



MEMORANDUM OF SUPPORT

S.6688 (Flanagan)/A.10290 (Nolan)

In relation to Mandate Relief

June 1, 2012

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The New York State Council of School Superintendents STRONGLY SUPPORTS this legislation, and urges passage

Mandate relief must be an integral aspect of all legislative discussions and is necessary for the continued stability and health of our educational system. While we can attempt to prohibit future unfunded mandates, schools and local governments need immediate help with currently imposed unfunded mandates.

We look forward to working with our executive and legislative leaders to ensure real, meaningful mandate reform and urge consideration of the following mandate relief proposals.

While we are hopeful that the new Mandate Relief Council will bring significant change to this process, schools cannot afford to wait until their deliberations conclude in 2013. Schools have budgeted under the tax cap for the 2012-13 school year, now the promised mandate relief must follow.

The Education Department's program bill removes many burdensome administrative mandates on schools and allows for new opportunities for schools and BOCES. We are fully supportive of each proposal, and in particular:

(1) Special education – In many respects, New York State's special education practices are far out of line with those of other states, resulting in excessive costs for taxpayers with no apparent benefit in improved outcomes for students. For example, New York ranked second among the states in the share of total instructional salaries devoted to special education. If that share were at the national average, schools would have more than \$1.5 billion to devote to other purposes, or to reduce costs borne by taxpayers.

The SED proposal would make limited but sensible changes which would more nearly align New York's practices with those of other states and consistent with federal requirements.

(2) Contracting flexibility – The Council strongly supports the bill's provisions to give school districts additional flexibility in purchasing and contracting, including allowing districts to "piggyback" on another district's transportation contract, to use BOCES to purchase telecommunications equipment, and to engage in cooperative purchasing of additional goods and services through federal contracts. These reforms will enable districts to realize savings in ways which do not affect student services.

(3) BOCES flexibility – BOCES services are vital to schools and any flexibility granted to them will benefit component districts;

(4) Scheduling flexibility – The Council strongly supports the bill’s provisions allowing districts to count professional development days conducted in late August toward the 180 “session days” required for state aid. Current law allows districts to count up to four professional development days as “session day,” but only if conducted within the regular school year. The change would enable districts to provide important staff training with less disruption to student learning.

In addition to the proposals found in the Education Departmental Program bill, we seek attention to the following mandate relief proposals:

(1) redefine compulsory arbitration;

(2) amend the Triborough Law by freezing salary step increases when a contract expires;

(3) reduce the cost of construction on public/private projects, by amending Wicks Law and enacting scaffold reform;

(4) establish minimum health insurance contribution percentages for public employees;

(5) approve no new unfunded mandates, and pass the Unfunded Mandate Reform Act (S.5379 – Martins/A.8150 – Morelle); and

(6) charge the Comptroller with reporting on all the mandates, funded and unfunded, enacted and repealed into law each year.

The NYS Council of School Superintendents STRONGLY SUPPORTS this legislation and urges its passage and enactment.