

## Educator, Facilitator, Engine for ECONOMIC GROWTH

BOCES are the premier example of inter-municipal collaboration in New York State that works. Since its creation 70 years ago, local school districts have been able to use BOCES to provide a wide range of educational programs and services through an organizational structure that is a model of inter-district cooperation. In addition, BOCES are able to leverage the strength of multiple school districts and provide a wide variety of services that, individually, school districts could not provide because the costs would be prohibitive.

**With this in mind, the BOCES of NY State would like to underscore several important items that would assist BOCES in our mission:**

### BOCES Capital Exemption from the Tax Levy Cap

In the spring of 2017, both Houses of the Legislature passed legislation (S.4283/A.5965) that would exempt certain BOCES capital expenditures from the tax cap. *This bill was vetoed.* An immediate legislative solution is needed for this critical issue. The failure to do this in a timely manner will continue to unnecessarily cost school districts resources and will directly jeopardize much needed upgrades to BOCES facilities. These upgrades are needed to support cutting-edge Career and Technical Education (CTE) programs, as well as to provide appropriate facilities for students that are unable to be served in a traditional public school.

### Enhanced support and BOCES Aid for Career and Technical Education (CTE) Programs

The BOCES of NY State urges legislators to provide all New York State students with access to programs that lead to multiple pathways for high school graduation, including the new CTE-based pathway. We ask our leaders to ensure that funding for CTE be enhanced by adjusting the existing aid formula that supports these programs.

**Recommendation:** The existing CTE BOCES Aid formula dates to 1990 and only provides aid for \$30,000 of a BOCES CTE instructor's salary. Because of this, the state's contribution to Career and Technical Education continues to decrease, shifting the costs to the local tax payers. We recommend that 100 percent of a BOCES CTE instructor's salary be "aidable." We further recommend that the formula include those BOCES instructors who teach in P-Tech programs and STEM high schools.

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## Other Supported POSITIONS:

### **Authorize BOCES to address long-term employee costs through the establishment of other post-employment benefit (“OPEB”) trusts or reserves.**

Despite the large and increasing costs that BOCES continue to incur each year on behalf of their component districts in employee post-retirement benefits (OPEB), we do not have the legal ability to set aside funds for this purpose. As a result, this very significant long-term financial liability is a ticking time bomb that threatens the fiscal stability of BOCES and their component districts. To date, it is estimated that the 37 BOCES have responsibility for approximately \$3.5 billion in legacy costs for all current employees and retirees.

**Recommendation:** We support the State Comptroller’s proposal (A5525) that authorizes the establishment of other post-employment benefit trusts.

### **Repair Reserve Fund Authorization:**

School districts, along with other municipal governments, have the authority to establish repair reserve funds as a way to ensure that funds are available for unexpected, but necessary, capital repairs. We recommend that BOCES be allowed to establish repair reserve funds.

### **Establishment of Workers’ Compensation Reserve Fund:**

School districts, along with other municipal governments, have the authority to establish a Workers’ Compensation Reserve. BOCES, as public sector employers, have the same legal responsibility for paying workers’ compensation claims for their employees. However, BOCES are not currently authorized to establish this reserve. We recommend that BOCES be authorized to establish a Workers’ Compensation Reserve Fund.

### **Changes to preschool special education rate setting:**

BOCES Preschool Special Education Programs provide comprehensive services to preschool children with disabilities who present wide-ranging and very unique needs. Current Preschool Special Education rates are insufficient to allow the BOCES, who provide these services, to adequately support children with disabilities in their region. We recommended changes to the rate setting process to allow for greater financial flexibility in the provision of these services.