



Summer 2021 Federal Talking Points

Pandemic Relief

- Thank you for stimulus relief!
 - CARES Act provided \$1.1 billion for NYS public schools.
 - CRRSA Act provided \$3.85 billion for NYS public schools.
 - ARP Act provided \$8.2 billion for NYS public schools.
- Discuss your district's plans for the stimulus funds and explain how the funds provided your district and the students you serve with much needed services or capital.
- We are grateful that funding was disbursed in an equitable manner, focusing on the neediest students and their families.
- We thank the U.S. Department of Agriculture (USDA) for providing a multitude of waivers to expand flexibility in delivering meals to students, while also ensuring schools would be reimbursed for 2 meals a day for all students served.
 - If this has been especially positive for your district, you may provide details and express your support for ongoing continuation of free meals for all students.

Individuals with Disabilities Education Act (IDEA)

- President Biden proposed increasing IDEA by \$2.6 billion in next year's budget.
- While we support incremental increases to IDEA, we urge Congress to commit to full funding.
 - IDEA currently funds approximately 13% nationwide of what it is estimated to cost for all schools to meet student needs according to the federal statute.
 - When IDEA became law 45 years ago, Congress authorized federal spending to fund up to 40% of states' average per-pupil expenditures.
- Describe how additional IDEA funding from the federal government would help students with disabilities in your district.
 - Would additional personnel such as speech therapists, speech pathologists, and paraprofessionals help your students?
- Explain how additional funding through IDEA would help your district as a whole.
- Create a fund dedicated to training and certifying parent advocates who attend and participate in CSE meetings.

Infrastructure Plan

- The American Jobs Act proposes \$100 billion to modernize high poverty schools.
 - Ensure the final negotiated infrastructure plan includes funding for school districts.
- Describe the major infrastructure challenges your district faces that would be assisted by federal funding including the need for new buildings, improvements in current structures

such as science labs and school nutrition facilities, technology and broadband needs, and related transportation issues such as buying new school buses.

- Highlight any additional burdens your district is facing to make sure your school buildings are safe and have proper safeguards, such as good HVAC and ventilation systems.
- Reinstate advance refunding of municipal bonds.
 - This would provide lower borrowing costs for school districts.

Digital Divide

- Invest an additional \$100 billion to expand high speed broadband infrastructure.
- Increase high speed internet standards to 100 / 100 Mbps.
 - Current standards are 25 Mbps download and 3 Mbps upload.
- Improve mapping of broadband coverage.
- Explain what your district would invest in if more money were available through the E-rate program, with flexibility to allow for purchases that provide at-home internet access to students.

Teacher Pipeline

- Discuss any difficulties your district has had in hiring for certain positions, or in working to diversify your district's teaching workforce.
- Diversifying the teaching workforce exposes students to role models of different backgrounds and better ensures district-wide decisions are made with consideration of various viewpoints.
- The American Families Plan proposes investing \$9 billion in educators.
 - This would address teacher shortages, professional development needs, and diversifying the teaching workforce.
- Continue at least \$2.1 billion in funding for Title II-A, which supports professional development efforts.

State and Local Tax Deductions (SALT-D)

- Restore full SALT deductibility and eliminate the \$10,000 cap.
- SALT prevents double taxation of Americans by allowing taxpayers to claim a deduction for the state and local taxes they have already paid from their income.
- The limits imposed on the SALT deduction place vital public sector services, including education, at risk.
 - The after-tax cost to taxpayers of these services has now effectively increased.

Support for Public Schools

- We must invest public dollars in public education in order to move the nation forward.
- Modernizing and improving schools, improving learning, and creating an equitable education for all students requires investment in public schools.
- Investing in public schools – rather than diverting funding to charters and non-publics – will allow for innovation, such as personalized learning, to be implemented in schools nationwide.



Individuals with Disabilities Education Act (IDEA)

Ensuring students with disabilities receive a free, appropriate education is a legal requirement, as well as the right thing to do to help our most vulnerable students succeed. The federal government has been underfunding the Individuals with Disabilities Education Act (IDEA) since it was first passed in the 1970s. While promising up to 40 percent in funding, the federal share has been far below that number and currently is just about 13 percent. This means states and local school districts are providing not only their portion, but also the shortfall in the federal obligation. The New York State School Boards Association (NYSSBA) is calling on Congress and the Administration to begin the important path to fully funding IDEA at the levels promised when this landmark legislation was first passed.

Nearly 500,000 students – or 18% of all students statewide – are identified as students with disabilities in New York State. Woefully underfunding the services these students must receive results in a ripple effect throughout public schools and communities that impacts all students. If full funding for IDEA is provided, school districts can redirect more resources to innovative and well-rounded education programs to benefit a greater number of students. Public schools would benefit greatly from Congress fully funding the federal share of the national investment in IDEA.

President Biden has proposed increasing IDEA funding in the 2021-22 federal budget by \$2.6 billion. While we support incremental increases to IDEA, NYSSBA urges Congress to commit to full funding.

In addition to fully funding IDEA, NYSSBA supports the creation of a fund dedicated to training and certifying parent advocates who attend and participate in Committee on Special Education meetings. Parent advocates play a vital function in mediating and solving issues between school districts and parents. In fact, federal law guarantees the rights of a parent of a student with a disability to have advocates attend and participate in the Individualized Education Program (IEP) process. Every parent deserves to have an advocate. However, parent advocates should be trained and educated. This will allow parents to receive representation, protect the school districts at the same time, and will not delay the services that a child needs to succeed in school.

For additional information, please contact NYSSBA Governmental Relations at 518-783-0200.



Investing in School Infrastructure

The New York State School Boards Association (NYSSBA) supports federal investments that will lead to modernized school infrastructure that provides safer, healthier, and more effective learning environments for students. A June 2020 report from the Government Accountability Office found that 54 percent of school districts across the country must replace or update major systems in more than half their buildings. Many students and educators are learning and working in school facilities that can be aged 50 years or older with asbestos, contaminated water, mold, and other conditions that impact student success. Experts estimate that the average school building is roughly 44 years old. Combined with the impact of the pandemic forcing social distancing, providing building safeguards, and related issues, the need to improve school infrastructure is at a tipping point. Students and staff need modern, well-designed, and safe school buildings, with resources that improve learning and facilitate student achievement and that feature energy-efficient green building designs.

NYSSBA urges Congress to prioritize public school district facilities as a component of the national infrastructure package currently being negotiated. Investing in public school infrastructure is sound public policy as our country continues to recover from the COVID-19 pandemic. Not only would a significant federal investment in school facilities be a long-term investment in the health, safety, and success of our students, it would also be an immediate investment in both local and national economies. By supporting the funding levels for K-12 infrastructure included in the Reopen and Rebuild America's Schools Act (H.R. 604 and S. 96) and in the Administration's budget request, Congress can help bring America's school buildings into the 21st century and provide our students and communities the greatest opportunity to recover from this pandemic.

NYSSBA also urges Congress to support bipartisan legislation that would reinstate advance refunding of municipal bonds into the federal tax code. This legislation, called the Investing in Our Communities Act (H.R.2288) and the LOCAL Infrastructure Act (S.479) would allow our school districts to refinance outstanding bonds for public school facilities and other capital improvements at lower interest rates. Passing this legislation would yield a significant savings to our taxpayers over the duration of a bond and also allow communities to redirect resources to school facilities for maintenance and capital improvements, rather than defer much-needed repairs and upgrades that impact the health and safety of our students, educators, and communities. According to Reuters, communities throughout the country benefitted from more than \$14.2 billion in savings from advance refunding from 2012 to 2017, before this measure was removed from the tax code.

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Bridging the Digital Divide

Bridging the Digital Divide is paramount to the success of our students. The COVID-19 pandemic brought to the forefront the unique impact technology — or lack thereof — has on education. The digital divide encompasses both inadequate broadband access and insufficient devices. Individual school districts can only do so much when trying to bridge the divide. NYSSBA supports and recommends various efforts for Congress to focus on to help close the digital divide.

First, New York requires resources to update and expand broadband infrastructure. The American Jobs Plan (AJP) includes a proposed \$100 billion to build high speed broadband infrastructure. High speed broadband must be expanded, particularly in rural New York. The lack of broadband access in various parts of the state puts students at a severe disadvantage. Without high speed internet access, students are automatically behind others that have the ease of access in other areas. NYSSBA urges Congress to provide at least that \$100 billion to seriously address this issue.

Second, the Federal Communications Commission (FCC) should update the definition of “high speed internet.” The current standard for “high speed internet” is inconsistent across state and federal legislation and within the marketplace itself. In addition, the FCC’s current definition is insufficient and outdated at a minimum of 25 Mbps download and 3 Mbps upload. NYSSBA urges the federal government to press the FCC to adopt a standard of at least a minimum of 100/100 Mbps download and upload speeds. In the interim, the federal government should require states to adopt their own speed standards of at least 100/100 Mbps download and upload speeds.

Third, in order to effectively and efficiently expand high speed internet, there must be adequate mapping and coverage reporting done by the FCC. When reporting their coverage areas to the FCC, broadband service providers may indicate that entire census blocks have service even when only a single household within that block has broadband access. This loophole must be closed to accurately map and expand broadband coverage. New York enacted legislation in its budget requiring the Public Service Commission to study the availability of broadband access across the state and to use that data for coverage mapping. Updated FCC information is essential to the accuracy and effectiveness of that report.

Finally, increased funding and flexible use for the federal E-rate program is necessary. NYSSBA appreciates the federal government’s use of the American Rescue Plan’s Emergency Education Connections Fund of \$7.1 billion for at-home broadband, however, we must do more long-term to permanently solve this problem. Sustainable funding for at-home broadband access is vital. NYSSBA supports a multi-billion dollar increase to the E-rate fund and more flexible use of these funds overall to continue to close the gap and provide sustainable resources for schools and students.

For additional information, please contact NYSSBA Governmental Relations at 518-783-0200.



Bolstering the Teacher Pipeline

It is our duty as a state and nation to ensure that our youth recover from the COVID-19 pandemic stronger than they were before it began, and ready for what lies ahead in their educational journeys and their lives as informed citizens, whether that means continuing on to an institution of higher education or entering careers out of high school. The way to ensure students have the tools and supports they need to address learning loss that might have occurred, social and emotional issues, and disruption of other necessary services throughout the past year and a half is to invest in the teachers we have now, as well as the future of the teaching workforce.

The pandemic has exacerbated the crisis facing public schools as the number of teachers leaving the profession continues to grow. As many teachers retire or change careers and leave the classroom, there must be a focused effort to retain teachers through additional supports. Those supports include better professional development, mentoring, and collaboration while also recruiting new teachers. The shortage of teachers is especially challenging in high-need subjects, in special education, for students of color, and in rural areas. Prioritizing teachers is essential to public school transformation efforts that emphasize access, equity, and innovation. Additionally, the New York State School Boards Association (NYSSBA) supports proposals aimed at enhancing and embracing diversity of the teaching workforce. We recognize that the teaching and administrative workforce must diversify so that students are exposed to role models of different races and backgrounds, and district-wide decisions are made with consideration of various viewpoints.

NYSSBA urges Congress to support the Biden Administration's proposed investment in educators, as part of the American Families Plan, which calls on Congress to invest \$9 billion in teachers. This investment would address shortages, improve training and supports for teachers, and boost teacher diversity. NYSSBA also urges Congress to continue ESEA Title II-A funding, which helps with professional development for teachers to assist them with new modern instruction models and technology to drive student learning and improvement. Just over \$2.1 billion was allocated for these grants for FY 2021. The Biden Administration proposed a \$5 million increase to the program for FY 2022.

For additional information, please contact NYSSBA Governmental Relations at 518-783-0200.



Restore the SALT Deduction

The Tax Cuts and Jobs Act, adopted at the end of 2017, placed a \$10,000 cap on the state and local tax (SALT) deduction. This federal tax deduction, previously claimed by 44 million American taxpayers, has helped support vital investments in infrastructure, public safety, home ownership and education.

This capping of the SALT deduction has put unnecessary pressure on school district budgets. In the wake of federal tax liability increasing since the imposition of the cap, school district budgets remain as one of the only ways for taxpayers to seek relief.

Equally serious, the limit imposed on the SALT deduction has jeopardized access to essential public services. Chief among these is public education. The after-tax cost to taxpayers of these services has effectively increased. NYSSBA **opposed** the adoption of this cap and urges Congress to **restore full SALT deductibility**.

- **SALT deductibility prevents double taxation.** SALT has been a feature of the tax code for more than 100 years. In 1913, the first federal income tax form allowed taxpayers to deduct state and local taxes, one of only six deductions allowed at the time. SALT prevents double taxation of Americans by allowing taxpayers to claim a deduction for the state and local taxes they have already paid from their income.
- **SALT deductibility benefits the middle class.** Nearly 86 percent of taxpayers who claimed the SALT deduction had an adjusted gross income of under \$200,000.
- **SALT deductibility benefits homeowners.** Limiting the SALT deduction raises taxes on middle class homeowners – even with the doubling of the standard deduction.
- **SALT deductibility supports the community.** The limits imposed on the SALT deduction place vital public sector services, including education, at risk. The after-tax cost to taxpayers of these services has now effectively increased.
- **SALT deductibility is bipartisan and national.** The SALT deduction was claimed by 44 million taxpayers in all 50 states, in both Democratic and Republican districts.
- **SALT deductibility is good for New York and New Yorkers.** NYSSBA calls on all officials elected to represent our state to support policies that are good for New York and oppose those that harm New Yorkers. Capping SALT deductibility is hurting New Yorkers.

President Biden and Governor Cuomo have indicated a repeal of the SALT cap is a top priority for their administrations. We now have the ability to repeal the cap, but Congress must act. It is time to repeal the cap and restore the SALT deduction in full.

For additional information, please contact NYSSBA Governmental Relations at 518-783-0200.