



## Summer 2022 Federal Talking Points

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### Title I Funding

- The Biden Administration calls for a \$19 billion increase to Title I grants.
- Title I provides flexible funding for districts to use in ways most appropriate for their school communities.
- Discuss how your district uses Title I funds and what you would invest in if you received an increase in funding.

### Individuals with Disabilities Education Act (IDEA)

- President Biden and the House of Representatives proposed increasing IDEA by nearly \$3 billion in next year's budget.
- The current fiscal year IDEA appropriation of \$13.3 billion is \$2.2 billion lower than the combined funding provided through the FY21 budget and the American Rescue Plan Act.
  - We are facing a funding cliff.
- While we support incremental increases to IDEA, we urge Congress to commit to full funding.
  - IDEA currently funds just under 16% nationwide of what it is estimated to cost for all schools to meet student needs according to the federal statute.
    - When IDEA became law over 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?
- Create a fund dedicated to training and certifying parent advocates who attend and participate in CSE meetings.

### School Meals

- Invest in a permanent free school meals program.
  - Waivers lapsed June 30, 2022.
- Permanently maintain federal waivers that provide flexibility in meal delivery.
- Increase the Community Eligibility multiplier from 1.6 to 2.5.
- Establish a permanent summer EBT program to ensure needy children are able to access nutritious meals during summer months.

## **School Safety and Well-Being**

- Thank you for helping pass the Bipartisan Safer Communities Act.
  - Commonsense gun reforms and increased investments to mental health programs.
- Talk about what is important to your district. What do you wish you could invest in to promote student safety and well-being?

## **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.
- Support the Biden Administration's request to triple funding for the Education Innovation and Research program.
- Expand investments in Title II-A, which supports professional development.

## **Digital Divide**

- Make permanent the Emergency Connectivity Fund and increase investments.
- 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 Emergency Connectivity Fund.

## **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.



## Title I Funding

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Title I grants provide schools and districts serving disadvantaged students flexible funding to meet the specific needs of a particular school and its student body. Looking towards the future, our school leaders are grappling with tough financial decisions. Rising costs of food and supplies are compounded with teacher shortages and the looming funding cliff of short-lived pandemic aid packages. How will schools attract more teachers, mental health professionals, and other critical staff without competitive salary offerings? Flexible funding streams, such as Title I grants, are imperative to allow schools to make financial decisions based on their individual needs.

The current FY22 level of Title I funding is \$17.5 billion – a \$1 billion increase from the prior year. This is a far cry from the Biden Administration's FY22 budget request of \$20 billion in new Title I Equity Grants. The Administration's FY23 budget request calls for a \$19 billion increase, building on last year's proposal to more than double this federal funding stream. Facing teacher and staff shortages, severe mental health needs of students, new investments in school security, supply chain issues and inflation, Congress must act to ensure our schools are sufficiently equipped to continue to meet the needs of their students.

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



## Individuals with Disabilities Education Act (IDEA)

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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, according to the National Education Association, is currently less than 16 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.

The current IDEA appropriation for fiscal year 2022 provides \$13.3 billion to states and school districts. This is notably \$2.2 billion lower than the combined funding provided through the FY21 budget and the American Rescue Plan Act. To avoid a funding cliff and ensure school districts have the financial support required to meet the needs of students with disabilities and take steps to address special education teacher shortages, Congress must provide substantial increases to IDEA funding. President Biden has proposed increasing IDEA funding by almost \$3 billion for fiscal year 2023. 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.

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## Support for Universal School Meals

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Throughout the pandemic, school districts have continued to ensure students across the state have access to nutritious breakfasts, lunches, and sometimes even dinners. Meals have been served in classrooms, central pick-up locations, and even delivered to students' front doors. School leaders recognize that first and foremost, students need proper nourishment in order to be productive learners.

The Families First Coronavirus Response Act (FFCRA) authorized the U.S. Department of Agriculture (USDA) to issue school districts multiple waivers that allowed them to flexibly feed all students in a wide range of settings. Through subsequent continuing resolutions and legislation, Congress worked to extend these waiver authorities for months at a time. As a result of this flexibility and guaranteed federal funding, school districts have achieved great success in feeding their students. Most recently, the Keep Kids Fed Act of 2022 extended certain waivers through September 30, 2022; however, the Act notably did not extend waivers allowing for universal school meals.

NYSSBA supports permanent maintenance of these and other federal waivers that provide flexibility in meal delivery, provided districts face conditions out of their control that warrant such flexibilities. Furthermore, NYSSBA is supportive of the continuance of a free school meals program for all. Universal school meals programs reduce the stigma for students unable to afford meals, increase the number of students fed during the school day, reduce paperwork for school staff and assist districts in streamlining their meal service operations. Without continuance of a free school meals program, school districts will no longer be able to ensure that every student has access to healthy nutritious meals.

The combination of inflation and supply chain shortages has caused the price of nutritious meals to increase sharply. NYSSBA recommends an update to the Community Eligibility Provision (CEP). Schools and districts that participate in CEP currently receive reimbursement based on the percentage of students who directly certify for free or reduced price lunch multiplied by a factor of 1.6. NYSSBA calls on Congress to increase the multiplier from 1.6 to 2.5.

Finally, Congress acted to ensure a Pandemic Electronic Benefit Transfer (EBT) through summer 2022. This EBT is available to all children eligible to receive free or reduced price meals during the school year. NYSSBA calls on Congress to establish a permanent summer EBT program to ensure needy children are able to access nutritious meals during summer months.

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## School Safety and Well-Being

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As of early July 2022, there have been 27 school shootings this calendar year. In 2021, there were 34. The trauma and stress students are facing due to potential or actual on-campus violence is compounded with the trauma, stress, and mental fatigue of a seemingly never-ending global pandemic. Our students need a wide range of supports that will address both their physical safety, as well as their mental well-being. Students will not be able to achieve their academic goals if they suffer from underlying stress and insecurity. NYSSBA is committed to working with our members, our communities, and leaders in education, government, business, healthcare and other industries to eradicate this intolerable scourge of violence and support positive school climates.

Firstly, NYSSBA would like to thank Congress for passing the Bipartisan Safer Communities Act. In addition to some commonsense gun reforms, the law provides increased investments in mental health services – including school-based health programs. We ask that you maintain open lines of communication with your constituent school board members as these programs go into effect to gain insight on what is working and what will still be needed.

NYSSBA does not believe there is a one-size-fits-all solution for addressing school safety and well-being. Some communities may choose to have a school resource officer employed by a law enforcement agency assigned to one or more of their school buildings. Another district may feel better served by a security officer or team that is not affiliated with law enforcement, but rather selected and hired by the district. Others may determine their greatest need is to increase investments in mental health service providers. While the options vary, one thing remains true: each will best serve students if adopted with local stakeholder input and support. NYSSBA calls on Congress to increase funding to schools to support the development and implementation of programs that promote school safety and well-being.

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## **Bolster the Teacher Pipeline**

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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 gaps that might have occurred, social and emotional issues, and disruption of other necessary services throughout the past two and a half years 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. New York is expected to need 180,000 new teachers in the next decade. 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 investments in educators, including the Biden Administration's request to triple funding for the Education Innovation and Research program. This program supports projects that promote the recruitment and retention of teachers. NYSSBA also urges Congress to expand 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. As our educators continue to navigate through the pandemic and address growing mental health needs within their classrooms, it is important to equip them with the tools necessary to properly educate our students.

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## Bridging the Digital Divide

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The COVID-19 pandemic brought to the forefront the unique impact technology — or lack thereof — has on education. While significant investments at the federal level have helped bridge the digital divide, problems persist around the state. The divide encompasses inadequate access to broadband infrastructure, barriers due to high costs, 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.

Firstly, NYSSBA urges Congress to continue investments in the Emergency Connectivity Fund (ECF) that was established in March 2021 to help schools and libraries provide the tools and services families and communities need, especially during the pandemic. In total, the Federal Communications Commission (FCC) has reported that the ECF has connected more than 12.5 million students to the internet since its inception. Before this program was established through the American Rescue Plan Act, more than 16 million students were affected by the digital divide. We commend Congress for their work on this issue thus far.

Currently, the demand for ECF resources far exceeds the amount of funds available to cover reasonable costs for laptop and tablet computers, Wi-Fi hot spots, modems, routers, and related broadband connectivity purchases to help keep students, school staff, and library patrons connected to classroom instruction and other vital services. Schools and libraries have requested \$2.8 billion in ECF funding for the next school year. However, only an estimated \$1.5 billion remains, thereby leaving the ECF without enough resources to meet that demand. NYSSBA supports increased long-term investments to this Fund.

Second, the 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.

Finally, 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.

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## Restore the SALT Deduction

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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.

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