



NYSSBA 2022-23 Executive Budget Policy Recommendations

Digital Divide

A key component to addressing the digital divide is regulating internet service providers. By establishing internet service providers as utilities, the state would hold providers accountable while recognizing that the internet is a necessity. In addition, addressing internet speed is a vital aspect of leveling the playing field for students. ***The state should define high speed broadband to mean at least 100 Mbps download / 100 Mbps upload speeds.*** Current FCC standards for broadband speeds are 25 Mbps for downloads / 3 Mbps for uploads. These speeds fall short of what is needed to support multiple members of a household who are learning and working remotely.

Regional High Schools and Flexible School Days

The state should examine expanding the existence of regional high schools. In this model, students attend elementary and middle schools in their local community, then attend a regionalized facility at the secondary level. ***NYSSBA recommends legislative changes to allow for school districts and Boards of Cooperative Educational Services (BOCES) across the state to establish regional high schools,*** in order to allow for operational and educational efficiencies, while maintaining communities' interest in their local schools.

Flexible scheduling is now a part of most everyone's lives, including our students. During the pandemic, a cultural shift occurred that caused many to realize that remote school and work can be a useful and effective tool. Many current learning platforms include a hybrid of in-person and online classes. As such, ***school districts should be granted greater flexibility in determining their school calendars and organizing their students' instructional days.***

IDA/PILOT Reform

School districts have also experienced an increasing prevalence of payment-in-lieu-of-taxes (PILOT) deals and other economic development tax incentives. NYSSBA calls for continued reforms to the PILOT process in order to promote greater communication, openness and transparency. ***School boards should have guaranteed representation on IDA boards and/or the authority to disallow such tax deals from applying to school property taxes.***

Tax Cap Reform

While the property tax cap's sunset clause was repealed in 2019, there was unfortunately little action taken to address the inequities and unintended consequences the cap created when it was established a decade ago. These difficulties still exist and have only compounded over time. In order to make the property tax cap work for all stakeholders, ***NYSSBA continues to seek action on the following reforms:***

- Make the allowable growth factor a minimum of 2%
- Prohibit negative tax caps
- Include properties under PILOT agreements in the tax base growth factor
- Reform the tax cap override process
- Account for enrollment growth in the calculation

Increase the Fund Balance Limit

Balancing the need for strong academic programs with keeping local property taxes stable and affordable is one of a school board's most important responsibilities. Currently, districts may carry over a maximum undesignated fund balance just 4% per year. Any amount in excess of 4% must be used to offset property taxes or be placed in an authorized "reserve fund," to be restricted for specific future expenses. The current restrictions leave little room for error for districts to achieve this critical metric necessary to indicate good financial health. A higher cap, of 6% or 8%, for example, is both needed and fiscally responsible, and would allow districts to retain more cash on hand to meet their future fiscal obligations. Flexibility for school districts, coupled with more local control, would be a means of allowing districts to better meet the financial challenges as they occur. ***NYSSBA calls for a reasonable increase to the fund balance limit.***

School Bus Driver Shortage

The school bus driver shortage was a long existing challenge that has only been exacerbated by the pandemic, and we appreciate the efforts already undertaken by the current administration to encourage more people to work as bus drivers. We have also seen the \$35,000 public retiree earnings cap act as a disincentive, particularly against current bus drivers who might otherwise be willing to assume more hours. ***NYSSBA calls on the state to raise the public retiree earnings cap for school bus drivers.***

Schools as Polling Places

School boards are publicly elected by their communities to provide governance and oversight for their districts. NYSSBA believes strongly in preserving and protecting the authority of school boards. As part of that responsibility, it is important for policymakers to give school districts greater control over access to their students and buildings. Currently, county boards of elections can require school districts to open their doors for any election.

When selected, school districts have no recourse, regardless of the potential impact on school operations or student and staff safety. Meanwhile, a board controlling any building, other than a school building, that has been designated a polling place has the authority to file a written request for cancellation of such designation. ***NYSSBA calls on the state to allow boards of education to determine whether or not school district buildings are used as polling places.***

School Budget Votes and Elections

Nearly all school districts in the state are required to hold their annual budget vote and board election on the third Tuesday in May, with limited exceptions. There may be other reasons to move the date of a school board election, such as a natural disaster or statewide emergency. ***NYSSBA calls for legislative action to empower the Commissioner of Education to declare alternate election arrangements in case of a disaster or other emergency disrupting a scheduled school board and budget vote.***

Vaping and E-Cigarettes

The tobacco and electronic cigarette industries have worked hard to influence a new generation of users. Once thought to be the generation that would destroy the tobacco industry, new products have entered the market targeted at today's youth. These products have encouraged young people to pick up tobacco products for the first time. To protect our children from a lifetime of nicotine addiction and poor health outcomes, ***the state must take further action to regulate and restrict the manufacturing, advertisement and sale of tobacco and e-cigarette products, especially to our state's youth.***

We look forward to our continued work together. Should you require additional information, please do not hesitate to contact NYSSBA Governmental Relations at 518-783-0200.