

## Issue Brief: Safeguard Mandates

In his State of the State Address, Governor Paterson declared that property taxes are too high and should be capped; that state mandates are too high and should be relieved. He urged that we act on the full recommendations of the Commission on Property Tax Relief.

Simply defined, a mandate is as an authoritative command, a formal order from a superior. In education, mandates can be imposed by state and federal education officials and legislators and come in the form of regulation, statute or law. While often viewed negatively, education mandates are put in place to ensure that the learning needs of all students are met and that education is delivered in a healthy, safe environment by highly qualified professionals.

The spirit of a mandate is to “entrust” -- to place responsibility in the hands of others. As strong advocates for the education and well-being of all children, NYS PTA members have supported the implementation of many mandates – our schools are entrusted to provide family life curriculum, physical education requirements, school bus safety, teacher certification and special education safeguards. At the same time we recognize that increasing the number of mandates impact the portion of school district budgets that provide for discretionary spending, i.e. programs and activities that provide critical, alternative avenues for all students to succeed. With shrinking state aid the only way to balance a school district's capacity to provide quality education with the siphoning of funds for increasing mandates is for districts to raise revenue through local property tax increases. For this reason, NYS PTA established a position to urge that the state legislature provide the necessary funding for implementation of mandates.

The recommendations of the Commission on Property Tax Relief aim to reduce NY's property tax burden by relieving the costly burden of state mandates on school districts. Included in the Commission's final report are a number of recommendations that relate to reducing the burden of school district personnel and operating expenses. While difficult to implement, those aimed to enhance service delivery through local and regional collaboration are well-intended. Some that provide for the reduction of paperwork and redundant compliance reporting are welcomed by administrators and staff. However, other recommendations seek to change from mandates to guidelines requirements that protect and support students. Recommendations to remove the requirement for personnel training ( safety training for bus drivers and monitors and mentoring for new teachers), affording flexibility to health and safety mandates for defibrillators and for compliance with environmental regulations are all in conflict with our PTA positions.

Mandates are critical for our most vulnerable populations. Particularly troubling are recommendations that could dilute special education services. Recommendations to eliminate group size requirements and minimum service levels as well as maximum caseloads for consultant teachers, resource room and speech and language providers could potentially weaken the effectiveness of services for students with disabilities. Current numbers are based on best practices and informed policy decisions. Upon implementation, adequate staffing and delivery of services would fall prey to fluctuating district revenues and pressures to shift funding to more popular program areas. If needed, options for waivers already exist. Suggested changes to the requirements of the composition of CSE/CPSE also seem unfounded. Under current law the participation of an additional parent member is mandated. However, the parent of the student has the option to waive the requirement. Elimination of this requirement is in direct conflict with our NYS PTA position to maintain the mandate for an additional parent member and provide funding for training through SETRC. A parent member who has been through the CSE process can be of invaluable assistance to a parent of a child being evaluated and provides important support. Additionally, the commission's recommendation to reduce the number of students classified should be based on criteria beyond numbers or percentages to include high levels of poverty, homelessness, children in foster care, and English language learners.

NY's special education services extend beyond federal requirements in over 200 areas and are provided to more than 400,000 students. Federal mandate requirements are the minimum that can be offered. We cannot settle for minimums when it comes to our children. New Yorkers recognize the need to ensure that our schools provide EVERY child with the opportunity to become successful in the workplace and as citizens. We must also “entrust” and urge the Governor and legislature to safeguard mandates that ensure quality education and services.