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

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.

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 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
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 Costs 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
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!

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“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