

**Urging The Governor And State Legislature To Reform The Process For Funding The Committee On Pre-School Special Education (CPSE) Administrative Costs**

The Human Development Committee (Chairman Gregorius and Legislators Loughran, Provenzano, Terpening, Hansut, Noonan and Terrizzi) offers the following:

WHEREAS, Committee on Pre-School Special Education (CPSE) administrative cost reimbursement is authorized under Section 4410 of the New York State Education Law, and

WHEREAS, the New York State Association of Counties (NYSAC) believes that counties should be removed by 2013, from the fiscal, contractual and programmatic responsibilities of the 4410 Pre-School Special Education Program, and

WHEREAS, Section 4410 provides reimbursement for reasonable and appropriate school district costs incurred to establish and maintain Committees on Pre-School Special Education, and

WHEREAS, prior to 2008-09, districts received Federal Individuals with Disabilities Education Act (IDEA), Part B, funds to pay for some of the CPSE administrative costs, and

WHEREAS, Districts could subsequently bill counties for any State Education Department (SED) approved SPSE costs not covered by the Federal IDEA funds, and

WHEREAS, a letter issued by the SED on June 10, 2008, informed counties that SED has interpreted changes in federal guidance to mean that Individuals with Disabilities Education Act, Part B funds can no longer be used for District CPSE administration costs, and

WHEREAS, as a consequence, counties are now required to pay 100% of CPSE Administrative costs, and then pursue 59.5% reimbursement for SED, and

WHEREAS, requiring counties to pay all costs of CPSE does not provide school districts any financial incentive to control their own administrative costs, and

WHEREAS, this recent cost shift further exacerbates the burden of the Pre-School Special Education Program on county government, and

WHEREAS, the County of Ulster is not opposed to the program but believes that the counties should have input along with the school districts.

**Resolution No. 385 December 10, 2008**

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RESOLVED, the Ulster County Legislature joins the New York State Association of Counties (NYSAC) in urging the Governor and State Legislature to reform the process for funding the Committee on Pre-School Special Education administrative costs, including giving counties input along with the school districts, and

FURTHER RESOLVED, that school districts should be provided with incentives to manage administrative costs and reduce the burden on real property taxpayers, and

FURTHER RESOLVED, that the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor David Paterson, New York State Comptroller's Office, Senate Majority Leader Dean G. Skelos, Senate Minority Leader Malcolm Smith, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari, Assembly Minority Leader James N. Tedisco, New York State Senators John J. Bonacic and William J. Larkin, Jr., New York State Assemblymen Kevin A. Cahill, Clifford W. Crouch, Peter Lopez and Thomas Kirwan, and the New York State Association of Counties,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 30                      NOES: 0  
(Absent: Legislators Aiello, Felicello and Kraft)

FINANCIAL IMPACT:  
UNKNOWN