



CNYSBA NEWS

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Dr. Rick Timbs Testifies Before the Rockefeller Institute Regarding NY’s Foundation Aid Study



Below is an abbreviated copy of my testimony to the Rockefeller Institute for Government for the Foundation Aid Study. I testified at the central New York Session held at Laurens CSD. -Rick

A couple of notes about my testimony: Absent from this text are the following- The current formulas for the items in my discussion have been deleted except in one case. Copies of the formulas were in my original text to illustrate my discussion, conclusions and recommendations but have been omitted here for brevity.

Dr. Rick Timbs recently testified before the Rockefeller Institute for Government regarding the Foundation Aid study.

Additionally, for brevity, I have omitted all but one of the illustrative Pearson Correlation Coefficient Graphs to illustrate my discussion, conclusions and recommendations.

I am Rick Timbs, Executive Director of the Statewide School Finance Consortium, a consortium of almost 400 school districts in various regions of upstate New York. Thank you for the opportunity to testify today and for all your efforts to hold these sessions to learn how the Foundation Aid formula affects school districts and how it can be improved.

Since the mid 1990's, as the Midstate Finance Consortium, my colleagues started developing what we called then, a Foundation Aid formula. Our goal was to create a new formula that had four themes while meeting the state's constitutional educational funding obligations.:

Equity, Adequacy, Predictability, Sustainability

These themes in large part were achieved by the creation of the 2006-2007 Foundation Aid formula.

But much has changed since the official inception of the enacted Foundation Aid formula and many of the themes have been lost and muted. There has been no effort by New York State to revisit the Foundation Aid formula with any attempt to evaluate or improve it to maintain the promises the formula made to school districts in alignment with the state's constitution.

Now again, school districts believe that the Foundation Aid formula must be quickly improved in the following areas:

- 1) The further development of more equitable distribution of funds among school districts based on accurate representations of fiscal capacity and poverty as well as the demographics of the student population relative to our educational mission.
- 2) The adequacy of funds within the formula based on the actual costs of education for each school district that will allow it to achieve their educational mission, under the obligations contained in the state constitution, law, and regulations of the Commissioner of Education.
- 3) The development of a distinct phase-in plan over the next few years for an improved Foundation Aid formula to accomplish equity and adequacy so that state aid is significantly more predictable for each school district.
- 4) The development of a sound financial plan to sustain, evaluate and improve state aid to school districts by the state.

It appears inconceivable the entire formula can be improved within the timeline provided to you, but significant improvements can be made. There will be a need for even greater research to get back to the original themes of the formula. But as they say every journey starts with a single step. The following are my thoughts on the issues at hand.

I will try not to dwell on items brought up in previous sessions other than to just mention them with a brief explanation, and then give more detail on items or perspectives still lacking inclusion in these sessions to date.

For Foundation Aid to work equitably and adequately, critical elements must be in place:

1. Rationally determine the level of support for Save-Harmless districts based on wealth and demographics of students (Equity)

Any diminishment of Save-Harmless funds would be financially catastrophic for over 300 school districts even if withdrawn over a 5-year period. I have attached to this testimony data that demonstrates the serious financial catastrophe that the students and then the school districts will face even with a phaseout of Save-Harmless. Remember educational insolvency occurs before financial insolvency.

We are in Laurens Central School District, a Save-Harmless school district. Right now, they are \$601,742 Save Harmless and potentially growing. If this amount were reduced, all things being equal, over a 5-year period, they would lose at least \$120,348 each year compounded ... that is, for example, two teachers per year for 5 years. If their Save-Harmless status were reduced in 3 years, they would lose \$200,581 each year compounded... that is, for example, 3 teachers, or other instructional support staff each year for 3 years.

And to make matters worse, ignoring the ability of any school district to alter their structures in any meaningful way without massive educational, financial, and political upheaval is absurd.

2. There must be a change in the Adjusted Foundation Aid Amount (FA) to reflect more realistic costs of educating a single child (Adequacy) (It is only moving by “inflation.” (\$7,821 X 1.028 (2.8%)) Would only be \$8,040 for 2024-25 (2.8% representing no calculation relative to the Consumer Price Index (CPI) of 4.1%. The 2.8% value in this year’s formula is simply unacceptably “made up.”

- a. The old Successful Schools Model cannot be used to determine a primary aid amount; a costing out study is needed. This is a key element in a reconstituted formula.

Dr. Timbs Continued on Page 6

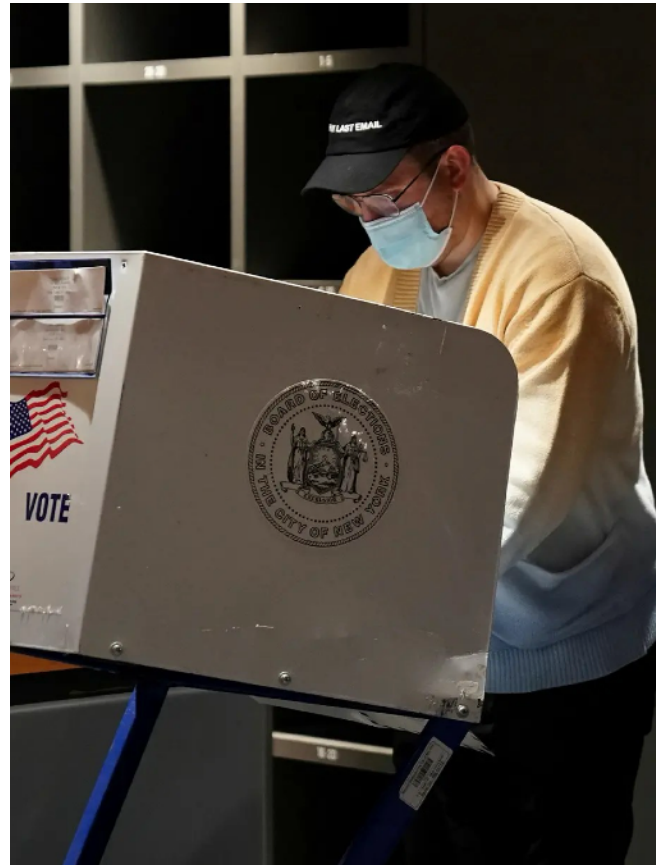
New Student Voter Registration Requirements Became Effective July 1, 2024

Amendments to the New York State Election Law that impact school districts and BOCES became effective on July 1, 2024. These changes will require updates to board policies and practices for school districts and BOCES.

Prior to these amendments becoming effective, NYS Election Law Section 5-507 required school district boards of education to adopt policies to promote student voter registration and pre-registration. Such policies could include collaboration with county boards of elections to conduct voter registration and pre-registration in high schools.

The amendments to Section 5-507 now require that BOCES, charter schools and non-public schools, in addition to school districts, comply with this section of the Election Law.

Policies promoting student voter registration and pre-registration must now specifically include (i) procedures for providing access to voter registration and pre-registration applications during the school year and assistance with filing such applications; and (ii) procedures for informing students of the state requirements for voter registration and pre-registration. Completion and submission of voter registration or pre-registration forms may not be included as a course requirement or graded assignment for students.



“Early Voting begins on October 26th. Election Day is Tuesday, November 5, 2024

-SOURCE

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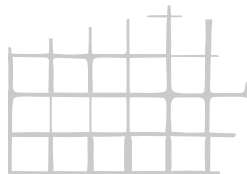
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The mission of school districts has increased beyond simply inflation since the inception of Foundation Aid. (Phase-in factor) The constitutional test of the Foundation Aid formula rests on its ability to adequately and equitably fund the most recent support structures identified as necessary to provide a “meaningful high school education.” That includes the growing numbers of the homeless, migrants, and of particular concern, the requirements of students with special needs, be they learning needs and/or social/emotional needs.

1. **Update revise and database for the Regional Cost Index; The Regional Cost Index is too broad!**
 - a. The regions are too large and disparate. A regional model that includes smaller and contiguous regions despite county boundaries, would be more appropriate and realistic.
 - b. It is just a labor index and does not contain other factors that affect school district finances.
2. **Increase weighting of the following Foundation Aid formula factors: CWR, FRPL/Direct Certification, Census/SAIPE, ELL, SWD and expand the Sparsity formula elements into different degree levels.**
 - a. Add significantly more weighting to this item in the formula to promote equity and adequacy. The current weighting does not reflect cost drivers for school districts.
 - b. Pupil Needs Index (PNI) Calculations, Caps and Limitations within the formula must be eliminated as a part of a legitimate new plan.
 - c. Any cap simply alters the amount of need that is counted in the Formula. Caps are simply unacceptable.
3. **Revise the calculation of the CWR.**
 - a. The arbitrary calculation of the CWR should be used as a “selected” CWR with two other options besides a 50/50 split between PWR (Property Values) and APWR (Income Values).
 - b. Perhaps weighing each in a different ratio (for instance 70/30 to 30/70; 60/40 to 40/60). Many districts have significant disparities between Income and Property values. A “selected” CWR would work better.
 - c. The presence of second residences, trout streams, exempt properties, picturesque views, not to mention the unstudied effects of local assessment practices, and equalization rates all play a role as does the presence of a few wealthy individuals or a lottery winner.

1. Create and use better and more accurate Measures of Poverty and Regional costs.

a. Replace the 2000 Census with SAIPE

b. Replace FRPL with Direct Certification

i. Expand Direct Certification to Include more measures of poverty such as SNAP, HEAP, Medicaid). **HEAP** must be included as an additional measure of poverty in any Direct Certification value.

c. Also, some reasonable accommodation must be made for district that have entered programs that grant all children free lunch/breakfast such as the Comprehensive Eligibility Program (CEP) that results in a lack of FRPL documentation; there must be a transition to Direct Certification.

2. Maintain all new initiatives as unrestricted aid (eliminate for instance the Community Schools Set-Aside)

3. The Income Wealth Index (IWI), Calculations, Caps and Limitations within the formula must be eliminated as a part of a legitimate new plan. The truncation at the current minimum is particularly problematic as it denies equity and adequacy of funding to the school districts most in need.

a. The artificially contrived “Floor” of .65 diminishes the value that is needed to truly take into consideration districts with lower income wealth.

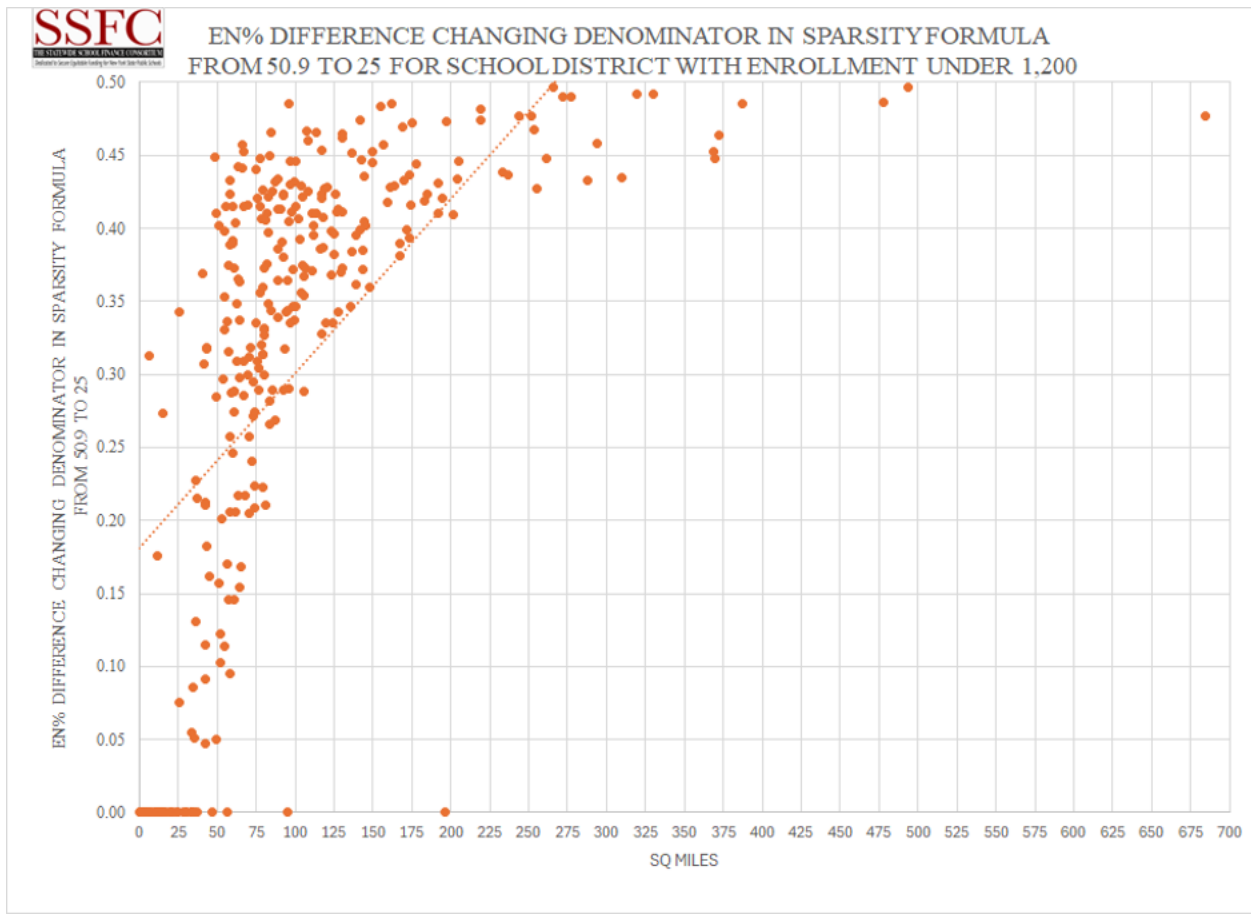
b. The 2.0 Ceiling is the antithesis of equity by granting financial privilege to income wealthy districts.

4. Improve or replace the Sparsity Factor computation as it is ineffective, and the calculation and related metrics are arbitrary. The formula is just “made-up.”

a. Source: 2024-25 State Aid Handbook-State Education Department

$$\frac{25.0 - \text{base year Enrollment per Square Mile}}{50.9}$$

The value of 25 in the numerator has no authentic basis in research nor does the 50.9 in the denominator.



For School Districts under 1,200 enrolled students:

- a. There is no strong correlation between Square Miles per Enrolled Student and the EN Count, nor the EN%.
- b. Having a denominator value so large ensures a diminished EN count and thus a diminished EN %.
- c. Lowering the Denominator value within the formula (for instance, by half) would increase the EN count and thus the EN % with a potential for a somewhat greater financial yield for these districts .
- d. However, it does nothing to increase the correlation among these variables.
- e. These data suggest that the Sparsity portion of the total PNI formula does little to account for the financial burdens of sparsity, at least for 314 districts with less than 1,200 enrolled students.
- f. This is a serious disadvantage for rural districts that lack numerous community services and accouterments.

The Local Tax Factor (LTF) is arbitrary for the computation of the Expected Minimum Local Contribution per Pupil portion of the Foundation Aid formula. The benchmark and computations are just “made-up.” The origins of these values are lost or based on special oblique calculations.

- a. A “Tax on True” calculation should suffice rather than the current convoluted calculation known as the “Adjusted Tax Rate.”

Source: 2024-25 State Aid Handbook-State Education Department

$$\frac{25.0 - \text{base year Enrollment per Square Mile}}{50.9}$$

1. **The use of the 2003 or the 2008 Needs Resource Capacity (N/RC) in any portion of the Foundation Aid formula is arbitrary, and the data outdated. Further the formula and benchmark delineations are artificial at best.**
2. **The Expected Minimum Local Contribution use of the state Sharing Ratios computation is filled with inequity.**
 - a. A huge majority of districts the use of the State Sharing Ratios basically eliminates the metrics used to cement the relationship between student need and demographics to Foundation Aid funding.
 - b. Instead, the State Sharing Ratios reduce a substantial number of districts to a computation based on income and property wealth compared to state averages for those values....basically devoid of any relationship to student needs and demographics.
 - c. Upon further analysis, It appears to artificially maintain the “shares agreement” consistently in place since the late 1980’s for the distribution of aid throughout the state.

Note the following comparative correlations and distributions per TAFPU between student demographic measures in the Foundation Aid formula to the correlation and distribution when the State Sharing Ratios (FASSR) are applied.

- a. The State Sharing Ratios reduce a substantial number of districts to a computation based on income and property wealth compared to state averages for those values....basically devoid of any relationship to student needs and demographics.

One last comment and observation: A reminder that the Foundation Aid formula must pass a Constitutional Test.

The Foundation Aid formula is not and never should be based on a school district’s fund balance, tax cap calculation, amount of or types of reserves, or other types of state aid.

To include that analysis in the analysis of Foundation Aid would only serve as notice to the lack of understanding of the complexities of education finance and the intricacies of the fiscal nature of school districts, their deeply complicated mission for the students and communities they serve.

Thank you for the opportunity to speak to you today. We look forward to a continued dialogue, engagement and eventually, your findings and recommendations.

Submission to the Rockefeller Institute for Government: Foundation Aid Study by the Statewide School Finance Consortium, Dr. Rick Timbs, Executive Director



Testimony in Front of Rockefeller Institute by Dr. Rick Timbs Regarding Flawed Foundation Aid Formula

August 8, 2024 at Laurens Central School District in Laurens, NY

[Click Here to Watch Dr. Timbs' Testimony](#)

FRIDAY, NOV 1 • THE LODGE IN SKANEATELES, NY

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Visit the New SSFC Website.

www.SSFCdata.org

Get the latest data and school finance information from Dr. Rick Timbs.

The Statewide School Finance Consortium (SSFC) is an organization of more than 400 New York State public school districts whose mission is to bring equity to the distribution of New York State educational aid. SSFC membership is largely comprised of school districts from average and low-wealth communities that receive a disproportionate share of state funding in comparison to high-wealth regions of New York. The reform of the state aid process will help ensure that all of New York's children receive the same educational opportunities regardless of the wealth or location of their community.

CENTRAL NEW YORK SCHOOL BOARDS
ASSOCIATION PRESENTS:

REFRESHER BOARD MEMBER EXPECTATIONS & RESPONSIBILITIES ROUNDTABLE EVENT

Join us on October 2nd at 6:30pm



This roundtable event is open to everyone! We welcome prospective, new, renewed, and long term Board of Education Members to virtually join us.

Dr. Richard Timbs, the Executive Director of the Statewide School Finance Consortium and **Colleen Heinrich, Esq.** from Ferrara Fiorenza PC will be live on Zoom providing information and answering any questions you may have!

SSFC



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Register Here:

<https://cnysba.org/cnysba-events/>

Have questions you want answered in the Zoom?
- Submit them in your registration prior to event
or email them to Ashley@cnysba.org



SED Plans to Require School Districts to Measure Attendance in New Way



By Sara Foss, Special Correspondent with the NYS School, Boards Association

Since the 2017-18 school year, the State Education Department (SED) has used a chronic absenteeism indicator as a measure of school quality and student success. Students are considered chronically absent when they miss at least 10% of instructional days, typically 18 or more days of class.

But SED plans to create a new way to for schools to measure attendance beginning in the 2025-26 school year.

Under SED's proposed amendments to the accountability section of the state's Every Student Succeeds Act Plan (ESSA), students will be assigned to one of four attendance "performance levels" based on the percentage of school days attended:

Level 1: 85% or less

Level 2: 85.1% to 90%

Level 3: 90.1% to 95%

Level 4: 95% or more.

[Click here to read the complete article](#)

Upcoming CNYSBA Events

September 2024

September 18th, 2024 (6p-9p) & September 21st, 2024 (9a-3p) – Governance & Child Abuse Mandated Reporter Training – CNYSBA Offices / In-Person – [Click Here to Register](#)

October 2024

October 2nd, 2024 – Round-Table Event – Refresher Board Member Expectations & Responsibilities - Time 6:30pm -7:30pm – (Virtual) - [Click Here to Register](#)

October 26th, 2024 (9a-3p) – NYS Mandated Finance Training for New Board Members – CNYSBA Offices / In-Person - [Click Here to Register](#)

November 2024

November 14th, 2024 – Round-Table Event – Mental Health Awareness - *Time TBD – Date Subject to Change – (Virtual)*

January 2025

January 13th, 2025 – Round-Table Event – Refresher The Budget Process for Board Members - *Time TBD – Date Subject to Change – (Virtual)*

February 2025

February 6th, 2025 – TST BOCES Legislative Forum - *Time TBD – Date Subject to Change – (In-Person)*

February 8th, 2025 – OCM BOCES Legislative Forum - *Time TBD – Date Subject to Change – (In-Person)*

February 13th, 2025 – CiTi BOCES Legislative Forum - *Time TBD – Date Subject to Change – (Virtual)*

February 15th, 2025 – Cayuga-Onondaga BOCES Legislative Forum - *Time TBD – Date Subject to Change – (Virtual)*

March 2025

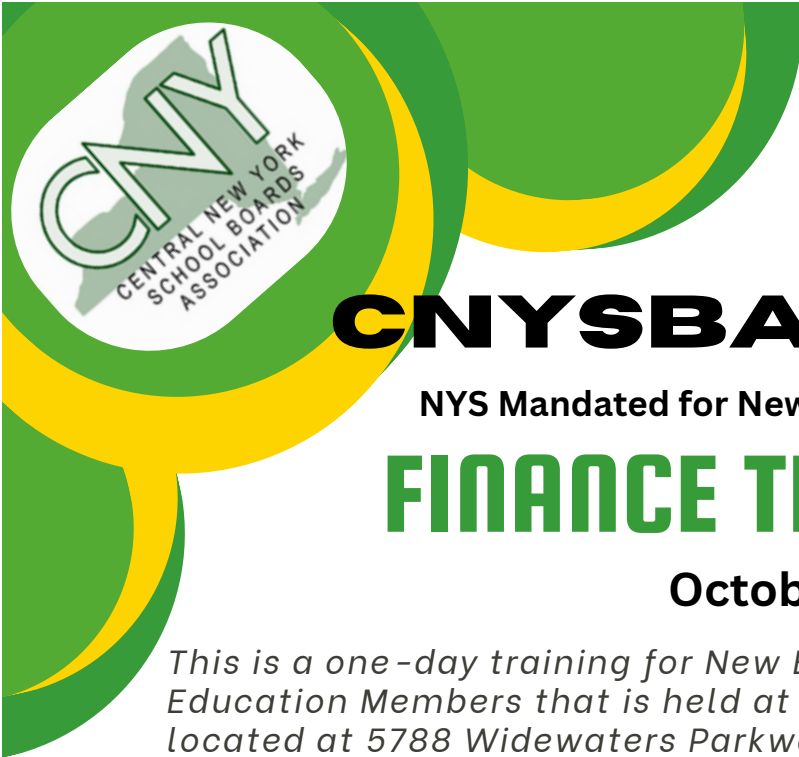
March 26th, 2025 – Round-Table Event – Tax Cap / Tax Levy Informational Session - *Time TBD – Date Subject to Change – (Virtual)*

April 2025

April 2nd, 2025 – Round-Table Event – Recruiting/Retention/Staffing Difficulties - *Time TBD – Date Subject to Change – (Virtual)*

May 2025

May 21st, 2025 – CNYSBA 42nd Annual Dinner – *Time TBD – The Lodge in Skaneateles – In-Person.*



CNYSBA 2024

NYS Mandated for New Board Members

FINANCE TRAINING

October 26th, 2024

This is a one-day training for New Board of Education Members that is held at CNYSBA office located at 5788 Widewaters Parkway Syracuse, NY 13214. A certificate of completion is provided to all participants and district clerks upon completion.

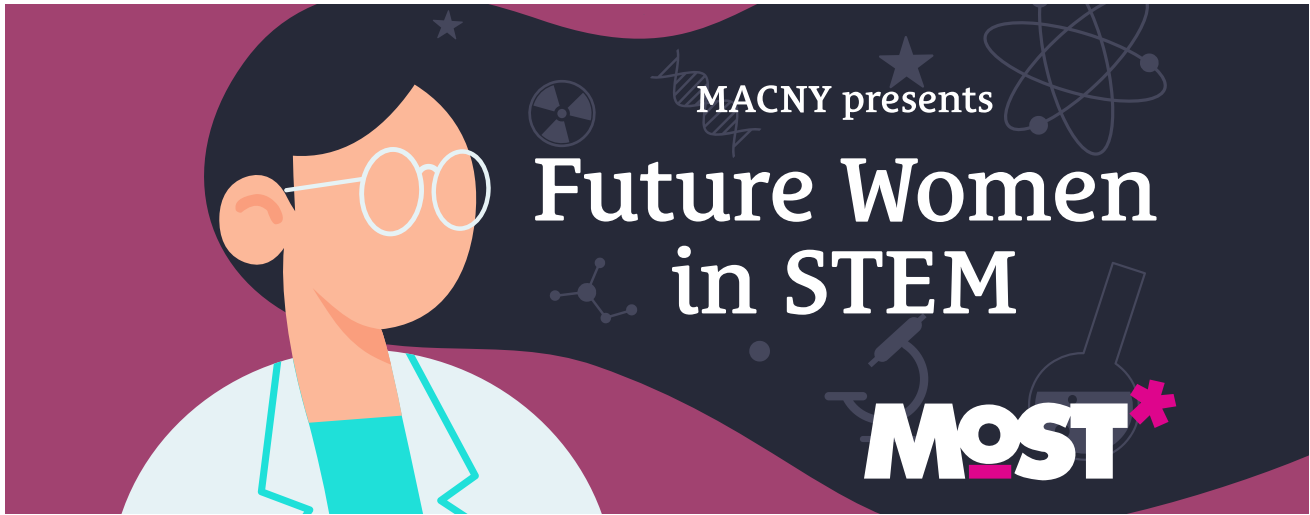
Topics Discussed:

- ✓ What the Law Requires of Board Members
- ✓ Internal Auditors & Audit Committee
- ✓ Preventing and Detecting Fraud
- ✓ Internal Controls & Risk Assessments
- ✓ The Budget Process
- ✓ Understanding Reports and Monitoring Your Districts Financial Condition

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NOV 9	TTM Technologies & Micron Technology Design & Build: The Manufacturing Experience	MAR 8	Cornell Cooperative Extension Madison County & NewsChannel 9 From Raindrops to Roots: the Science of Weather and Farming
DEC 14	Tessy Mix & Mold: Making Everyday Plastic Products	APR 12	Crouse & Lab Alliance of Central New York A Behind-the-Scenes Look at the Lab and Critical Care Nursing
JAN 11	King + King Architects Fun-Sized Floorplans	MAY 10	Byrne Using Food Science to Make Dairy Products



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Revised 06/2024

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