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MEMORANDUM

TO: NYSUT Board of Directors
NYSUT Local Presidents
Political Action Coordinators
Vote-Cope Coordinators

FROM: Andy Pallotta, President
Christopher Black, NYSUT Director of Legislation

DATE: June 21, 2018

RE: 2018 End of Session Wrap-up

NYSUT END OF SESSION REPORT

In the closing days of the 2018 legislative session, the NYSUT Legislative Team worked tirelessly to ensure the passage of beneficial legislation and the defeat of bills which were disadvantageous to our membership. Their advocacy efforts, as directed by the membership and leadership of the organization, resulted in significant achievements. These and other significant advances were accomplished as a result of NYSUT's solidarity and activism.

Thank you for all you have done to make this possible.

APPR

S.8301 (Marcellino)/A.10475 (Nolan)

Instead of passing APPR legislation with no strings attached that the Assembly passed in April and which NYSUT supported, the Senate Republicans and five Democrats chose to pass a measure that they knew was dead on arrival in the Assembly and which contained problematic charter provisions.

Senator Flanagan's legislation included provisions regarding APPR that empowered the state education commissioner to develop guidelines to help determine the content of APPR plans. This language opened the door to continuing the use of state tests and the state's unfair growth model, neither of which accurately assess student performance. Furthermore, it would potentially take away local control of the plans that educators, administrators, parents and community stakeholders want to develop, which is in the best interest of the students they serve. We must ensure that educators and parents are no longer subjected to flawed educational theories that do not inform instruction or which subject students to exhausting tests that are not age appropriate and do not accurately reflect student achievement.

We also strongly oppose the provisions of this bill that deal with charter schools. Specifically, we oppose raising the charter school cap from 460 schools to 560 schools. Adding another 100 charter schools would cost approximately \$375 million which could otherwise be used for our traditional public school districts. There should be a moratorium on the authorization of any new charter schools until the state enacts critically needed reforms to make charter management operators more transparent and accountable to taxpayers and the public.

Moreover, increasing the cap is unnecessary as there are approximately 102 charters statewide and 28 in New York City yet to be authorized under the existing charter cap. In addition, this legislation proposes the removal of the cap on the number of charters that may be reissued, which were previously revoked, surrendered or terminated. In summary, these provisions would enact a Betsy DeVos style charter scheme.

Teacher evaluations should be returned to local control with no state mandates and no strings attached. NYSUT will continue to fight until this goal is achieved.

LEGISLATION SUPPORTED BY NYSUT THAT PASSED BOTH HOUSES

Final Cost Reports

NYSUT strongly advocated for several pieces of legislation to allow the State Education Department to accept a final cost report as valid and complete if they contained an inadvertent ministerial error. These pieces of legislation will help reduce penalties for school districts that file their paperwork late. The districts include: North Syracuse, Roscoe, Panama, Fulton, Hendrick Hudson, Newburgh Enlarged, Chester Union Free and Corning.

Rate Methodology for Special Acts

S.4530-A (Murphy)/A.5618-A (Abinanti)

NYSUT strongly advocated for legislation to allow the commissioner of the State Education Department to study and develop a rate methodology that will more accurately reflect the costs associated with special act school districts.

Securing Additional State and Local Funds for Yonkers

NYSUT worked with our local union leadership on both the state and local levels to secure funding to prevent hundreds of lay-offs in the district.

City of Yonkers Bonding

S.7352 (Stewart-Cousins)/A.9537 (Pretlow)

In addition to securing state and local funding, NYSUT strongly supported legislation to allow additional flexibility and authority in Yonkers bond sales, to assist with the financial situation of the city.

Port Washington Union Free Transportation Contracts

S.8764-A (Phillips)/A.10824-A (D'Urso)

NYSUT advocated for this legislation, which will correct a paperwork error that resulted in a significant financial penalty to the Port Washington Union Free School District.

BOCES Capital Projects Tax Cap Exemption

S.7730 (Murphy)/A.9825 (Galef)

NYSUT tirelessly advocated for legislation to exempt BOCES capital projects from the tax cap, relieving pressure on the BOCES component districts and clearing the way for several projects throughout the state.

Aid to School Districts for Charter School Tuition Payments

S.6551-C (Jacobs)/A.7966-C (Peoples-Stokes)

NYSUT worked hard to ensure that certain school districts are paid in the current year for the supplemental tuition for charter schools that are located in their districts.

School-Based Health Centers

S.4487-B (Montgomery)/A.2660-B (Ortiz)

NYSUT advocated for the passage of this legislation, which creates a personal income tax check-off box for donations to the school-based health centers fund.

Career Education Programs

S.8749 (Sepulveda)/A.381 (Nolan)

NYSUT supported legislation to require the commissioner of education to count how many ninth graders are attending career education classes in school districts that receive state aid for career education.

BOCES Intermediate Districts

S.3203-A (DeFrancisco)/A.2112-A (Nolan)

NYSUT advocated for the passage of legislation to help BOCES retain and attract qualified superintendents, which will help to ensure our locals have some continuity in the management of these institutions.

High School Graduation Ceremony (Chapter 32)

S.7311 (Larkin)/A.8947 (Skoufis)

NYSUT strongly supported this legislation to allow all students to participate in a high school graduation ceremony.

Full Day Kindergarten (Veto 263)

S.700-B (Carlucci)/A.1625-B (Zebrowski)

NYSUT advocated for the passage of this legislation, which, expands the full day kindergarten conversion aid to a five-year transition program. This will assist school districts in transitioning to full day kindergarten by expanding the current incentive aid program to be spread out over five years. This bill will help New York move closer to providing full day kindergarten to all students in the state regardless of where they live.

Enhanced Maintenance of Effort (MOE)

S.7259-A (LaValle)/A.10620 (Glick)

NYSUT advocated for the passage of this legislation, which will provide our public higher education institutions with an enhanced state maintenance of effort (MOE). This bill will require the state to cover critical mandatory costs such as building rentals, utility costs and other inflationary costs for CUNY, SUNY and the SUNY hospitals.

Five-Year Capital Planning for SUNY AND CUNY

S.7236 (LaValle)/A.10631 (Glick)

NYSUT supported this legislation, which requires the governor to include, as part of the executive budget proposal, a five-year capital plan for SUNY state operated campuses and CUNY senior colleges. The plan must cover one hundred percent of the annual critical maintenance costs for needs identified by each system.

UUP Pay Bill

S.9101 (LaValle)/A.11227 (Rules/Abbate)

NYSUT supported this legislation, which is required to authorize and implement the collective bargaining agreement with the state. The prior collective bargaining agreement expired on July 2, 2016, and the terms of the new agreement are for the period of July 2, 2016, thru July 1, 2022. Faculty and professional staff employed by the State University of New York have been working without a contract for nearly two years. This legislation would enact the provisions of the agreement, including retroactive salary and benefit increases, and would further appropriate funds to pay for these costs.

Unused Sick Time for Community College Employees to Offset Retiree Healthcare Costs

S.7933 (Benjamin)/A.10735 (Abbate)

NYSUT strongly supported the passage of legislation to add Community Colleges to the list of public entities that allow their employees to bank sick leave to offset the cost of healthcare coverage upon retirement. This common practice had previously been limited to employees of state agencies, independently elected offices and certain state academic bodies, including four-year campuses.

Certified School Psychologists (Chapter 68)

S.7641 (LaValle)/A.9918 (Glick)

NYSUT advocated for the passage of legislation to allow approved school multidisciplinary evaluation programs to employ a certified school psychologist to conduct a multidisciplinary evaluation of a preschool child or an infant or toddler who is suspected of having a disability.

Domestic Violence Protections (Chapter 60)

S.8121 (Phillips)/A.10272 (O'Donnell)

NYSUT supported the passage of this legislation, which will help ensure that domestic violence offenders do not have access to firearms.

Sepsis Awareness Program (Chapter 10)

S.7280 (Marcellino)/A.9001 (Nolan)

NYSUT supported this chapter amendment to the Sepsis Awareness, Prevention and Education Program (Chapter 40 of the Laws of 2017) by clarifying that sepsis is not contagious but that pathogens that may cause sepsis can be transmitted from person to person either directly or indirectly.

Child Abuse Prevention (Chapter 12)

S.7285 (Golden)/A.8945 (Galef)

NYSUT supported this legislation, which establishes a temporary state taskforce to examine, evaluate and make recommendations concerning child abuse and neglect prevention efforts in the state with the goal of preventing child removals, lowering foster care placements and increasing family reunification.

School-Based Health Center Fund

S.4487-B (Montgomery)/A.2660-B (Ortiz)

NYSUT advocated for the passage of legislation to create a School-Based Health Centers Fund for which donations to can be checked off on one's personal income tax form.

Nurse Practitioners

S.7713-B (Hannon)/A.10345-A (Gottfried)

NYSUT supported legislation to authorize a patient's attending nurse practitioner to witness the patient's execution of a health care proxy, authorizes a nurse practitioner to act as a person's health care agent and authorizes an attending nurse practitioner to determine that a patient lacks capacity.

Newborn Care

S.8774-B (Hannon)/A.9950-B (Gottfried)

NYSUT supported legislation to authorize hospitals to establish standing orders for the care of newborns in the hospital until the discharge of the newborn from the hospital following the birth, which may authorize an attending nurse to provide services and care to healthy newborns.

Small Schools BOCES Health Care Consortium

S.8995 (Seward)/A.11014 (Cook)

NYSUT supported the passage of legislation to extend provisions allowing for the sale of stop loss coverages to certain small groups and exempting certain municipal corporations from small group rating standards.

LEGISLATION OPPOSED BY NYSUT THAT WAS DEFEATED

Education Tax Credits

S.7783-A (Golden)/A.10115 (Castorina)

NYSUT and its allies defeated several versions of the Education Affordability Act, a version of the Education Investment Tax Credit (ETC), as well as legislation that would convert the College Choice Savings Account to a primary and secondary educational voucher.

Permanent Tax Cap

S.1207 (Flanagan)

NYSUT's legislative team worked diligently to defeat legislation that sought to make permanent the tax cap for municipalities and school districts.

School District Audits

S.3962 (Seward)/A.6566 (Brindisi)

NYSUT worked to defeat a number of bills that would have relaxed or removed the mandate that school districts conduct annual internal audits.

School Year Start Date

S.8487 (Marcellino)/A.10364 (Nolan), S.8304-A (Phillips)

NYSUT worked to defeat several pieces of legislation that would have allowed school districts to begin the school year before September 1.

Statewide Insurance Reserve Funds

S.7702-A (Marchione)/A.10145-A (Buchwald)

NYSUT's legislative team worked hard to defeat legislation that would have allowed any school district to create a health insurance reserve fund without consulting and partnering with a local union.

Anti-Labor Legislation

NYSUT was successful in our efforts to stop several bills that would have negatively impacted our members. Throughout the legislative session, NYSUT helped block bills that would have placed time limits on contract negotiations under the Triborough amendment to the Taylor Law, bills that would have placed newly hired employees in 401(k) style retirement plans instead of the public pension system and several other anti-labor bills put forward by unfriendly legislators.