



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

**TO:** State Aid Subcommittee

**FROM:** Phyllis Morris and Jennifer Trowbridge  
*Phyllis D. Morris Jennifer F. Trowbridge*

**SUBJECT:** 2022-2023 Non-State Aid Budget and Legislative Priorities

**DATE:** December 9, 2021

**AUTHORIZATION(S):** *[Signature]*

## **SUMMARY**

### **Issues for Discussion**

The Board of Regents advance Non-State Aid budget and legislative requests every year, which reflect initiatives that support the Board's priorities by augmenting or adding funds to the State Education Department's budget. These funds are necessary to meet the Board's policy priorities.

At the October meeting, the relevant committees of the Board reviewed and discussed the prior Non-State Aid proposals. The relevant committees discussed the prior/modified and new Non-State Aid proposals at the November meeting. At the December meeting, the Board will approve the proposals to be advanced during the 2022-2023 budget cycle and 2022 legislative session.

### **Reason(s) for Consideration**

Board of Regents approval of the 2022-2023 Non-State Aid Budget and Legislative Priorities.

### **Recommendation**

It is recommended that the Board of Regents vote to approve 2022-2023 Non-State Aid Budget and Legislative Priorities as follows:

SA (A) 2  
BR (A) 4

**Prior Non-State Aid Budget Priorities – P-12 & Department-Wide**

Proposal Description	Policy Area	Amount of Request
<p><b>Supporting the Blue Ribbon Commission on Graduation Measures</b> – This Commission will review research, practice, and policy to gather input from statewide stakeholders on diploma requirements to ensure all students have access to multiple graduation measures. The funding request would support project management costs and event costs associated with the statewide Commission meetings.</p>	DEI	\$200,000 (annually for 2 years)
<p><b>Creating Culturally Responsive-Sustaining Education Resources</b> - Funding to curate, compile, and publish a set of racially and culturally inclusive education resources to support teaching and learning, using an interdisciplinary approach in the major subject areas and an additional \$50,000 in 2023-2024 to finalize the work that goes beyond the 2023-2023 fiscal year:</p> <ul style="list-style-type: none"> <li>• Funds would be used to engage consultants, to act as a project manager tasked with oversight over the creation of the curricular guidance product including gathering and analyzing the data collected.</li> <li>• NYS educators and content experts would form a workgroup to propose, review, critique, and recommend available education resources that can be used in grades K-12 to bolster existing curricula to address the goal of racial and cultural inclusion.</li> <li>• A final published annotated resource document would be posted on the Department’s website for use by the entire state.</li> </ul> <p>These activities are supplemented by the larger DEI initiatives outlined below.</p>	DEI	\$250,000
<p><b>Building Oversight and Support Capacity at SED</b> – Creation of a 5% set-aside within all new programs for administrative oversight and technical assistance, as is common in federal grants and programs.</p>	DEI & Customer Service	5% set-aside
<p><b>Enhancing Communication with Multilingual Parents, Students, and Professionals</b> – Funding to support the translation of documents into languages other than English, in support of the Department’s goal of making available</p>	DEI & Customer Service	\$1.6M

culturally responsive-sustaining and linguistically accessible resources for the field and public.		
<b>Enhancing Transparency by Webcasting, Transcribing, and providing live ASL Simultaneous Interpretation of All Board of Regents Meetings</b>	DEI & Customer Service	\$150,000

**New Non-State Aid Budget Priorities – P-12**

<b>Proposal Description</b>	<b>Policy Area</b>	<b>Amount of Request</b>
<b>Supporting School Districts with Monitors</b> – Currently there are four school districts with monitors- East Ramapo, Rochester, Hempstead, and Wyandanch. The Department does not currently receive any funding for staffing to assist the monitors and these districts in the review and approval of long-term fiscal and academic plans, the provision of constant technical assistance and guidance, as well as our general oversight responsibilities.	DEI & Customer Service	\$235,200 for staffing needs
<p><b>Supporting our State-Owned Schools &amp; Native American Students</b> – The health and safety of students is of utmost importance. The annual amount appropriated for the capital needs of the state-owned schools - the State Schools for the Blind and Deaf, the Tuscarora Nation School, the Onondaga Nation School, and the St. Regis Mohawk School - has long been insufficient to meet the need, as it has been capped at \$3.4 million for many years.</p> <p>Local education agencies (LEAs) are allowed to use their federal education stimulus funds for health and safety capital projects. However, the 2021-2022 enacted budget did not provide an allocation of such funding to the state-owned schools, which serve some of the neediest students in New York State, to cover the cost of HVAC and other improvements to ensure the safety of the students attending these schools. While capital costs at state-owned schools are an eligible use of State Educational Agency (SEA) federal stimulus reserve funds, the enacted 2021-2022 state budget fully allocated these funds for other purposes.</p> <p>This disparity in resources available to schools serving disabled and Native American students results in inequitable treatment of these students as it relates to their health and</p>	DEI & Customer Service	<p>\$40.5M for Capital Funding</p> <p>\$196,920 for staffing in the Office of Native American Education</p> <p>Total- TBD</p>

<p>safety and the updating of facilities to meet increased educational demands. The entire capital needs of all these schools will be requested.</p>		
<p><b>Ensuring Compliance with Statutorily Required Substantial Equivalence Determinations</b> – The Board of Regents anticipates the development of a proposal to address the requirements of Section 3204 of the Education Law and the ‘substantial equivalence’ component of the compulsory education law. Recent amendments to Section 3204 place the responsibility for making the final determination of substantial equivalence compliance, for certain nonpublic schools, firmly with the Commissioner of Education after identification of such nonpublic schools and initial recommendation by the local educational agency/school district.</p> <p>At present levels of staffing, the State Office of Religious and Independent Schools (SORIS) cannot do the work assigned under the recent statutory amendments.</p>	<p>DEI &amp; Customer Service</p>	<p>\$657,484 for staffing needs</p>
<p><b>Appropriately Resourcing State Aid Oversight &amp; Monitoring</b> – The Office of Education Finance collects and reviews tens of thousands of data points annually to calculate and pay nearly \$30 billion in state funds to districts across the state. The State Aid Office is not staffed sufficiently to perform these tasks.</p> <p>Currently, the State Aid Office has eight professional staff responsible for reviewing all aid claims, three professional staff responsible for making thousands of payments to districts totaling billions of state funds, and three professional staff responsible for all data used in state aid claims and calculations.</p> <p>The Office of Education Finance is comprised of two units: State Aid and Fiscal Analysis. The State Aid Office’s primary function is to calculate aid payments to districts per the education law and other state laws. As part of this function, the unit maintains a large data collection process where thousands of points of data are collected annually from each district as well as many other units and state agencies. This data must be processed appropriately and reviewed for accuracy. Much of the review and processing is automated by computer programmed checks. Much cannot be automated, and where automated checks exist, staff are needed to review district explanations for relevance, engage</p>	<p>Customer Service</p>	<p>\$1.85M for staffing needs</p>

<p>with districts that are uncertain on how to report data, and take a deeper dive than automated checks are capable. Once data are deemed acceptable, it must be aggregated through thousands of formulas to produce a dataset that can be used for aid calculations and projections. The Fiscal Analysis unit performs a similar function, projecting aid for upcoming years and analyzing reported data, but does not generally collect data directly.</p> <p>While in the past, this Office has had 57 FTEs, the Office currently only has 21 FTEs, and the Unit’s workload has increased over time. Properly staffing this unit is critical at this time to maintain current core capabilities and provide additional claim review to ensure state funds are appropriately distributed.</p>		
<p><b>Enhancing Supports and Guidance to the Field Related to Grant Programs, Enhancing a Positive School Climate/Safety, Student Health/Mental Health, and Protecting Vulnerable Student Populations</b> – The Department’s Office of Student Support Services (OSSS) oversees and provides technical assistance to grantees and the students served by the larger 21st Century Community Learning Centers (CCLC), Extended Learning Time (ELT), Substance Abuse Mental Health Services Administration (SAMHSA), and Extended School Day/School Violence Prevention (ESD/SVP) grant programs. Current staffing does not provide for sufficient program and administrative monitoring of grantee management for the over 350+ grantees across these programs, including financial scrutiny, processing of program and/or budget amendments, professional development, and the integrity of programs and services available to students and their families.</p> <p>OSSS also receives numerous emails and telephone calls directly from the public, schools, and districts regarding a diverse and broad range of over 50 subject areas which include residency, social emotional wellness and learning, school discipline and school climate, school health, school safety, and the Dignity for All Students Act (DASA) implementation.</p> <p>The pandemic has increased awareness of the importance of school health services, student health, well-being, and mental health as evidenced by the significant increase in the number of physical altercations, property damage, suicide attempts,</p>	<p>DEI &amp; Customer Service</p>	<p>\$905,514 for staffing needs</p>

<p>substance misuse concerns, student suspensions, and mental health issues being reported by schools/districts from all areas of NYS. OSSS has been in the forefront of the Department’s response to the measles epidemic as well as the COVID-19 pandemic, while also providing ongoing guidance to schools regarding areas of student well-being. The ability for OSSS to increase and improve its own capacity, as well as the capacity of schools/districts, to provide professional guidance and lead initiatives through student-centered, evidence-based programs and services is critical.</p> <p>Finally, in recent years, OSSS has undertaken responsibility for Dignity for All Students Act (DASA) implementation and reporting, foster care, juvenile justice education, community schools, and addressing issues concerning LGBTQ+ youth- all issues critical to improving school climate and supporting our most vulnerable students- without any additional funding or staff.</p>		
<p><b>Supporting the Field with Diversity, Equity, and Inclusion (DEI) Initiatives</b> – The Department’s guiding principles of Diversity, Equity, and Inclusion (DEI) requires staff to coordinate activities within the Department as well as leverage external expertise while building internal capacity to support the field on an ongoing basis.</p>	<p>DEI &amp; Customer Service</p>	<p>\$250,000 for a contract with a leading expert in the field to provide expertise and technical assistance to the Department</p> <p>\$250,000 annually to support the continuation of BOCES’ online repository work as well as evaluation of these initiatives</p> <p>\$292,612 for staffing needs</p> <p>Total- \$792,612</p>
<p><b>Enhancing the Oversight of PreK Programs</b> – The Office of Early Learning oversees the \$970M in the State's investment into PreK as well as the registration and renewals of Voluntary Registered Nursery Schools and Kindergartens. This currently includes 626 districts, 12 agencies, and 3 BOCES. Since 2019, the Office has received an additional \$120M in PreK funding to administer, 143 new districts to oversee, with no additional staff to get this important work completed. This has caused a delay in getting funds to</p>	<p>Customer Service</p>	<p>\$1.9M for staffing needs</p>

districts in a timely manner and prevents important PreK oversight work and program visits from occurring.		
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**Prior Legislative Priorities with Budgetary Implications – P-12**

<b>Proposal Description</b>	<b>Policy Area</b>	<b>Amount of Request</b>
<p><b>Tuition Rate-Setting Redesign</b></p> <ul style="list-style-type: none"> <li>• Dedicate targeted resources to design a new tuition rate-setting methodology - \$1.25M</li> <li>• Create a statutory index to provide an annual funding increase to special education providers commensurate with growth in the general support for public schools.</li> <li>• Discontinue the annual reconciliation process to provide interim relief while rate-setting methodology is redesigned and allow providers the flexibility to manage resources across a five-year period—which would be cost neutral.</li> </ul>	DEI & Customer Service	\$1.25M for tuition methodology redesign \$470,031 for staffing needs Total- \$1.72M
<p><b>Increasing Access to College and Affordability for Students through Early College High Schools &amp; P-TECH</b> – Codify SS-ECHS and P-TECH programs and provide a mechanism for the continuation of successful programs outside of a competitive procurement process.</p>	DEI	\$80,364 for staffing needs

**New Legislative Priorities with Budgetary Implications – P-12**

<b>Proposal Description</b>	<b>Policy Area</b>	<b>Amount of Request</b>
<p><b>Improving Justice System Education Opportunities and Outcomes for Youth</b> – When youth must be confined, detention and placement settings provide an opportunity to re-engage them in their education and future and to reset their trajectory. To do this, educational programs in these settings need the ability to quickly access student records and to perform educational assessment. Educational programs also need the flexibility to design developmentally appropriate, culturally relevant, engaging individual education plans that may include, for example, credit recovery, special education services, career and technical education, access to career</p>	DEI	\$215,000 to support the JJET \$5.8M for IY Funding Total- \$6.1M

exploration, work skill and life-skill development, and counseling, as well as necessary supports.

These educational programs must also plan for and support youth re-entry into the community, including working with the student's new school ensuring credits are granted for work accomplished while in confinement and re-enrollment in school in the community. Once returned to the community, these students will need additional supports in their new school setting to ensure continued success.

To accomplish these important goals, the proposal creates a Juvenile Justice Education Task Force (JJETF) that would consider the needs of educational programming in all juvenile justice confinement settings. The JJETF would be charged with issuing a report of recommendations to improve education programming across the spectrum of juvenile justice confinement settings by November 2022. The JJETF would be comprised of the Department and other relevant agencies, stakeholder groups, and nominees from the Governor, Legislature, and the Board of Regents.

While the JJETF is meeting, it is imperative to begin to create a funding stream to stabilize existing educational programs in secure detention and county correctional facilities across the state. Incarcerated Youth (IY) Funds are designed to support students between the ages of 16 and 21 in county correctional facilities. Under current law, IY funds for county correctional facilities will and have declined, as students are placed in detention and other settings which are ineligible for IY funding. To stabilize educational programming, the Department proposes to expand IY funding to create Justice System Education Funding. This approach would create a per site stabilization stipend to establish a baseline level of funding in the very small programs that is sufficient to provide access to a quality education. The funds must be adequate to support a small school based upon the program's average capacity or number of beds. This stipend would be augmented by reimbursement for actual full time student equivalents. Programs would be accountable for a minimum of certified teachers each day and student attendance in the education program.

**Prior Legislative Priorities – P-12**

<b>Proposal Description</b>	<b>Policy Area</b>
<p><b>Mandate Relief and State Aid Claims Flexibility</b> – Provide districts with additional relief and greater flexibility relating to educational management, including:</p> <ul style="list-style-type: none"> <li>• Expanding the funds available to pay claims in the first come-first served queue;</li> <li>• Forgiving penalties associated with the late filing of Final Cost Reports for all school district construction projects approved by the Commissioner before July 1, 2011;</li> <li>• Allowing districts to lease space outside of the district in certain emergency situations;</li> <li>• Allowing transportation contracts to be submitted electronically in a form approved by the Commissioner when available;</li> <li>• Authorizing school districts to lease, on a temporary basis, necessary space, when the facilities of the district are under construction;</li> <li>• Increasing flexibility for small districts to meet unanticipated expenses by allowing targeted exceptions to the 4% fund balance limit; and</li> <li>• Discontinuing duplicative financial transparency reporting considering the full implementation of the federally-required ESSA financial transparency reporting (repeal Education Law Section 3614).</li> </ul>	District Support
<p><b>Regional Secondary Schools Advisory Council</b> – Create a temporary advisory council to examine the previously proposed legislation and identify barriers and areas of concern; review regionalization models in other states; identify potential models that would work in New York; and make recommendations.</p>	District Support
<p><b>Improving Educational Outcomes for Justice System Involved Youth</b> – Statutory change to create a FERPA exception so that education records can be released to juvenile detention centers from LEAs without written parent consent.</p>	DEI

**Prior Non-State Aid Budget Priorities – Higher Education**

<b>Proposal Description</b>	<b>Policy Area</b>	<b>Amount of Request</b>
<p><b>Increasing Access to a Highly Qualified Diverse Teaching Workforce</b> – Increasing the participation rate of historically underrepresented and economically disadvantaged individuals in teaching careers through the establishment of a teacher diversity program.</p>	DEI	\$5M

<p><b>Supporting NYS Access and Opportunity Programs –</b> Increasing resources for the state’s higher education opportunity programs, which are available to students attending colleges and provide access to higher education to students who might not otherwise have the opportunity.</p> <ul style="list-style-type: none"> <li>• Arthur O. Eve Higher Education Opportunity Program (HEOP);</li> <li>• Science and Technology Entry Program (STEP);</li> <li>• Collegiate Science and Technology Entry Program (CSTEP);</li> <li>• Liberty Partnerships Program (LPP)</li> </ul>	DEI	<p>\$10M for program funding increases</p> <p>\$194,420 for program evaluation staffing needs</p> <p>Total- \$10.19M</p>
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**Prior Legislative Priorities with Budgetary Implications – Higher Education/ACCES**

Proposal Description	Policy Area	Amount of Request
<p><b>Enhancing Supports and Services for Postsecondary Success of Students with Disabilities –</b> Grant program to support the reasonable accommodation needs and services for individuals with disabilities enrolled at degree granting institutions of higher education.</p>	DEI	<p>\$13M for program funding increases</p> <p>\$97,210 for staffing needs</p> <p>Total- \$13.09M</p>

**New Non-State Aid Budget Priorities – Higher Education**

Proposal Description	Policy Area	Amount of Request
<p><b>Technology Modernization for the Office of College &amp; University Evaluation (OCUE) –</b> Update the technology and build an online system related to the process for evaluating and approving college and university programs by coupling it with the current work occurring now for the Office of the Professions (OP) Modernization Program as OP handles the review and approval for licensure qualifying programs.</p>	Customer Service	<p>*\$8.5M for the project</p> <p>\$65,792 for staffing needs</p> <p>Total- \$8.56M</p> <p>*The Department has requested DOB approval to allocate \$8.5M for the system build component of this request from the \$100M appropriation in the 2021-2022 enacted budget for</p>

		agency related technology improvement projects.
<b>Improving the Educator Certification Process</b> – In addition to other noted efforts, including a technology modernization project to maximize automation of the certification process, and improve self-service conveniences for applicants, increase staffing levels in the Office of Teaching Initiatives (OTI) to improve the current teacher and school building leader certification review process timeframes.	DEI & Customer Service	<p>*\$8M authorization for use of current funding</p> <p>\$1.5M for staffing needs</p> <p>Total- \$9.5M</p> <p>*The Department is requesting that the 2022-2023 enacted budget provide access the entire \$8M prior year balance to fund the technology project.</p>

**Prior Non-State Aid Budget Priorities – Cultural Education**

<b>Proposal Description</b>	<b>Policy Area</b>	<b>Amount of Request</b>
<b>Increasing State Aid for Library Construction</b> – Increasing funding to better ensure that all New Yorkers continue to have access to state-of-the-art libraries.	DEI & Customer Service	\$11M increase over the 2021-2022 enacted budget
<b>Continuing Access to the NYS Summer School of the Arts</b> – State funding to ensure that NYSSSA can remain available to all eligible students regardless of financial need and to reduce the negative balance in the Cultural Education account.	DEI & Customer Service	\$2M

**Prior Non-State Aid Budget Priorities – Professional Practice**

Proposal Description	Policy Area	Amount of Request
<p><b>Development of an Electronic Licensing and Document Management System to Improve Customer Service</b> – Spending authority to use funds resulting from a 15% registration fee increase authorized by the Legislature in 2009 for the third year of a project to replace a nearly 40-year-old COBOL-based licensing system and enhance the customer experience.</p> <p><b>Fund Critical Staffing Needs</b> - Increase the appropriation level for the Office of the Professions by \$7.125 million and permit OP to retain and spend the full amount of the increased appropriation level to fund 58 critical staff positions. With the \$4.355 million in increased revenue, OP would be able to fill 33 staff and with the discontinuation of the \$2.8 million sweep, OP would be able to fill 25 positions.</p>	<p align="center">Customer Service</p>	<p align="center">\$7.79M in capital spending authority for 2022-2023 for OP Modernization</p> <p align="center">\$7.125M in increased OP appropriation authority</p>

**Prior Legislative Priorities – Professional Practice**

Proposal Description	Policy Area
<p><b>Enhanced Discipline Authority of the Licensed Professions</b> – Enhance the Department’s discipline authority over all licensed professions it oversees by:</p> <ul style="list-style-type: none"> <li>• Authorizing the Commissioner or her/his designee, after an investigation and a recommendation by the professional conduct officer, to order a temporary suspension of practice privileges of a licensee or registered entity in extreme cases where there is an imminent danger to the health and/or safety of the public.</li> <li>• Requiring all licensed professionals to report to the Department any moral character issue(s) upon application for licensure.</li> <li>• Requiring, at a minimum, that all licensed professionals report to the Department any record of a conviction of a crime in a timely manner.</li> </ul>	<p align="center">Public Protection</p>

**Prior Non-State Aid Budget Priorities – ACCES**

<b>Proposal Description</b>	<b>Policy Area</b>	<b>Amount of Request</b>
<b>Funding the Expansion of the Readers Aid Program</b> – Provide sufficient funding to meet the current statutory requirements of the Reader’s Aid program.	DEI	\$706,000

**Prior Legislative Priorities with Budgetary Implications – ACCES**

<b>Proposal Description</b>	<b>Policy Area</b>	<b>Amount of Request</b>
<b>Enhancing Supports and Services for Postsecondary Success of Students with Disabilities</b> - Grant program to support the reasonable accommodation needs and services for individuals with disabilities enrolled at degree granting institutions of higher education.	DEI	\$13M for program funding increases  \$97,210 for staffing needs  Total- \$13.09M



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## Supporting the Blue Ribbon Commission on Graduation Measures

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### ***ISSUE:***

What knowledge and skills are required for high school graduates in New York State to be ready for work, college, and citizenship.

### ***BACKGROUND:***

- At the direction of the Board of Regents, the Department has undertaken a process to explore what a New York State high school diploma should mean in terms of knowledge and skills of graduates and how it ought to ensure educational excellence and equity for all New York State students.
- To achieve this goal, a Blue Ribbon Commission on Graduation Measures will be established to review the research, practice, and policies surrounding graduation measures in New York State.
- To ensure a foundation for Diversity, Equity, and Inclusion for all students across the State, the Commission will explore whether additional and equally rigorous measures of achievement could serve New York's diverse student population as indicators of what they know and whether they are ready for work, further learning and citizenship.
- The Commission will advance recommendations to the Board of Regents in 2024.

### ***2022-2023 BUDGET REQUEST:***

***\$200,000 in new state funding (annually for two years) to support project management costs and event costs associated with Commission meetings.***

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3ILYPoJ>



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## Creating Culturally Responsive-Sustaining Education Resources

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### **ISSUE:**

A complex system of biases and structural inequities deeply rooted in our country's history, culture, and institutions is at play, as educators struggle to meet the diverse needs of students and families.

### **BACKGROUND:**

- In January 2018, the New York State Board of Regents sought to address these inequities.
- A panel of experts was convened by the Department's Offices of P-12 Education and Higher Education to engage with stakeholders, and develop, from the ground up, a framework for culturally responsive-sustaining education.
- The result is the CR-S Education Framework which helps education stakeholders create student-centered learning environments that:
  - affirm cultural identities
  - foster positive academic outcomes
  - develop students' abilities to connect across lines of difference
  - elevate historically marginalized voices
  - empower students as agents of social change
  - contribute to individual student engagement, learning, growth, and achievement through the cultivation of critical thinking.
- To achieve these objectives, the framework must now be implemented.

### **2022-2023 Budget Request:**

***\$250,000 in new state funding to curate, compile, and publish a set of racially and culturally inclusive education resources to support teaching and learning, using an intradisciplinary approach in the major subject areas and an additional \$50,000 in 2023-2024 to finalize this work that goes beyond the 2022-2023 fiscal year.***

***Want to learn more? Select this link for additional details:***

***<https://bit.ly/3dAylSA>***



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## **Building Oversight and Support Capacity at SED**

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### ***ISSUE:***

The Department's capacity to perform its critical mission has been significantly constrained by years of funding constraints and a decrease in funding in excess of 14% (\$8.5 million) in the 2020-2021 State budget.

### ***BACKGROUND:***

- Since 2011, State budgets have compounded the effect of funding reductions by enacting new programs for which the Department has received no additional State support for administrative costs.
- This includes several new prekindergarten programs, several rounds of P-TECH schools, receivership, community schools, extended learning time, performance improvement grants, management efficiency grants, and the Smart Schools Bond Act.
- As districts are navigating the complex implementation of these various programs, they rely on the diminished technical support and expertise at the Department.
- Additionally, taxpayers deserve to know that these funds are being wisely spent with adequate oversight.
- Adequate funding to support the Department's administrative costs must be provided.

### ***2022-2023 BUDGET REQUEST:***

***Enact a 5% set-aside within all new SED programs for administrative oversight and technical assistance.***

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3oMS5sJ>



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## Enhancing Communication with Multilingual Parents, Students and Professionals

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### **ISSUE:**

The Department currently lacks funding to translate documents into languages other than English. This limits the awareness of parents and students who do not speak English as their primary language to available educational programs and services.

### **BACKGROUND:**

- In every program area across the Department – Cultural Education, Vocational Rehabilitation, P-12, Professions and Higher Education – many informational materials, such as fact sheets and booklets, are currently only available in English.
- The Department has been developing and releasing many documents to school districts and providers with information related to the COVID-19 pandemic.
- Translation of Department informational and guidance documents into multiple languages would support the Department’s goal of making culturally responsive-sustaining and linguistically accessible resources available to the public, English Language Learners/Multilingual Learners (ELLs/MLLs) and their families.
- Funding is needed to support the translation of documents into languages other than English.

### **2022-2023 Budget Request:**

***\$1.6 million in new state funding to translate documents into languages other than English to enhance communications with multilingual parents, students, and professionals.***

***Want to learn more? Select this link for additional details:***

<https://bit.ly/33dLrDo>



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## Enhancing Transparency by Webcasting and Transcribing Regular Board of Regents Public Meetings

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### ***ISSUE:***

The Board of Regents and Education Department wish to enhance transparency and accessibility by providing live webcasting, verbatim transcripts of all regular public meetings of the Board of Regents, and American Sign Language (ASL) simultaneous interpretation.

### ***BACKGROUND:***

- The Board of Regents is responsible for policy development and oversight of the University of the State of New York. The scope of the Board's authority over the State's educational enterprises is extensive and of interest to the general public as well as numerous stakeholders.
- To increase transparency and public accessibility to important education related deliberations and decisions made at the public meetings of the Board of Regents, these meetings should be webcast and verbatim transcripts be prepared for committee and subcommittees, as is currently done for the meetings of the full Board of Regents.
- In addition, it is critical that ASL simultaneous interpretation be available at all Board meetings.

### ***2022-2023 BUDGET REQUEST:***

***\$150,000 in new state funds annually to support webcasting, interpretation, and transcription costs.***

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3EEQ4Ei>



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## Supporting School Districts with Monitors

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### ***ISSUE:***

There are four school districts with statutorily required monitors – Rochester, East Ramapo, Hempstead (academic and fiscal) and Wyandanch (fiscal only). While funding was provided to support the monitor positions, there is a need to provide critical support for the monitors in their efforts to implement their oversight and assistance roles to these districts.

### ***BACKGROUND:***

- The Department's Office of Innovation and School Reform (OISR) is charged with providing direct support, oversight, and technical assistance to schools and districts in Receivership, and supervision, direction, and support to State and Independent Monitors.
- While OISR supports schools and districts with some of our state's most vulnerable students, no additional staff or resources have been provided to the Department to oversee and assist the monitors with this important work.
- It is critical to ensure that state appointed monitors receive timely district-specific support, guidance, and direction to provide ongoing, critical support to the monitors and the districts they are serving, target and assist with school- and district-specific needs and foster the professional development and subsequent supports districts require to effectively serve and support all students in their respective community.

### ***2022-2023 BUDGET REQUEST:***

***\$235,200 in new state funding (annually for the existence of appointed monitors) to support staff and resource accessibility, site reviews and technical assistance from the Office of Innovation and School Reform (OISR) associated with meeting the needs of the most at-risk schools and districts in New York State.***

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3dFIMnG>



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## Supporting our State-Owned Schools & Native American Students

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### *ISSUE:*

There is a disparity in resources available to schools serving disabled and Native American students resulting in inequitable treatment of these students as it relates to their health and safety and access to adequate and safe school facilities and robust educational programs.

### *BACKGROUND:*

- The annual amount appropriated for the capital needs of the state-owned schools - the State Schools for the Blind and Deaf, the Tuscarora Nation School, the Onondaga Nation School, the St. Regis Mohawk School as well as all Department buildings - has been capped at \$3.4 million for many years.
- This has resulted in years of deferred maintenance and no capacity to modernize and improve these schools serving the blind and disabled, as well as Native American students in three schools.
- While capital costs at state-owned schools are an eligible use of State Educational Agency (SEA) federal stimulus reserve funds, the 2021-22 enacted budget fully allocated these funds for other purposes.

### *2022-2023 BUDGET REQUEST:*

- **Capital Needs:** The Department is requesting \$40.5M to support the capital needs for the New York State Schools for the Blind and Deaf, the Tuscarora Nation School, the Onondaga Nation School, and the St. Regis Mohawk School.
- **Educational Needs:** The Department is requesting \$196,920 in new state funding (the total year 1 fiscal request) to hire two Associates in Educational Improvement Services who would target improving the educational outcomes of our indigenous children and ensure that contracts and grants that support Native American students are completed in a timely manner to ensure continuity of services.

*Want to learn more? Select this link for additional details:*

<https://bit.ly/3DRxE25>



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## Ensuring Compliance with Statutorily Required Substantial Equivalence Determinations

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### **ISSUE:**

The Department must develop and implement regulations required by law to ensure substantial equivalence of the education provided by non-public schools to minors, with the education provided by the public school district where the non-public school student lives.

### **BACKGROUND:**

- New York State Compulsory Education Law requires children aged 6 to 16 (or 17) to attend “upon full time instruction” (Education Law §3205[1], [3]).
- Education Law §3204(2) requires that instruction given to a minor elsewhere than at a public school “shall be at least substantially equivalent” to the instruction at the public schools of the city or district where the minor resides.
- Recent amendments to Section 3204 place the responsibility for making the final determination of substantial equivalence, for schools that meet certain criteria, firmly with the Commissioner of Education.
- At present levels of staffing, the State Office of Religious and Independent Schools (SORIS) cannot do the work necessary to implement the recent amendments to this law, nor can it adequately track other mechanisms proposed for nonpublic schools to utilize to demonstrate their substantial equivalence.
- To ensure the Department is able to carry out its guiding principle of a service-oriented approach to the field, funding for additional staff is needed to:
  - conduct the reviews and school visits involved in expanding the nonpublic school registration process;
  - track other means used by nonpublic schools to demonstrate substantial equivalence;
  - support the development of a culturally sensitive substantial equivalence review process; and
  - provide follow up in cases where a nonpublic school requires additional time to comply with substantial equivalency requirements.

### **2022-2023 BUDGET REQUEST:**

***\$657,484 in new state funding to hire 3 additional staff for the State Office of Religious and Independent Schools.***

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3y8FvGZ>



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## Appropriately Resourcing State Aid Oversight and Monitoring

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### **ISSUE:**

The Office of Education Finance (comprising of the Office of State Aid and the Fiscal Analysis Unit) is inadequately funded to oversee the distribution and use of nearly \$30 billion in public funds annually.

### **BACKGROUND:**

- The Office of Education Finance annually collects and reviews tens of thousands of data points to calculate and pay nearly \$30 billion in state funds to districts across the state. The Office is not sufficiently staffed to perform these tasks.
- Fifteen years ago, the Office had 57 FTEs. The Office now only has 21 FTEs to review all aid claims, make thousands of payments to districts totaling billions of state funds, and collect and review data used in state aid claims and calculations.
- Existing Office of Education Finance staff work tirelessly, to prioritize funding for school districts by statutory deadlines. With limited resources, the scope and depth of data review is necessarily constrained.
- The Office is responsible for managing the largest state funded program in the budget and the lack of resources creates vulnerabilities for the Department and the State.
- The Fiscal Analysis Unit has assumed significant additional responsibilities with the collection and review of data for the State Financial Transparency Report and Every Student Succeeds Act Funding Transparency requirement, without the provision of additional staffing resources.

### **2022-2023 BUDGET REQUEST:**

***\$1.85 million in new state funding to support 23 additional positions in the Office of State Aid and the Fiscal Analysis Unit within the Office of Education Finance.***

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3lu1kFH>



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## Enhancing Supports and Guidance to the Field Related to Promoting a Positive School Climate/Safety, Student Health/ Mental Health, Extended Learning Opportunities and Protecting Vulnerable Student Populations

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### ***ISSUE:***

The pandemic, as well as continuing violence in and around schools has increased awareness of the importance of school safety, health services, student health, well-being, and mental health.

Regular incidents of gun violence in schools nationally and the dramatic increase in the number of physical altercations, property damage, suicide attempts, substance misuse concerns, student suspensions, and mental health issues being reported by schools/districts from all areas of New York State are a testament to the dire need for additional supports and services for our children and their schools.

### ***BACKGROUND:***

- The Department's Office of School Support Services (OSSS) has been in the forefront of the Department's response to the COVID-19 pandemic, while also providing ongoing guidance to schools regarding areas of student well-being and safety.
- OSSS receives and responds to hundreds of emails and telephone calls directly from the public, schools, and districts regarding a diverse and broad range of issues, including residency, social emotional wellness and learning, school discipline and school climate, school health, school safety and the Dignity for All Students Act (DASA) implementation.
- OSSS has suffered reductions in staff all while it's work has increased as it responds schools/districts.
- Additionally, OSSS oversees and provides technical assistance to the students and families served by the 21st Century Community Learning Centers (CCLC) afterschool programs, Extended Learning Time (ELT) grants, Substance Abuse Mental Health Services Administration (SAMHSA) mental health grants, and Extended School Day/School Violence Prevention (ESD/SVP) afterschool programs.

### ***2022-2023 BUDGET REQUEST:***

***\$905,514 in new state funding to support 9 additional staffers in the Office of Student Support Services.***

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3oCOptt>



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## Supporting the Field with Diversity, Equity, and Inclusion (DEI) Initiatives

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### **ISSUE:**

The Board of Regents has established the advancement of diversity, equity, and inclusion (DEI) policies and practices in schools across New York State, the Department, and all components of the University of the State of New York (USNY) statewide.

### **BACKGROUND:**

- The Board of Regents adopted a policy statement and draft framework with a call to action for all schools and the Department to develop policies that advance the principles of DEI as a core function of our work.
- A DEI coordinator and support staff are needed to extend, coordinate, and disseminate this important initiative within the Department and to all schools and other entities within the USNY system.
- The DEI coordinator will retain and access external expertise to inform Department and school practices, while building internal capacity to support the field in advancing DEI on an ongoing basis.
- In partnership, BOCES and the Department are establishing an online repository of effective DEI practices and resources for educators.

### **2022-2023 BUDGET REQUEST:**

***\$792,612 in new state funding to support the Department's guiding principle of Diversity, Equity, and Inclusion (DEI) for the following purposes:***

- \$292,612 to hire one DEI coordinator and two DEI support staff that will support the work of the coordinator.
- \$250,000 for a contract with a leading expert in the field to provide expertise and technical assistance to the Department.
- \$250,000 annually to support the continuation of BOCES's online repository work as well as evaluation of these initiatives.

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3y2okXN>



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## Enhancing the Oversight of PreK Programs

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### **ISSUE:**

The current Office of Early Learning staffing levels do not support adequate programmatic and fiscal oversight to meet demands for help and oversight of expanded federal and state-funded prekindergarten programs.

### **BACKGROUND:**

- The Regents envision a New York where all children thrive from birth, flourish in preschool, enter the school age program on a trajectory of success, and are academically proficient in third grade by having opportunities for high-quality early learning experiences that are culturally, linguistically, and developmentally sound.
- The Universal Prekindergarten Program (Education Law §3602-e) and the Statewide Universal Full-Day Prekindergarten Program (Education Law §3602-ee) outline the requirements of state-administered prekindergarten programs in New York State.
- Since the advent of Statewide Universal Full-Day Prekindergarten programs in 2014, the Department's Office of Early Learning's responsibilities grew from administering \$725 million in 468 school districts and Boards of Cooperative Educational Services (BOCES) to \$970 million in 642 school districts, BOCES, and direct-contract agencies.
- While the budget and the Department's required oversight of state-administered prekindergarten programs has increased significantly over the last seven years, staffing levels have decreased.
- There is currently little capacity for compliance visits, technical assistance in instructional pedagogy, and effective fiscal oversight for New York State's \$970M investment into prekindergarten.

### **2022-2023 BUDGET REQUEST:**

***\$1.9 million in new state funding for 18 new staffers in the Office of Early Learning to meet the current demands and requirements of state-administered prekindergarten programs.***

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3Iyr2ZT>



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## Tuition Rate-Setting Redesign and Funding Parity

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### **ISSUE:**

The tuition rate-setting system for special education providers is unsustainable and threatening the financial viability of providers as well as the availability of services to students with disabilities.

### **BACKGROUND:**

- Tuition reimbursement for approved providers of special education programs and services is established by the Department and approved by the Division of the Budget (DOB).
- The Department establishes annual tuition rates for over 1,000 approved special education programs at approved private schools, public schools, special act school districts, and BOCES subject to approval by DOB.
- Approvals are delayed and rate approvals are set at insufficient levels.
- The rate-setting methodology is flawed. It is inflexible in responding to provider and student needs. The reconciliation process, which is not imposed on any other state agency issued tuition rates, severely constrains provider flexibility in addressing enrollment fluctuations and unanticipated costs.
- This results in a growing number of appeals and waiver requests to the Department, creating severe backlogs and further delaying resolution.

### **2022-2023 BUDGET REQUEST:**

***\$1.72M in new state funding to address the financial stability for approved school-age and preschool programs serving students with disabilities to enable them to better provide mandated services to the students they serve by:***

- **Creating a statutory index to provide an annual funding increase commensurate with the growth in General Support for Public Schools (GSPS).** S.6516-A Mannion/A.8013-A Benedetto would ensure parity across all providers and to provide equity in funding for all students with disabilities.
- **Dedicating targeted resources to enable the Department to design a new tuition rate setting methodology with stakeholder input.** \$750,000 (\$1.5M across two years) for SED to hire a consultant to provide technical assistance and develop models for updated tuition reimbursement methodology for stakeholder consideration. \$500,000 (\$1M across two years) to support staff in the Department's Rate-Setting Unit and Office of Special Education to work closely with the consultant on tuition rate reform proposals.
- **Providing additional staffing resources to the Department's Rate-Setting Unit (RSU).** 6 additional staff in RSU are requested, to manage tuition waiver volume and calculate audit rates resulting from the Office of the Comptroller's (OSC's) preschool special education provider audit initiative (\$470,031 annually).

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3IFqj9t>



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## Increasing Access to College and Affordability for Students through Early College High Schools & P-TECH

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### **ISSUE:**

The Smart Scholars Early College High Schools Programs (SS-ECHS) and the NYS Pathways in Technology Early College High Schools (P-TECH) Programs require a clear statutory basis and a steady and reliable stream of funding.

### **BACKGROUND:**

- SS-ECHS and P-TECH are funded through multi-year grants that require continuous recruitment for each year of the cycle (five-year cycle for Smart Scholars ECHS and seven-year cycle for NYS P-TECH).
- Once the grant cycle ends, both programs are left with multiple classes of students (three classes for Smart Scholars ECHS and five classes for NYS P-TECH) for whom there exists no statutory mechanism by which to continue funding.
- These programs offer school districts the opportunity to expand learning options to students, helping them stay engaged and on track for graduation. Sustaining and stabilizing them requires statutory grounding and adequate financial support.
- Traditionally underrepresented and academically and/or economically at-risk students in postsecondary education benefit from these programs designed to boost high school completion while earning college credits.

### **2022-2023 Budget Request:**

- **Funding Critical Staff Needs:** The Department is requesting \$80,364 to hire an Assistant in Higher Education Programs to help oversee the SS-ECHS, ST-ECHS, and P-TECH programs.
- **Codifying SS-ECHS and P-TECH Programs:** The Regents propose enactment of legislation to codify SS-ECHS and P-TECH programs and provide a mechanism for the continuation of successful programs outside of a competitive procurement process, to provide New York State students, including those traditionally underrepresented in post-secondary education, with the opportunity to benefit from programs designed to put them on a path toward long-term success.

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3oEucn6>



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## Improving Justice System Education Opportunities and Outcomes for Youth

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### **ISSUE:**

There is a lack of effective coordination and programmatic coherence in the provision of educational opportunities and services to students in juvenile justice settings.

### **BACKGROUND:**

- When youth must be confined, detention and placement settings provide an opportunity to re-engage them in their education and future and to reset their trajectory. These programs must plan for and support youth reentry to the community, including working with the student's new school to ensure credits are granted for work accomplished while in confinement and re-enrollment in school in the community.
- Educational programs provided in juvenile justice settings have struggled to provide access to quality, culturally and linguistically relevant and engaging instruction.
- Lack of access to state and federal education funds for core educational services and delayed access to students' records, rolling admissions and discharges, as well as barriers to re-enrollment, and providing supports to students as they transition back to their home school districts have contributed to this situation.
- Incarcerated Youth (IY) Funds were originally to support students between the ages of 16 and 21 in county jails. Since implementation of Raise the Age (RtA) law, IY funds for jails have declined, as 16- and 17-year old students are placed in detention and other settings which are ineligible for IY funding.
- This makes it difficult to sustain staffing and educational programming for the incarcerated 18- to 21-year old students still entitled to an education. Additionally, the IY formula provides a minimum of \$15,000 to the district of location which has not been updated since 1986 and is insufficient to maintain minimum programming.
- Additionally, once returned to the community, these students need additional supports to ensure continued success.

### **PROPOSAL:**

The statutory creation of an interagency Juvenile Justice Education Taskforce (JJET) to consider the needs of educational programming across the spectrum of juvenile justice confinement settings and the educational transition of youth post-confinement.

### **2022-2023 BUDGET REQUEST:**

***\$6.1M in new state funding, which includes \$215,000 to support the JJET (funds to contract for the facilitation of the JJET and one additional program staff person) and an additional \$5.8M in IY funding (\$4.0M for detention programs and \$1.8M for county jails).***

***Want to learn more? Select this link for additional details:***

***<https://bit.ly/3rR8mys>***



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## Mandate Relief and State Aid Claims Flexibility

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### ***ISSUE:***

The Board of Regents seeks to provide appropriate relief and flexibility to school districts related to State mandates and has identified a number of initiatives that would be consistent with that goal.

### ***BACKGROUND:***

- Given the continuing constraints on revenue at the federal, state, and local level, school districts must operate efficiently to focus resources on the most critical priorities.
- While many mandates were originally enacted to enhance the rights, protections, and performance of students and the fiscal accountability of school districts, not all mandates have produced their intended results.
- It is imperative that a thoughtful and targeted series of changes be made to repeal, or reform outdated or burdensome mandates where the benefit does not outweigh the costs of compliance.
- The Regents have acted within the scope of their authority to make regulatory changes to help unburden school districts while maintaining appropriate safeguards and protections for students, parents, and communities, but statutory relief is also necessary.

### ***PROPOSAL:***

Legislation proposed by the Department would eliminate or reduce a significant number of statutory mandates and provide greater flexibility relating to transportation and educational management.

- Expand the funds available to pay claims in the first come-first served queue;
- Forgive penalties associated with the late filing of Final Cost Reports for all school district construction projects approved by the Commissioner on or after April 1, 1995;
- Allow districts to lease space outside of the district in certain emergency situations;
- Allow transportation contracts to be submitted electronically in a form approved by the Commissioner when available;
- Authorize school districts to lease, on a temporary basis, necessary space when the facilities of the district are under construction, or when extenuating circumstances exist;
- Increase flexibility for small districts to meet unanticipated expenses by allowing targeted exceptions to the 4% fund balance limit; and
- Discontinue duplicative financial transparency reporting in light of the full implementation of the federally-required ESSA financial transparency reporting by repealing Education Law Section 3614.

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3DEHjsy>



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## Regional Secondary Schools Advisory Council

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### ***ISSUE:***

In an era of declining enrollment and fiscal constraint, many districts are at risk of not being able to provide students with a range of opportunities to prepare for college and career, or even to meet basic fiscal and curricular obligations especially at the secondary level. Additionally, the demand for expanded career technical education is growing.

### ***BACKGROUND:***

- Current State law has limited options for school districts to create and sustain high-quality collaborative secondary schools.
- These options only permit the creation of central high school districts, regional high schools in Suffolk County and Tech Valley High School in the Capital Region, and various P-TECH programs throughout the State.
- As the demand for Career and Technical Education (CTE) grows, regional technical high schools may better respond to that demand and provide CTE students with a four-year, full-time comprehensive high school experience.
- As demographic trends indicate, school districts across the state need an accessible and affordable mechanism to build collaborative secondary school partnerships to address issues of declining enrollment, population sparsity, and the expense of providing a sound secondary educational program.

### ***PROPOSAL:***

The Department proposes enactment of legislation to create a temporary advisory council comprised of Department staff, members of the Board of Regents, the legislature, the Governor's office, and educational stakeholders and experts to:

- Examine the previously proposed legislation and identify barriers and areas of concern;
- Consider other opportunities to improve districts' ability to share services or consolidate;
- Review high school regionalization models in other states;
- Identify potential models that would work in New York; and
- Make recommendations to the Board of Regents, Department, legislature, and Governor's office to seek enactment of any proposed legislation during the following legislative session.

***Want to learn more? Select this link for additional details:***

<https://bit.ly/31LtM5l>



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## Improving Educational Outcomes for Justice System Involved Youth

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### ***ISSUE:***

There are significant barriers to expeditiously providing appropriate education services to youth in justice system educational programs, such as timely receipt of education records when a student is directed to be held in a juvenile detention facility pursuant to a court order, prior to adjudication by the court.

### ***BACKGROUND:***

- Detention programs across the state are expected to immediately provide appropriate education programming for youth, including a student's individualized education program, even though they do not immediately have access to student's education records.
- Currently, it can take weeks to obtain signed parental consent, as required by the Family Educational Rights and Privacy Act (FERPA), and then receive the records. This lengthy process hampers the facility's ability to provide an appropriate education to the student.
- FERPA contains an exception to the written consent requirement where state law explicitly authorizes state and local officials to have access to education records of students in the juvenile justice system so long as the disclosure concerns the juvenile justice system's ability to effectively serve the student, prior to adjudication. The recipient of the records must certify in writing that the information will not be disclosed, without the prior written consent of the parent of the student.

### ***PROPOSAL:***

A statutory change is proposed to authorize the transfer of student records from school districts to juvenile detention facilities, without parental consent, to facilitate students receiving an appropriate education as expeditiously as possible.

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3Dz7dhm>



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## Increasing Access to a Highly Qualified, Diverse Teaching Workforce – Expand TOC II

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### **ISSUE:**

All students must have access to teachers who are trained to address their diverse learning needs, and the teaching workforce should be as diverse as the student population being served by our schools.

### **BACKGROUND:**

- Research demonstrates that a diverse school workforce benefits all students.
- A recent Education Trust report highlights that “across New York State, Latino and Black students together make up 43 percent of total enrollment, while Latino and Black teachers are 16 percent of the teacher workforce.”
- The Early Learning Blue Ribbon Committee, and the Educator Diversity Report, indicate the need for more educators of color to meet the needs of an ever-diversifying student body.
- The Educator Diversity Report indicates that there are more than 200 school districts across New York State that do not employ one teacher of color.
- Over the last five years, the Department’s Teacher Opportunity Corps II program has assisted approximately 1,586 teaching candidates of color as they seek the requisite educational and certification credentials to become teachers.
- Additional TOC II funding will expand the number of historically underrepresented and economically disadvantaged individuals in teaching careers

### **2022-2023 BUDGET REQUEST:**

*\$5 million in new state funds to establish a separately appropriated Teacher Opportunity Corps II program to increase the number of certified educators of color. Under this expansion, the Department projects to increase the number of TOC II programs across the state from 17 to over 30 and/or to increase the number of TOC II students served from 544 to up to 1,451.*

*Want to learn more? Select this link for additional details:*

<https://bit.ly/3EFxE6v>



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## Supporting NYS Access and Opportunity Programs

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### **ISSUE:**

The Department oversees and administers several opportunity programs that serve over 41,000 students. These programs are effective at improving outcomes and opportunities for students from historically underrepresented and economically disadvantaged populations. Additional state funding is needed to continue to support and expand the number of students being served by these critical programs.

### **BACKGROUND:**

- **Arthur O. Eve Higher Education Opportunity Program (HEOP):** HEOP serves over 4,850 students through 53 programs by providing financial aid, pre-freshman summer programs, remedial/developmental courses, tutoring, and counseling to students attending independent colleges.
- **Science and Technology Entry Program (STEP):** STEP serves over 12,500 students through 56 programs by providing academic enrichment in science and mathematics with the purpose of increasing the number of historically underrepresented and economically disadvantaged students prepared to enter college, and improving their participation rate in mathematics, science, technology, health-related fields and the licensed professions.
- **Collegiate Science and Technology Entry Program (CSTEP):** CSTEP serves over 8,100 students through 58 programs by providing academic enrichment and research experience in STEM content areas to increase the number of historically underrepresented and economically disadvantaged undergraduate and graduate students who complete programs of study that lead to professional licensure and to careers in mathematics, science, technology, and health-related fields.
- **Liberty Partnerships Program (LPP):** LPP serves over 15,600 youth through 46 programs across New York State by offering comprehensive pre-collegiate/dropout prevention programs.

### **2022-2023 BUDGET REQUEST:**

***\$10.17 million in additional state funding to support NYS Access and Opportunity programs for the following purposes:***

- ***\$177,574 for additional staff to ensure that all the programs are properly evaluated in terms of their effectiveness.***
- ***\$10 million to provide allocational increases above 2021-2022 levels.***

***Want to learn more? Select this link for additional details:***

***<https://bit.ly/3mb5MQv>***



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## Enhancing Supports and Services for Postsecondary Success of Students with Disabilities

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### **ISSUE:**

There are almost 80,000 identified students with disabilities attending New York State degree-granting colleges and universities. These students require varying supports and services to enable them to persist and achieve degree completion.

### **BACKGROUND:**

- In May 2017, the Department's Advisory Council on Postsecondary Education for Students with Disabilities recommended, and the Board of Regents adopted, a proposal to provide much-needed supports and services to students with disabilities pursuing postsecondary study.
- The 2021-2022 State Budget included \$2 million in funding for these purposes.
- This funding (approximately \$25 dollars per student) will be allocated by the Department to SUNY, CUNY, and degree-granting independent and proprietary colleges in Spring 2022.
- The current funding level is not adequate to support the number of students with disabilities or the expense associated with supporting those students.

### **2022-2023 BUDGET REQUEST:**

***\$13.09 million in additional state funding above 2021-2022 levels, for a total of \$15.09 million, to support Enhancing Supports and Services for Postsecondary Success of Students with Disabilities for the following purposes:***

- \$97,210 to hire one Associate in Higher Education Programs to serve as the program officer for this program and also to oversee the Foster Youth College Success Initiative.
- \$15.9 million (total) to be distributed based on enrollment, in equal amounts per identified student with disability, to eligible institutions with approved plans to help serve more students with disabilities pursuing postsecondary study.

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3DB20W7>



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## Technology Modernization for the Office of College & University Evaluation (OCUE)

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### **ISSUE:**

The Office of College and University Evaluation (OCUE) requires new processes and systems to provide automated and streamlined review and approval of academic programs creditable toward a degree at a NYS college or university.

### **BACKGROUND:**

- While several improvements have been made over the years to streamline the program approval process, the OCUE system remains an outdated patchwork of documents sent through email, housed in an internal-only database, and a more than 20-year-old Unisys mainframe system.
- The OCUE system shares information with the Office of Professions (OP).
- The OP system will migrate from the mainframe, but its education unit, which oversees programs leading to licensure for more than 50 professions, will still have to work with the outdated OCUE system.
- To address OCUE's outdated program approval system and the need for the systems in OCUE and OP to share information, the Department is requesting state funding to build a new online system for OCUE's program approval review process.

### **2022-2023 BUDGET REQUEST:**

- **Funding Critical Staff Needs:** The Department is requesting \$65,792 in new state funding to hire an Administrative Specialist 1 to provide support for OCUE Modernization Project.
- **OCUE Modernization:** The Department has requested Division of Budget (DOB) approval to allocate \$8.5 million to update technology and build an online system for evaluating and approving college and university programs from the \$100M appropriation included in the 2021-22 enacted budget for agency related technology improvement projects.

*Want to learn more? Select this link for additional details:*

<https://bit.ly/3drPnSL>



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## Improving the Educator Certification Process

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### ***ISSUE:***

The Department's Office of Teaching Initiatives (OTI) is responsible for certification of teachers, school leaders, and other student support personnel. The number of applications, a time intensive review process, and the loss of critical staff in OTI due to protracted spending constraints imposed on the Department by the executive, have led to processing timelines that are intolerable.

### ***BACKGROUND:***

- New York State teachers, administrators, and pupil personnel service providers are required to hold a New York State certificate for employment in the State's public schools.
- The Office of Teaching Initiatives (OTI) issues certificates to confirm that an individual has met specified degree, coursework, assessment, and/or experience requirements.
- New York State school districts face severe teacher shortages that have been exacerbated by the COVID-19 pandemic.
- It is crucial that the state provide adequate resources for OTI to improve the educator certification process to increase the responsiveness and efficiency of the office as it seeks to certify individuals who can be employed in New York State schools.

### ***2022-2023 BUDGET REQUEST:***

- **Funding Critical Staff Needs:** Approximately \$1.5 million in new state funding is needed to hire seven additional staff members in OTI.
- **OTI Modernization:** The Department is requesting that the 2022-2023 enacted budget enable the Department to access the entire \$8 million prior year balance to support the cost of a technology project to overhaul and enhance the online TEACH educator certification application system. This technology upgrade will help to make the application process easier for individuals and reduce the OTI processing time for applications.

***Want to learn more? Select this link for additional details:***

<https://bit.ly/31Bw2wj>



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## Increasing State Aid for Library Construction

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### ***ISSUE:***

The Board of Regents supports all public libraries having the capacity to accommodate new technologies and provide the knowledge resources New Yorkers need to be successful in an information-driven global environment. Additional capital funding is needed to allow public libraries to continue to upgrade and modernize their facilities.

### ***BACKGROUND:***

- New York's libraries are the public infrastructure that provides universal access to the three elements of digital equity: adequate internet, appropriate devices, and digital fluency skills.
- The State Aid for Library Construction Program is highly visible and has been very successful. During its fifteen years in existence, the program supported a total of 2,868 construction and renovation projects for 807 unique public library and library system facilities.
- The estimated need for new construction, expansion, and renovation of existing library facilities is over \$1.52 billion through 2025, as more than half of all public library buildings in New York are now over 60 years old, and another 30% are between 30 and 60 years old.
- The 2021-2022 enacted state budget provided \$34 million in capital funds to support State Aid for Library Construction.

### ***2022-2023 BUDGET REQUEST:***

***\$11 million in additional state funds over the 2021-2022 level, for a total of \$45 million, to ensure that New York's libraries are accessible to all library users and can accommodate advances in technology, including improvements to broadband infrastructure.***

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3IAIwVp>



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## Continuing Access to the New York State Summer School of the Arts (NYSSA)

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### **ISSUE:**

Tuition revenue is insufficient to fully cover NYSSSA program costs. Rising expenses over the past decade has made it increasingly challenging for the Cultural Education Account to support the operation of a full program.

### **BACKGROUND:**

- NYSSA provides students with the opportunity to study with some of the world's foremost artists in the visual and performing arts in seven schools: ballet, dance, choral studies, orchestral studies, theatre, visual arts, and media arts.
- Historically, NYSSSA has been supported by the General Fund, the Cultural Education Revenue Account, and the Summer School of the Arts Revenue account.
- In 2002 the General Fund appropriation was eliminated and in 2012, the NYSSSA offices were moved to the management of the Office of Cultural Education. This decision was taken to ensure the continuation of the program.
- The program has applied additional stress on the Cultural Education Revenue Account which has funded well over \$1 million dollars each fiscal year to support non-personnel and personnel expenses that cannot be accommodated solely by the Summer School of the Arts Revenue account/tuition revenue.

### **2022-2023 Budget Request:**

***\$2 million in new state funding to ensure the New York State Summer School of the Arts continues to be a program available to students of the State of New York who have demonstrated exceptional artistic skills and talents through selection based on open competition.***

***Want to learn more? Select this link for additional details:***

<https://bit.ly/30cbPfm>



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## Development of an Electronic Licensing and Document Management System & Other Measures to Improve Customer Service

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### ***ISSUE:***

The Department's Office of the Professions (OP) requires access to the fees it collects from its licensees to complete a new electronic licensing and document management system. Additionally, OP needs added staff to address growing responsibilities and improve customer service, and license and discipline cycle times while progress to update systems and services continues.

### ***BACKGROUND:***

- Chapter 396 of the Laws of 2009 authorized the increase of professional registration fees by 15% to create a special revenue fund to enable OP to continue to successfully manage its responsibilities and improve customer service. Many professional associations supported this fee increase.
- Improvements were to include a new electronic licensing and document management system for more than 50 professions, limited permits, registration and oversight of pharmacies, professional business entities, statutorily authorized corporate practice waivers, and providers of professional continuing education.
- OP also handles the investigation of complaints of professional misconduct and illegal practice of licensees, unlicensed individuals, and professional entities as well as the oversight of the discipline process, which includes due process hearings, when OP acts on substantiated allegations.

### ***2022-2023 Budget Request:***

- **OP Modernization:** Authorize the Department, within Capital Appropriations, to utilize \$7.79 million of existing revenue in 2022-2023 to continue building the new electronic licensing and document management system along with enhancing customer service tools.
- **Fund Critical Staffing Needs:** Increase the appropriation level for OP by \$7.125 million and permit OP to retain and spend the full amount of the increased appropriation level to fund 58 critical staff positions. With the \$4.355 million in increased revenue, OP would be able to fill 33 positions and with the discontinuation of the \$2.8 million sweep, OP would be able to fill 25 positions.

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3DE8nba>



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## Enhanced Discipline Authority of the Licensed Professions

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### **ISSUE:**

The Department seeks to expand protection of the public from nurse licensees injurious to patients through disciplinary powers comparable to those provided to the Commissioner of Health to oversee the conduct of physicians, physician assistants, and specialist assistants, including the authority to issue summary suspensions.

### **BACKGROUND:**

A 2016 article and a subsequent NYS Comptroller's audit raised concerns regarding the discipline of nurses who pose a public health and safety risk to people in New York, highlighting the real-life consequences of the limitations in current law when it comes to the Department's ability to take swift disciplinary action against licensed professions when there is a public health or safety risk.

### **PROPOSAL:**

The Department seeks enactment of legislation that would enhance the Department's disciplinary authority over **all licensed professions** it oversees by:

- Authorizing the Commissioner or her/his designee, after an investigation and a recommendation by the professional conduct officer, to order a temporary suspension of practice privileges of a licensee or registered entity in extreme cases where there is an imminent danger to the health and/or safety of the public.
- Requiring all licensed professionals to report to the Department any moral character issue(s) upon application for licensure.
- Requiring, at a minimum, that all licensed professionals report to the Department any record of a conviction of a crime in a timely manner. Current law does not require a criminal history background check prior to initial licensure and only requires that licensed professionals report the conviction of a crime upon re-registration every three years (physicians, physician assistants and specialist assistants re-register every two years).

*Want to learn more? Select this link for additional details:*

<https://bit.ly/3EBo702>



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## Funding the Expansion of the Readers Aid Program

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### **ISSUE:**

The current annual appropriation for the Reader's Aid Program is insufficient to meet expanded need and demand for the program.

### **BACKGROUND:**

- Since enactment in 1936, the Readers Aid Program has provided funding to colleges and universities to use on behalf of students who are blind, deaf, deaf-blind, or hard of hearing. This funding has been used to help meet the costs of note-takers, readers, and interpreter services.
- Chapter 350 of the Laws of 2017 provided for an expansion in the eligibility and funding for the program to include licensed career proprietary schools; the maximum reimbursement per student increased from \$1,000 to \$4,000 per academic year; and the use of funds was expanded to include the purchase of assistive technology.
- In the 2021-2022 academic year, 37 colleges, universities, and proprietary schools are projected to submit Readers Aid applications on behalf of 300 students.

### **2022-2023 BUDGET REQUEST:**

*\$706,000 in additional state funding to increase Readers Aid Program funding from the current \$294,000 annual level to \$1 million, to enable the program to provide grants ranging from \$1,000 to \$4,000 to approximately 400 students per year.*

*Want to learn more? Select this link for additional details:*

<https://bit.ly/3EPX5SA>



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## Enhancing Supports and Services for Postsecondary Success of Students with Disabilities

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### **ISSUE:**

There are almost 80,000 identified students with disabilities attending New York State degree-granting colleges and universities. These students require varying supports and services to enable them to persist and achieve degree completion.

### **BACKGROUND:**

- In May 2017, the Department's Advisory Council on Postsecondary Education for Students with Disabilities recommended, and the Board of Regents adopted, a proposal to provide much-needed supports and services to students with disabilities pursuing postsecondary study.
- The 2021-2022 State Budget included \$2 million in funding for these purposes.
- This funding (approximately \$25 dollars per student) will be allocated by the Department to SUNY, CUNY, and degree-granting independent and proprietary colleges in Spring 2022.
- The current funding level is not adequate to support the number of students with disabilities or the expense associated with supporting those students.

### **2022-2023 BUDGET REQUEST:**

***\$13.09 million in additional state funding above 2021-2022 levels, for a total of \$15.09 million, to support Enhancing Supports and Services for Postsecondary Success of Students with Disabilities for the following purposes:***

- \$97,210 to hire one Associate in Higher Education Programs to serve as the program officer for this program and also to oversee the Foster Youth College Success Initiative.
- \$15.9 million (total) to be distributed based on enrollment, in equal amounts per identified student with disability, to eligible institutions with approved plans to help serve more students with disabilities pursuing postsecondary study.

***Want to learn more? Select this link for additional details:***

<https://bit.ly/3DB20W7>