

Analysis of Emergent Political Issues Impacting Local and State Governments
Prepared by Terrance P. Dougherty for the DCMO BOCES Legislative Committee
Superintendent Hancock Central School District- 11/02/10

Initiative	Key Provisions/Definitions	Talking Points	Alternatives to the Initiative
Property Tax Cap	<p>1. Various Proposals:</p> <ul style="list-style-type: none"> - 4% Cap (or 120% CPI, no exceptions) - 2% Cap (or 120% CPI, limited exceptions) - Limited Exceptions: <ul style="list-style-type: none"> Litigation Costs Building/Construction Costs <p>2. Tax caps proposed for school districts and for local governments.</p> <p>3. School district budget vote will remain in play.</p> <p>4. Super majorities required for school districts to exceed the cap (override mechanism).</p> <p>5. "Available carryover" clause allows for varied tax-levy increases from previous year to next year.</p>	<p>1. NYS property taxes are among the highest in the nation.</p> <p>2. All major gubernatorial candidates support this position.</p> <p>3. Potential for grassroots/community backlash if services are cut.</p> <p>4. Tension posed by advancing progressive academic-reform agenda in the face of declining state aid and limited potential to tap local tax effort.</p> <p>5. School district consolidation talks have been rolled into the property tax cap conversation (mandatory for districts of 1000 students or less).</p> <p>6. Impose no restrictions on the rights of a community to determine educational opportunities for its students (92% pass for 2010–2011 budgets).</p>	<p>1. Mandate relief.</p> <p>2. Circuit breaker.</p> <p>3. Real property tax collection reform: (full value assessment, correct inconsistencies among assessors, etc.).</p> <p>4. State Aid Reform (NYS is regressive with regard to state aid distribution).</p> <p>5. Expand possibilities/expansion of BOCES shared services options.</p> <p>6. Include exceptions to the cap (pensions, health insurance, etc.).</p>
Mandate Relief			
<i>3020 (a) Reform</i>	<p>1. Laws that govern tenured-teacher discipline and removal.</p>	<p>1. 3020 (a) hearings are costly, divisive, and time-consuming.</p>	<p>1. Mandate state selection of hearing officers.</p> <p>2. Authorize immediate dismissal in certain, limited circumstances.</p> <p>3. Clarify that teachers must cooperate in 3020 (a) proceedings.</p> <p>4. Cap time for suspension without pay.</p> <p>5. Require teacher disclosure of defense for 3020(a) offense.</p>
<i>Pension Reform</i>	<p>1. Public-sector pension contributions are shared among employees and employers in NYS. The pension fund has been experiencing volatility and instability due to recent market corrections.</p>	<p>1. Projected employer contributions to ERS and TRS are growing at unsustainable rates.</p> <p>2. Projected liabilities (\$205 billion) to the system may soon significantly exceed obligations.</p> <p>3. Article 19, passed in 2000, eliminated 3% employee contribution for Tiers III and IV for duration of working careers (employees currently contribute for ten years).</p>	<p>1. Create Tier VI (higher rate of career contributions, increased eligibility age, ability to opt into a defined contribution program).</p> <p>2. Expand BOE's ability to create pension-related reserve funds(TRS).</p> <p>3. Allow portability of retirement plans from previous employers.</p> <p>4. Transition away from sole-trustee guardianship of the fund (ERS).</p>
<i>Triborough Reform</i>	<p>1. Enacted in 1982, the Triborough Amendment was designed to protect public employees who were prohibited from striking as a result of the Taylor Law.</p>	<p>1. Protracted labor-management negotiations due to step increment raises protected by Triborough Amendment.</p>	<p>1. Amend to end requirement to grant an automatic step increase beyond expiration of contract.</p> <p>2. Maintain no-strike clause for essential services.</p>

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<i>Wicks Reform</i>	1. Mandates that school districts hire four separate contractors for school construction work.	1. Extremely costly. 2. 49 other states allow districts to use one contractor to complete all job tasks. 3. Presence of multiple contractors significantly disrupts school environment.	1. Repeal this legislation as quickly as possible. 2. Create flexibility for districts to ignore non-viable bidders (even if they are low).
<i>State Aid Reform</i>	1. Current state aid distribution is inequitable and unfair to small, rural, upstate school districts. Definitions: IWI - Average income per student compared to the statewide average income per student. Geographic Cost of Education Index - Purpose is to adjust for cost-of-living differences among different school districts and variations in the desirability of different regions and school districts as places to work and live.	1. Though he has vowed to cut state aid in general, Cuomo pledges to redistribute state aid in an equitable fashion to poor, rural school districts. 2. State aid distribution must be based on need and capacity (or lack thereof) rather than on political expediency. 3. Paladino has vowed not to cut state aid but will seek cost efficiencies through shared services/consolidation and the creation of countywide school systems.	1. IWI index cannot remain capped at .65. Actual IWI Index must be used. 2. The Foundation Aid Per Student ratio must be increased (has been capped for two years). 3. True measures of poverty, relative value of FRPL and Extraordinary Needs Aid, have been muted through the current formula and must be updated. 4. The Regional Cost Index must be replaced by the Geographic Cost of Education Index. 5. Economy of scale for Administrative Efficiency Aid must be made equitable so as to permit small, rural school district eligibility.
Core Assessment Changes			
<i>Provision of Academic Intervention Services</i>	1. Required support services provided to students deemed academically at risk of failing to meet core academic standards.	1. Recent adjustments to cut points have increased the pool of students eligible to receive AIS. In fact, demand for AIS has far exceeded supply of serviced providers.	1. Encourage Commissioner of Education and the Board of Regents to allow for transition flexibility (during the 2010–2011 school year) as school districts ramp up AIS program and staffing levels to meet increasing demand.
School District Consolidation	1. Merger of two or more school districts or building-level programs in order to form larger, more efficient models of scale.	1. Has been coupled with property tax cap reform in order to promote cost efficiencies and property tax relief. 2. New York State has a rich tradition of local autonomy and decision making with regard to consolidation/annexation.	1. Preserve local autonomy and choice (local votes) with regard to school district consolidation procedures.
School Board Governance	1. Policymakers are considering a proposal to align school district and partisan political voting dates in November.	1. Would have a disastrous effect on school district budget voting results if partisan politicians were to weigh in.	1. Preserve alignment with regard to state budget “holiday”, e.g., school board member and budget votes to be held on the third Tuesday in May.