

# **EDUCATE NY**

*It's time to create #SchoolsNotJails*

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# Introduction

Cynthia Nixon is a proud public school graduate and an even prouder public school parent. Cynthia became an advocate for public schools 17 years ago when her oldest child entered kindergarten. The school Cynthia dropped Sam off at that first day looked nothing like the school she had visited the summer before, as the school's art teacher, music teacher, assistant principal, and two-thirds of the para-professionals had been fired, due to city-wide budget cuts.

That year, Cynthia joined thousands of parents in successfully organizing to stop almost \$400 million in cuts to New York City schools. The following year, Cynthia joined with parents across the State to win a long-term solution for the enormous under-funding of low-income school districts, the large majority of which serve communities of color.

In 2007, that solution came in the form of Foundation Aid, a state funding formula that increased funding for primarily high-need, low-income school districts. However, that additional aid came to a screeching halt under Governor Cuomo. In his first year in office, he refused to continue payment on the new funding formula and instead enacted a \$1.3 billion cut to schools. The education cuts went to fund an enormous tax cut to the wealthy and corporations.

The Governor's refusal to address inequity has devastating consequences. Our state currently has the second highest inequality in funding between rich and poor school districts in the nation, a gap that has grown by 24 percent<sup>1</sup> under Andrew Cuomo.

In addition to being underfunded, schools that serve communities of color have become increasingly criminalized. Now children can come into contact with the law at a very young age in school, where suspensions for children of color are inordinately high and police are often inappropriately involved for infractions that should be addressed through lesser disciplinary approaches.

Together, the underfunding and criminalization of schools that disproportionately serve children of color have created two different education systems in New York State. White, wealthy children are prepared for college, and low-income, children of color are disproportionately put into the school to prison pipeline.

Our children need schools, not jails. As Governor, Cynthia Nixon will provide our low-income schools the funding they need, and she will implement a birth-to-college approach to public education that allows every child to reach their full potential.

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<sup>1</sup> <http://www.aqeny.org/2018/03/23/governor-cuomo-manufactures-facts-school-equity/>

# Early Care and Learning: Giving Every Child the Start They Need

Nothing is more critical to children's success in school than quality care and learning opportunities in the earliest years of life. These early years also present the greatest opportunity to address the achievement gap.

Study after study has shown that by the time children enter kindergarten the disparity in preparedness for school between high and low-income students is enormous. According to a 2012 report by the Brookings Institution, less than half of poor children show up to school prepared with the early math and reading skills and the physical well-being necessary to learn.<sup>2</sup>

A 2017 Brookings study also found that the benefits of early education persist into later life, including reduced special education use, higher rates of high school graduation, higher labor market earnings, reduced crime and delinquency, reduced welfare use, and improved health.<sup>3</sup>

Cynthia's early child care and learning platform will support low-income children and families by expanding home visiting programs, high quality child care and pre-K.

## Maternal, Infant and Early Childhood Home Visiting

Home visiting programs work with families in their home, provide coaching for parents, monitor children's healthy development and connect families to community resources. Investing in home visiting programs saves the state in health, education, and social services spending down the road. These programs increase children's school readiness, result in better educational outcomes and raise graduation rates by 20 to 30 percent. They also increase lifetime earnings by \$600,000 to \$1 million. Yet, under Andrew Cuomo, 95 percent of eligible families are denied access to home visiting.<sup>4</sup>

**Cynthia will add 50,000 new home visiting slots, serving nearly five times as many children and families as are currently served across the state. When fully phased in, New York will be investing an additional \$175 million annually into home visiting programs.**

## Quality Child Care for Working Families

For many New York families with young children, child care is their largest monthly bill. New York State ranks among the most expensive states for child care in the nation. The average cost for full-time center-based care is \$15,000 a year for an infant, and more than \$13,000 for a

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<sup>2</sup> [https://www.brookings.edu/wp-content/uploads/2016/06/0319\\_school\\_disadvantage\\_isaacs.pdf](https://www.brookings.edu/wp-content/uploads/2016/06/0319_school_disadvantage_isaacs.pdf)

<sup>3</sup> [https://www.brookings.edu/wp-content/uploads/2017/04/duke\\_prekstudy\\_final\\_4-4-17\\_hires.pdf](https://www.brookings.edu/wp-content/uploads/2017/04/duke_prekstudy_final_4-4-17_hires.pdf)

<sup>4</sup> <http://www.scaany.org/wp-content/uploads/2016/07/NEW-YORK-STATE-HV-Need-Snapshot-7-14-16.pdf>

toddler or preschooler for year-round child care. Yet, approximately 80 percent of New York families who are eligible for subsidized child care are denied access due to Andrew Cuomo's lack of investment in it.<sup>5</sup>

Andrew Cuomo has done nothing to help working families access quality child care. In fact, in 2017, his Executive Budget essentially proposed a \$27 million cut to child care, although it would have allowed counties to cover the cut by drawing from funds they traditionally use for senior, child welfare and other social services. The Legislature rejected the proposal, refusing to pit seniors against children, but the final budget still contained a \$7 million cut to child care. Fortunately, in 2018, the \$7 million in enacted cuts were restored, but this did not represent progress. It just returned us to where we were before the cuts.

**Cynthia Nixon will increase access to quality child care by 100,000 children served year-round with an additional annual investment in child care subsidies of \$700 million at full phase-in.**

## **Quality Universal Pre-K**

Like home visiting and quality child care, quality pre-K is a cost effective investment, saving seven dollars in future costs for every dollar invested. The benefits of quality pre-K are well documented for increasing success in school and in life. Quality pre-K increases graduation rates, increases lifetime earnings and reduces likelihood of becoming involved with law enforcement. In 2014, Andrew Cuomo promised full-day pre-K for every four year old. Four years later, 79 percent of four year olds outside New York City still lack full day pre-K.<sup>6</sup>

**As a first step towards universal pre-K, Cynthia Nixon will provide every four year old in high-need districts and economically disadvantaged four year olds in the state with access to quality full-day pre-K. The cost of providing this comes to \$361 million annually, and the money will be available for school districts to utilize when they've have shown they are prepared to implement a quality program. Cynthia is also committed to developing a high quality workforce of early childhood educators in both child care and pre-K settings and, over time will examine options for expansion of three-year old pre-K.**

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<sup>5</sup> <https://www.clasp.org/sites/default/files/public/resources-and-publications/publication-1/Disparate-Access.pdf>  
<sup>6</sup> <http://www.aqeny.org/wp-content/uploads/2017/09/Opportunities-Foreclosed-2018-Budget-FINAL-REPORT.pdf>

# K-12 Education: Creating a Pathway to College and Careers for All

Cynthia's plan for New York State schools will bring opportunity and equity to every child, regardless of race, income or zip code. She recognizes that our schools need to focus on the whole child with strong academic opportunities that include art, music, physical education and career and technical education. She will invest in a teaching force and curriculum that is reflective of the diversity of New York State's school children. Her plan will put the focus back on teaching and learning, and leave behind the heavy emphasis on high stakes testing that has robbed our schools of a healthy, productive learning environment and unfairly punished our students, teachers and schools.

Since Andrew Cuomo's implementation of a reform agenda focused on high stakes testing, student outcomes have remained flat or declined slightly, as measured by the well-regarded [National Assessment of Educational Progress](#) and there has been no progress in closing the gap in outcomes between white students and Black and Latinx students. He created a damaging and failed teacher evaluation system based on high stakes testing and promised to "[break](#)" the "[public school monopoly](#)."

It's time for New York to have a governor that supports New York's public school children. Cynthia Nixon understands that our children are worth investing in, they are the future of our state, and her education platform is designed to support all children to succeed, from birth through college.

## **Racial and Economic Equity for New York's Schools**

The Campaign for Fiscal Equity lawsuit brought by New York City parents in 1993 claimed that New York State was violating students' state constitutional right to a "sound, basic education" and a "meaningful high school education." After a hard fought 14 years in court, in 2006 the state's highest court, the Court of Appeals, found on behalf of the plaintiffs, and in 2007, Governor Eliot Spitzer enacted a statewide solution called the Foundation Aid formula.

The Foundation Aid formula provides one transparent formula that calculates what each district needs in order to provide a "sound, basic education" by factoring in the number of students living in poverty, living with disability, and the number of English language learners each district has. The formula is designed to ensure that three-quarters of new funding goes to high-need school districts and, most importantly, that these high need schools have the funding their students need.

When it was enacted in 2007, a palpable difference could be felt in previously underfunded public schools. Yet, after the state funded the phase-in of the first two years of Foundation Aid, Governor Paterson put a hold on it when the economic recession hit and Andrew Cuomo never

again funded it. In 2017, Cuomo took it one step further and tried to repeal the state's Foundation Aid obligations altogether as part of budget negotiations, but Cynthia joined with other parents and got the legislature to reject his proposal.

New York's schools are now the second most inequitably funded in the nation, with a difference of \$9,923 per pupil between rich and poor school districts. The inequity has grown by [24 percent](#) since Andrew Cuomo took office. The result is overcrowded classrooms, libraries without librarians, a shortage of teachers for English language learners, and school counselors serving 400, 500 or even 700 students apiece. For many students of color the consequence is that schools that should be putting them on the track to college and careers, instead criminalize them and push them into the school-to-prison pipeline.

As governor, Cynthia will fully fund Foundation Aid and the Campaign for Fiscal Equity to ensure that schools have the funding they need to provide a quality education, including:

- A high quality, culturally responsive curriculum with strong academics, art, music, physical education and social emotional learning.
- Enough school counselors, social workers and psychologists— according to a [statewide survey of school superintendents](#), the most pressing need facing our schools is the inability to meet students' growing social, emotional and health needs.
- Expanded learning time and enrichment activities before, during and after school.
- High quality programs that meet the needs of all learners including special ed students and English language learners.
- Effective and transformative family engagement practices that teach families and schools alike how to be effective partners in supporting students to succeed.

**Cynthia's first budget will include a plan to fully fund Foundation Aid, phased in over three years. Upon full phase in, this will increase the state's annual investment in K-12 education by \$4.2 billion.** In advance of her second budget, Cynthia will appoint a commission that includes school finance experts, educators, school administrators, parents, economists and other key stakeholders to recommend updates to the Foundation Aid formula which can be enacted into law.

## School Climate Reform

Cynthia believes that schools should be welcoming and supportive places of learning, and that no child should experience an education system that either makes them feel criminalized or in fact criminalizes them. She is committed to pursuing an end to the systemic racism in the discipline and policing practices that exist in many schools, and to supporting the transformation of schools to a positive school climate that nurtures safe, supportive and inclusive school communities.

For more than four decades, young people of color, parents, community members, civil rights and racial justice advocates have organized and fought to end the use of harsh school discipline policies and to dismantle the school-to-prison pipeline. In New York, Black students account for

nearly half of all school based law enforcement referrals, and deep and persistent racial inequities exist across the state.

In Kingston, Black students are 14 percent of all students and 73 percent of all students referred to law enforcement. In Yonkers, Black students represent 19 percent of all students, but 45 percent of all referrals to law enforcement and in New York City, Black and Latinx students are 90 percent of all students arrested and 90.5 percent of all students who receive a summons. New York has not revised its school discipline policies in more than two decades.<sup>7</sup>

Students of color miss hundreds of instructional hours every year because they are removed from class and suspended for minor infractions, referred to law enforcement for normal youthful behavior, and attend schools where the criminal justice system has replaced age appropriate school discipline. They are pushed in front of police officers, prosecutors, and judges when their white peers see guidance counselors, school psychiatrists, social workers and administrators.

We must immediately embrace and pass transformative school discipline policies and move all of our schools towards evidence based and effective school discipline strategies grounded in trauma-informed care, social, emotional, and mental health support and restorative practices.

As governor, Cynthia will:

- create a first-of-its kind Deputy Commissioner for Racial and Economic Equity within the State Education Department who, under the authority of the Commissioner of Education and the Board of Regents, will be charged with overseeing the state's initiatives in school climate reform and culturally responsive education. The Deputy Commissioner's responsibilities will include providing school districts with technical support to expand the use of school climate strategies
- require school districts with schools that have high suspension rates to undertake school climate assessments in conjunction with parents, staff and students in order to identify where additional programs and services are needed
- require school districts to develop plans for how a portion of their new Foundation Aid will be dedicated to needs identified in school climate assessments, including additional school counselors, social workers, and school psychologists, as well as training in restorative practices for the entire school community
- eliminate the use of suspensions for our youngest students, in Pre-K to third grade and for minor infractions for all students
- eliminate school-based arrests and summonses for violations and misdemeanors, so students are put in front of school administrators and staff, not prosecutors and judges
- replace metal detectors, law enforcement, and invasive security measures with evidence based and proven school climate strategies
- develop statewide guidelines to restrict cooperation with ICE in public schools

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<sup>7</sup> US DOE Office of Civil Rights Data Collection (2015).  
<https://ocrdata.ed.gov/Page?t=d&eid=33298&syk=8&pid=2539>



- provide additional resources to schools with the greatest need who have demonstrated a commitment to implementing evidence-based approaches to school climate reform

**Cynthia will work with the legislature to enact the Safe and Supportive Schools Act (A.3873a/S.3036a) to reform school climate throughout the state and to create a new position of Deputy Commissioner for Racial and Economic Equity within the State Education Department.**

**Cynthia will create a School Climate Fund of \$50 million for schools with a history of high suspension and/or arrest rates that are committed to transforming school climate, dramatically reducing suspensions and eliminating school based arrests.**

## **Creating Community Schools**

Across the country, Community Schools have emerged as a highly successful strategy for drawing funding, key programming and services into some of our most neglected and challenged schools. Community Schools provide a myriad of supports to students and families who need them -- from vision care that allows a child to see the blackboard, to mental health services that help a child be able to focus in school and families to provide supportive learning environments. In contrast to many top-down school interventions, community schools are based at their core in listening to what families, students and educators say they need to thrive.

While the state has had a community schools initiative in recent years, the resources invested have been inadequate and unstable. Currently, community school funding is either grant funded or it is part of Foundation Aid funding. The grant funding expires within three years, meaning it is not predictable, nor can it support sustainable community schools. When community school funding comes as a set aside within Foundation Aid, it competes with core funding for schools, meaning that districts may be forced to cut educational programming in one school in order to turn another school into a community school. Cynthia is strongly committed to community schools and will ensure that they have sustained funding that is distinct from Foundation Aid.

Rather than rushing into implementation with little understanding of whether a school will have the capacity to carry out the strategic approach, Cynthia will also require that school districts demonstrate readiness to implement an effective community school model as a prerequisite for implementation funding. Unlike the current programs, she will also require that schools demonstrate a strong commitment to meaningful family engagement.

Community Schools across the state will be selected for participation based on student need and successful completion of a community school planning year that will determine school readiness as evidenced by:

- A strong and supportive principal supported by the local school district, who will take a leadership role in the transformation to a community school;

- A successful record in collaborative school decision-making with parents and caregivers as key partners, as well as administrators, teachers, students, staff and community partners
- Supports for high quality instruction, including lead or master teachers and professional development tailored to support teachers in meeting students' needs.
- A high quality plan for transformation to a community school, based upon a comprehensive needs assessment developed in conjunction with parents, students and educators

**The Community Schools initiative will be built around several key principles:**

- **Strong Family, Student, Staff and Community Engagement:** Effective and transformative engagement practices that result in true partnerships between families, students, staff, communities and schools will be the core foundation of the community school strategy.
- **High Quality Educational Opportunities:** A diverse and multicultural curriculum with a strong academic focus that engages the whole child and includes arts, science, foreign language, technology, career education and advanced coursework.
- **Positive School Climate and Learning Environment:** Implementation of a positive and supportive school climate designed to keep students safe and in school, as well as social, emotional and health supports for students and services for families and communities.
- **Data Driven Continuous Improvement:** Ensuring full use of data systems that track student progress on multiple measures, as well as targeted supports for students, and that uses data to support on-going continuous improvement efforts.

**Cynthia will create 500 Community Schools with annual funding of \$200 million, using a separate funding stream from Foundation Aid.**

## **Developing a Family Engagement Framework that Puts Families Front and Center**

Cynthia believes that effective family engagement and the robust participation of families in their children's education and in school and district level decision making is critical to a high functioning education system. Families are the experts in their own communities, schools and homes. Parents, families and other caregivers are our children's first teachers and can be critical partners in supporting instruction and learning throughout the school years. In addition, families can serve as strong advocates for their schools and districts, and can hold schools, districts and even the state accountable for the quality of education their children receive.

Modeled off the effort of the California Department of Education to develop their Family Engagement Framework, New York will work in partnership with national family engagement experts, family leaders and other education stakeholders to develop a comprehensive family engagement framework based on the principles described above. The Framework will describe research, state requirements and best practices in partnering with families to create strong schools and support student achievement with particular focus on closing the achievement gap.

Some best practices that will be highlighted include using a Ladder of Engagement strategy for developing transformative family engagement in schools, Parent Teacher Home Visits, Academic Parent Teacher Teams and other model family engagement initiatives that support collaborative school decision making as well as a strong link to learning. The Framework will serve as a tool for educators, districts, schools, families and communities to plan, implement and evaluate family engagement practices.

## **Expand the Diversity of the Teaching Force**

Our teaching force should reflect the diversity of our state. This is particularly important in schools and districts with high concentrations of students of color where we see a massive gap in educational opportunities and outcomes compared to whiter and more affluent communities. Across New York State 43 percent of students are Black or Latinx, yet only [16 percent of teachers](#) are. [Nearly 200,000](#) Black and Latinx students in New York State attend a school with zero or one teachers of their own race.

Research shows that students of color, in particular Black students, feel more cared for and perform better when they have teachers of color. Black students report that having a teacher of their own race results in better understanding of subjects being taught, improved classroom behavior and a greater orientation towards attending college. For Black boys, having just one Black teacher in third, fourth or fifth grade reduces the probability of dropping out by [39 percent](#). Teacher diversity benefits all students as it "can help [reduce student prejudice](#) toward people from different racial and ethnic backgrounds."

Under the My Brother's Keeper initiative, the New York State Board of Regents expanded the Teacher Opportunity Corps (TOC) through which education programs at colleges use a variety of approaches to recruit and train more teachers of color and teachers from economically disadvantaged backgrounds. TOC provides these students enrolled in teacher preparation programs with supports from the beginning of their college career through graduate schools. These include critical academic supports that increase success in college, and professional supports focused on the transition to working as a teacher and bolstering retention. They also include financial aid to help meet the needs of low-income, first-generation and other underrepresented college students. TOC works in partnership with school districts and provides frequent opportunities for training in school classrooms. When students begin their teaching careers TOC provides mentoring supports which are essential both to increasing retention and bolstering the skills of these new teachers.

Despite its success, currently, TOC is a modest program with only \$3 million in funding. This funding represents a short term appropriation, not a long term commitment by the state. TOC itself should be enlarged. **As an initial step towards diversifying our teaching force, Cynthia will renew existing Teaching Opportunity Corps funding and double the budget for a total ongoing annual investment of \$6 million.** This will allow TOC to be expanded to serve twice as

many future and new teachers each year as are currently being served. This will be coupled with a commitment to further expand investment as needed.

## **Culturally Responsive Education (CRE)**

New York State is a racially and culturally diverse state and the legacy of racism has a major ongoing impact on all our institutions; our schools are no exception. When students feel disconnected from school, their education suffers. Despite the best intentions of educators, there are significant cultural gaps in our schools. Only 15 percent of children's books are from Black and Latinx authors.<sup>8</sup> School curricula usually provide inadequate attention to the cultures and histories of students of color. With major racial issues surrounding their students every day, many teachers want to discuss race in their classrooms but do not feel prepared to do it.

Culturally Responsive Education (CRE) provides rigorous, student-centered education that cultivates critical thinking instead of just test-taking skills; connects academics to students' experiences and to current issues; fosters positive academic, racial and cultural identities; and engenders the love of learning that is key to student success. CRE supports student success, creates greater self-awareness and expands knowledge and awareness of the diverse cultures and peoples who are New Yorkers.

CRE works, as shown by many research studies. It increases student engagement in school and their participation and curiosity in classes. It builds connections with students' experiences, perspectives, histories and cultures. These programs have been shown to increase student attendance and student achievement leading to higher grade point averages, better test scores, more credits earned and higher graduation rates. Research shows that students of color, as well as white students, show improved outcomes in these areas as a result of CRE.

### **Cynthia Nixon will work parents, students, educators and legislators to design and enact legislation which will:**

- Require the implementation of culturally responsive education statewide;
- Create a Deputy Commissioner for Racial and Economic Equity within the State Education Department who, under the authority of the Commissioner of Education and the Board of Regents, will be charged with overseeing the state's initiatives in school climate reform and culturally responsive education. This Deputy Commissioner shall be responsible for supporting and overseeing the statewide implementation of CRE.
- Ensure schools have access to culturally responsive curricula that includes a focus on the histories and cultures of African, Latinx, Asian, Middle Eastern and Native heritage people, and the intersections with gender, LGBTQ and religious diversity.
- Ensure educational materials in classrooms and libraries reflect the cultural diversity of New Yorkers and of students in schools.

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<sup>8</sup> <http://ccbc.education.wisc.edu/books/pcstats.asp>

- Provide for professional development for educators in CRE including training in understanding the different cultures of students in schools and how educators can most effectively work with students of different cultural background.
- Support parent engagement that is culturally responsive and values the skills and expertise of parents from diverse backgrounds, including translation and interpretation services at schools to support parents in effectively engaging in their children’s education.

**Cynthia will allocate \$20 million in funding towards Culturally Responsive Education efforts, including initiatives targeted toward school districts with high proportions of students of color.**

### **Teaching and Learning, Not Testing and Punishing**

Assessing student learning and evaluating educators in order to support their professional growth are two of the most important elements of ensuring equity and quality in education. Under the current administration, the focus of testing has been on punishing those who do not excel whether it be students or teachers or schools, versus using evaluation as a means to improving instruction and supporting student learning.

In recent years New York State has been racked with controversy due to a teacher evaluation system based upon standardized tests that was forced through by Governor Andrew Cuomo. It provoked a rebellion among teachers and caused one in four public school parents to refuse to have their children take state standardized tests. At the time, Governor Cuomo declared that it was “one of the greatest legacies for me and the state.”

The consequences of the existing system are manifold. Children are tested with enormous frequency and the results of these tests can arbitrarily determine the opportunities that sometimes even very young child will be offered. Teachers have been held accountable for the performance of students on these tests, sometimes around content unrelated to their subject matter and for students they have not themselves even taught. This creates a disincentive for teachers to teach in schools where there are students who need their support the most. Schools have also been evaluated on test performance incentivizing stripped down instruction that is focused on teaching to the test in order to avoid punishing consequences.

New York should be a leader in innovative education. Instead we have led the way on narrowing innovation by overemphasizing standardized testing. We need more reliable and valid methods than standardized tests to assess student learning and growth and to offer feedback to teachers regarding their skills and student progress and understanding. The first steps are to undo the damage that has been done. This involves:

- **Repealing Governor Cuomo’s failed Annual Professional Performance Review (APPR)** which uses test scores to evaluate teachers and adds additional testing for students, testing which has no educational purpose and is solely for the purpose of evaluating teachers. Return teacher evaluations to local district responsibility using effective methods such as principal observations and peer review, and providing teacher supports to improve teaching and learning.

- **Respecting the Rights of Parents to Make Educational Choices for their Children:** Taking or refusing the state standardized tests should be viewed as a personal choice and no parent, student or school should be punished due to a parent's choice to refuse the test for their child.
- **Reducing the Amount of Testing and Limiting High Stakes Consequences.** Cynthia will work with the Board of Regents to undertake a review of all state and federally mandated testing and of all related high stakes consequences that punish schools, students and educators. The goals of this review will be to significantly reduce the total amount of standardized testing and eliminate high stakes consequences based upon test scores.

### **Segregation in Specialized High Schools**

New York City's specialized high schools are highly segregated with only [10 percent](#) of the student body being Black and Latinx despite the same students constituting [67 percent](#) of the students in the New York City schools. The three most prestigious of the specialized high schools are required by state law to use a single test for admission (although five additional specialized high schools use the same test). Many students receive specialized tutoring to prepare for these tests at considerable cost to their families, an expense that is not affordable to all. Cynthia has strongly endorsed legislation introduced by Assemblyman Charles Barron designed to end the segregation in the specialized high schools. By contrast Andrew Cuomo has refused to take a position on the issue and specifically said he would not even consider it before next year, insisting on making a political linkage to the unrelated issue of mayoral control in New York City schools.

The legislation proposed by Assemblyman Barron would phase out the single test for admission to specialized high schools and instead rely on multiple measures including classroom grades and tests that are taken by all students and do not require prep courses. Over three years the legislation would open up admissions to the top five to seven percent of students from every middle school in New York City which is projected to increase enrollment of Black and Latinx students to [45 percent](#).

# Higher Education: Real College and Career Preparation for All

## College for All New York

We have all heard the promise of free tuition from Andrew Cuomo's Excelsior Scholarship, but, in reality, only 3.6 percent of SUNY and CUNY undergraduates qualify.<sup>9</sup> Governor Cuomo deliberately inserted numerous restrictions in the Excelsior program to exclude students in order to reduce program costs. Students must take and pass 30 hours of coursework towards a degree every year and complete college within four years, which makes it prohibitive for many students who need to work or parent while in school. Nationally, only about 60 percent of college students [graduate with a B.A. in six years](#) and at CUNY, the five-year graduation rate is [only 30 to 33 percent](#). If a student fails or drops one course during her college career, she could lose her eligibility entirely for the program.

In addition, many students at SUNY and CUNY, especially low-income students, need remediation when they enroll, but in order to qualify for Excelsior they must take a full 30 credit load in addition to their remediation courses. For many of these students this restriction makes the program inaccessible.

Another way the Excelsior Scholarship excludes students is by requiring that they must live in New York State after graduation for the same number of years they received the scholarship, and they are not allowed to take a job outside of the state. If they do not comply with this rule then they have to pay back their scholarship. The vast majority of SUNY and CUNY graduates stay in New York, but it is unfair and burdensome to exclude students because they might get an exciting job offer, relocate to get married or be with family, or have an unexpected life changing event.

Perhaps most important of all, Andrew Cuomo devised Excelsior to be a last-dollar program, which means it requires students who have the greatest need to use other financial aid they receive, such as a federal Pell Grant, to cover tuition before using the Excelsior Scholarship. However, a federal Pell Grant can be used to cover costs beyond tuition like housing, food, books or other basic costs, while Excelsior can only be used to cover tuition. The result is that a student only qualifies for Excelsior if the Pell Grant is not large enough to cover their entire tuition, and by requiring the Pell Grant to be used for tuition versus other costs, receipt of the Excelsior Scholarship often leaves students without a means to cover the additional prohibitive

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<sup>9</sup> As reported here, only 23,000 students received Excelsior due to the limited budget for this purpose <http://www.whec.com/news/free-tuition-new-york-program-excelsior-scholarship/4588780/> There are 244,420 undergrads at CUNY [https://www.cuny.edu/irdatabook/rpts2\\_AY\\_current/ENRL\\_0001\\_UGGR\\_FTPT.rpt.pdf](https://www.cuny.edu/irdatabook/rpts2_AY_current/ENRL_0001_UGGR_FTPT.rpt.pdf) and 391,417 at SUNY <https://www.suny.edu/about/fast-facts/>. In total only 3.6% of SUNY and CUNY undergrads are covered by Excelsior

non-tuition costs of going to college. Meanwhile a middle-income student whose family may have the means to provide room and board could qualify for full tuition under Excelsior.

By contrast, Cynthia favors first-dollar programs, such as New York State's Tuition Assistance Program (TAP), which pay for a student's tuition first, leaving Pell Grants for other essential expenses. Providing a first-dollar program is very important if New York is going to be serious about expanding access to higher education and seeing larger numbers of low-income students, students of color, and immigrant students graduate from college.

Cynthia's *College for All* New York plan will not carry any of the prohibitive restrictions of the Excelsior Scholarship and will open up free tuition to more than seven times as many New York students as are currently being served. While Cuomo's Excelsior Scholarship was designed to deny free tuition to DREAMers and other immigrant New Yorkers, Cynthia will make them eligible for the same free tuition as other New Yorkers.

Currently 237,000 SUNY and CUNY students receive TAP (Tuition Assistance Program) aid, but only 28 percent receive full tuition. TAP serves students whose families have incomes of up to \$80,000 annually. ***College for All would provide free tuition to all students who would qualify for TAP and as mentioned, it will open up access to DREAMers and other income-qualified immigrant New Yorkers.*** *College for All* will support students pursuing career directed certifications and credentials available through community colleges.

Rather than seeking to exclude students, *College for All* will be designed to expand access to more students. Like TAP, it will require 24, not 30 credits per academic year, however, it will support students who require remedial coursework by allowing these courses to count towards the full credit load. And when students graduate, they will not be limited from pursuing familial obligations or job opportunities out of state simply because their family income is such that they needed tuition assistance.

While Cuomo's "free tuition" program only serves [23,000 students](#), ***Cynthia Nixon's College for All New York would provide free tuition to 170,000 additional students enrolled at SUNY and CUNY, at a cost of \$600 million annually.***

## **Graduation for All**

Making it possible for all students to afford college is a first step, but the benefit of higher education comes with graduation. New York is home to successful opportunity programs which support economically disadvantaged students and students who may not meet the traditional college admissions criteria. These programs successfully boost graduation rates by providing critical academic and financial supports to students. While they are open to students of all backgrounds they have aided many Black, Latinx and other underrepresented student populations over the years. These programs are highly successful, but they remain modest in size as there are many more students who meet qualification criteria than the programs have the capacity to help.



Programs including SUNY's Educational Opportunity Program, CUNY's ASAP and SEEK programs, and HEOP for students in private colleges and universities have demonstrated tremendous success in [increasing student graduation rates](#). For instance, the ASAP program, which serves community college students, is proven to [more than double the timely graduation rates](#) compared to similar students not enrolled in the program. These programs succeed because they provide students with free tuition, small classes, academic counseling and supports and aid for books and transportation.

Despite the phenomenal success of these programs in increasing graduation rates for New York's most vulnerable college students, Governor Cuomo has never proposed to expand them. In fact, in his 2018 budget Cuomo tried to cut \$13.7 million from these programs, as part of his annual posturing around the budget, forcing the Democratic Assembly Majority to use their political chits to restore the funding. New York's students of color and low-income students need a governor who will not play politics with their futures.

***Cynthia's Graduation for All program will support the graduation of an additional 60,000 students annually in both four year and two year colleges, pursuing both academic and career oriented degrees, at a cost of \$225 million a year. It will greatly increase the number of students of color, low income students and immigrant students, including DREAMers, who become college graduates.***

## **Strengthening SUNY and CUNY**

SUNY and CUNY have a long history of commitment to providing high quality public higher education, but New York State is undermining the quality of SUNY and CUNY by failing to live up to its end of the bargain with students and their families. While this trend predates Andrew Cuomo, his politics of austerity have hurt students, faculty and the staff of both SUNY and CUNY.

CUNY has increased its number of students by nearly 80,000 since 2000, or about the size of two additional colleges without any additional resources from the state. As a result, since 2008, state support per full time equivalent student has declined by about 20 percent. A similar pattern exists at SUNY. Meanwhile tuition has risen considerably under Andrew Cuomo and his Excelsior program serves only a small fraction of students. Students are paying more and getting less quality in return.

In 2011, as part of a massive tuition hike he imposed on students, Andrew Cuomo promised the state would also increase its investment to ensure all SUNY and CUNY students access to high quality college education. But Cuomo refused to live up to his end of the bargain and repeatedly vetoed legislation to provide the State Maintenance of Effort (MOE) funding he promised. SUNY and CUNY campuses have had no choice but to sacrifice quality, neglecting facilities and underpaying university staff and professionals.

The MOE is but one example of the state failing to invest in a quality public higher education. The percentage of courses taught by full-time professors at CUNY has dropped from 70 percent

to 48 percent. SUNY has also experienced dramatic increases in the number of part time faculty teaching its courses. In the 1970s when student enrollment was lower than it is now, CUNY had 11,500 full-time faculty. Today it has 7,600. A similar pattern exists at SUNY. The most important resource for the quality of students' higher education is the faculty at our colleges and universities. Full-time faculty have more time to devote to students, they can spend time outside of class meeting with students and have adequate time to prepare for the highest quality instruction.

Equally important, every major study on higher education indicates that the quality of a student experience is in part determined by the ratios of counselors and advisors to students. The lower the ratio the easier the access of a student to counselors and advisors to receive the kinds of support that are critical to their emotional and academic development. Presently, those ratios at CUNY and SUNY are simply untenable. At CUNY the ratio is between 600-1 on some campuses and to 1,500 to 1 on others. The ratios at SUNY are similar. Clearly these numbers do not add up. In turn, CUNY and SUNY students do not receive the supportive services they need and deserve.

**Cynthia Nixon will commit to a multi-year effort to re-invest in our public universities and the quality of education they provide, including fulfilling the Maintenance of Effort commitment that Andrew Cuomo has repeatedly vetoed. Cynthia will make a new investment of \$800 million into ensuring the quality of education and instruction students receive at SUNY and CUNY.**

# Paying for EDUCATE NY

The most important decisions a state government makes revolve around the questions of taxation and spending. As is often pointed out, a state budget is as much a moral document as a fiscal statement. A budget tells you what we have decided, as a society, is most important. Cynthia Nixon believes that providing an education to our children is our state's most important responsibility. Her plan to Educate NY would cost \$7.367 billion.

We will pay for this plan by asking our wealthiest to pay more. We live in a very rich state. But it's a rich state only in the aggregate. While there are a substantial number of enormously wealthy people, most New York families are middle class, working class or struggling to survive. Most people, including the wealthy, would prefer a state that does more to invest in the lives and prospects of the middle class, working class and poor. Unfortunately, New York has moved in the opposite direction for much of the last 25 years, including the last eight years under Andrew Cuomo.

Our society is only as strong as our weakest members. When our schools are struggling, you see that reflected in everything from the crime rate to the economy. It is time to change course. We need to keep fairness in mind as we decide what and how we levy taxes. We need to make opportunity our north star as we consider how to invest precious public dollars. And we need to acknowledge our mutual responsibility to one another, to our families, and to our communities. A budget that keeps these principles in mind will be one that we and our children can be proud of.

## Millionaires Tax

Under Cynthia Nixon's plan, fewer than 5 percent of New Yorkers will face a tax increase. The vast majority of families in the state will continue paying their current income tax rates. Only the richest — the biggest winners both from years of unbalanced growth and from the most recent federal tax cuts — will be asked to do more to help support public services in the state. Because income is so concentrated at the top, even a modest tax increase on the highest incomes produces a great deal of revenue. **Cynthia Nixon's plan will generate \$5.5 billion in additional revenue annually.** 17 percent (\$930 million) of this new revenue will come from out-of-state residents who work in New York State.

The new tax brackets and rates are shown below.

INCOME LEVEL	RATE	INCREASE
\$300,000 to 500,000	7.35%	0.50% <sup>10</sup>
\$500,000 - \$1 million	8.35%	1.50%
\$1 million - \$2 million	8.85%	2%
\$2 million - \$10 million	9.85%	1.03% <sup>11</sup>
\$10 million +	10.25%	1.28%
*Rates below these levels remain the same*		

The following table shows the current income tax rates in New York for married couples who file jointly.

New York Taxable Income	Rate
\$0 - \$17,050	4.00%
\$17,050 - \$23,450	4.50%
\$23,450 - \$27,750	5.25%
\$27,750 - \$42,750	5.90%
\$42,750 - \$160,500	6.45%
\$160,500 - \$321,050	6.65%
\$321,050 - \$2,140,900	6.85%
\$2,140,900+	8.82%

## Corporate Income Taxes

Over the years since Mario Cuomo was governor, Governors Andrew Cuomo and George Pataki have provided major tax breaks to corporate America. Compared with the 12 years when Mario Cuomo was governor, corporate income taxes have fallen by more than half. During the Mario Cuomo years, corporate income taxes payments averaged 0.83 percent of state GDP. Today, they come to just 0.39 percent.

If we reversed the corporate tax cuts of the past 25 years and brought corporate taxes back to their old share of GDP, New York State would generate an additional \$6 billion in annual revenues.

<sup>10</sup> For those earning between \$300,000 and \$321,000 the increase is 0.7%.

<sup>11</sup> For those earning between \$2 million and \$2,140,900 the increase is 3%

This is a more aggressive approach than necessary. Cynthia proposes to raise rates by only half as much, and to limit the increase to large corporations, not small businesses, which would bring corporate tax revenue to 0.55 percent of state GDP - back where they were before Andrew Cuomo's 2014 corporate tax cuts.

Cynthia will bring corporate tax revenue back to 0.55 percent of the state GDP by raising the corporate income tax and by enacting a variety of tax reform measures to ensure that large corporations pay their fair share. Collectively, these actions will raise **at least \$3.2 billion in annual revenues**.

New York State's corporate income tax is not only lower than it was in our own recent past, it is lower than in many comparable states. Contrary to claims that New York is an exceptionally high tax state for big businesses, as of 2015 New York ranked only 15th in the country for corporate income tax collections as a share of state GDP. Many other large urban states, including California, Massachusetts, New Jersey and Illinois, collect significantly more corporate income taxes relative to their economies. Our proposed increase would still leave New York State's corporate income tax collections at a level similar to that of Illinois. The fact that so many other states have continued to collect much higher corporate income taxes than New York demonstrates that the fall in tax collections here was not driven by economics or technology; it was a political choice.

**Raising Corporation Income Tax:** Raising corporate tax rates is the most straightforward way to boost corporate income tax revenue. Over the past two decades the base corporate tax rate has been steadily reduced — from 9 percent to 6.5 percent. Reversing these ill-advised cuts is an essential first step. Higher rates will account for the bulk of the corporate income tax revenue increase.

**Other Corporate Tax Reform:** Higher tax rates on corporate income are necessary, but they are not sufficient to raise the revenue our schools need. The plan also envisions a variety of tax reform measures to ensure that large corporations pay their fair share for the public services they depend on, while encouraging good corporate citizenship and avoiding undue burdens on smaller businesses. While we will not need to use all of these options, each potentially plays a role in achieving tax fairness as well as tax adequacy.

- **Restore the Capital Base Alternative Tax to the Corporate Franchise Tax.** The removal of this provision in the 2014 tax bill was advertised as “revenue neutral,” but it has cost the state an estimated \$440 million in lost revenues annually. By eliminating capital holdings as a basis for calculating the share of a corporation's profits generated in New York, this change allowed some large corporations that benefit greatly from New York's public investments and services to avoid paying significant taxes to the state. We should restore and update this provision to ensure that all corporations that operate in New York help pay for the public goods they depend on.

- **Crack down on corporate tax cheats.** While individual New Yorkers almost universally pay their income tax bill when they file their state taxes, many large corporations do not. Instead these corporations understate their tax liability in hopes that they can cheat the state. The state must then audit these corporations to secure the taxes that are already owed under law. In the process corporations often negotiate away any penalties for underpayment thus creating an incentive for them to try and game the system over and over. By adding auditors to the Department of Tax and Finance New York can collect more revenue, and by enforcing existing penalties we can make sure that there is a disincentive for corporate tax cheats.
- **Charge an income tax surcharge on corporations that buy back their own stock.** Under pressure from financial markets, corporations devote an increasing share of their profits to buying back their own shares, rather than productive investments. These buybacks can raise stock prices, enriching short-term investors and top managers compensated in stock. But they do nothing to generate employment or economic growth, and undermine the corporation's long run viability. A better corporate tax system would impose lower taxes on profits that are retained within the firm to finance investment, than on profits that are paid out as buybacks.
- **Update the filing fees for Limited Liability Corporations (LLCs).** An increasing proportion of businesses are organized as LLCs even when they have substantial assets and employment. (Donald Trump's various companies are one well-known example.) New York State's tax code has not caught up with this shift in the economy. Today, the maximum filing fee for LLC income is \$4,500, even for entities with New York income of \$25 million or more. Since some LLCs are comparable in size to public corporations, we would apply the same filing fee structure to LLCs as to other corporations.

## Educate NY Program by Cost

<b>EDUCATE NY: SMART INVESTMENTS IN OUR FUTURE</b>		
<b>Early Childhood Programs</b>	<b>Cost in Millions</b>	<b>What They'll Do</b>
Mother & Infant Home Visiting	\$175	50,000 new home visiting slots, serving nearly five times as many children and families as are currently served across the state.
High Quality Child Care	\$700	100,000 additional children will now have access to quality child care served year-round.
High Quality Pre-K	\$361	Every four year old in high-need districts and economically disadvantaged four year olds in the state will now have access to quality full-day pre-K.
<b>Early Childhood Total</b>	<b>\$1,236</b>	
<b>K-12 Programs</b>	<b>Cost in Millions</b>	
Equity through Foundation Aid	\$4,200	The state's lowest income schools will receive an additional \$4.2 billion.
Community Schools	\$200	500 Community Schools will be created.
School Climate Reform	\$50	A School Climate Fund of \$50 million will be created for schools to greatly reduce suspensions and eliminate over policing, and replace with counselors and other necessary emotional and social supports
Culturally Responsive Education	\$20	\$20 million in funding to support culturally responsive curricula and teacher training
Teacher Diversity	\$6	The existing Teaching Opportunity Corps funding will be renewed and the budget will be doubled.
<b>K-12 Total Cost</b>	<b>\$4,506</b>	

Higher Ed Programs	Cost in Millions	
College for All	\$600	170,000 additional students enrolled at SUNY and CUNY will be provided free tuition.
Graduation for All	\$225	The program will support the graduation of an additional 60,000 students annually in both four year and two year colleges.
Quality for All	\$800	\$800 million will be invested into increasing quality of education and instruction students receive at SUNY and CUNY, including hiring more full-time faculty.
<b>Higher Ed Total Cost</b>	<b>\$1,625</b>	
<b>EDUCATE NY TOTAL Cost</b>	<b>\$7,367</b>	