



Boards of Cooperative Educational Services

**BOCES**  
of New York State

[www.boces.org](http://www.boces.org)

## **BOCES Education Consortium-2015**

### **Educator, Facilitator, Engine for Economic Growth**

BOCES are the premier example of inter-municipal collaboration in New York State that works. Since its creation over 60 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 is 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:

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

The BOCES of NY State urge 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 also urge our leaders to ensure that funding for CTE be enhanced by adjusting the existing aid formula that supports these programs, and by supporting the Regents proposal for the establishment of a CTE Technology Facility Construction Fund.

**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% 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.

In addition, the BOCES of NY State need to re-invest in state of the art training centers that will prepare all students for the 21 Century workforce. The current tax cap structure places significant restrictions on BOCES ability to make the necessary upgrades to facilities that would support the high tech training programs students need. In order to ensure that all students enter the workplace prepared to compete, we recommend the legislature support the Regents recommendation of a \$50 Million CTE Technology Facility Construction Fund.

### **Exclude BOCES capital expenses from the tax levy cap**

While capital expenses for school districts are an exclusion under the current tax levy cap structure, BOCES capital expenses are not. This renders BOCES virtually unable to pursue a capital project and endangers the ability for BOCES to provide critical programs and services for students in the future.

**Recommendation:** We recommend that state leaders exclude BOCES capital expenses from the tax levy cap. This will ensure that students in BOCES programs will continue to be educated in facilities that have the same quality and resources typically associated with a school environment.

### **Authorize BOCES to operate regional high schools**

Currently school districts are permitted to join neighboring districts only through a lengthy, formalized merger or consolidation process. A BOCES provided regional high school would allow individual school districts to retain their local identity and governance structure while providing access to a full range of expanded learning opportunities for their students. Without this option districts that are unable to merge will continue to lose programs and opportunities for their students.

**Recommendation:** We recommend that state leaders authorize BOCES to operate regional high schools and similarly authorize local school boards the ability to participate in BOCES provided regional high schools.

### **Help BOCES address concerns about legacy costs**

#### **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 benefits trusts.

## **Other supported positions:**

### **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 Worker's 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. In addition, there has been no growth in reimbursement rates for pre-school handicapped programs since 2008-09. This is not sustainable. We recommend the re-establishment of an annual growth factor that is sufficient to cover program costs.