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STATE LEADERS REACH THE FRAMEWORK OF A DEAL RURAL SCHOOLS LARGELY ESCAPE HARM

Former Assembly Acting Speaker Neil Kelleher once famously called the late session actions of state lawmakers “fog shoveling”, as rank and file members wait for leaders to reach agreements on high profile issues.

A week after the legislative session was scheduled to end, the fog is beginning to lift as state leaders have announced the “framework of a deal” that should allow them to conclude their deliberations. Rent control for New York City apartment dwellers was continued for the next four years, putting the issue safely beyond the next election cycle of both legislators and the governor. They tied that extension to the property tax cap, so that they would expire at the same time from now on. As a result, without making either one permanent, the state has made it extremely difficult for either to ever be allowed to expire. One party will always demand action on the one, in exchange for action on the other. While preventing the tax cap from officially becoming permanent was a victory for rural schools and municipal governments, it’s a fairly shallow victory from a practical standpoint (particularly when legislators ignored the chance to make much needed improvements to the law.)

Mayoral control of New York City schools was extended, but only for a year; far less than the permanent extension sought by the mayor. For RSA members, the most important aspect of this issue was the prevention of the spread of mayoral control to other upstate cities. The establishment of mayoral control over public education outside of the City would have encouraged the diminishment of the role of locally elected community representatives in the governing of their schools.

In the one issue that could most immediately harm rural districts, the number of allowable charter schools was increased by 130 outside of New York City. The Senate had previously proposed increasing New York City’s cap by allowing them to use remaining charters upstate. This would have helped prevent the proliferation of upstate charter schools, which are typically financially damaging to surrounding school districts. On the charter school cap, as with the need for improvements to the tax cap, the final result wasted an opportunity for needed reforms.

Perhaps the most satisfying victory for public education was the rejection of the private and parochial school tuition tax credit that would have drained funding for public schools, distributed donations inequitably and established a structure for the diversion of hundreds of millions of dollars away from public schools still reeling from years of state neglect. Instead of the tuition tax credit, private and parochial schools will be provided funding long owed them by the state for providing state mandated services. This is a major victory for public education and (along with preventing the permanency of the property tax cap) the fulfillment of one of RSA's 2015 legislative priorities. The issue will no doubt remain, as private and parochial schools will always have their advocates and political benefactors who will no doubt take up the call again, year after year. But while private school parents will certainly continue to seek tax credits, this effort by the state to infuse funding into the schools themselves should diffuse the kind of organized, high powered coalition that has driven the tax credit issue for the past several years. As a result, rural school districts should be spared the diversion of funding that prevents such things as the restoration of Gap Elimination Adjustment funds or the introduction of an equitable funding formula. Governor Cuomo attempted to paint the new aid as helpful to public schools, who he says would have reeled from enrollment increases caused by the further closing of private and religious schools. It's a dubious claim, given enrollment losses in a great many districts.

Details of the agreement are hard to come by so soon after the agreement by the leaders. In fact, as I write, Assembly and Senate members are only now being briefed. One of the more exciting but amorphous aspects of the deal could be a \$1.3 billion property tax rebate program for upstate homeowners. Who would qualify and how much the rebate will be are embedded in those as yet undefined details. The prospect of returned property taxes is tempered by the history of prior attempts like the STAR program or the recent property tax freeze, but it is evidence of an improving state fiscal state and would be welcome news if the program is widespread and equitable.

It remains to be seen whether less publicized (but no less important) issues will be taken up in the rush to end the legislative session. A measure to protect schools from threats of mass gun violence and another to prevent large increases in health care costs for school districts are both in the final stages of negotiation and could still be passed prior to lawmakers returning home for the summer.

Perhaps we should be thankful that anything beneficial was obtained and that politically charged and damaging legislation was avoided, particularly given the recent upheaval in state leadership. Though the removal of state legislators from leadership and office itself has become so common that it borders on cliché, the fact that new leaders in both houses were able to negotiate and reach a session ending agreement on major issues is remarkable. When coupled with the governor's stressful family issues in recent months, a successful conclusion to the session was anything but a foregone conclusion.

There are always a great many more issues that should have been addressed than were dealt with effectively.

And there is always plenty of criticism for putting the immediate in front of the important. The list of what could and should have been done to help our rural schools is staggering. But given the political forces at work and the disruption of leadership at the highest levels, rural schools have emerged from the 2015 legislative session with more help than in many recent years. Your Rural Schools Association was more visible and influential than ever before on your behalf; and it showed in the final results.

Where does that leave us as we plan for next year? Be on the lookout for a serious state aid issue next year, as the allowable tax cap for local districts will be next to nothing, forcing the state (that has just pledged to spend \$1.3 billion to reduce property taxes that will be flat to begin with) to spend an astronomical amount of aid, just to prevent the return of major program cuts to our schools.

As you wind down your school year, please use the summer to both restore your energies and to educate yourself. Our own knowledge is the key to improving the education of our students and whether you attend the RSA summer conference in Cooperstown or the other fine programs offered by local and statewide education organizations, please make the effort to learn the latest for your kids. As always, I'm grateful for your efforts. it is an honor to represent you and I look forward to seeing you at the Otesaga!

All the best,

Dave Little

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