



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

TO: The Honorable the Members of the Board of Regents
FROM: Beth Berlin *Elizabeth B Berlin*
SUBJECT: Regents 2015 Federal Priorities

DATE: November 10, 2014

AUTHORIZATION(S):

J. B. G. Jr.
Executive Summary

Issue for Decision

The Board of Regents advances federal priorities every year. At the October meeting, the relevant committees reviewed the proposals to be advanced in 2015.

Reason(s) for Consideration

Regents final approval of the 2015 federal priorities.

Proposed Handling

Approval of the 2015 federal priorities.

Recommendation

It is recommended that the Regents approve the federal priorities.



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Development, Relief, and Education for Alien Minors (DREAM) Act

THE ISSUE:

New York educates thousands of public school students who are undocumented immigrants. Among these graduates, some attend institutions of higher education in New York, in part because the state allows undocumented immigrant students who grew up in the state to attend public colleges at in-state tuition rates.

Although New York school districts educate and prepare many of these young immigrants for colleges and careers, barriers in federal immigration law prevent many students from fully reaching their potential. The Office of the State Comptroller estimated, in their May 2013 report on the New York State DREAM Act, that 8,300 undocumented students were enrolled in our public institutions of higher education in the Fall 2012 semester, with most enrolled at CUNY (6,546 students).

Since the children of undocumented immigrants generally derive their immigration status solely from their parents, most have no mechanism to obtain legal residency in the US, even if they have lived here most of their lives. In 2012, the Deferred Action for Childhood Arrivals (DACA) policy was implemented – in order to allow for a two-year deferral from deportation proceedings, as well as the opportunity for renewal, and provide young undocumented immigrants with the opportunity to apply for a work permit – and is a valuable temporary action. However, full statutory action through the DREAM Act is necessary for young immigrant New Yorkers ready to succeed in college and careers.

THE SOLUTION:

The DREAM Act would enact the following major changes in federal law:

- Qualify individuals who came to the US at age 15 or younger at least five years before the date of the bill's enactment and who have maintained good moral character for lawful permanent resident status upon obtaining: a college degree or completing two years of college; graduation from a US high school or being awarded a high school equivalency certificate in the US; or having served in the US military for at least four years and discharged honorably.
- Allow certain students with registered provisional immigrant status to work, go to school, and be eligible for work study and student loans. These students would *not* be able to travel abroad for lengthy periods and *not* be eligible for Pell Grants or certain other federal financial aid grants.
- Repeals a provision of the federal Illegal Immigration Reform and Immigrant Responsibility Act of 1996 that requires states, like New York, which offer in-state tuition rates to undocumented students attending public colleges, to extend the same rate to nonresidents of the state.

The DREAM Act would have a life-changing impact enabling these students to fully participate in and become productive members of New York's economy.

For more information contact the
Office of Governmental Relations, New York State Education Department, (518) 486-5644



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Reauthorization of the Carl D. Perkins Career and Technical Education Act & Increasing Quality Technical Educators

THE ISSUE:

With new jobs increasingly demanding advanced skills, it has never been more critical to ensure that students have opportunities that include rigorous career and technical education so that, upon graduation from high school, they are prepared for college and career success. The Regents have taken steps to address this gap by creating pathways to graduation that include rigorous career and technical education (CTE) options. The creation of a CTE pathway as well as a general increase in demand for career and technical coursework will result in a corresponding need to increase the number of quality CTE teachers.

Federal investments in CTE are made primarily through the Carl D. Perkins Career and Technical Education Act (Perkins). New York receives approximately \$52 million annually in funds through this program, which focuses on combining academic instruction and occupational skills training to prepare individuals for successful transition to college or career. In addition, Perkins represents the largest federal investment in secondary education for CTE and is one of the largest sources of federal institutional support for community colleges.

The US Education Department's Office of Vocational and Adult Education, has developed a document called *Investing in America's Future: A Blueprint for Transforming Career and Technical Education*. The core principles of this proposal reflects a commitment to promoting equity and quality through alignment, collaboration, accountability and innovation efforts in order to ensure that more students have access to high-quality CTE programs. New York is supportive of these principles and implementation must be carefully examined and openly discussed to ensure that all New Yorkers can take advantage of high-quality CTE programs.

THE SOLUTION:

The previous Perkins reauthorization resulted in a greater emphasis placed on improving the academic achievement of CTE students, program accountability, and the link between secondary and postsecondary education. The next reauthorization of Perkins must continue to build on these changes and focus on the following principles:

- Meaningful incentives for the development of replicable partnerships between the districts, BOCES, colleges and the private sector aligned to college and career ready standards.
- Effective alignment between the content of CTE programs and the necessary college and career-ready standards and skills for in-demand occupations in high-growth sectors.
- Robust accountability to improve academic outcomes by supporting innovative and proven programs.

In addition to the Regents' support of providing additional resources for BOCES and our Big 5 school districts to be able to hire quality CTE teachers, the Regents support federal legislation, such as the federal Creating Quality Technical Educators Act, which would establish a grant facilitating CTE-specific partnerships with high-needs schools and post-secondary institutions to train CTE teachers.

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Support for School Districts Experiencing Influxes of Immigrant Students

THE ISSUE:

Driven by factors that include widespread gang-related violence in Guatemala, Honduras and El Salvador, an unprecedented influx of **unaccompanied minors** crossing the US southern border this year prompted President Obama to declare this situation as an “urgent humanitarian situation.”

While the Obama Administration has and continues to increase efforts to stem the number of unaccompanied minors illegally entering the US, a number of these young people currently reside in New York until proceedings, consistent with federal policy and law, can take place and determinations can be made about their future. Until these determinations are made, New York school districts may not deny resident students a free public education on the basis of their immigration status.

The Department is aware of school districts that have been disproportionately affected by an unexpected influx of these students and there is currently no immediate relief or emergency funding available to provide these districts with the resources that they are seeking to serve these students. Further, there is the issue of providing adequate funding and support to school districts that have either recently experienced or are currently experiencing a large growth of immigrant students who are often **refugees** from countries or areas that are or have recently experienced war or other disasters. This student population often has unique and varying needs and requires additional services in order to succeed academically. While our school districts are required to meet the needs of both of these immigrant student populations, they need additional support in order to successfully fulfill this important obligation.

THE SOLUTION:

The Department is supportive of federal legislation, such as the Public School Emergency Relief Act, which would provide emergency federal funding on a quarterly basis to school districts experiencing an influx of unaccompanied minors, through a grant, with an annual maximum of \$12,000 per child.

Additionally, the Department will recommend that the Regents explore potential solutions to address a way to provide resources to districts so that they may better support immigrant students in the context of its 2015-16 State Aid proposal.



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Enhancing and Ensuring Campus Safety

THE ISSUE:

Institutions of higher education have an obligation to make their campuses a safe place for all students. Following the rape and murder of Jeanne Clery at Lehigh University in 1990, Congress passed and the President signed the Clery Act. The Clery Act requires colleges and universities across the US to: publish an annual security report documenting crime statistics including security policies, procedures, and information on the basic rights of victims of sexual assault; maintain a public crime log; disclose crime statistics for incidents that occur on campus and certain non-campus facilities; issue timely warnings about certain crimes which pose a serious threat to students and employees; devise an emergency response, notification and testing policy; compile and report fire data and publish an annual fire safety report; and enact policies and procedures to handle reports of missing students. Compliance with the Clery Act is tied to an institution's participation in federal student financial aid programs under Title IX.

While the Clery Act is an important tool in establishing a level of standards and transparency surrounding campus safety issues, more can and must be done to ensure that college students are safe. Even with the Clery Act on the books, an estimated 1 out of 5 women who attends college will be sexually assaulted during the course of their attendance according to the National Institute for Justice at the US Department of Justice.

Recently the SUNY Board of Trustees unanimously approved a resolution to implement uniform practice for combating sexual assault across their 64 campuses. The proposal would: create a uniform sexual assault policy and training; give sexual assault victims the option to notify campus, local or State Police regarding an assault; give amnesty to victims or bystanders reporting a sexual assault; create a statewide uniform training program for SUNY police and administrators on how to address sexual assaults; require a uniform sexual assault victims' bill of rights; and create a statewide awareness campaign about sexual assaults and require colleges to conduct assessments.

THE SOLUTION:

The Department is supportive of legislative action at the federal level, such as the federal Campus Accountability and Safety Act, that seeks to ensure that the goal of enhancing campus safety is in fact met. Until there is action at the federal level, the Department encourages all state colleges and universities to conduct a review of their current practices and then adopt and implement improvements to ensure campus safety for all students.



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Increasing Access to Community Schools

THE ISSUE:

Community Schools are public schools that emphasize wrap-around services and are characterized by strong partnerships and additional supports for students and families designed to counter environmental factors that impede student achievement. These schools coordinate and maximize public, non-profit and private resources to deliver comprehensive programs and critical services such as academic enhancement, health promotion and healthcare, mental health, nutrition, counseling, parenting skills and supports, housing, workforce training, job search and legal assistance to students and their families.

The 2013-14 and 2014-15 enacted state budget recognized the importance of these schools with the creation of the Community Schools Grant Initiative, a \$15 million competitive grant program which offered awards of up to \$500,000 to eligible school districts to be distributed over three years. Over sixty programs in high-need school districts were funded and are currently in operation.

Community Schools are a holistic model of how to drive the change needed to address economic and social factors that impede student achievement. Community Schools are not a new concept, they are located across the country and it is time that funding is provided at the federal level to support replication of this successful model.

THE SOLUTION:

The Regents support enactment of federal legislation, such as the Full-Service Community Schools Act of 2014, which would provide matching grants to support the creation of full-service Community Schools.



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Federal Support of NYS Cultural Institutions

THE ISSUE:

Institute of Museum and Library Services (IMLS): IMLS provides grants to Libraries, Archives and Museums. The largest grant program is the Library Services and Technology Act (LSTA), State Grant Program. The State Grant Program is a population-based grant to each state, New York will receive \$7.6 million in LSTA funds in FY2013-14. These funds support Summer Reading at New York Libraries, NOVELNY and other statewide services. In January, President Obama signed into law appropriation bills that included a modest increase to the total budget for IMLS. The Museum and Library Services Act, which establishes the IMLS and the various grant programs, including the state grant program is due for reauthorization by Congress in 2015.

National Historical Publications and Records Commission (NHPRC): The NHPRC provides grants to archives and historical records repositories for documentary editing and for preservation and access to records and manuscripts. Over the past 5 years, NHPRC funding of \$1.3 million has been awarded to 18 institutions around the state, including the State Archives. In January, President Obama signed into law appropriation bills that included \$4.5 million for the NHPRC. This is a reduction of \$250,000 from federal fiscal year 2012-13.

National Endowment for the Humanities (NEH): In January, President Obama signed into law appropriation bills that included \$146 million for the National Endowment for the Humanities. The NEH provides grants to institutions to support preservation, access, education and scholarship for cultural materials. Over the past five years, an average annually of 25 New York cultural heritage institutions, universities, and libraries have received a total of over \$5 million in NEH grant project funds.

Innovative Approaches to Literacy (IAL): From 2002 to 2010, Improving Literacy through School Libraries was the primary source of federal funding for school libraries but has since been consolidated or zero-funded. In FY2012, funding was redirected for the Innovative Approaches to Literacy (IAL) program. IAL is a competitive grant program administered by the U.S. Department of Education and is currently the primary source of federal funding for school libraries and half of the funds must go to low income school libraries in order to bring them up to standards. Funding from IAL ensures that more students in New York have access to high-quality school library services and gain skills to become college and career ready. IAL was funded at \$25 million in FY 2014. This is a \$2.4 million cut from FY 2013.

THE ISSUE:

The Department supports the following:

- Maintain current level of funding for IMLS in the upcoming federal fiscal year and support reauthorization of the Museum and Library Services Act;
- Restoration of NHPRC funding to 2013 appropriation levels of \$4.75 million to continue to support current programming;
- Maintain the current level of funding for the NEH in the upcoming federal FY; and
- Restoration for IAL funding to \$28.6 million for FY2015.

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