



AGUDATH ISRAEL OF AMERICA **ALBANY AGENDA**

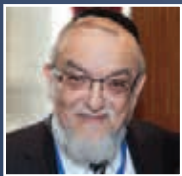
MONDAY, MARCH 20, 2017



THE AGUDATH ISRAEL ALBANY AGENDA 2017



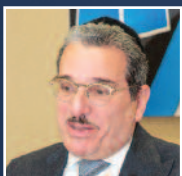
**RABBI CHAIM
DOVID ZWIEBEL**
Executive Vice President



**RABBI SHMUEL
LEFKOWITZ**
*Vice President for
Community Services*



**RABBI YERUCHIM
SILBER**
*Director of NY
Government Relations*



SOL WERDIGER
*Chairman,
Board of Trustees*

AGUDATH ISRAEL'S OFFICE OF GOVERNMENT AFFAIRS

Agudath Israel of America is a 94-year-old, national, Orthodox Jewish organization, headquartered in New York, with a Washington office and affiliated chapters across the United States. Agudath Israel sponsors numerous projects and programs that service the community in a wide variety of settings. Through its Office of Government Affairs, Agudath Israel advocates before federal, state and local bodies on behalf of Orthodox Jewry and its growing network of educational, religious and charitable institutions. As New York is home to the largest concentration of Orthodox Jews anywhere in the world outside the State of Israel, Agudath Israel has, over the years, placed special emphasis on advocacy in the Empire State.

Agudath Israel has played a major role in the development and enactment of numerous laws that protect the civil and religious rights of Orthodox Jewish New Yorkers in many settings, including universities, workplaces and hospitals.



AGUDATH ISRAEL OF AMERICA

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2017 ALBANY AGENDA

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AGUDATH ISRAEL OF AMERICA

ADVOCACY ON BEHALF OF NEW YORK'S ORTHODOX JEWISH SCHOOLS

Perhaps the single greatest focus of Agudath Israel's advocacy efforts in New York has been education – protecting and advancing the interests of the **growing network of elementary and secondary Orthodox Jewish schools across New York** and the constituencies they serve. There are approximately **408** such yeshivos and day schools, with a broad array of affiliations: Hasidic, Lithuanian, Modern Orthodox, Ashkenazi and Sephardi. Collectively they enroll approximately **149,000 students** – over a third of the total nonpublic school enrollment in the state.



Agudath Israel's service to these schools includes high-level advocacy with legislative bodies and education departments that results in millions of dollars of grants and services; a dedicated division, Project LEARN, that advocates for children with special education needs; and the Education Affairs Division, which generates a steady stream of newsletters and hands-on workshops and webinars that provide essential information on government laws, rules, regulations and programs vital to the operation of yeshivos across the state, and is available to assist and respond to schools' questions on an individual basis.

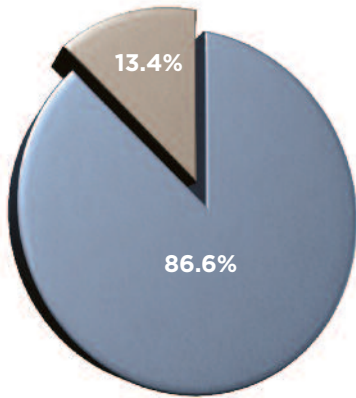
Executive staff of Agudath Israel are **acknowledged leaders of the broader nonpublic school community in New York**. Most notably, Agudath Israel's executive vice president co-chairs the New York State Coalition for Independent and Religious Schools, chairs the Committee of New York City Religious and Independent School Officials and is a member of the New York State Commissioner of Education's Nonpublic School Advisory Council.

Agudath Israel's **long track record of advocacy** and service on behalf of Orthodox Jewish schools reflects its recognition that these schools are the very lifeblood of the community, and that their wellbeing is the key to Jewish continuity and growth. Yet, the high cost of yeshiva education places tremendous strain on parents who choose such schools, and threatens the long-term viability of these schools. **Accordingly, Agudath Israel's top legislative priority for 2017 is tuition relief for nonpublic school parents.**



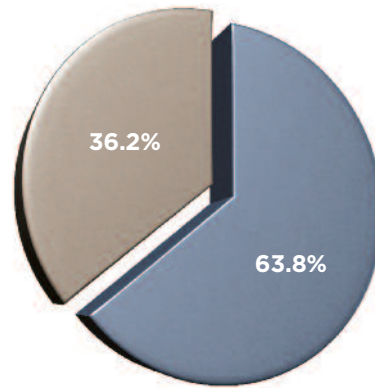
NEW YORK STATE K-12 DEMOGRAPHICS AT A GLANCE

PUBLIC & NONPUBLIC STUDENTS



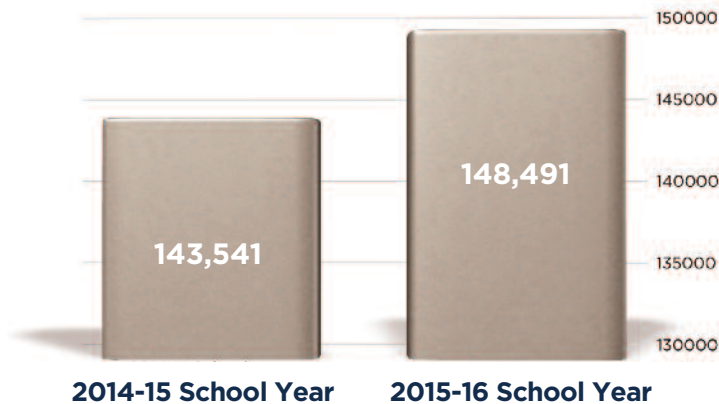
- Nonpublic School Students
- Public School Students

JEWISH & NONPUBLIC STUDENTS



- Jewish Nonpublic School Students
- Other Nonpublic School Students

JEWISH STUDENT POPULATION: ON THE RISE



STUDENT CATEGORY		As % of Total	As % of Nonpublic
TOTAL K-12 STUDENTS	3,059,490		
TOTAL NONPUBLIC K-12 STUDENTS	410,451	13.4%	
TOTAL JEWISH NONPUBLIC K-12 STUDENTS	148,491	4.9%	36.2%



TUITION RELIEF FOR LOW AND MIDDLE INCOME FAMILIES

New York State will spend over **\$28 billion** on kindergarten to grade 12 public education in FY 2017 (inclusive of STAR program). This is, by far, the single most significant New York State budget item. With Medicaid (the state's next biggest ticket item, at \$18.2 billion), public education funding comprises **71% of New York State's \$64.9 billion non-state operations budget**.¹

Education is critical to our future, and free, public education is a cherished and vital institution. New York State rightly prioritizes education in a tangible way by very meaningfully funding public education.

However, parents who, for ideological, educational, religious or other reasons, choose alternatives to the mainstream educational system, **have no such comparable funding stream. Tuition costs may be a family's single most onerous expense item.**

For years, tuition relief has been a priority for Agudath Israel. This year, Agudath Israel has proposed the **SCHOOL** Bill - **S**tudent **C**redit **H**elping **O**pen **O**pportunities to **L**earn. The SCHOOL Bill creates a tax credit for tuition paying parents equal to a fraction of the per-pupil public education expenditures, subject to restrictions and income thresholds, to alleviate some portion of the costs that working, low and middle-income families shoulder to educate their children.

Agudath Israel also endorses other tax incentives, which encourage private sector giving to fund scholarships for needy nonpublic school children. **Proposed remedies have approached the issue from different perspectives, but one thing is clear: the need to help these parents is acute and needs to be addressed.**

A strong private school network engenders an even stronger public school system. It's time for New York State to join the **61** programs nationwide in **30** states and the District of Columbia - and rising,² who invest in public education as the backbone of our society, but who also appreciate that educational needs may be as different as the different children they serve.



¹ New York State FY 2017 Enacted Budget Financial Plan, page 13. Available at <https://www.budget.ny.gov/budgetFP/FY2017FP.pdf>

² "School Choice in America," EdChoice, last modified Dec. 6, 2016, <http://www.edchoice.org/school-choice/school-choice-in-america>.



PROTECT OUR CHILDREN: INCREASE SECURITY FUNDING FOR VULNERABLE NONPUBLIC SCHOOL CHILDREN



With over **100** bomb threats at Jewish Community Centers and day schools across the country; the twin desecrations of **Jewish cemeteries** at St. Louis and Philadelphia, swastikas appearing on playground equipment in Brooklyn Heights, *all in the past two months alone*, **2017 had shown us that hate-based crimes are, unfortunately, a rising, troubling phenomenon in this country in general, and in New York in particular.** We would like nothing more than to paint these events as statistical anomalies. However, according to a report by the New York State

Superintendent of Police, whatever the underlying cause, the explosion of hate crimes is a definitive, disturbing trend, showing no signs of abatement.

Agudath Israel echoes Governor Andrew Cuomo's sentiment at his February 23rd press conference at the Jewish Heritage Museum, where he proposed an additional **\$25 million** to fund security measures for at-risk, faith-based schools and, "questioned the depravity of the mind of one who would endanger the lives of young children." **We call upon the New York State Legislature to protect the children these depraved individuals wish to target.** As United States citizens and as New Yorkers, we condemn these hateful actions.

Last year, the legislature appropriated \$10.5 million for nonpublic school safety equipment. This translates into approximately \$30 per child. While this is a step in the right direction, **the current, troubling climate clearly calls for bolder action.**

In neighboring New Jersey, for example, we note that the legislature approved a \$50 per child allocation for security and safety purposes, with \$75 per student allocated in next year's budget.

New York must do more. More to protect the nonpublic children most vulnerable and most at risk. We commend the Governor's call to action. We do not need a long memory to recognize that the Empire State offers unparalleled appeal and opportunity for terror in the minds of those who seek maximal harm and notoriety. From a security and logistics perspective, **New York nonpublic school students require at least the equivalent level of security funding as that afforded to their New Jersey counterparts,** and we call upon the New York State Legislature to stand with us in that conviction to make that a reality.

Tuition Relief for
Low and Middle
Income Families

**Protect Our
Children:
Increase Security
Funding for
Vulnerable
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School Children**

Reimburse
Mandated
Immunization
Recordkeeping
at Fair, Actual
Cost

Fully Retire
State's Cap Debt
to Nonpublic
Schools

Allow Equitable
Implementation
of the Smart
Schools Bond
Act

Assure
Transportation
and Learning
Options for
Special Needs
Students

Preserve the
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Protect the
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Assist Couples
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REIMBURSE MANDATED IMMUNIZATION RECORDKEEPING AT FAIR, ACTUAL COST

The conceptual underpinnings of mandated services reimbursement are clear: governmental mandates, which a nonpublic school performs at the behest of the state, should be reimbursed at the actual cost incurred.

In the case of reimbursement for complying with the **immunization mandate** for NYC, Buffalo and Rochester, however, the statute (Chapter 903 of the Laws of 1984) reimburses at actual costs, **capped at the original 60 cents per student**. Inexplicably, for over 30 years this law has never been updated or revisited.

Clearly, much has changed since 1984. Salary increases and inflation are just the beginning. State reporting requirements have grown increasingly detailed and must now be logged online. More fundamentally, the nature of medicine itself has advanced dramatically, such that, thankfully, there are many more vaccines available and required by law today than there were in 1984. Moreover, the new generation of vaccines are administered on a far more complex schedule: diphtheria and tetanus vaccines are administered in 3 to 5 doses dependent on age of administration; polio vaccine is now required in 4 doses, and the meningococcal vaccine, just added to the growing roster of NYS required vaccinations last year, requires one dose by 7th grade and another by 12th. These doses and intervals must be checked and logged for each student. Any student that does not comply with these precise intervals may face exclusion from school, unless they qualify for an exception.

Equity demands that the law be updated so that overtaxed nonpublic school administrators are fairly reimbursed for the now extensive immunization recordkeeping requirements they have been complying with. Comprehensive polls conducted by Agudath Israel of **63 schools** across NYC demonstrate that nonpublic schools are currently complying with the mandate at an unreimbursed cost **\$7.7 million**. Unquestionably, a reimbursement rate of \$0.60 per pupil is out of step with current reality. We respectfully request that the state bring current the reimbursement to nonpublic schools for immunization recordkeeping, **indeed the only mandated services requirement not reimbursed at actual costs**, in line with the actual costs incurred.



AGUDATH ISRAEL OF AMERICA

FULLY RETIRE STATE'S CAP DEBT TO NONPUBLIC SCHOOLS

For years, nonpublic schools have carried out the Comprehensive Attendance Program (CAP) state mandate to carefully monitor pupil attendance and related compliance at a rate substantially below the statutorily given actual cost. **Agudath Israel thanks the Legislature and the Governor** for the \$250 million appropriation enacted in June 2015, which retired much of the state's CAP debt by issuing corrected repayment to nonpublic schools for over a decade of CAP services.

There are costs, however, which nonpublic schools have incurred in administering CAP which still await reimbursement. The New York State Education Department has confirmed, **in writing**, that the 2003-04 school year payment was only paid at 77% of its true rate due to, "availability of remaining funds," generating a shortfall of \$12.2 million. Moreover, SED has confirmed that, since by law CAP must be paid for the previous year, when in fact it has been paid on a two-year lag, NYS has been delinquent in its payment to nonpublic schools in the amount of approximately \$8 million, for **a total shortfall of \$20.2 million.** Finally, since payment has only recently been made to schools for services rendered as far back as 2003, in the intervening time, some of these schools have closed. We are awaiting figures from SED on payments that were not made to these schools, but by right ought to be made to their succeeding entities for services rendered.

We kindly request that this long-overdue CAP debt, with a known shortfall of \$20.2 million, plus additional nonpayments which have yet to be quantified, be finally and fully put to rest.



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ALLOW EQUITABLE IMPLEMENTATION OF THE SMART SCHOOLS BOND ACT

The Smart Schools Bond Act authorized the issuance of **\$2 billion** to New York State schools, inclusive of a provision to loan technology devices to nonpublic schools on an equitable basis. **This is a concrete commitment by NYS toward modernizing and reimagining teaching and learning for the 21st century, and we applaud NYS for this bold initiative.**



Given the equitable inclusion clause of nonpublic schools in the Smart Schools Bond Act, Agudath Israel was surprised to learn that **only 3%** of the earmarked \$2 billion are typically awarded to nonpublic schoolchildren who comprise approximately **13.5%** of the state's school population.

Even accounting for funds spent on non-technology related expenditures, the Smart

Schools Bond Act allocations to nonpublic schools **significantly depart from the calculated equitable share**. Upon further analysis, the underlying reason for this shortfall was discovered: a formula and classification error whereby certain technological devices (such as computer servers and wireless access points), explicitly listed in SED guidance as loanable to nonpublic schools, were erroneously excluded from the nonpublic loan allocation.

Agudath Israel has been bringing awareness to the legal and equitable concerns of the implementation of the Smart Schools Bond Act for over a year. We are grateful to the Governor's office for recognizing this issue and introducing legislation that reinserts the omitted devices into the funding formula to authorize the addition of an additional **\$25 million** to the nonpublic schools.

Agudath Israel, however, estimates that this \$25 million does not adequately address this shortfall. In cooperation with its nonpublic school partners, Agudath Israel has drafted legislative language to clarify the Smart School Bond Act implementation and ensure it is carried out in the way its drafters intended.

To clarify, Agudath Israel is not requesting an additional dime from state coffers. It is simply advocating that nonpublic school children be entitled to borrow loanable devices according to the law and formula that is in agreement with their actual, proportionate population.

We call upon the state to ensure that the benefit intended by this incredible commitment by NYS toward bridging the digital divide is fairly realized by all students in accordance with the statute.



AGUDATH ISRAEL OF AMERICA

ASSURE TRANSPORTATION AND LEARNING OPTIONS FOR SPECIAL NEEDS STUDENTS

Special needs children often struggle where typical students do not. Moreover, as any parent or family member of a special needs child will tell you, the challenges faced by a special needs child often become challenges borne by the whole family. **These children, and families, deserve our unmitigated attention and concern to provide whatever tools are at our disposal to help them succeed.**

Before they even arrive at the classroom, special needs children are now at an inequitable disadvantage. While for years, policy has been to provide transportation for special needs students up to **50 miles** from their home, of late, this longstanding precedent is **being challenged and denied**. Special needs children ought to be assured that they can safely get to and from school; a step backwards in educational progress is not an option.

Further, we should give schools the freedom to **purchase their own transportation means**. Special needs children, whether challenged by autism, sensory processing disorder, or ADHD, often have specialized transportation needs. Asserting otherwise often sets special needs children up for failure before they even arrive at school.

Finally, it has come to the attention of Agudath Israel that NYS special needs children are being **denied services where they attend a school out of state**. **The law is clear that the dollars are to follow the child** according to the child benefit theory. The state is obligated to pay for the after-school services needed by its constituents irrespective of their place of school. Agudath Israel calls upon the legislature to clarify the language of the law so this ceases to be an issue.

From bus to briefcase in locker, Agudath Israel requests that NYS do its utmost to allow special needs children the transportation means they need and services they are entitled to by law, so they truly can succeed.



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PRESERVE THE INDEPENDENCE OF NONPUBLIC SCHOOLS

There is movement afoot to enact a series of highly prescriptive mandates that would severely compromise the ability of religious and independent schools to fashion their own courses of study. These legislative efforts further give the State Education Department **unfettered authority** to enforce those mandates, including withholding financial aid from schools that would otherwise be so entitled, and closing schools deemed noncompliant

Agudath Israel believes in accountability and education, but respectfully opposes this mechanism toward attaining this shared goal. **We believe this particular means attaches the, perhaps unintended, consequence of threatening the independence of the nonpublic school sector, and presents an unwarranted infringement upon religious liberty.**

Clearly, all children who attend religious and independent schools should receive a general education sufficient to equip them to become productive members of society. But there must be a generous allocation of space to allow parents the right to select the religious and independent educational programs they wish for their children to receive that reflects their worldview and educational priorities. This bill would narrow that space considerably, in an effort to ensure “equivalency of instruction” between the public and nonpublic sectors. **New York has a rich tradition of educational diversity and a respect for the concept that all New Yorkers are not identical.** We ask that the legislature preserve this diversity in the field of education.

PROTECT THE SANCTITY OF HUMAN LIFE

Agudath Israel is strongly opposed to any bill that grants doctors the power to assist patients in taking their own lives. **Jewish tradition teaches that all human life is sacred, and we believe that laws that undermine the sanctity of human life send a message that is profoundly dangerous for all of society.**

It is another principle of Jewish law and ethics that a doctor's role is to provide healing, not to hasten death. **Doctors who assist in the commission of suicide, even when motivated by the most humane of concerns, exceed the bounds of their own Hippocratic mandate and undermine public confidence in the medical profession.** Agudath Israel views with considerable alarm the transformation of the physician's calling envisioned by the bill in question, which would enable doctors to provide suicide medication to patients.

The bill under consideration reflects a dangerous departure from the recognition of life's inherent sanctity and presents a stark challenge to our nation's social morals.

Furthermore, the **potential abuses** of legalizing suicide have been well catalogued by a host of legal and medical observers, including the **New York State Task Force on Life and the Law.** We concur with the Task Force's observation that, “as a society, we have better ways to give people greater control and relief from suffering than by making it easier for patients to commit suicide or to obtain a lethal injection.”

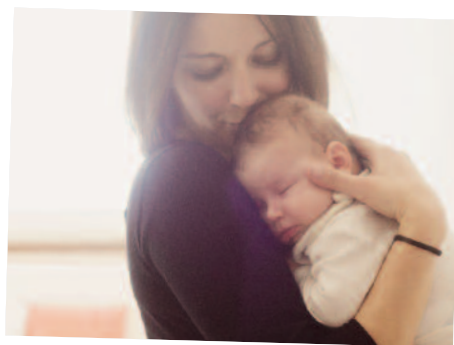
We urge the New York State Legislature to reject a bill that legalizes physician assisted suicide.



AGUDATH ISRAEL OF AMERICA

ASSIST COUPLES STRUGGLING WITH INFERTILITY

For each of the past **15 years**, New York State has generously allocated funding to enable infertile couples to receive treatments that have helped them realize their **life dream** of having children. This is particularly meaningful in family-oriented communities such as the Orthodox Jewish constituency, which Agudath Israel represents. However, the funding levels for this program have been declining; **what began more than a decade ago as a \$10 million allocation dwindled last year to \$1.9 million.**



We urge the Governor and legislature to reverse that downward trend, and to **significantly increase funding for this vital program** in this year's budget.

SUPPORT EMPLOYMENT TRAINING AND PLACEMENT PROGRAMS

Employment training and placement is a particularly high-priority social service need in the Orthodox Jewish community. Experience has shown that when given proper training in a culturally sensitive fashion - **when given a chance** - intelligent and responsible underemployed young men and women soon become productive breadwinners. **Critical to the success of such training and placement initiatives is forward-thinking state funding in this arena, and Agudath Israel seeks budgetary support in this important area.**



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AGUDATH ISRAEL OF AMERICA

is a 94-year-old national organization which represents Orthodox Jewish communities throughout the United States. Agudath Israel advocates on behalf of Jewish schools, social service and health care needs, religious liberty and an array of other pertinent issues. It also sponsors numerous programs that service the broader Jewish community.

In 2012, Agudath Israel sponsored the Siyum HaShas, which brought together 90,000 Jews to MetLife stadium while an additional 50,000 tuned in via broadcast in 120 locations worldwide.

The Siyum Hashas celebrates the completion of a 7.5 year, worldwide, Talmud study program.

The **OFFICE OF GOVERNMENT AFFAIRS** and its staff of attorneys works to safeguard religious and civil rights of observant Jews through a variety of channels including a full-time Agudath Israel Washington Office.

- 10 State Offices
- Active government advocacy in more than 20 states
- Representation in 34 States

The **EDUCATION AFFAIRS DEPARTMENT** at Agudath Israel of America advocates on behalf of Orthodox Jewish schools. Through a series of workshops, webinars, seminars and newsletters, the division helps Jewish schools navigate the maze of applicable laws, regulations and governments sponsored programs. The organization serves as a liaison between the schools and the local, state and federal governments.

- Represents the interests of more than 750 elementary and secondary schools nationwide under the umbrella of the National Society for Hebrew Day Schools, including approximately 408 yeshivos located in New York State.
- Advocates on behalf of over 250,000 students nationwide, including approximately 149,000 students enrolled in New York State schools.
- Sent out a total of 96 informational memos to yeshiva principals and administrators in New York City and 46 memos across the state in the 2015-2016 school year.
- Arranges workshops and webinars relating to government regulations that pertain to nonpublic schools, as well as government programs for which they are eligible to apply
- Responds to numerous daily calls from principals and administrators, answering questions on a wide range of issues.

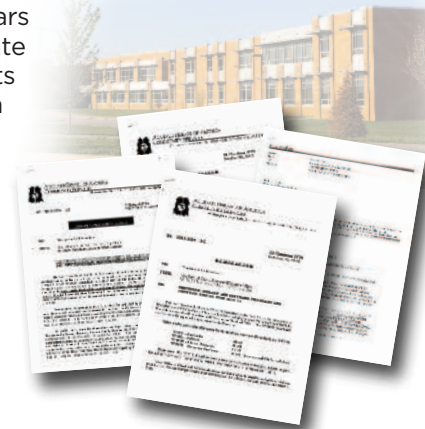
PROJECT LEARN, the special education division of Agudath Israel of America, advocates on behalf of children with special needs and assists parents who are dealing with the full range of the special education needs of their children. Project LEARN is also involved in special education legislation, activism, and advocacy.

Agudath Israel's **LEGAL SUPPORT SERVICES LLC** is a network of lawyers who volunteer their time and skills to assist with individual cases that meet the organization's criteria. These include custody battles between spouses of different levels of religious observance, immigration related problems, Sabbath and holiday observance issues, and zoning issues which affect Jewish institutions.

The **CONSTITUENT SERVICES DEPARTMENT** assisted 6,000 callers last year with a myriad of social services issues.

Agudath Israel of America's **COMMISSION ON SENIOR CITIZENS**

- Sponsors three senior citizens centers in Borough Park, Flatbush and Washington Heights.
- Offers 1,000 elderly senior citizens free, kosher hot lunches and a wide range of social services.





COPE AND PROFESSIONAL CAREER SERVICES (PCS), with offices in both New York and New Jersey, provide training, job readiness and career placement for young men and women.

- The New York office served more than 350 people
- More than 85% of COPE graduates find jobs in their field
- Junior Accounting Program: 175 students enrolled in 2016; over 2,000 total since inception
- CPA Track Program: more than 115 students enrolled in 2016; over 600 total since inception

ADULT EDUCATION AND LITERACY SERVICES provides assistance to hundreds of immigrants every year by offering English language courses, preparing participants for employment.

SOUTHERN BROOKLYN COMMUNITY ORGANIZATION is committed to helping low and moderate-income residents obtain and maintain affordable housing. It also provides a broad spectrum of housing services to strengthen the viability and quality of life in Brooklyn neighborhoods.

- Serves 300 clients annually



PIRCHEI AGUDATH ISRAEL OF AMERICA is a national youth group program of Agudath Israel of America.

- 20,000 participants ranging from Pre-K – 8th grade.
- 10,000 children in New York State
- 115 branches nationwide

BNOS AGUDATH ISRAEL OF AMERICA is an afterschool youth program for Orthodox Jewish girls.

- 38 cities
- 125 branches
- 100 advisors
- 200 branch leaders
- 1,000 leaders
- 20,000 participants
- 300 Bnos 1 on 1 pairs



Agudath Israel's **CAMP DIVISION** provides a wholesome summer experience for thousands of children.

- 4 campuses in New York State which service 7 camps and 2,500 campers
- 5 campuses in the Midwest which service 9 camps and 1,700 campers





AGUDATH ISRAEL OF AMERICA • 42 BROADWAY • NEW YORK, NY 10004 • 212.797.9000