



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

**TO:** The Honorable the Members of the Board of Regents

**FROM:** Valerie Grey *Valerie Grey*

**SUBJECT:** Proposed Regents 2013-14 Budget Priorities

**DATE:** November 5, 2012

**AUTHORIZATION(S):**

*John B. G. Jr.*  
**Executive Summary**

Issue for Decision

Approval of the proposed 2013-14 Regents Budget Priorities. State Aid to School Districts (including early childhood) is handled separately through the Regents Subcommittee on State Aid.

Reason(s) for Consideration

Board input and direction are sought in the approval of the Department's annual budget request.

Proposed Handling

Discussion and decision.

Procedural History

Each year the Regents identify budget priorities.

## Recommendation

The attached one-pagers provide detail. In summary, it is recommended that the Board of Regents approve 2013-14 SED Budget Priorities as follows:

Assessment Program	\$2.5 million
Deferred Action for Childhood Arrivals Transition Fund (DACATF)	\$2.0 million
Higher Education Opportunity Program	\$2.0 million
High School Equivalency Exam	TBD
Support for Special Education Oversight	TBD

In addition, 3020-a proceedings account (tenured teacher hearings) has been chronically underfunded and has an estimated accumulated deficit of \$9 million.

Additionally, the following Regents Legislative Priorities have fiscal implications and should be considered in the 2013-14 State Budget deliberations:

- Regents State Aid Proposal
- Early Education Investment
- TAP for Early College High School Students
- Education Equity for DREAMers
- Regional High Schools
- BOCES as Regional Leaders

Lastly, technical changes will be sought to create an account and appropriation for planned fees authorized by the Board of Regents to support additional staff work related to Board of Regents Higher Education Accreditation activities.



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## Assessment Program

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### 2013-14 SED BUDGET PRIORITY

#### ***The Issue:***

The Department's assessment program, including Regents exams, is integral to the Regents Reform Agenda. The assessment program serves as a critical measure of student learning, informs the state's accountability system, and contributes to the evaluation of teacher and principal effectiveness.

In recent years, the assessment program has experienced drastic funding shortfalls that resulted in the elimination of certain Regents exams and significant cost reductions. The Board of Regents is seeking continuation of \$8.5 million in funding to support current Regents exams including the January 2014 administration.

With enactment and statewide implementation of a teacher and principal evaluation system, it has never been more important to ensure the continued development of our testing program into a sophisticated and rigorous system necessary for meaningful education reform.

#### ***2013-14 Budget Request - \$2.5 million additional State Funds***

- \$1.5 million for new English Regents exams for grades 9 and 10 that are necessary to obtain the same continuity in testing that exists for other subject areas.
- \$500,000 to support additional data forensics. Using better detection methods, the Department can better pinpoint integrity issues, investigate potential abuses of the system and deter test integrity violations in the future.
- \$500,000 to begin a computer-based testing (CBT) pilot to learn more about the benefits of this testing model, the possible cost efficiencies, and the challenges that the State and districts will face in implementation.



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## Deferred Action for Childhood Arrivals Transition Fund (DACATF)

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### 2013-14 SED BUDGET PRIORITY

#### ***The Issue:***

On June 15, 2012, President Obama announced the Deferred Action for Childhood Arrivals (DACA) program. DACA was established to provide the opportunity for certain undocumented youth in the country to be afforded a pathway to secure U.S. work authorization. The eligibility requirements include: enrollment in school, graduation from high school or attainment of a GED™ or equivalent state-authorized exam.

In order for New York's youth and young adults (under age 31) to take advantage of this federal initiative, a new investment in targeted educational assistance programs would be required. Of the estimated 110,000 New York State residents who are eligible, nearly 22,000 would need to enroll in adult basic education or high school equivalency preparation, English as a Second Language (ESL) or career training programs to benefit from DACA. \*

The Department's budget request would support the creation of the Deferred Action for Childhood Arrivals Transition Fund (DACATF), a new program designed to provide educational service and support for DACA eligible out-of-school youth and young adults in New York State.

#### ***2013-14 Budget Request – \$2.0 Million State Funds***

- DACATF would leverage the successes of existing programs by building on the infrastructure of the Employment Preparation Education (EPE) program, the Adult Literacy Education (ALE) program, and the Literacy Zone (LZ) program.
- DACATF would enhance services needed to better assure timely academic outcomes required to achieve deferment and employment.
- DACATF would require a 100% match, including in-kind services, and would encourage a cooperative multi-agency approach to service and support. DACATF would also facilitate opportunities for additional community investment.

\* Batalova, Jeanne and Michelle Mittelstadt. *Relief from Deportation: Demographic profile of DREAMers Potentially Eligible Under the Deferred Action Policy*. Washington, DC: Migration Policy Institute, 2012.



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## **Higher Education Opportunity Programs (HEOP)**

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**2013-14 SED BUDGET PRIORITY**

### ***The Issue:***

New York State's Higher Education Opportunity Program (HEOP) provides economically and educationally disadvantaged students with access to post-secondary institutions and services.

HEOP is currently available at 55 independent colleges and universities in NYS and provides support to over 4,600 underrepresented and disadvantaged students annually. Serving the urban, suburban, and rural disadvantaged population, HEOP candidates come from every county in the state and reflect a diverse array of students.

Since its inception in 1969, HEOP has successfully served upwards of 36,000 students throughout NYS. A recent student cohort analysis indicated a 58% HEOP graduation rate, compared with a 12% graduation rate for low-income students nationally. However, HEOP lacks adequate financial resources to ensure that additional students throughout NYS will continue to benefit from the success of this opportunity program.

The Department's budget request would allow for an expansion of HEOP student enrollment in participating post-secondary institutions.

### ***2013-14 Budget Request - \$2 million additional State Funds***

- \$2.0 million to expand HEOP to provide access to quality, post-secondary institutions for disadvantaged student populations



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## Tenured Teacher Hearings

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### 2013-14 SED BUDGET PRIORITY

#### ***The Issue:***

Section 3020-a of the Education Law specifies the procedures school districts must follow to discipline or discharge tenured school employees, and provides that costs for such cases be paid by the State. This program has been chronically underfunded for many years, with the current deficit projected at \$9 million. This deficit represents the amount estimated to be owed for hearings that commenced prior to April 1, 2012.

In 2012-13, this program was modified to streamline the hearing process through procedural and fiscal reforms, including many reforms that had been proposed by the Board of Regents (SED #3, A6225-Nolan/S4629-Flanagan). The enacted reforms applied to new cases initiated after April 1, 2012 and required payment of these new case claims before any prior period claims can be considered for payment. Payments on new cases under the reformed system have been timely.

In addition, the new teacher and principal evaluation system provides for an expedited hearing process for teachers and principals based on a pattern of ineffective teaching. With statewide implementation of the teacher evaluation system underway, it is anticipated that there could be a rise in the number of hearings and the accumulated deficit could increase further.

#### ***2013-14 Budget Request – \$9 Million State Funds***

- An additional \$9 million in General Fund support is requested to address the accumulated deficit and pay claims for hearings that started prior to April 1, 2012.