campaign.

Equity in Educational Funding Or Planning a Well-rounded Campaign

Section 2

The squeaky wheel gets oiled. (Old political proverb)

At the spring 2005 convention, a resolution was passed putting AAUW NYS solidly in support of the principal of establishing a fair, timely and transparent system of school funding in New York. The support of a sound system of public education is a core AAUW value and always has been.

To assist your branch in supporting this action, the following resources may be helpful. Even though these are written as directives, they are suggestions, not commands. The steps outlined below apply for the most part to any issue that supports the mission of AAUW.

Better than planning a single event is planning a rounded complete program, for example:

1. Study and Inform: A brief summary of the issue is above.

The easiest place to get more information is on the web. Below are two highly recommended web-sites related to the issue of public education funding.

The Campaign for Fiscal Equity has the history of the issue, documents relating to the case, the underlying costing out studies and the methodology, the proposed legislation to solve the problem, a summary of the proposed legislation and the “runs” showing how each district benefits as well as historical information on its web-site and a description of current actions. It also links to other web-sites of interest. Go to www.cfequity.org

Alliance for Quality Education has a particularly useful study by the Education Trust on its site showing that NY really is the least equal state in terms of educational funding. It has links to www.ourkidscantwait.org, a site for making a contribution and sending a message to your legislators as well as providing information about the issue. Go to www.aqeny.org.

2. Inform members and the public about the issue in your newsletter on a continuing basis including web-site information so that members can easily explore on their own. Most libraries have a “hanging file” of pamphlet information. Ask your librarians how to make information available to the public and then tell the public, it’s there.

3. Prepare branch, community and interest group programs as appropriate. In addition to the web, some resources include:

Downstate: Campaign for Fiscal Equity (see web address above) or 317 Madison Ave., Suite 1708, NY, NY 10017. Phone 212-867-8455. Jessica Garcia spoke at our convention this year.

Upstate: Melissa Mangino, Director of Statewide Programs, CFE, 35 Maiden Lane, 3rd Fl, Albany, NY 11207. Phone 518-810-0031.

CFE Board members include Tom Frey, a well-known and regarded attorney in and Carol Hayden, former Deputy Commissioner in the New York State Education Department.

Look for other knowledgeable community speakers.

Confirm your speakers and keep in contact so that they don't forget. You will need to know their equipment needs and how they want to be introduced. Prepare a draft program and circulate it for corrections

Hold the event in a public space where people may wander in such as a library or on a campus. Attend to room requirements for visibility, comfort, required equipment, and accessibility for both the handicapped and the general public, restrictions on food, cost, and availability. Confirm your reservation in writing.

Be sure to invite the public to attend and especially such groups as LWV, teacher's unions and PTA. Send an invitation to all of the other organizations in town. Put posters around town wherever they will allow them: churches, post offices, libraries, stores, any place you can. Be sure to contact any community colleges, colleges or universities in your area especially the education department and any honorary organization. Notify the presidents of other local organizations. Get pictures of event planning and a story in your local newspaper and get a PSA on local radio and television if you can. Send notices or invitations to any you can think of. Consider a calling chain and transportation for members who do not drive. MAL lists for your zip codes are available from the state membership vice-president.

Have a sign-in table and collect contact information and organization identification. You might want to hand out an event program with action suggestions and branch brochure at this time. Use name tags.

Have greeters stationed to guide people to the event and arrow posters as needed.

Display Educational Foundation studies and posters about any other activities dealing with education. Slip in some branch brochures and have someone man it who can speak knowledgeably about both the studies and branch.

Offer refreshments. Woman the table.

Prepare post cards inexpensively (4 x 6 cards with mailing labels to appropriate officials) and a suggested message sheet with three or four simple message points to encourage people to write their representatives. Offer to mail them for free if they are completed on the spot.

Provide numbers for phone calls which are reputed to be the most effective way of contacting your representative.

Find someone to take pictures. Get pictures of the meeting and the speakers in the local papers after it is held. (A local paper may assign a photographer to an event.)

Be sure to prepare a budget and get approvals as needed.

Prepare an emergency bag with markers, paper, tape, extension cord, paper towels, etc.

Clean up the space as needed

Write thank-you letters to everyone.

Pay bills.

Prepare a report noting what worked and lessons learned to aid the next event planner.

4. Write a letter to the editor or three.

5. Visit your local representatives. You do not need the whole branch—four or five people are fine. CFE suggests a fall meeting to explore the issue in general and to listen to the politician's assessment of the issue with later a follow-up meeting when the issue is coming up in the legislature.