

1 **2006 Fall Seminar**
2 **Standing Committee on Children with Special Needs**
3 **Resolution #03**
4

5 **RESOLUTION URGING THE NEW YORK STATE EDUCATION**
6 **DEPARTMENT TO ELIMINATE REGIONAL COST CEILINGS ON STATE**
7 **TRANSPORTATION AID FOR THE PRESCHOOL SPECIAL EDUCATION**
8 **PROGRAM**
9

10 **WHEREAS**, in 1998, the New York State Education Department (SED)
11 implemented regional cost ceilings on the reimbursement counties receive for
12 transportation services provided under the Preschool Special Education Program; and
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14 **WHEREAS**, calculation of this reimbursement is based on average pupil
15 transportation costs and the projected numbers of children requiring transportation
16 services; and
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18 **WHEREAS**, under section 4410 of the State Education Law, counties are
19 mandated to provide transportation to educational facilities, adhere to service levels that
20 are prescribed by school districts, provide quality transportation to disabled young
21 children and must comply with procurement requirements contained in Education Law
22 and General Municipal Law, thereby restricting the ability of municipalities to control
23 these costs; and
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25 **WHEREAS**, a recent survey has discovered that 29% of the responding counties
26 are still reporting transportation costs that exceed the state aid ceiling, despite
27 adjustments made to the ceiling levels in 2005; and
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29 **WHEREAS**, this has raised county concerns over the current SED
30 reimbursement rate-setting methodology, including insufficient consideration for the
31 special medical and safety arrangements that are required for the safe transportation of
32 medically fragile students or those with behavioral disorders; and
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34 **WHEREAS**, additionally, counties have expressed that the current methodology
35 does not sufficiently address escalating local expenditures for insurance, employee
36 benefits and increases in fuel costs:
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38 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State
39 Association of Counties (NYSAC) urges the New York State Education Department to
40 eliminate regional cost ceilings on state transportation aid for the Preschool Special
41 Education Program; and
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43 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this
44 Resolution to the Governor, the New York State Legislature and all others deemed
45 necessary and proper.