

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.

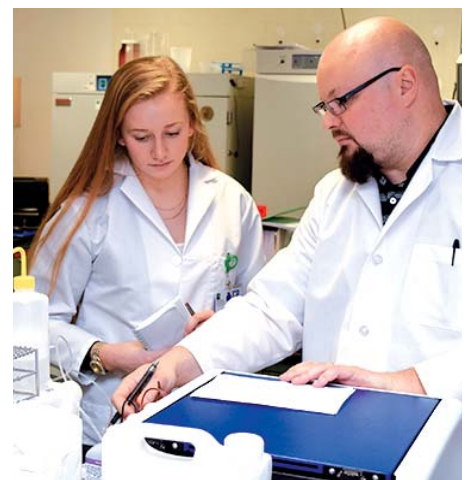
With this in mind, the BOCES of NY State would like to underscore several important items that would assist BOCES in our mission:

Provide Capital Funding for BOCES' Infrastructure

On any given school day, over 100,000 students are participating in BOCES programs in one of 600 buildings owned and/or operated by BOCES. Across the state, school buildings – both public and nonpublic – are old, outdated and in need of critical capital upgrades and improvements. As BOCES capital expenses are excluded from exemption from the calculation of the component district tax cap, and because they do not have access to other funding for these necessary projects, critical projects are being delayed or stopped from moving forward.

As you are aware, since 2015 both houses of the Legislature have advanced several proposals designed to address this problem, unfortunately none have been successful. To illustrate, in 2015 the Legislature added language that would have required the Department of Taxation and Finance to promulgate regulations to address this problem, but this never occurred. In 2017 and 2018, the Legislature again developed and passed legislation to address this problem. The 2017 bill was vetoed, and despite addressing the veto language in the 2018 bill, the Governor again vetoed this legislation leaving important BOCES projects in jeopardy. To address this ongoing concern and to ensure the safety of our students and staff, we are proposing that a new funding stream be included in the final enacted budget that would provide funding specifically for BOCES capital projects. This funding will address critical maintenance, building upgrades, and investments for safety and security infrastructure.

It is important to note that the Governor's Executive Budget proposal includes \$25 million in capital funding for nonpublic schools, community centers and day care facilities but does not include any funding to address the infrastructure needs of BOCES' buildings and facilities. As indicated, every day 100,000 students and thousands of staff are in BOCES buildings, many of which require immediate critical maintenance and upgrades. *Continue reading for Other Supported Positions >>>*



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.

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 adequately support children with disabilities across New York State.

We recommended changes to the rate setting process to allow for greater financial flexibility in the provision of these services.

Continue reading for Other Supported Positions >>>

Other Supported POSITIONS:

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.

The existing CTE BOCES Aid formula dates back to 1990 and only provides aid for \$30,000 of a BOCES CTE instructor's salary. As a result of this, the state's contribution to Career and Technical Education continues to decrease, shifting the costs to local school districts. 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.

Extend the authorization for BOCES to provide services to out-of-state schools

BOCES were granted authority in 2012 to enter into contracts with out-of-state public schools. This authorization is scheduled to expire on July 1, 2019 and should be extended permanently.

Extend authorization for BOCES to enter into 20-year leases

BOCES were granted authority in 2014 to enter into 20-year leases with non-public entities. This has allowed BOCES to save money when leasing buildings for educational programs and other services. This authority is scheduled to expire on July 1, 2019 and should be extended permanently.