



TO: Dobbs Ferry Board of Education
FROM: Ken Slentz, Superintendent
DATE: 7 January 2025
RE: Participation in NYSED Regionalization Initiative

Purpose of recommendation: To provide background information and rationale to support the recommendation to opt out of the NYSED Regionalization initiative.

Decision to be made:

Will the Board approve the recommendation to opt out of the NYSED regionalization initiative as is allowed under the draft regulation approved by the NYS Board of Regents on December 10, 2024?¹

- **Background:** In September 2024, the NYS Board of Regents adopted [emergency regulations](#) creating a new section of Commissioner’s Regulations that would **require** NYS public school districts to participate in a regionalization initiative led by the local Boards of Cooperative Educational Services (BOCES). The rationale for these new regulations and the emergency filing under the State Administrative Procedure Act (SAPA) included anticipated changes to the NYS Foundation Aid Formula from which many districts were expected to lose state aid revenue, and “save harmless”² aid in particular. These reductions, the state reasoned, may lead to a reduction in “high-quality educational opportunities” for students and an associated reduction in a district’s ability to attract and retain educators. The regionalization initiative was presented by the Commissioner to the Board of Regents as a solution to these challenges as the required plan would allow districts to “increase opportunities for students, build upon the existing strengths and capacity in communities across New York, address enrollment challenges, and manage fiscal constraints by fostering equitable educational environments through collaboration.”³ The required plan would include success metrics that, if not met by a particular district, would result in the ability of the BOCES District Superintendent to “**compel** (emphasis added) the component district to amend its section of the regionalization plan to achieve the desired

¹ As of the publication of this memorandum, the draft regulation has not yet been published in the Department of State’s *Register* which the first step in the rule making process required by the [State Administrative Procedure Act](#).

² As detailed in the Rockefeller Institute of Government [Report](#) entitled *A Review of New York State’s Foundation Aid Education Funding Formula with Recommendations for Improvement*, “Save Harmless is a ‘due minimum’—a statutory guarantee of the same or similar dollar amount of aid as received in the previous year, even when the funding formula calculates an amount less than the previous year. A Save Harmless policy effectively results in two categories of districts: those ‘on’ and those ‘off’ formula. In New York State, continued student enrollment decreases have been the largest driver of school districts opting to go off-formula and on Save Harmless.” (Page 101.)

³ See <https://www.regents.nysed.gov/sites/regents/files/924p12a1revised.pdf>, page 2.

outcomes identified by the component school district.”⁴ In response to comments received during the 60-day public posting period including a letter from the Lower Hudson Council of School Superintendents⁵ of which Dobbs Ferry is a member, the Commissioner presented revised regulations to the Board of Regents at the December 2024 meeting. The revised regulations included two important but “non-substantive edits”.⁶ The first edit made participation in the regionalization initiative *voluntary* for component districts. The second change removed the ability of the BOCES District Superintendent to *compel* a district to change its portion of the plan and instead, authorized the District Superintendent to *request* that the plan be changed.

As the board is aware, regionalization is but one of the initiatives that NYSED is implementing as detailed in the previous presentation entitled [NY Inspires: A Plan to Transform Education in New York State - The Context of Change](#). The graduation measures initiative in particular is far reaching and will require a number of changes to policy and practice as the new regulations from NYSED are rolled out.

In addition, the district has multiple initiatives underway as detailed in the [District Goals](#) and [Required District Plans](#) documents, and as previously reported regarding our participation in the regional RECOVS grant work. These initiatives require a significant amount of time and attention so as to best integrate them with the other systems work that the district has focused on in previous years.

Finally, as detailed in our [Theory of Action](#) (see page 2) and as indicated above, each of these initiatives require thoughtful decisions regarding the allocation of limited resources (e.g., time) to ensure that they are well developed and implemented in service of and benefit to our students.

- **Rationale:** Given the limited resources, we have considered the following regarding our participation in the regionalization initiative:
 1. *Change in Underlying Assumptions:* Between the September and December meetings of the Board of Regents, Governor Hochul announced that save harmless aid *would not* be eliminated from the school funding formula for the 2025-26 school year.⁷ While funding from the state and federal governments remains a concern for school districts, NYSED’s rationale for moving so quickly on the implementation of regionalization no longer holds the urgency it did in September.

While it is not unreasonable to think that state aid may be reduced in future years, the change in assumptions that underlie the regionalization initiative now

⁴ See <https://www.regents.nysed.gov/sites/regents/files/924p12a1revised.pdf>, page 8.

⁵ See Attachment A.

⁶ See <https://www.regents.nysed.gov/sites/regents/files/1224p12a1.pdf>.

⁷ See, for example, <https://nypost.com/2024/12/03/us-news/hochul-reverses-call-to-cut-funding-to-shrinking-schools-as-she-faces-potentially-tough-re-election-bid/>.

allows for a more thoughtful, methodical, and systematic approach by the state. This is particularly true given the many other initiatives that are underway that will require our attention.

2. *Changes in the Role of BOCES:* As currently envisioned,⁸ “BOCES services are created when **two or more school districts decide** (emphasis added) that they have similar needs that can be met by a shared program. BOCES helps school districts save money by providing opportunities to pool resources and share costs.” As reflected in the *Primer* document, the role of BOCES has evolved during its seventy-six-year history to better meeting the needs of school districts as determined by those districts. The language in the original emergency regulations, however, arguably envisions a very different role for BOCES and the BOCES’ District Superintendent in that districts would no longer be fully deciding what was best for their respective students and communities. This assuredly is what caused the swift and voluminous public comments and the resulting “non-substantive edits” to the regulations described above. While these changes better reflect the original intent of BOCES as detailed in the primer and in NYS Education Law [Section 1950](#), they do not represent a change that would further advantage our students and community as there is not a discernable difference to what is currently in place and available to school districts.

While changes to the role of BOCES may be beneficial to districts and students relative to the changes envisioned in the *NY Inspires* plan, we will continue to advocate for a more inclusive, intentional, and systematic approach to any such changes as we did through the Lower Hudson Council.⁹

3. *History of State Aid Reductions and Local Planning:* When NYS forecasts and subsequently enacts reductions in operating aid to school districts (hereinafter, “state aid”) in the upcoming school year, districts typically respond in one of two ways - by reducing personnel, programs, and/or services; and/or by increasing local taxes. This is done methodically during the annual budget development processes where districts balance any such reductions against the specific needs of students, meeting the requirements of both the state and federal governments, and any additional tax burden that local communities may be asked to support.¹⁰ There have been times in NYS, however, when the reductions in state aid have been made *during* the school year.¹¹ These times proved challenging for sure, and cuts were made as noted above.

⁸ See <https://www.p12.nysed.gov/mgtserv/boces/primer.html>.

⁹ See the suggested solutions presented in Attachment A.

¹⁰ For example, when the Gap Elimination Adjustment (GEA) was instituted (see https://www.nyssba.org/clientuploads/nyssba_pdf/CapitalConference/Gap-Elimination-Adjustment13.pdf).

¹¹ Mid-year reductions were made during the first Cuomo administration (see, for example, <https://www.edweek.org/education/n-y-cuts-would-force-layoffs-tax-hikes-districts-warn/1991/04>) and during the

Again, while the current state aid structure in NYS may change based on the recommendations included in the Rockefeller report (see above), the current regionalization initiative provides no additional funding and no immediate solutions to any such reductions beyond those used by districts already.

4. *Current Use of BOCES Services*: As detailed in the *NY Inspires* presentation¹² (see Appendix C), the district currently participates in several BOCES services that provide opportunities for our students and advantages to our community. We note this given that the proposed regionalization initiative focuses on shared or “pooled” resources such as utilizing shared staff, extracurricular programs, and support services to provide students with broader educational opportunities. It also encourages partnerships with regional businesses and other school districts to enhance curriculum and student experiences, which will help meet the demands of new graduation measures. That is, the “conversations” and “thoughtful discussions” that NYSED envisioned in the regionalization initiative are and have been consistently taking place between Rivertown districts, within the southern Westchester BOCES component districts, and across the Lower Hudson school districts in general.

In sum, while the district fully supports providing equitable opportunities, access, and support for success for all students in NYS regardless of their district or zip code, the change in underlying assumptions by the state, the lack of discernible changes to the current BOCES structure, the lack of additional resources for districts if state aid is reduced, and our current use of BOCES programs and services do not warrant the additional allocation of limited resources at this time. The district will continue to participate in discussions and evaluation of the initiative for potential participation in the future.

Recommendation: Administration recommends that the district not participate in the regionalization initiative at this time.

Timeline: If the board accepts this recommendation, the superintendent will submit a letter to the NYS Education Department by January 15, 2025, notifying them of our election to not participate in regionalization.

Patterson administration (see, for example, <https://www.nyssba.org/news/2009/10/26/on-board-online-october-26-2009/paterson-proposes-mid-year-school-aid-cut/>).

¹² See Appendix C at

<https://docs.google.com/file/d/1cHhsxBuhGcvE0x7yIR0MNo9QpaGEXclG/edit?filetype=msword>

ATTACHMENT A



Lower Hudson Council of School Superintendents

October 23, 2024

Dear Commissioner Rosa and Members of the Board of Regents,

On behalf of the Lower Hudson Council of School Superintendents (LHCSS), we would like to express our appreciation to Dr. Jeffrey A. Matteson, Senior Deputy Commissioner for Education Policy, and David Frank, Executive Director of School Innovation, for attending our meeting on Friday, October 11th, to discuss the New York State Education Department's (NYSED) regionalization initiative. We also acknowledge the letter from Dr. Matteson on October 16th, which provided additional time for further discussion. Additionally, we appreciate the steps taken to reduce duplication in data requests, particularly by having the Regional Information Centers (RICs) provide much of the requested information.

However, following our recent meeting with NYSED, we would like to offer the following comments and concerns regarding the proposed regionalization plans for New York schools:

1. **Concerns about Foundation Aid and Regionalization:** We are particularly concerned that the Regionalization Initiative appears linked to the forthcoming Foundation Aid Study being conducted by the Rockefeller Institute, which could be seen as an attempt to offset potential funding cuts. We passionately believe there should be no connection between any potential loss of Foundation Aid-based on a still-unknown study-and the regionalization initiative. While we appreciate legislative reforms that promote interdistrict collaboration and innovation, regionalization, as proposed, will neither significantly expand opportunities for students nor generate meaningful cost savings between or among school districts. We strongly oppose any linkage between these two initiatives, as it undermines the equitable distribution of resources necessary to support all districts.
2. **Limited Benefits for Underfunded Districts:** During our October 11th meeting, several superintendents voiced concerns about the potential impact of the regionalization plan. Our primary concern is that the initiative's stated goals will not meaningfully expand opportunities for students in underfunded districts or impoverished communities. Moreover, the initiative overlooks the existing efforts of schools and educators already collaborating in shared services, educational platforms, counseling, and purchasing. These efforts are ongoing and effective without the need for additional mandates.
3. **Replication of Models:** Another issue with the regionalization framework is the

assumption that models successful in one region can be replicated elsewhere in the state. We believe it would be more effective for NYSED to conduct meaningful studies of existing interdistrict collaborations, identifying best practices that can be shared statewide to determine what is truly valuable and replicable.

Specific Recommendations: The following points were raised during our discussion and reflect the collective concerns of our members:

- a. NYSED should avoid requesting information from districts that is already accessible through existing channels.
- b. The strategic goals for regionalization need to be clearly defined.
- c. Regionalization efforts should be decoupled from Foundation Aid adjustments or graduation opportunities.
- d. Consider renaming the initiative. "Regionalization" carries connotations that NYSED may not intend, and rebranding may help mitigate negative responses.
- e. Survey and study current successful regional collaborations to identify best practices.
- f. Recognize that haste in implementing regionalization is counterproductive; this process should be slowed down.
- g. Include the Big 5 school districts when examining potential innovations.
- h. Acknowledge that regionalization is unlikely to result in substantial cost savings or significantly expand opportunities for students

Regionalization may have potential benefits in certain contexts, but it is not a panacea for addressing funding cuts. The initiative's current framing, especially in connection with Foundation Aid, could jeopardize the equitable funding of school districts across the state.

Instead of focusing on regionalization as a cost-saving measure, we recommend that NYSED, in consultation with BOCES, develop a guide or compendium of best practices and innovations from successful regional efforts. This could be done by leveraging existing partnerships and practices across the state and would provide a valuable reference for school districts interested in exploring these options.

Moving forward, we strongly recommend that NYSED retract the current regionalization initiative and refocus its efforts on fostering innovation. We urge the Commissioner and the Board of Regents to concentrate on redeveloping Foundation Aid using meaningful data and appropriate regional cost indexes, ensuring that no public school district in New York experiences reduced aid due to any new formula. We believe this would be the most impactful use of NYSED's time and resources to enhance opportunities for students statewide.

As always, the Lower Hudson Council of School Superintendents stands ready to partner with you in reimagining the possibilities for all public school students in New York State.

Sincerely,

Marc P. Baiocco, Ed.D. President
Lower Hudson Council of School Superintendents