



Unfunded and Underfunded Mandates are Bankrupting our Schools!

This has been going on for decades!

Governor Cuomo has made Mandate Relief a central part of his reform efforts for New York State. He chartered a Mandate Relief Redesign Team to develop recommendations to address this issue. View the Preliminary Report at <http://www.governor.ny.gov/mandaterelief>.

While we commend the Governor for his action, we note that this is not a new problem:

"In many localities, officials feel that their units of government are treated as poor relatives in the distribution of resources by the higher levels of government, even though local residents and their business enterprises are the principal tax source for these higher government levels . . . [T]hey see themselves being harassed and oppressed by supervening agencies invested with the power to affect the lives of entire neighborhoods and communities, without being required to secure the approval or even consult with local authorities. Finally, local governments feel themselves weighed down by costly and at times oppressive State legislative mandates for new functions, programs and employee benefits."

- Temporary State Commission on the Powers of Local Government -- March 31, 1973

Examples of Unfunded or Underfunded Mandates

Wicks Law

Requires school districts to hire a General Contractor plus three separate contractors for construction work (HVAC, Electrical and Plumbing).

Teacher Certification Requirements

NY has one of the most difficult certification processes in the country. Tracking & administering certification requirements is expensive for schools and extremely costly to those who want to go into the teaching profession.

No Child Left Behind

Imposes many curriculum, testing, analyzing, scoring and corrective measures requirements on school districts at State and Federal levels. This mandate takes control away from local schools and creates bigger governments and bureaucracy.

What are unfunded/under-funded mandates?

An unfunded mandate is a statute or regulation that requires a state or local government to perform certain actions, yet provides no money for fulfilling the requirements. An under-funded mandate occurs when only a portion of the necessary funding is provided. When a federal or state government imposes a law or regulation without necessary funding, it becomes the responsibility of the state or local government to pay for the implementation of the law.

So who pays for these mandates?

- **You pay through your local property taxes.** The median in property taxes paid by New Yorkers is 96% above the national median. In 2009, when property taxes were measured as a percentage of home value, nine out of the ten top counties in the nation were all in Upstate New York.
- **You pay in lost jobs.** Businesses leave NY because of high taxes.
- **Your kids pay.** Class sizes increase and cuts are made to the teaching curriculum and extra-curricular activities as a result of the escalating costs of unfunded mandates in our school budgets.
- **Your teachers and other school employees pay.** Mandates restrict teachers' abilities to teach and work with your kids in the best way possible given for each child, class, and school.
- **Your Administrators pay.** Mandates make it impossible to create reasonable school budgets. Mandates take time away from kids and put time on reporting and other bureaucratic activities.

What can I do?

- Sign the **Mandate Relief Petition** at www.upstateconservatives.org.
- Support a requirement for **Independent Cost Analysis of Mandates**. This will help ensure that the true cost of a mandate is identified up-front.
- Support permanently fixing the problem of unfunded mandates by advocating for a **constitutional amendment** prohibiting new unfunded or underfunded mandates. *27 States already have this in place!*
- Since it takes time to get a constitutional amendment in place, demand that the Albany Legislature **pass a law banning new unfunded mandates**.
- Support immediate actions to address major "cost-drivers" including **Wicks Law Requirement reform** and **greater local government flexibility** to administer existing mandates.
- **Join the Upstate Conservative Coalition** and get involved!

TAKE A STAND! LET IT BE KNOWN THAT YOU'VE HAD ENOUGH OF UNFUNDED MANDATES.

SIGN OUR MANDATE RELIEF PETITION NOW

www.upstateconservatives.org



**UPSTATE
CONSERVATIVE
COALITION**

Unfunded NYS and Federal Mandates and Mandatory Reporting Requirements

5-Year Capital Facilities Plan
 Academic Intervention Services Procedure
 AIDS Education
 AIMS
 Annual Professional Performance Review
 Annual Program Report & Support Services
 Attendance Plan & Report
 Audit Committee
 Audit Policy
 Automatic External Defibrillators (AED's)
 Behavioral Intervention Plan
 BOCES Report Card
 Building Condition Survey
 Building Level School Safety Plan
 Bus Driver Training for Special Ed Students
 Chapter 57 of Laws of 2007 (School Leadership Report Card and Student Progress Report, Loan Instructional Computer Hardware to Non-Public Schools)
 Chapter 58 of the Laws of 2007 (Required Student Body Mass Indexes)
 Chapter 111 of the Laws of 2007 (Breast and Prostate Cancer Screening – Employees' 4 hours paid time off)
 Chapter 165 of the Laws of 2006 (Reinspection of School Buildings – Fire Inspections)
 Chapter 281 of the Laws of 2007 (AED Posting for Public Access to Machines)
 Chapter 578 of the Laws of 2007 (Blood Donation – Employees' 3 hrs paid time off)
 Chapter 583 of the Laws of 2007 (Impartial Hearing - Burden of Proof Shift from Parent to School District)
 Character Education
 Charter Schools Funding
 Child Abuse Reporting in an Ed Setting
 Claims Auditor
 Compensatory Education
 Comprehensive District Education Plan
 Comprehensive Long Range Plan for Educational Facilities
 Comprehensive Plan for Safety Education

Comprehensive Public School Safety Program
 Corporal Punishment
 Corrective Action Plan
 District Data Manager
 District Intern Plan
 District Plans
 District Wide School Safety Plan
 Early Grade Size District Plan
 Early Intervention – RTI
 Education of Gifted & Talented Students Plan
 Engineering Review of all Maintenance Projects Costing over \$5,000
 English Language Learners
 Financial Statement's Accountant
 Fingerprinting of Potential Employees
 Functional Behavior Assessment
 Gr. 3–8 Testing, Scoring, Analysis & Mailing
 Incarcerated Students Plan
 Inclusion Training and Staffing
 Individual Home Instruction Plan
 Individualized Educational Plans
 Instructional Computer Technology Plans
 Instructional Support Teams
 Internal Auditor
 LEA for IDEA - Multiple Components
 LEAP Reporting
 Learning Standards
 Local Assistance Plan
 Local Special Education Comprehensive System of Personnel Development
 Mandated Testing and Scoring
 Megan's Law
 Mentor-Teacher Internship Program
 Middle Level Education
 No Child Left Behind – Multiple Components
 Occupational Education Plan
 Pandemic Plan
 Parentally Placed Students Attending Non-public Schools
 Pension Costs – Increase Costs for ERS & TRS
 Personnel Development Plan for Special Education
 Pesticide Notification Requirements

Physical Education School District Plan
 Policy of Educating Pupil with Limited English Proficiency
 Professional Development Plan & Report
 Professional Performance Annual Report
 Professional Performance Review Plan
 Public School Performance Report
 Pupil Attendance and Record Keeping
 Purchase of Student Calculators
 Registry of all Students with Disabilities
 Requirement for Teaching Assistants
 Response to Intervention – Spec. Ed Students
 Revised Math Curriculum
 SAVE Legislation Updated
 School Based Shared Decision Making Plan
 School Code of Conduct
 School District Property Tax Report Card
 School District Report Card
 School Emergency Management Plan
 School Facility Report Card
 School Policy on Procedures and Practices for Disabled Students
 Seatbelts on School Operated Van Vehicles
 SED Core Curriculum and Assessments
 Segregation of Duties – Purchasing Agents, Treasurer, District Clerk
 SEQRA Review by School Districts
 Set-Aside for Early Grade Intervention
 Special Education Space Requirements Plan
 Staff Development for Teacher Assistants
 Statewide Data Collection – Data Warehousing
 STEP Reporting
 Student Dental Health Certificates
 Twenty Additional State Performance Plan Indicators – Special Education Students
 Uniform Violent Incident Reporting System
 Uniform Voting Dates – 1st and 2nd Budget Votes
 Universal Pre-kindergarten Program Plan
 Wellness Policy & Committee
 WICKS Law – Multiple Contractors for Building Projects

Demand that your County Government stand up for YOU!

Albany	(518) 447-7168	DMcCoy@albanycounty.com
Fulton	(518) 736-5540	fultbos@co.fulton.ny.us
Hamilton	(518) 548-6651	Chairman@HamiltonCountyNY.gov
Montgomery	(518) 853-4304	https://www.co.montgomery.ny.us/mail_secure/mailchairman.asp
Rensselaer	(518) 270-2900	http://www.rensco.com/execoffice_contact.asp
Saratoga	(518) 885-2240	http://www.saratogacountyny.gov/contact.asp?email=189
Schenectady	(518) 388-4280	legislature@schenectadycounty.com
Schoharie	(518)295-8347	millerk@co.schoharie.ny.us
Warren	(518) 761-6556	http://www.co.warren.ny.us/contact.php
Washington	(518) 746-2210	n/a

“The big guys – the federal and state governments – have cut aid to the governments below them. **The buck stops at the property tax.**”

- Assemblyman John McEneny, 5/2011

