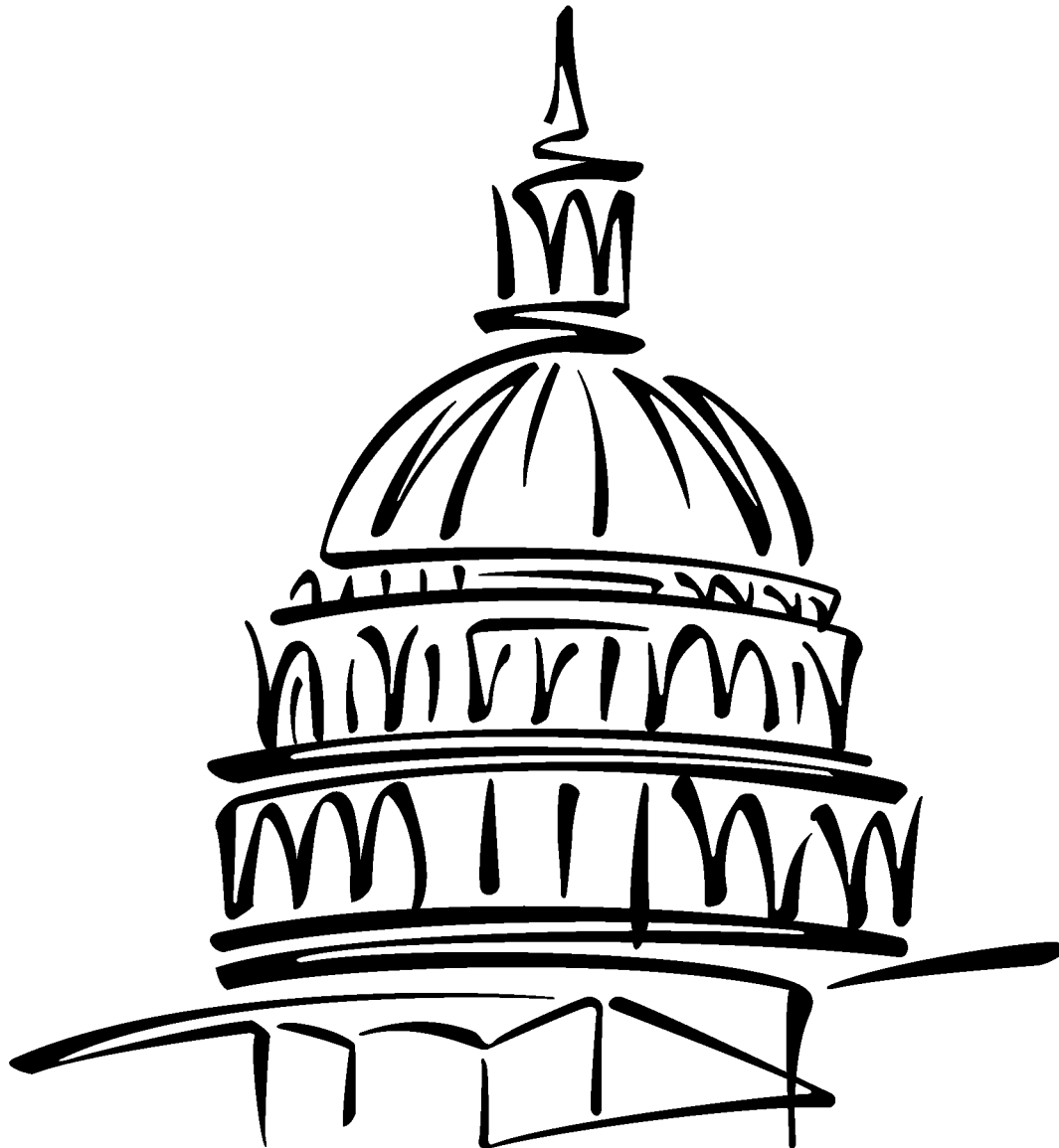


*Federal Legislation
and Education
in New York State
2005*



THE UNIVERSITY OF THE STATE OF NEW YORK

Regents of The University

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Introduction

The Board of Regents, the University of the State of New York and the New York State Education Department

Established by the New York state legislature in 1784, the Regents of the University of the State of New York form the oldest, continuous state education entity in America. The Regents are responsible for the general supervision of all educational activities within the state, including presiding over the New York State Education Department. The mission of the State Education Department is to raise the knowledge, skill and opportunity of all the people in New York.

The University of the State of New York is the nation's most comprehensive and unified educational system encompassing all the institutions, public and private, that offer education in the state. It consists of the State Education Department as well as all elementary, secondary and postsecondary educational institutions, libraries, museums, public broadcasting, records and archives, professions and vocational and educational services for individuals with disabilities.

Federal Legislation and Education in New York State 2005, the State Education Department's federal agenda, outlines the Regents legislative priorities for the first session of the 109th Congress. Its focus is on laws due for reauthorization and includes recommendations for statutory amendments to other laws to effect improved programs and services. For more information contact The State Education Department, Office of Governmental Relations at 202-xxx-xxxxx (Washington, DC) or 518-486-5644 (Albany, NY).

Importance of the Federal Role

The Regents believe that the federal government has a historically defined role in education that should be maintained and coordinated with state and local activities. Education is a state responsibility and a local operating function, with most funding properly coming from state and local sources. Federal funding should be a supplement directed toward specific needs, particularly to pursue equity and access.

The Regents of the University of the State of New York form the oldest, continuous state education entity in America.

While federal funds comprise a relatively small proportion of total education spending, they are pivotal and important resources to support the nation's learning system. Federal programs should serve special population groups such as the economically and educationally disadvantaged, people with disabilities, the gifted and talented, persons needing occupational education and students in high cost graduate or professional programs who are being trained for a national market. Federal programs also should recognize the pivotal role that state education agencies play in all facets of education nationwide, respect the rights of states and localities to design and manage education systems within their jurisdictions according to their own constitution or statute and provide adequate funding for administrative tasks that states and localities must complete to meet federal statutory requirements.

The 108th Congress

Congress approved and President Bush signed into law legislation that reauthorizes the federal child nutrition programs. The new law makes nutritious meals and snacks available to more children in school and in programs outside of school and in childcare, and will improve the quality of food in schools. The New York State Education Department supported expanding the Lugar pilot program for summer food programs, which Congress included.

Congress also reauthorized the Individuals with Disabilities Education Act.

The House and Senate passed legislation to reauthorize the Workforce Investment Act, which includes the Rehabilitation Act and the Adult Education and Family Literacy Act. The bills did not go to conference, so work will begin anew in the 109th Congress.

Both chambers attempted to come to agreement on reauthorization of the Personal Responsibility and Work Opportunity Reconciliation Act, the welfare reform law enacted in 1996. Congress extended the law until March 2005.

Bills were introduced in the House and Senate to reauthorize the Perkins vocational education program but the Senate was unable to bring its bill to the floor and the legislation died.

Work on reauthorizing the Higher Education Act began in earnest in 2004 but with little progress. The House introduced and passed several bills that would affect various programs under the law. The Senate held hearings but did not act on any legislation.

Education Funding in FFY 2005

The 108th Congress passed government-wide \$388.4 billion omnibus spending legislation, which included \$56.6 billion for the Department of Education, a \$944 million increase over last year. This was significantly less than the Bush administration's request and the levels set in House and Senate bills passed earlier. All non-defense programs except homeland security took a 0.83 percent across-the-board cut.

Title I and the Individuals with Disabilities Education Act received significant increases but ultimately were funded at levels lower than in earlier House and Senate bills. Limiting the increases to these programs allowed Congress to restore funding to several programs that were slated for elimination, including Title V of the No Child Left Behind Act, which provides grants to states for innovative education programs. Title V was funded at \$200 million, \$97 million less than in FY 2004.

Higher education was funded at \$2.13 billion, up from \$2.09 billion in FY 2004. Pell grants received a small increase from \$12 billion to \$12.4 billion, with the maximum grant amount frozen at \$4,050.

The National Endowment for the Arts was funded at \$123 million, \$2 million more than last year's level. The National Endowment for the Humanities was funded at \$140 million, \$5 million more than the FY 2004 level.

The 109th Congress

As states and local school districts continue to implement the No Child Left Behind Act of 2002, Congress is likely to begin holding hearings to determine the changes that may be needed when the law is set to expire in 2007.

The 109th Congress will have much on its plate, including reauthorizing the Workforce Investment Act, the Carl D. Perkins Vocational and Technical Education Act, the Higher Education Act and the Personal Responsibility and Work Opportunity Act. Congress also may act in the areas of early childhood education and reforming high schools.

No Child Left Behind Act

Funding for No Child Left Behind in New York State

	FY 2003	FY 2004	FY 2005
Title I	\$1,184,751,800	\$1,241,954,420	TBA
Total NCLB programs	\$1,832,842,227	\$1,929,426,627	TBA

Purpose of the No Child Left Behind Act

The No Child Left Behind Act (NCLB) mandates educational standards and holds states, school districts and schools accountable for the performance of all students. While NCLB is not due for reauthorization until the 110th Congress, the 109th Congress should address allocation of Title I funds and accountability requirements.

Title I. Title I provides aid to schools to improve academic achievement for disadvantaged students. Although New York's 2004-05 school year Title I allocation increased due to a rise in the number of children living in poverty in New York City, most individual districts across the state will see a reduction in aid. Because of the way census data, the basis for Title I aid, is collected, it appears poverty rates have dropped in some districts, including high need districts. Five districts lost their entire allocation and another 50 to 60 districts experienced reductions higher than the legislatively guaranteed hold harmless levels. Current Title I funding projections suggest that New York state would receive \$155 million more for the 2005-06 school year than the 2004-05 school year, excluding required set-asides. However, depending on the relative eligibility standing of school districts, called local educational agencies (LEAs), a similar reduction could occur.

Accountability. The New York State Board of Regents and the State Education Department have historically required accountability and are strong supporters of NCLB's requirements. The mandate that schools demonstrate adequate yearly

progress (AYP) toward meeting the law's education standards for each of several discrete subgroups of students (economically disadvantaged, major racial and ethnic groups, students with disabilities, students with limited English proficiency) has resulted in an inaccurate picture of true performance. For example, urban schools and districts that must demonstrate progress for large numbers of variously disaggregated subgroups can show gains in performance but still fail to meet AYP goals. Furthermore, the current accountability requirements do not appropriately assess the progress schools and districts are making with students with disabilities because these students are considered just another discrete subgroup.

Regents Priorities

1. **Extend hold harmless.** Extend the four-year grandfather provision to the basic, targeted and education finance improvement funding grants (concentrated grants are grandfathered) to allow LEAs to adjust to future reductions in funding for these essential programs.
 2. **Allow longitudinal data to be used to demonstrate adequate yearly progress.** NCLB Section 1111(b)(3)(B) permits longitudinal data in a state accountability system but not as a way to demonstrate AYP. Use of longitudinal data for the annual grade 3-8 testing that goes into effect with the 2005-06 school year will enable schools and districts to demonstrate success in closing the achievement gap by measuring the aggregate change in performance of individual students over time. Districts and schools could use this data as an alternate means to achieve safe harbor.
 3. **Redefine highly qualified special education teacher.** The Elementary and Secondary Education Act established the definition of "highly qualified" for all teachers. NCLB should redefine the term for special education teachers to recognize the need for teachers knowledgeable in the content areas they teach as well as the unique issues related to the delivery of special education services. Middle and secondary level special education teachers who teach multiple core content areas at the secondary level should be allowed to provide core academic instruction through a collaborative teaching model in which special education teachers work in consultation with general education teachers who are highly qualified in those content areas.
 4. **Create accountability measures that truly assess the achievement of students with disabilities.** NCLB does not take into account the range of instructional levels and abilities of students with disabilities. NCLB recog-
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nizes that there is a small group of students (one percent of the total population tested) with “significant cognitive disabilities” who can be counted as proficient on an alternate assessment based on alternate achievement standards. New York state data shows, however, that there is a substantially larger group of students with significant cognitive disabilities who are not able to meet grade/age level expectations even with appropriate instructional programs and supports. It is not reasonable to expect these students to learn at the same rate as their nondisabled peers. Nor is it reasonable to penalize schools that cannot meet NCLB adequate yearly progress mandates due to the disparity in special education students’ learning abilities. Therefore, NCLB should be amended to allow special education students to demonstrate results on assessments at the students’ appropriate instructional grade levels for determining AYP.

Workforce Investment Act: An Overview

Context for Federal Investment in Workforce Preparation

Our nation's workforce competitiveness is tied directly to the skills, knowledge, credentials and supports that the education and vocational rehabilitation system provides. The Workforce Investment Act, enacted in 1998, recognized the need to connect the parts of the education system that address out-of-school youth and adults (vocational rehabilitation, adult education and family literacy, Perkins postsecondary vocational and technical education) with workforce development. Changes in the economy since 1998 have created new reauthorization challenges.

Increasingly some postsecondary education is required for living wage employment and careers. Over the next 20 years, the number of workers with postsecondary skills is projected to grow only 19 percent compared to a 138 percent increase from 1980 to 2000. Workers with postsecondary credentials are more likely to be employed than those with a high school education or less. This is especially true for African Americans and women. In 2000, 87.8 percent of workers with a college degree were employed, a 12 percent higher employment rate than for those with just a high school diploma and a 40 percent higher employment rate than for those with less than a high school education.

As globalization accelerates, the unskilled American worker is at a distinct disadvantage and more likely to be trapped in poverty. Not only are workers with postsecondary skills more likely to be employed in a knowledge economy, they are better buffered from job loss due to global competition. A national study of unemployment trends between 1996 and 1999 found that those with less than a high school education were unemployed 47 percent longer than college educated workers and those with only a high school diploma were unemployed almost 23.5 percent longer than those with at least some college (*Built to Last: Why Skills Matter for Long-Run Success in Welfare Reform*, Karen Martinson and Julie Strawn, April 2003).

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U.S. prosperity depends on a skilled workforce and proactive support and organization for innovation. A higher skilled workforce is only the baseline requirement for global competitiveness. The bar for skills is rising, a result of competition from lower wage but increasingly better educated workers overseas and the demands of rapid technological change at home. Responding to global competition requires integrating workforce development and education with economic development efforts to support innovation.

Adult Education in Action in New York

Mohammad and Farida Younus spoke three languages when they arrived from Pakistan but English was not one of them. Their youngest daughter Nazish is in kindergarten. Farida: "I knew no English when I came here, not even 'how are you?' I took citizenship classes and I passed citizenship. Now I take regular classes in reading and writing." Mohammad: "Reading and speaking English is very important in the United States. It helps you find a good job. I found a good construction job. I read blueprints. I understand directions. Before somebody would speak to me in English but I didn't know English. Now, they show me the address and I drive the

company truck all over four boroughs. I read the street signs; I check the maps." Farida: "Nazish is going to Public School 7. She wants to be a doctor. Before I couldn't fill out the forms, I didn't know the ABCs. Now I help my daughter with her homework. Before, I cried when a letter came home with my child. Who will help me read this? Now I'm proud of myself; I can read the letter. Now I'm a citizen; this is my country. If I don't know English, how can I help my country? How can I help my children?"

Workforce Investment Act, Title I

Purpose of Title I of the Workforce Investment Act

Title I requires that each of nearly 600 local workforce investment areas in the nation develop and administer a one-stop delivery system. Federal adult education, vocational rehabilitation and postsecondary vocational and technical education programs administered by the State Education Department are mandatory partners in every local workforce investment area and expected to contribute to the shared costs of one-stop delivery centers.

The New York state commissioner of education is a permanent statutory member of the State Workforce Investment Board. At the local level, district managers from the education department's Office of Vocational and Educational Services for Individuals with Disabilities sit on each of the state's 33 local workforce

investment boards as do agency-designated representatives from funded adult education and family literacy programs.

Regents Priorities

- 1. Provide line item funding for one-stop delivery centers.** Create a discrete funding appropriation to pay for one-stop delivery centers without diverting essential state administrative dollars from other programs. If this is not possible where such authority is constitutionally separate from the governor, authorize the chief officer of the state policy-making entity constitutionally responsible for the administration of adult education and family literacy, vocational rehabilitation and postsecondary Perkins vocational and technical education programs to receive and distribute funding.
- 2. Maintain representation by key education and vocational rehabilitation partners designated by the state education agency on local workforce investment boards.** Representatives can connect Workforce Investment Act planning and system-building with the educational and vocational rehabilitation system.
- 3. Support youth councils, maintain the balance between in-school and out-of-school youth programming and simplify the eligibility determination.** Either maintain current requirements for youth councils or provide state workforce investment boards with authority to determine whether and how to establish youth councils. Enable up to 70 percent of funds to be used for in-school youth and 30 percent for out-of-school youth. Either maintain this split or empower state workforce investment boards to determine the appropriate percentage. Allow programs to use school lunch eligibility as a proxy.
- 4. Support postsecondary skills for youth and adults.** Connect all programming to postsecondary study so youth and adults obtain the education, credentials and supports needed for living wage employment. Expand support for Individual Training Accounts, critical to American competitiveness.

Rosa Veloz, 25, was born in the Dominican Republic and lived in Spain before coming to New York three years ago. After less than two years in the GED program at Highbridge

Community Life Center, she is now a student at Hostos Community College preparing for a career in law.

***Adult Education in
Action in New York***

Adult Education and Family Literacy Act (Title II of the Workforce Investment Act)

Funding for Adult Education and Family Literacy Act in New York State

	FY 2003	FY 2004	FY2005
Adult Education State Grants	\$32,784,491	\$33,307,381	TBA

Purpose of Adult Education and Family Literacy Act

Title II provides out-of-school youth and adults over the age of 16 with the literacy, English language and GED preparation instruction needed to become effective workers, parents, citizens and community members.

Federal and State funds support 260 programs and over 140,000 students.

Adult Education and Family Literacy Act in New York State

Federal funds are combined with over \$100 million in state discretionary grant and state aid funds for adult education and family literacy administered by the State Education Department to support approximately 260 programs serving over 140,000 students annually. New York's system is the most diverse in the country and includes school districts, Boards of Cooperative Educational Services (BOCES), public and private postsecondary institutions, community-based organizations, literacy volunteer organizations, unions and library systems.

Regents Priorities

- 1. Support health literacy.** Create a five percent set aside and expand appropriations to help adults who cannot understand English at least at a high school level obtain and understand the basic information and services they need to make appropriate health decisions.
 - 2. Reward good performance.** Target incentive grant funds to states with high performing adult education programs that display exemplary performance in meeting or exceeding core performance indicators in the National Reporting System.
 - 3. Expand state leadership funding.** Raise the ceiling for state leadership activities from 12.5 percent to 15 percent to support staff development, state coordination with multiple agencies, expanded use of distance learning and technology, development and assessment of research-based instruction and
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program development and technical assistance targeted to raising performance and accountability.

4. **Keep the current maintenance of effort requirements.** This is important to New York, which uses a contact hour-based state aid formula to provide support.

Vocational Rehabilitation Act (Title IV of the Workforce Investment Act)

Funding for the Vocational Rehabilitation Act in New York State

	FY 2003	FY 2004	FY 2005
Vocational Rehabilitation State Grants	\$132,279,506	\$133,308,978	TBA

Purpose of the Vocational Rehabilitation Act

Title IV empowers individuals with disabilities to maximize employment, economic self-sufficiency, independence and inclusion. Universal access, a main principle of the Workforce Investment Act, holds promise for ensuring meaningful participation by individuals with disabilities in the full array of workforce activities.

Vocational Rehabilitation Act in New York State

The State Education Department’s Office of Vocational and Educational Services for Individuals with Disabilities (VESID) is the designated state entity for vocational rehabilitation and independent living services. VESID local managers participate on all 33 local workforce investment boards. VESID staff is involved in the over 70 one-stop delivery centers in the state. VESID and its network of community rehabilitation providers serve more than 60,000 individuals and place over 15,000 people into employment each year.

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Regents Priorities

1. **Close the employment gap.** Establish a funding formula for vocational rehabilitation that ensures adequate support for increased service demand and the need to achieve quality employment outcomes. The formula must address the inequities in the current formula by ensuring that no state

receives less than a cost of living increase when the total national appropriation increases.

2. **Increase emphasis on transition services for youth.** Improve transition services without prioritizing students with disabilities over other eligible individuals. Establish a dedicated funding source for transition services reflecting a formula that supports the cost of staff and services required to provide effective transition to post-school employment.
3. **Provide more support for independent living.** Increase the appropriation for the Independent Living Services program based on the Consumer Price Index to meet emerging service demands, particularly those related to the Supreme Court's Olmstead Decision and the executive order for federal agencies to review their programs and practices in light of this decision.

*Vocational
Rehabilitation
Funding in Action*

"This is the first time I've had a job with benefits!" said Richard Dieu, a data entry operator at Quest Diagnostic Lab in Syosset, Long Island. He is deaf. Mr. Dieu spent years working at low paying, part-time or temporary supermarket positions because that was all he could get. VESID provided him with computer

skills training, placement assistance and interpreter services while he learned his new job. Quest HR Associates say of Mr. Dieu, "He has great attendance and productivity. Someone's life depends on this work. It's a tough job."

Marty Lewis had a long history of short-term, dead end jobs when he came to VESID. In recovery, Marty also has a permanent injury to one hand and he has had a heart attack. Labor market information indicated that Marty's dream of becoming a welder was practical and together VESID and Marty started the process. He successfully complet-

ed a stick welding program. VESID and the Buffalo one-stop center assisted in placement efforts. Marty entered the ironworkers Local #6 apprenticeship program. VESID bought his tools and equipment and paid his union dues. He is now a proud union welder at the new federal building being built in downtown Buffalo.

Richard Sicignano loves science. And he loves making other people love it too. He was a geologist until a motor vehicle accident left him a C7 quadriplegic. He now uses a wheelchair and has limited upper torso and arm strength. VESID modified his van so he could work at a part-time job while recovering. Richard

really wanted to get back into science and with VESID's assistance he got his Master's Degree in Education. He had several job offers and elected to teach earth science and environmental science at Ossining High School. He is earning over \$54,000 a year.

Carl D. Perkins Vocational and Technical Education Act

Funding for Perkins Vocational Education in New York State

	FY 2003	FY 2004	FY 2005	FY 2006
Total State	\$61,712,018	\$60,030,031	\$59,438,959	TBA
Basic Grants	\$56,418,524	\$54,501,607	\$54,088,791	TBA
Tech Prep Grants	\$5,293,494	\$5,528,424	\$5,350,168	TBA

Purpose of the Perkins Vocational and Technical Education Act

Perkins is a significant assist to the overall goal of creating a workforce preparation system that can strengthen this nation's ability to face the challenges of today's and tomorrow's world economy. The federal government has a vital interest in the quality and availability of career and technical education (CTE), not only to address the workforce needs of the 21st century but because CTE brings relevance to learning. From middle and secondary students who want to know why they need to learn math, science and other core academics to postsecondary students seeking employment skills, CTE helps educators at every level achieve education reform goals.

A strong financial investment by the federal government is necessary to maintain quality CTE programs. While New York state invests heavily in CTE programs, federal Perkins funds allow programs to innovate and improve program quality. This has continued even though CTE has shared little in the overall increase in education funding.

Perkins in New York State

The State Education Department administers the Perkins Act and provides quality, relevant and rigorous CTE programs in schools, Boards of Cooperative Educational Services (BOCES) and postsecondary institutions as a first choice

32% of all Secondary diplomas and 30% of all postsecondary degrees and certificates at less than the baccalaureate level are career and technical education credentials.

The State Education Department awarded \$37.2 million to 79 education programs to support approximately 303,000 students, including the seven special population categories: disabled; economically disadvantaged; individuals preparing for non-traditional careers; single parents; displaced homemakers; educationally disadvantaged; and individuals with limited English proficiency.

option for students to achieve state performance standards. Perkins funds both secondary and postsecondary programs. Thirty-two percent of all secondary diplomas and 30 percent of all postsecondary degrees and certificates earned at less than the baccalaureate level are CTE credentials.

Even prior to the passage of the No Child Left Behind Act, New York had made great strides in raising academic standards for all students. That progress continues at the *secondary* level with Perkins funding, providing opportunities for students to achieve high academic standards. In the 2004-2005 academic year, the State Education Department awarded \$37.2 million to 79 education programs to support approximately 303,000 students, including the seven special population categories: disabled; economically disadvantaged; individuals preparing for non-traditional careers; single parents; displaced homemakers; educationally disadvantaged; and individuals with limited English proficiency. Recent data shows that 70 percent of students served by Perkins funds were members of one or more of these special populations.

At the *postsecondary* level, Perkins funds support a wide range of innovative activities that not only enable students to reach their career goals but also provide a smooth transition from the secondary to the postsecondary levels. In the 2004-2005 academic year, the State Education Department awarded \$26.1 million to 62 education programs to support 150,000 students. Recent data shows that 80 percent of students served by Perkins funds were members of one or more special populations.

Regents Priorities

- 1. Do not include CTE funding as part of an education block grant.** Target Perkins funds to struggling students to help them achieve high academic standards.
 - 2. State education agencies must continue to be the administrative entities for CTE funds.**
 - 3. Provide separate funding for secondary and postsecondary CTE.** CTE remains an important strategy for ensuring academic success for many students across the K-16 system. Maintaining two funding formulas ensures that appropriate resources are made available at all levels.
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Personal Responsibility and Work Opportunity Reconciliation Act

Purpose of the Personal Responsibility and Work Opportunity Reconciliation Act

This 1996 law overhauled the nation's welfare system and created the Temporary Assistance for Needy Families (TANF) block grant, which provides basic funding for states to implement federal welfare reform. TANF requires that most participants work and gives states unprecedented flexibility to help low-income parents, including the working poor, move into employment.

Welfare Reform in New York State

The State Education Department has a strong partnership with the New York State Department of Labor that connects funds from a variety of resources with TANF to create opportunities for the most vulnerable New Yorkers, including public assistance recipients and working poor individuals in families with incomes up to 200 percent of the federal poverty level.

Education for Gainful Employment (EDGE) is one of the largest work-based education programs in the country, serving TANF-eligible public assistance recipients and working poor adults over age 21 who lack basic skills, English language proficiency or a high school diploma or the equivalent.

Local Interagency/VESID Employment Services (LIVES) helps family assistance recipients with disabilities obtain employment services, training and job placement. In federal fiscal year 2002, the State Education Department's Office of Vocational and Educational Services for Individuals with Disabilities served over 5,000 TANF-eligible individuals, including placing 864 persons with disabilities in jobs.

In federal fiscal year 2002, the State Education Department's Office of Vocational and Educational Services for Individuals with Disabilities served over 5,000 TANF-eligible individuals, including placing 864 persons with disabilities in jobs.

Regents Priorities

1. **Help TANF recipients prepare for economic self-sufficiency and preserve flexibility to help working poor adults retain and upgrade employment.** TANF funding must more effectively prepare public assistance recipients obtain and advance in employment not only to leave public assistance but also to help them out of poverty.
2. **Oppose “super waivers” that divert funds from education.** The New York State Education Department is unusual among the states in that it does not fall under the purview of the governor. Rather, the state’s constitution created a board of regents appointed by the legislature that is responsible for the general supervision of all educational activities in the state, including presiding over the State Education Department. Such a super waiver would not allow the necessary flow of funds from the state legislature to the education department.
3. **Support access to work-based education and English for Speakers of Other Languages instruction combined with career planning and work readiness skills and preparation for a high school diploma or the equivalent.** The failure to address this critical skills gap is a “ticking time bomb,” according to research expert Anthony Carnevale from the National Center on Education and the Economy (*Standards for What? The Economic Roots of K-16 Reform*, Anthony P. Carnevale and Donna M. Desrochers, 2003).
4. **Expand the definition of vocational education to include postsecondary education and enable recipients to receive more than twelve months of support.** Identify and support innovative career and technical education programs that combine solid academics with preparation for good paying jobs. Postsecondary education can increase low skilled workers’ earnings exponentially, putting their families on the road to self-sufficiency. Federal law must enable teens to finish school and obtain postsecondary skills.

*Welfare Reform
in Action
in New York State*

Auther Chin, a public assistance recipient, entered the Mt. Vernon School District’s EDGE program in July 2002. EDGE combines academic instruction with preparation for a heating/ventilating/air conditioning/refrigeration (HVACR) career. During his 10-month program, Auther steadily raised his academic skills, participated in two internships with a local HVACR contractor

and completed the requirements for an entry-level position as an HVACR mechanic’s assistant. Upon completing the program, Auther was employed by the same local contractor that had provided the internship. He has remained regularly employed, receiving promotions and raises that are bringing his family into the middle class.

Chewulue Boway arrived in Rochester on September 16, 2003 with his wife and four younger children. They had fled their native Liberia to an Ivory Coast refugee camp during the civil war. Their home was burned and they became separated from their older children in the midst of war zone confusion. The Refugee Resettlement Department of the Catholic Family Center of Rochester sponsored their move from Ivory Coast to Rochester. A port inspector with a high school education, Mr. Boway

enrolled at the Rochester City School District's Family Learning Center. He studied computers and advanced English for six months until he found a maintenance job at the Jewish Home of Rochester in May 2004. He is beginning to pursue advanced technical work. Through EDGE he found employment and is beginning a career. His public assistance has been reduced from \$1,100 to \$300 per month. He plans to become a citizen, reunite with his whole family and leave public assistance.

***Welfare Reform
in Action
in New York State***

Jamarr entered the Hillside Work-Scholarship Connection in 1999. This program is designed to help inner-city youth stay in school, achieve academic success and earn a high school diploma. Hillside Work-Scholarship Connection has a web of services and support to help students develop the habits, acquire the skills and demonstrate the desire to become contributing, responsible young people at home, in school, at work and in the community. When Jamarr began, he was performing below grade level

and lacked a positive role model. At home, Jamarr took on the role of an adult, helping his ill parent raise four younger siblings and maintain household stability. As a result of program support, he was an honor roll student throughout his high school career and was graduated from the Rochester City School District with distinction in 2002. Today, Jamarr is a front-end coordinator at Wegmans Food Markets and is working on his bachelor's degree at Roberts Wesleyan College.

Higher Education Act

Funding for the Higher Education Act in New York State

	FY 2003	FY 2004	FY 2005
Pell Grants	\$1,025,300,000	\$1,053,700,000	TBA
Perkins Grants	\$9,765,915	\$9,708,312	TBA
Supplemental Educational Opportunity Grants	\$72,966,627	\$73,967,722	TBA
Federal Work Study	\$108,221,095	\$107,582,550	TBA
Leveraging Educational Assistance Partnership	\$5,623,123	\$5,589,164	TBA
Byrd Honors Scholarships	\$2,587,500	\$2,532,000	TBA

In 2003, New York students borrowed over \$3.6 billion from HEA loan programs and received over \$1.2 billion in federal grants and work-study wages.

Purpose of the Higher Education Act

The Higher Education Act (HEA) supports states' efforts to extend educational opportunity and maintain a highly skilled workforce and citizenry. It funds: student financial assistance; early outreach and student services; teacher quality development; and strengthening postsecondary institutions and the workforce.

Higher Education Act in New York State

Each year New York's 250 degree-granting public, independent and proprietary institutions and 350 non-degree postsecondary vocational schools serve over a million undergraduate, graduate and first-professional students. In 2003, our students borrowed over \$3.6 billion from HEA loan programs and received over \$1.2 billion in federal grants and work-study wages. Pell grants went to over 401,000 students—more than 1 of every 4 at four-year colleges and universities and 2 of every 5 at two-year colleges. New York has higher rates of college participation and completion than most other states. But, family income is not keeping pace with rising tuition prices, Pell grants and loans cover a shrinking share of college costs and students rely increasingly on high-cost, private loans.

TRIO programs and Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) serve youth who would not otherwise prepare for high school graduation and college-level study. In 2003-2004, 142 of New York's institutions of higher education received over \$35 million from TRIO programs to serve over 33,000 students. New York serves over 20,000 students a year through the multi-site GEAR UP statewide program and 13 GEAR UP partnership projects. However, TRIO and GEAR UP do not reach all eligible students. One of the largest TRIO programs, for example, is estimated to serve only 7 percent of eligible students nationwide.

Title II and Title IV teacher quality programs help teachers meet state and federal standards for preparation, certification, induction and professional development and help schools recruit highly qualified teachers. Teachers serving children from low-income families rely on Title IV loan forgiveness.

Regents Priorities

- 1. Make college accessible for all.** Increase the maximum Pell grant to help low-income students go to college. Pell grants should: provide an enhancement of up to \$750 for students with negative expected family contributions; be available for year-round study at all institutions; be reduced, when short-falls occur, only with Congress' approval; and not be limited to a four-year period after the first award so that students who enroll part-time and receive prorated awards can complete their studies. Maintain Family Education Loans, Direct Student Loans and loan consolidation. Raise annual and aggregate limits for subsidized loans for all undergraduate, graduate and first-professional students. Raise authorizations for the Leveraging Educational Assistance Program to support need-based state grant programs such as New York's Tuition Assistance Program (TAP). Continue Title IV campus-based programs. Streamline the student aid delivery system to enable students to use a state-specific, online application for both federal and state aid. Raise authorization levels for TRIO and GEAR UP to serve more eligible low-income and first-generation college students.
- 2. Support public school teachers, librarians and school leaders.** Title II should support states and institutions of higher education that help public schools prepare, recruit and retain highly qualified teachers, professional librarians and school leaders. Title IV loan forgiveness programs should be extended and amounts forgiven should be increased. Title VII graduate education programs should be aligned with Title II to address serious shortages of qualified

Over 401,000 students—more than 1 of every 4 at four-year colleges and universities and 2 of every 5 at two-year colleges.

teacher educators and enhance the qualifications of teachers in such hard-to-staff areas as mathematics, the sciences, special education and bilingual education.

3. **Expand higher education access for students with disabilities.** Students with disabilities are increasingly seeking postsecondary education. HEA Title IV early intervention and student assistance programs should address their needs and institutions of higher education should receive support for making reasonable accommodations.
4. **Strengthen higher education's capacity to serve students.** Enable the National Center for Education Statistics to create a national, student-level system to track individual student progress and completion across postsecondary institutions and states. Reduce reimbursements to the federal government that are required when students withdraw so that institutions have the resources they need to provide services to students without the threat of losing them. Limit the federal role in tuition policy because federal sanctions on institutions or states would hurt the very students the HEA is intended to help and do little to address the root causes of tuition increases.

***HEA in Action in
New York State***

New York State's HEA Teacher Quality Enhancement Grant supports New York's Teacher Recruitment Project. The project has enabled independent colleges and universities to place approximately 350 new teachers in New York City public schools in the past two years

through the Teaching Fellows Program. Without HEA funds, these colleges and universities would not be able to help New York City meet its need for teachers in hard-to-staff subjects and schools.

Early Childhood Education

Purpose of Early Childhood Education

Successful academic achievement for children in prekindergarten through grade 12 is linked to participation in high-quality early care and education activities. Four-year-olds who participate in high quality, developmentally appropriate prekindergarten programs are better prepared for and do better in school. Quality early childhood education has been correlated with positive development of language and mathematics skills in young children and subsequent success in academic performance.

Early Childhood Education Programs in New York

New York state has been viewed as a national leader in its implementation of universal prekindergarten. When New York's statute was enacted in 1997, less than 10 states had similar programs. Forty-six states now have some type of prekindergarten program. As a nation, we are moving toward an educational system that includes three and four-year olds.

Regents Priorities

- 1. Provide universal access to prekindergarten.** All four-year-olds, regardless of economic and social background, can benefit from an early start. Universally available prekindergarten ensures they have opportunities for quality early education experiences that result in enhanced readiness and greater potential for future academic success. Disadvantaged, low-income and other at-risk children especially need extra help to prepare them for general education.
- 2. Ensure an available and qualified workforce.** Require that early education programs, regardless of location and sponsorship, be staffed by certified teachers whose preparation has included instruction relevant to the education of very young children (birth through age 5).

Quality early childhood education has been correlated with positive development of language and mathematics skills in young children and subsequent success in academic performance.

As a nation, we are moving toward an educational system that includes three and four-year olds.

3. **Provide early literacy instruction.** Align early literacy instruction with states' Reading First initiatives, ensuring that educational institutions have strong collaboration from other service providers.
4. **Create continuity of education.** Align all components of early education programs, from child-focused practice to scientifically based reading initiatives, with the kindergarten and early elementary programs that children will be entering. Continuity between prekindergarten and kindergarten is especially important. Provide adequate funding for full day programming.
5. **Meet the needs of families.** Ensure collaboration between child care and early education programs in ways that respond to the varied and multiple employment and care needs of students' families.
6. **Allow flexibility to build on current efforts.** This flexibility should include the authority for states to decide where the administration of the prekindergarten and early education programs will reside. Ensure that when states place the administration in other than the state education agency there are strong links between the state and local education agencies and the entities providing prekindergarten and early education programs. Extend flexibility to funding options. Allow states continued options to contract for services within the full continuum of the early education and care service delivery system.
7. **Provide adequate funding.** Funding must be sufficient to support and sustain the implementation and expansion of quality programs. The funding must be predictable, thus allowing program administrators to engage in long-term, realistic and meaningful planning.

Early Childhood Education in New York State

New York state has successfully established a state funded prekindergarten program. One hundred ninety-three districts throughout the state have implemented prekindergarten programs. The state has designed a program that flows

funds through school districts and requires funded collaboration with community-based providers and that all teachers regardless of setting meet teacher education certification requirements.

Improved scores on statewide testing, increased curriculum alignment regardless of setting, improved quality of instruction in community-based programs and shared professional development among collaborative providers are evidence of success. Additionally, the

prekindergarten programs have been ideal settings for integrating preschool children with special needs. A longitudinal study by the Rochester Children's Project found that prekindergarten programs closed the achievement gap for four year-olds

Information and Cultural Resources

Purpose of Information and Cultural Resources in New York

The Office of Cultural Education (OCE) comprises the State Library, the State Museum, the State Archives and the Office of Educational Television and Public Broadcasting. These institutions are responsible for increasing the knowledge and information resources of state and local governments, businesses and individuals.

OCE supports research, operates programs and develops collections that serve the long-term interests of the state's institutions and residents. The State Library, the State Archives and the State Museum provide services directly to individuals and government. OCE distributes aid to libraries and library systems, holders of historically important records, local governments and public broadcasting stations and provides instructional television services through its Public Broadcasting Program.

Information and Cultural Education Programs in New York State

The Museum and Library Services Act, reauthorized in 2003, is composed of the Library Services Technology Act, Museum Services Act competitive grants and librarian recruitment. The Library Services Technology Act provides formula grants to the states and competitive grants for advancing technology and networking services, digitization and other leadership, research and collaborative projects. The Institute of Museum and Library Services (IMLS) offers national competitive grants for recruiting librarians. The State Library and four other library organizations in New York received grants totaling \$2.9 million in 2004. In addition, IMLS supports the education and training of persons in library and information science, particularly in areas of new technology and other critical needs, including graduate fellowships, institutes, or other programs.

The 34-year-old Corporation for Public Broadcasting is being transformed through the transition to digital television. Stations are migrating to digital broad-

Millions of books, serials, manuscripts, archives and other documents residing in New York state libraries, historical societies, museums and other repositories are at risk due to their physical instability, poor storage environment, use and exposure to disasters.

casting on a schedule mandated by the Federal Communications Commission. The public broadcasting system is implementing the extraordinary promise of emerging digital technologies while addressing the daunting challenge of funding them.

Libraries, museums and archives receive support from the National Endowment for the Humanities (NEH) for research, education, preservation and public programs. *We The People* is a two-year old NEH initiative to encourage and strengthen the teaching, study and understanding of American history, culture and civics. Millions of books, serials, manuscripts, archives and other documents residing in New York state libraries, historical societies, museums and other repositories are at risk due to their physical instability, poor storage environment, use and exposure to disasters. New York institutions receive over \$2 million a year in state funds to preserve and make their collections accessible. Many use these funds to leverage federal monies for preservation efforts.

Since its inception in 1998, the New York State Archives has been awarded three grants for conservation treatment of the Dutch Colonial manuscripts, the Native American treaties and land papers and papers related to the American Revolution and early espionage.

The New York State Archives has received more federal support than any other archives in the nation. The *Save America's Treasures* program preserves nationally significant intellectual and cultural artifacts and historic structures and sites. Since its inception in 1998, the New York State Archives has been awarded three grants for conservation treatment of the Dutch Colonial manuscripts, the Native American treaties and land papers and papers related to the American Revolution and early espionage.

Within the National Archives, National Historical Publications and Records Commission support has been the main source of funding for statewide strategic planning for New York's historical records.

The National Science Foundation (NSF) funds science research and education programs. The State Museum has a long history of NSF funding for research and collections projects. NSF's role in funding scientific research is a critical component of a healthy scientific community in New York.

Regents Priorities

1. **Reauthorize the Corporation for Public Broadcasting (CPB) to continue the digital conversion mandate.** Harnessing the greatly expanded capacity of Public Broadcasting to support educational programming at all levels requires a strong CPB with predictable and consistent funding.
 2. **Continue and strengthen the U.S. Education Department's Teaching American History Grant Program, the multi-agency's Save America's**
-

Treasures Program and the NEH “We the People” initiative. These programs are essential elements in promoting understanding of our history and our collective heritage. Many studies have indicated a dismal lack of knowledge about American history among students and the need for a firm grasp on American history and government in order to function responsibly in our democracy.

- 3. Fund the Library Services Technology Act at its full authorization level to allow more libraries to improve their services to underserved communities and implement new technologies.** Additional funding will spread the benefits of new technologies to areas that need them most

Federal LSTA funds help provide an array of information and services to New York’s library users in their communities, such as literacy programs for adults and families, employment information services, information for small businesses and consumer health information.

- Informese Aqui! Working with its representatives from key agencies serving the Latino community and with several of its member public libraries, the Nassau Library System developed a web site that brings together local community information in Spanish.

- Economic development was the focus of the Small Business, Cottage Industry, and Long Distance Work project by the North Country Library System. Working with the local Small Business Development Center (SBDC), the library system has made it possible for small business owners to access online and print resources that were previously unavailable and to receive consultant support from the SBDC.

*Library Services
Technology Act
Funding in Action
in New York State*

The Lewis Henry Morgan Collection of mid-nineteenth century Iroquois materials was acquired between 1849 and 1850 for the New York State Museum.

Morgan, now often described as “The Father of American Anthropology,” collected or had made approximately 500 objects representing all aspects of Iroquois life. Tragically, a 1911 fire in the state Capitol destroyed much of the collection, making the remaining pieces particularly rare and significant. In 2000, the New York State Museum received a

matching grant from the Institute of Museum and Library Services to provide conservation treatment for the 11 most fragile objects remaining in the Morgan Collection, produce custom-made supports for the remainder and help acquire new storage cabinets for the collection. All objects were photographed and the museum’s database was updated with complete descriptive and background information for each piece.

*Institute of Museum
and Library Services
Museum Funding in
Action in
New York State*

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