

TESTIMONY BY
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THE NEW YORK STATE COALITION OF 853 SCHOOLS
AND THE
COUNCIL OF FAMILY AND CHILD CARING AGENCIES (COFCCA)
BEFORE THE ASSEMBLY WAYS AND MEANS AND SENATE FINANCE COMMITTEE
ON ELEMENTARY AND SECONDARY EDUCATION
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The Coalition of Chapter 853 Schools and the Council of Family and Child Caring Agencies (COFCCA) appreciate the opportunity to present testimony on the 2007-08 Executive Budget. My name is Jim Purcell, Executive Director of COFCCA and the Coalition of 853 Schools. These two organizations represent almost all of the residential child welfare and special schools that serve New York State's most vulnerable and needy children. Many of our members have served children in need and their families for over 100 years. Our agencies and their schools serve youth placed by the courts, social services districts and public school districts for reasons often related to severe disabilities, including adolescent aggressive behaviors.

Our members achieve great outcomes both academically and behaviorally with children, despite the many whom are challenged by significant disabilities. They are also at the forefront of assisting New York in efforts to serve these youth in New York State. We have worked diligently with the State Education Department and the Office of Children and Family Services to address the mandates of "Billy's Law" – to educate our children close to their homes and families instead of in out-of-state facilities. SED and OCFS have provided great leadership and our members have played a critical role in the initial success of this effort.

But we must do more than just educate our children in their home state. We must educate them so that they can transition to adulthood as successful adults. While these youth have the same right to an appropriate educational experience as their counterparts in the community, the impact of failing to do so is much greater in terms of increased costs to the mental health, justice, corrections, substance abuse and other adult support systems.

We believe it is critical to reasonably finance the education of these students to assure that they can actively and successfully participate in their home schools and communities when they are ready to return. Support is necessary both to address our State's educational standards and behavioral expectations for our current students, and to create the options needed to support the return of those children now being served in out-of-state institutions to New York schools.

Our current insufficient resources results in high levels of teacher turnover, difficulties in assuring appropriate certification, and limited training and skills improvement opportunities for our instructional staff. Year after year, as local school budgets increase dramatically, our schools are held to artificially low increases that impact on their ability to compete with public schools for qualified instructional and support staff and the education that can be offered to our students.

The Governor's Proposed Budget provides many positives in addressing these issues.

We strongly support maintaining Private Excess Cost Aid outside of the proposed Foundation Aid formula and increasing the amount of support available. Increasing the level of support to \$231 Million (Plus \$17 Million) provides the opportunity to address increasing support for these students with minimal impact on local school districts. Decisions for youth with severe disabilities should not be impacted by competition for resources across school district programs.

We also support the inclusion of \$2 Million in the budget for the purpose of teacher retention. However, as the need has grown, we are requesting that the level be increased to \$5 Million. The Governor has responded positively regarding the need for resources for teacher retention. State requirements mandate appropriately certified teachers for all students in required curriculum areas. While it is a stated top priority for the education system to have such staff in the poorest performing school districts, the issue is even more critical in Chapter 853 schools and Special Act School districts which serve youth with the most significant disabilities and educational deficits.

While all NYS schools are struggling to recruit and retain appropriately certified staff, especially in special education and key curriculum areas (i.e., math and science) this is particularly true for Chapter 853 schools. While serving students who have the most significant barriers to educational success, the 853 schools face stiff competition for instructional staff from local school districts and BOCES. School districts offer significantly higher wages, less volatile working situations and access to the NY State Teacher's Retirement System. All significant inducements for instructional staff to consider when make personal career decisions. Newer teachers will often start their careers with Chapter 853 schools and then move once they have the experience that increases access to local school district jobs. This results in the State's most severely disabled youth generally being served by inexperienced, inappropriately certified or uncertified staff.

The State Education department has begun to conduct regular on-site reviews of our schools for the first time in over a decade. These reviews have resulted in some citations for non-compliance with basic and essential SED requirements; notably SED informs us that all of the violations are remedied quickly by our schools with one exception. Almost 75% of our 853 schools do not have appropriately credentialed staff, and until the tuition rates for these schools are raised to allow for reasonable salaries, they simply cannot comply. This means that, despite all of the investments being made

in our public schools, our most disadvantaged children will have to continue to make do with less well prepared teachers who make salaries very far below their local public school counterparts. If we mean that all of our students should succeed, then we must address these schools too.

It is sound fiscal practice to fund our in-State schools to levels comparable with out-of-state facilities to enable them to provide required curriculum with appropriately certified staff to youth who are and should be served within our State. The rates for out-of-state programs are significantly higher; allowing for more resources for necessary staff and supports. Continuing to invest in the NYS 853 provider network is essential to reversing the out-of-state placement trend once and for all. While raising the level to \$5 Million won't solve the problem it is a start in assisting the schools to attract and retain the staff necessary to enable us serve our students and to be in compliance with education law and regulations.

We also support the Governor's inclusion of resources to assist in increasing the number of appropriately certified teachers. To address the issues raised above, a critical strategy is to assist existing and new teachers in obtaining the required skills and knowledge necessary to meet State standards. The nearly \$13M that has been targeted to schools serving students with disabilities is welcomed in our efforts to assist staff in meeting higher standards.

We also request support for well maintained facilities and program upgrades. A positive learning environment is an important component of successful schools. This includes the physical environment and access to technology. We would be remiss if the issue of maintaining appropriate educational facilities was not addressed. As a new alternative, EXCEL aid benefits public schools in many ways. We would ask that schools which serve children with disabilities from these same New York State school districts and other state/local governments have equal access to funds to address the same purposes of the new EXCEL aid (Improvements in education technology; Health and Safety; Accessibility; Physical capacity expansion or school construction; and Energy) to assist in practicing proactive facility maintenance and upgrading programs to meet the educational standards necessary for our youth to succeed.

The schools that are associated with the Coalition of 853 schools and the agencies of COFCCA are committed to serving New York's most vulnerable and needy children. We are grateful for the support of the Governor and the Legislature in recognizing the need for resources to assure that our students are able to receive an education that allows them to fully participate as productive members of their schools and communities when they leave our programs. Our members are happy to participate in strengthened educational accountability by establishing performance targets, raising standards, and promoting strong leadership, but our efforts to recruit and retain appropriate teachers and support staff must continue to be supported if we are to be successful.

Thank you for the opportunity to present testimony on these critical issues.