



Mandates

State leaders can no longer ignore their decade-old promise to provide mandate relief to districts operating under a tax cap. With a 60% majority needed for an override, and tight controls over reserve funding, school districts have no flexibility to absorb any additional costs.

As Governor Cuomo stated “If you pass the buck, you must pass the bucks”. Appropriate funding sources must accompany any new mandates to keep districts viable.

Currently, costs related to the pandemic are driving districts into financial and academic insolvency as they re-open and operate schools within the COVID -19 safety guidelines.

(Source: https://www.nyssba.org/clientuploads/nyssba_pdf/Reports/lost-gen-report-09302020.pdf)

MANDATE	ISSUES	SOLUTION
Tax Cap	<p>Annual cost increases districts incur consistently exceed the CPI and many are beyond the discretion of districts. The cap should exclude costs that districts do not have the ability to manage.</p> <p>Annual cost increases are especially disconnected to the CPI during the COVID pandemic.</p> <p>The tax cap along with state aid funding cuts restricts the ability of districts to develop long-term strategic financial plans. As a result, there is no mechanism to adjust for increased costs in any services or programs, such as new mandates.</p>	<p>Any legislation not fully funded should be in the form of a recommendation, not a mandate.</p> <p>Financial support for unforeseen costs related to COVID-19 is required in order for schools to fully reopen safely.</p> <p>Develop a school CPI that is reflective of districts’ labor driven costs and allow flexibility for changes within the cap formula for mitigating the sudden and unexpected costs such as those related to COVID.</p> <p>Eliminate the super majority override. A vote to support a local school budget should not be outweighed by one that does not.</p>
State mandated contributions to state pension funds	<p>All pension fund rules, investments, and fiscal decisions are made in Albany yet all funding comes from local school districts.</p>	<p>The state should review and adjust the formula according to changing market conditions to protect districts against spiking contribution rates.</p> <p>While districts appreciate legislation allowing for a TRS reserve, it has been exceedingly difficult to build budgets under the tax cap that allow the reserve to be funded.</p>
Employee share of health insurance costs	<p>The rules that govern health insurance availability and the portion of the cost borne by employees are subject to Taylor Law negotiations, so districts cannot unilaterally alter the employee contribution.</p>	<p>Require a minimum rate of 15% for individual policies and 25% for family policies for employee contributions toward health insurance.</p>
Expansive special education laws and regulations	<p>NYS has over 200 laws and regulations beyond federal special education mandates. NYS spends \$2 billion more per year than if it conformed to the average spending of other states.</p> <p>Special education advocates fight fiercely to protect their programs. There is no productive, informed dialogue about how to make special education programs more effective and efficient.</p>	<p>Establish a statewide committee under NYSED with stakeholders that will look at current regulations, to find acceptable alternatives that continue to provide opportunities for students to be successful and allow districts to function more efficiently.</p>
Calculate the cost of new programs and ensure funding for their implementation	<p>Districts need to prepare and implement several costly programs, each requiring significant staff time, training, and materials. These include:</p> <ul style="list-style-type: none"> • new curriculum (civics, mental health, suicide prevention), • State school by school reporting of per pupil costs which duplicates that required under ESSA under a different format, • the Human Rights Law, changes to Title IX, 2-D Privacy legislation, • AIS, RTI, expanded English as a new language (ENL) regulations, and • increased CDL licensing requirements. <p>Most were added since the tax cap was enacted.</p>	<p>All legislators need to obtain impact statements from their constituent districts so they are fully aware of the financial implications prior to voting on any education related bill.</p> <p>The true impact of new legislation should be published and available to the public prior to voting.</p> <p>NYS needs to ensure that districts have adequate resources and time to complete implementation in the next budget year prior to incorporating any new mandates.</p>
Eliminate outdated reports and initiatives	<p>Numerous initiatives are introduced, each with its own reporting requirements, but state programs never sunset even after they are supplanted by other priorities.</p>	<p>Set a schedule for the review and reconsideration of existing outdated programs. Establish sunset dates.</p> <p>Leverage data in existing reports prior to instating any new reporting mandates.</p>