

# CFE REPORTS

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## CFE AND AQE CALL FOR \$2 BILLION IMMEDIATE “DOWN PAYMENT” FOR NEW YORK SCHOOLS

CFE and the Alliance for Quality Education (AQE) are pressing the governor to include a “down payment” of \$2 billion for vital education resources in his executive budget in January, as a first step in coming into compliance with the *CFE v. State* ruling. The “down payment” would also address the urgent education-funding needs of districts across the state identified by more than 1,000 New Yorkers in statewide forums organized by CFE and AQE this fall. Those priority areas requiring immediate infusion of funding if students are to meet the Regents’ Learning Standards include quality teaching, class size reduction, improved facilities, academic intervention services, and expanded preschool programming.

“Our students cannot wait another year for the essential educational resources to which they are now entitled by law,” said Michael A. Rebell, CFE’s Executive Director and Counsel. Responding to a recent proposal by the state’s Board of Regents that outlined a \$6 billion increase in state funding to schools and a seven-year phase-in to complete funding reform, Rebell commended the Regents plan but expressed his concern about the nearly decade-long process. “A seven-year delay means that hundreds of thousands of students currently in high schools in New York City and throughout the state who are now being denied the opportunity for a sound basic education would *never* have their constitutional



rights vindicated. That is totally unacceptable to us -- and it will be totally unacceptable to the Court of Appeals.” In response, the state’s education commissioner, Richard P. Mills, indicated that the Regents proposal was flexible and could be adjusted based on CFE’s research and recommendations.

Governor Pataki is expected to submit his executive budget to the state legislature by January 20, the first formal step in the budget negotiation process that takes place annually in New York between the governor and the two houses of the state legislature. The fiscal year begins April 1, but late budgets have been passed every year in New York State for the last 19 years. As a result, Sheldon Silver, the Speaker of the state Assembly, reiterated the need for a down payment in the governor’s executive budget to ensure that the CFE ruling is promptly followed. **“We can’t allow the governor to shove this issue under the table,”** Speaker Silver said. “This has to be addressed as quickly as possible. The court says so.”

Though the down payment is a necessary first

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step in addressing the violation of students' right to the opportunity for a sound basic education, CFE and AQE are also continuing to focus on developing meaningful long-term reforms. CFE will continue to eagerly await the findings of the *New York Adequacy Study*, (see below for details) and will simultaneously press ahead with the development of solid, well-researched policy proposals in other key areas required in the court's ruling: reforming the

school funding system, including both operating aid and building aid, and ensuring accountability. Through its Sound Basic Education Task Force, CFE expects to release these nonpartisan policy proposals, which are bringing together expert researchers and numerous education stakeholders from around the state, in February and March (see below for details).

**PROVIDING A SOUND BASIC EDUCATION:  
— A COSTING-OUT AND TASK FORCE UPDATE —**

***New York Adequacy Study* Nearing Completion**

Central to the Court of Appeals ruling in *CFE v. State* last June was the requirement that New York State ascertain the actual cost of providing a sound basic education. Anticipating the order, last year CFE partnered with the New York State School Boards Association (NYSSBA) and 30 other state-wide organizations to retain the nation's leading educational economists and school finance experts to conduct an independent costing-out study. Fifteen months into the *New York Adequacy Study*, "the most extensive, best-researched costing-out study ever done" according to Michael A. Rebell, CFE's Executive Director and Counsel, the research team believes it is nearing a final figure of the additional amount of funding that is needed to provide the opportunity for a sound basic education to every public school student in New York State.

The study's principal researchers have carried out significant research, data analysis, sophisticated regional cost comparisons, and extensive meetings with "professional judgment panels" consisting of outstanding teachers, principals, business managers, superintendents, and directors of special education. Synthesizing the results, the study's directors recently solicited feedback from stakeholders statewide at a meeting in Albany, attended by school board members, parents, business leaders, policy makers, representatives from the State legislature, and representatives from the Governor's Commission for Education Reform.

The preliminary report of the *New York Adequacy Study* is expected January 15. CFE will be holding a statewide public engagement meeting that morning from 9:30 – 11:30 at the Association of the Bar of the City of New York (42 West 44<sup>th</sup> Street) to provide the study's research team with the opportunity to explain how they arrived at the figures and to gather input before the landmark final results of the study are officially released on February 17.



**CFE's Sound Basic Education Task Force  
Draws Broad Statewide Input**

Formed in September 2003, CFE's Sound Basic Education Task Force is deeply engaged in the process of developing solid, non-partisan policy proposals in key areas required in the court's ruling: reforming the school funding system, including both operating aid and building aid, and ensuring accountability. Bringing together expert researchers and numerous education stakeholders from around the state, CFE's Task Force is providing forums for obtaining broad statewide input and thoroughly analyzing the range of complex education funding issues.

Through a number of meetings in New York City and Albany, CFE has already brought together representatives from more than 80 organizations and agencies – including advocacy groups, the business community, policymakers, the academic community, school district representatives, government officials, and many others.

CFE expects to issue its proposal on operating aid the week of February 23<sup>rd</sup> and its proposals on accountability and building aid are scheduled for release in March. CFE will hold numerous public engagement meetings around the state in the spring to receive feedback and answer questions related to all three of its proposals.

**Underachievement Linked to Insufficient Resources in 2003 “State of Learning” --State’s Neediest Students Suffer Most--**

The Board of Regents and the State Education Department recently released their annual statistical profile of New York State’s schools. In their report they concluded that the dismaying levels of substandard achievement are a consequence of the State not allocating sufficient resources to meet the needs of all students. Some of the key findings follow:

**Enrollment**

► There are 2.84 million students in New York State’s public schools, accounting for 85% of all school children in the state. New York City, the largest of the state’s 700 school districts, and the country’s largest as well, serves 1.057 million children, more than a third of the state’s public school students.

**Minority Students**

► Statewide, minority students comprise 45% of total public school enrollment. However, minority students are not enrolled uniformly in districts around the state. Whereas average and low need districts have 14% minority enrollment, high need urban/suburban districts have 51% minority enrollment, and large city districts 75%. Although New York City accounts for 37% of the state’s public school students, it educates 69% of the state’s 1.3 million minority students.

**Limited English Proficient (LEP) Students**

► Statewide, LEP students comprise 6.8% of total public school enrollment. However, LEP students are not enrolled uniformly in districts around the state. Whereas average and low need districts have approximately 2% LEP enrollment, high need urban/suburban districts have 6.9% and large city districts 8%. New York City, with 13.7% LEP enrollment, educates 73% of the limited English proficient students in the state.

**Impoverished Students**

► Statewide, 50% of public school students are eligible for free/reduced lunch. In low needs districts only 5% are eligible, compared to 46% in high need rural districts, 64% in high need urban/suburban districts, and 79% in large city districts. In New York City 82% are eligible.

**Expenditure Disparities**

► Statewide average expenditure per pupil in 2000-01 was \$11,584. Those districts with the greatest financial resources tended to be the schools that serve the fewest at-risk children. Conversely, those schools serving the most disadvantaged students were disproportionately those with the poorest educational resources. Despite the high needs of its students and high local costs, New York City expenditure per pupil was slightly below average at \$11,474. This expenditure is also low compared with low needs districts statewide, which spent an average of \$13,810 per pupil, and the average downstate suburb, which spent \$13,680 per pupil.

**New York “State of Learning” 2003**

“Throughout this report...we document a dismaying alignment of disadvantaged students (disproportionately children of color), schools with the poorest educational resources (fiscal and human), and substandard achievement. Conversely, we find that those schools that serve the fewest at-risk children have the greatest financial resources, teachers with the best credentials, and the highest level of achievements. Perhaps the sharpest contrasts exist between public schools in New York City and those in districts (most suburban) with low percentages of students in poverty and high levels of income and property wealth.”

--issued by the Board of Regents and the State Education Department

**Class Size**

► In 8<sup>th</sup> and 10<sup>th</sup> grade, high need rural districts averaged 18-20 students per class, high need urban/suburban districts 21-22 students, large city districts 22-24, and New York City 28-29. On average, New York City elementary classes had four more students and secondary classes seven more students than classes outside the Big 5.

**Teachers**

► Statewide, average teacher salary was \$51,020, but low need districts paid \$62,736 on average, compared to \$53,245 in high need urban/suburban areas, \$49,786 in large city districts and \$48,152 in New York City. Teacher certification (i.e permanent and provisional) ranged from 96% in low need districts to 85% in large cities and 71% in New York City.

**Dropout Rates**

► The statewide public school dropout rate was 5.7%. New York City’s dropout rate was 11.2%, while outside the city the dropout rate was 2.5%.

**Graduation Rates of 9th Grade Class**

► In 2002, 75% of public school students in New York State received their diploma on time, while 15% were still enrolled behind grade level. In New York City only 53% received their diplomas on time, and 29% were still enrolled behind grade level.

**Regents Diploma**

► 55% of the state’s high school graduates earned a Regents diploma. However, in a number of high-needs districts, which lack the resources to meet their students’ special needs, far fewer students earned these diplomas (Albany-37%; Buffalo-32%; New York City-31%; Rochester-20%; Schenectady-32%; Syracuse-44%; Yonkers-24%).

*A more thorough report on the State of Learning findings can be found on CFE’s website at [http://www.cfequity.org/State\\_of\\_Learning\\_2003.pdf](http://www.cfequity.org/State_of_Learning_2003.pdf)*

## A Year of Quotes -- Making Headlines in 2003 --

▶ "We intend to ask the Court of Appeals to throw on the ash heap of history the notion that an 8th grade education is good enough for our children."

-Michael A. Rebell, CFE's Executive Director and Counsel upon filing CFE's brief to the New York Court of Appeals, the state's highest court (January 2003)

▶ "In rough times, you set priorities. Our priority is investing in education. That's why we've made all these education restorations."

-State Senate Majority Leader Joseph Bruno after the legislature restored more than \$1 billion in school cuts, the largest legislative addition to a governor's executive budget school aid proposal in New York's history (April 2003)

▶ "People ask me if I'm crazy. Yes, I am -- crazy enough to do this for our children."

-New York City Councilmember & CFE Founder Robert Jackson during "Walk a Mile for Your Child," the 150-mile walk from New York City to Albany in support of adequate funding for the state's public schools (May 2003)

▶ "Things are bad at my daughter's school, but I know that they are worse in Buffalo and in Binghamton and in the Bronx."

-Cynthia Nixon, parent of a New York City public school student, expresses support for the needs of students statewide at a May rally for public education, which drew up to 50,000 supporters from around the state to Albany (May 2003)

▶ "We cannot accept the premise that children come to the New York City schools ineducable, unfit to learn."

-from Court of Appeals CFE decision (June 2003)

▶ "Tens of thousands of students are placed in overcrowded classrooms, taught by unqualified teachers and provided with inadequate facilities and equipment. The number of children in these straits is large enough to represent a systemic failure."

-from Court of Appeals CFE decision (June 2003)

▶ "It's a positive opportunity for us to focus on education...and make sure that every single kid gets a good-quality high school education."

-Governor Pataki responding to CFE ruling (June 2003)

▶ "It's not just about New York City. This is about the whole state."

-Regina Eaton, Executive Director of the Alliance for Quality Education, underscoring the importance of statewide school funding reform at a Rochester forum (October 2003)

▶ "CFE...is the *Brown v. Board* of our generation."

-Carl Hayden, former Chancellor of the New York Board of Regents (November 2003)

During this holiday season, CFE expresses its appreciation to all those funders who have helped make our work possible.



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