

**Calling For Accountability And Equity In School Funding**

Legislator David B. Donaldson offers the following:

WHEREAS, in 2007, the New York State Governor and Legislature enacted a statewide resolution to the Campaign for Fiscal Equity (CFE) lawsuit that converted over thirty (30) different school aid formulas into one (1) formula based on student-need and school district-wealth known as foundation aid; and

WHEREAS, the New York State Governor and Legislature promised public schools \$5.5 billion dollars in foundation aid over four years with seventy-two (72) percent targeted to high-need districts and twenty-three (23) percent for average-need districts; and

WHEREAS, foundation aid has been frozen for six years: 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, and 2014-15; and

WHEREAS, Ulster County School Districts are owed a total of \$25,970,873 in foundation aid because New York State has not phased-in the foundation aid formula. (Ellenville - \$4,768,285, Highland - \$2,960,285, Kingston - \$7,425,691, Marlboro - \$2,960,524, New Paltz - \$1,419,994, Saugerties - \$3,424,607, Wallkill - \$3,011,487); and

WHEREAS, in 2010-11, the Gap Elimination Adjustment (GEA) was enacted to help close New York's budget deficit which deducts from each school district's state aid allocation; and

WHEREAS, the GEA has been in place for five state budgets from: 2010-11, 2011-12, 2012-13, 2013-14, and 2014-15; and

WHEREAS, Ulster County School Districts are owed a total of \$15,582,358 in GEA funding. (Ellenville - \$882,417, Highland - \$1,153,296, Kingston - \$4,577,356, Marlboro - \$851,527, New Paltz - \$1,312,652, Onteora - \$1,370,028, Roundout Valley - \$1,631,753, Saugerties - \$1,704,323, Wallkill - \$2,099,006); and

WHEREAS, Ulster County School Districts are owed a total of \$41,553,231 in foundation aid and gap elimination adjustment monies; and

WHEREAS, the State has shifted these costs to local school districts; and

WHEREAS, New York State ranks 43rd out of 50th in equitable state education funding; and

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WHEREAS, in 2010, the New York State Governor and Legislature voted to raise the charter school cap from 200 to 460 to improve the state's chance of winning \$700 million dollars in federal Race To the Top education funding; and

WHEREAS, in 2015-16, Race To the Top dollars will no longer be available; and

WHEREAS, in 2011, the New York State Governor and Legislature enacted a statewide property tax cap that established a formula under which school districts compute annually what they can raise in property taxes; and

WHEREAS, the citizens of Ulster County vote on their respective school budgets every year in May; and

WHEREAS, the enacted property tax cap law treats public schools and charter schools differently; and

WHEREAS, charter school budgets can increase without public approval of the citizens and property taxpayers of Ulster County; and

WHEREAS, charter school law requires the public school district to provide increased funding if charter school enrollment increases while not allowing property taxpayers a vote to increase or decrease funding to charter schools; and

WHEREAS, New York charter schools will receive over \$1.5 billion in public funding in 2014-15 school year; and

WHEREAS, the national Center for Popular Democracy has produced a report that found half of New York State's charter schools audited by the State Comptroller's office showed that ninety (95) percent of these schools had some form of internal control deficiency or mismanagement, and the majority of charter schools in New York lack audits that are designed to determine whether these publicly funded schools that are privately managed are spending public dollars properly; and

WHEREAS, the national Center for Popular Democracy's report found that New York State could, based on conservative estimates, stand to lose \$54 million in charter school fraud and abuse in 2014 alone; and

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WHEREAS, New York State charter school laws are fundamentally flawed in providing oversight and accountability to property tax payers while the property taxpayer has no budget vote to help control such waste; and

WHEREAS, studies continue to show that charter schools do not serve a similar population of students with disabilities and English Language Learners whom their neighboring public schools must serve; and

WHEREAS, studies are inconsistent in showing that charter schools outperform neighboring public schools even with the public schools "requirement to serve all"; and

WHEREAS, charter schools serve three (3) percent of the state's student population; now, therefore be it

RESOLVED, that the Ulster County Legislature opposes raising the state cap on charter schools without a significant increase of accountability and transparency; and be it further

RESOLVED, that the Ulster County Legislature supports legislation that benefits nearly eighty five (85) percent of students that attend public schools in New York State; and be it further

RESOLVED, that the Ulster County Legislature opposes using public dollars to subsidize private schools until foundation aid and GEA funding is restored; and be it further

RESOLVED, that the Ulster County Legislature opposes additional state dollars and additional tax payer funding of privately-run charter schools; and be it further

RESOLVED, that the Clerk of the Legislature shall send certified copies of this resolution to the Governor, the State Comptroller, Temporary President of the Senate, Speaker of the Assembly, Meryll H. Tisch, Chancellor, Elizabeth Berlin, Interim Commissioner, Ken Wagner, Deputy Commissioner, New York State Board of Regents, Senator John J. Bonacic, Senator James L. Seward, Senator George Amedore, Assemblywoman Claudia Tenney, Assemblyman Frank Skartados, Assemblyman Kevin A. Cahill, and Assemblyman Peter Lopez,

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and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20                      NOES: 2  
(Noes: Legislators Maio and Ronk)  
(Absent: Legislator Gerentine)

Passed Committee: Committee of the Whole on January 7, 2015

FINANCIAL IMPACT:  
NONE

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 7<sup>th</sup> Day of January in the year Two Thousand and Fifteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 9<sup>th</sup> Day of January in the year Two Thousand and Fifteen.

|s| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature