School District Mandated Items

Every year, the New York State Legislature, Governor, and Board of Regents and/or the Federal Government adopt newmandates that school districts are required to follow. In virtually all cases, additional funding is needed to fulfill these mandates. In most cases, the majority of funding is sustained at the local level. Therefore the mandate is "unfunded" by those who are requiring the action. Although most are supported by the majority of the educational community the reality is that each mandate requires a variety of resources: administrative, clerical, and financial. The State Education Department has compiled a comprehensive list of unfunded mandates by general category below:

No.	Mandate	State Law, Federal Law or Regulation	Dedicated Funding Provided[5]
	Administration		
1	Shared Decision Making Team	Regulation	None
2	Comprehensive Attendance Program	Regulation	None
3	Joint Intervention Teams and Distinguished Educators	State	None
4	Medicaid Informed Consent Requirements	Federal	None
5	Annual Census	State	None
6	3020a Process	State	None
7	Master's Degree Required for Teacher Certification	Regulation	None
8	Required Oaths	State	None
9	Prohibition of Advertising	Regulation	None
10	Bidding and Purchasing Requirements (Multiple bids)	State	None
11	Lack of flexibility in using textbook, library materials and software aid	State	Categorical Aids
12	Record Retention Requirements	State	None
13	Personal Privacy Protection	State	None
	Business		
14	IRS Retirement Plan 403(b) Regulation Changes, Compliance and Plan Document	Federal	None
15	Audit Committee	State	None
16	Charter School Payments from District State Aid[1]	State	Charter School Transition Aid, Transportation Aid
17	Claims Auditor	State	None[2,4]
18	Corrective Action Plans to Address Comptroller's Office or Education Department Audits	State	None
19	Annual External Audits	State	None
20	Audited Financial Statement	State	None
21	GASB 34 - Additional Audit Costs and Fixed Asset Inventory Report	Federal	None
22	GASB 45 - Increased independent auditing costs and actuarial costs	Federal	None[2,4]
23	Internal Auditor	State	None
24	School District Property Tax Report Cards	State	None
25	Segregation of Duties - Increased Staffing	State	None
26	Six-Day Budget Notice to Residents	State	None[2,4]
27	Six-Hour Financial Operations Training for BOE	State	None[2,4]
28	Prohibition on BOCES providing services to municipalities, colleges, and third party contracts	State	N/A
29	Wicks Law Constraints	State	State Building Aid
	Facilities		
30	Five-Year Capital Facilities Plan	State	None
31	Administration of State Environmental Quality Review Act	State	State Building Aid
32	Annual Asbestos Management Plan Review (If Applicable)	Federal	None[2,4]
33	Annual Visual Inspections	State	None[2,4]
34	Asbestos Inspection & Management Plan	Federal	None[2,4]
35	Building Condition Survey (every 5 years)	State	State Building Aid[2,4]
36	Electronically Operated Gym Partitions Safety Interlock and Door Edge Detectors	State	State Building Aid
37	Environmentally Sensitive Products ("Green Cleaning")	State	None
38	Fire Extinguisher Testing and Monitoring	State	None[2,4]
39	Fire Safety Inspection	State	None

No.	Mandate	State Law, Federal Law or Regulation	Dedicated Funding Provided[5]
	Facilities		
40	Hazardous Waste Removal	State	None
41	Integrated Pest Management	State	None
42	Limits on Combustible Materials in Corridors, including Artwork	State	None
43	Pesticide Notification Requirements	State	None[2,4]
44	Radon Awareness & Testing	Federal	None[2,4]
45	School Facility Report Card	Regulation	None[2,4]
46	Special Education Space Requirements Plan	State	Federal IDEA, Foundation Aid
47	Triennial AHERA Inspection (Asbestos)	Federal	None[2,4]
	Health & Safety		
48	AIDS Education	Regulation	None
49	Physical Examinations, Eye and Hearing Tests	State	None[2,4]
50	Review of Student Immunization Records	State	None[2,4]
51	Scoliosis Screening	State	None[2,4]
52	Wellness Policy and Committee	Federal	None
53	Automatic External Defibrillators	State	None
54	Bicycle Safety	State	None
55	Blood-borne Pathogens Training	Federal	None[2,4]
56	Right-to Know Law & Hazard Communication	State	None[2,4]
57	Training of Coaches in First Aid, CPR & AED	State	None[2,4]
58	Building Level School Safety Plan	State	None[2,4]
59	District Wide School Safety Plan	State	None[2,4]
60	Pandemic Flu Preparedness Plan	Federal	None
61	Violent & Disruptive Incidents (VADIR)	Federal/State	None
62	Megan's Law Notifications	State	None
63	Body Mass Index (BMI)	State	None
64	N-95 Respirators during time of H1N1 pandemic	State Dept. of Labor	None
65	Swimming Pool Testing	State	None
66	Eye Safety Devices	State	None
67	Destruction of Hypodermic Needles and Syringes	State	None
	School-Wide Instruction		
68	180 Days of Instruction	State	None
69	Teacher certification areas and grade ranges	Regulation	None
70	Requirments for technology education, home and career skills, library and information skills	Regulation	None
71	Academic Intervention Services (AIS)	Regulation	None[2,4]
72	Alternative Instruction of Suspended Students	State	None
73	Behavioral Intervention Plan for Students with Disabilities	Federal	Foundation Aid, Public Excess Cost Aid/Federal IDEA
74	Coaching Certification	Regulation	None[2,4]
75	Code of Conduct Annual Review Committee	State	None
76	Early Grade Size District Plan	Regulation	None
77	Grades 3 - 8 Testing Scoring, Analyzing and Mailings	Federal	None[2,4]
78	Health Education	State	None
79	Horne Instruction	State	None
80	Home Schooling - Individual Home Instruction Plan	State	None
81	Homeless Student Instruction	Federal	None
82	Instruction of Incarcerated Youth	State	None
83	Conservation Day (Formerly Arbor Day)	State	None
84	Curriculum Requirements. For Example, Conservation Day, the Irish Potato Famine, Humane Treatment of Animals, Patriotism and Citizenship, Care of the Flag, Flag Day Observance, Fire Prevention	State	None
85	Preschool Committee for Special Education Administration	Federal	None
86	Regents Examination Administration	Regulation	None

No.	Mandate	State Law, Federal Law or Regulation	Dedicated Funding Provided [5]
	School-Wide Instruction		
87	Revised Math Curriculum	Regulation	None
88	Seat Time Requirements	Regulation	None
89	Special Education Transition Plans	Federal	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
90	Student Calculators	Regulation	None
91	Supplemental Educational Services	Federal	Federal[2,4]
92	School Choice	Federal	Federal
93	Contracts for Excellence	State	Foundation Aid
94	Joint Intervention Teams and Distinguished Educators	State	Foundation Aid
95	Staffing Ratios and Class Sizes	State	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
96	Cap of 65 for the total caseload of students for teachers providing speech and language services	Regulation	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
97	30 day requirement for a summer program	Regulation	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
98	Minimum required daily speech-language services requirement for a student with autism	Regulation	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
99	Maximum number of students in a co-teaching class	Regulation	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
100	Maximum caseload for students assigned to a resource room teacher	Regulation	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
101	School districts must provide transportation up to 50 miles to and from a nonpublic school if a student with a disability has been identified by the CSE as receiving services or programs similar to special education programs recommended by the CSE	Regulation	Transportation Aid
102	Maximum caseload and minimum level of service requirements for consultant teacher services	Regulation	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
103	Independent hearing officers for special education disputes are not selected jointly by parents and districts	State	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
104	Behavioral Intervention Plan for Students with Disabilities	Federal	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
105	Recommend Declassification Services	State	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
106	42 Day Timeline for Evaluation Information and Parental consent for student evaluation	State	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
107	Costs for Students Attending State Schools for the Blind and Deaf	State	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
108	Multi-Disciplinary Teams (MDT) to include a psychologist, parent and physician	State	Foundation Aid & Public Excess Cost Aid/Federal IDEA
109	Multiple notification requirements such as, 5 Day Notice for Excusal of an MDT Member	State	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
110	Requirement for Psychologist and Parent Member on the Committee for Special Education	State	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
111	Individual evaluation requires: physical examination, individual psychological evaluation, social history and functional behavioral assessment (FBA) required components of a student's initial individual evaluation.	State/Regulation	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
112	Policy for placement in a school that uses psychotropic drugs	State/Regulation	None
113	Agreement that reevaluation is unnecessary must be in writing	State/Regulation	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
114	Children of Viet Nam Vets Must File a Form	State/Regulation	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
115	Notify Social Services of Children at Risk	State/Regulation	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
116	Parental Consent for 12 Month Program or Services	State/Regulation	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
117	Requirement to fund special education services by providers in charter schools	State/Regulation	State Aid Attributable to a Student With a Disability
118	Provide Copy of State Handbook to Parents	State/Regulation	Foundation Aid, Public Excess Cost Aid/ Federal IDEA
119	July/August programs required to provide at least 30 days of service	State/Regulation	State Section 4408 Funding

No.	Mandate	State Law, Federal Law or Regulation	Dedicated Funding Provided[5]
	Technology		
120	Unique Student Identifiers	Federal/State	None
121	District Data Manager	Regulation	None
122	Instructional Comouter Technology Plans	State	None[2,4]
123	Statewide Data Collection - Data Warehousing	Regulation	None
124	Disaster Recovery Plan	State	None[2,4]
	Human Resources		
125	BEDS Reporting	State	None[2,4]
126	Corporal Punishment Report	Regulation	None
127	Fingerprinting of Potential Employees	State	None[2,4]
128	Leave for Disaster Relief Workers with American Red Cross	State	None
129	Leave for Prostate & Breast Cancer Screening	State	None
130	Leave for Blood Donation	State	None
131	Professional Development Hours Tracking	Regulation	None[2,4]
132	Professional Development Plan	Regulation	None[2,4]
133	Teacher Mentoring Program	Regulation	None
134	Annual Professional Performance Review	Regulation	None
	Nonpublic Schools		
135	Nonpublic School Hardware Loan	State	Hardware Aid
136	District of Location Required to Provided Dual Enrollment Services to Nonpublic Students (Special Ed. Career Ed. and Gifted and Talented)	Federal/State	State Dual Enrollment Aid/ Federal IDEA Aid
137	Nonpublic School Health Services	State	None
138	Nonpublic School Library Access and Materials Loan	State	Library Material Aid
139	Nonpublic School Software Loan	State	Software Aid
140	Nonpublic School Special Education Services	Federal/State	State Dual Enrollment Aid / Federal IDEA Aid
141	Nonpublic School Textbook Loan	State	Textbook Aid[2,4]
142	Nonpublic School Transportation	State	Transport Aid
	Transportation		
143	Annual Defensive Driving Review	Federal	None
144	Annual Physical Exams	Regulation	None
145	Bi-annual Bus Drive Physical Performance Test	Regulation	None
146	Bi-annual Bus Driver Written Driver's Test	Federal	None
147	Bus Driver Safety Training	State	$400,000 Annual Grant
148	Drug Testing for Drivers	Federal	None
149	Exterior Reflective Material on Buses	Federal	None
150	Seatbelts on Buses	State	Transport Aid
151	No Standee Rule	State	Transport Aid
152	Pre-Trio and Post-Trio Vehicle Inspection	Federal	None

Notes:

1	Funds follow the students. Some of the charter tuition comes from state aid the districts receives and some from the local share. Districts pay for charter student transportation but receive State Transportation Aid.
2	Districts may share a service and contract with BOCES to provide the service. Many shared services are eligible for BOCES aid.
3	Wellness Policy only required for school districts participating in the federal school breakfast and lunch programs.
4	"Aid Restricted" means that some parts of the BOCES service are not eligible for BOCES Aid; Restrictions vary by type of service.
5	District may use flexible aids such as, foundation aid to pay for mandates.
6	Source: https://www.p12.nused.gov/fmis/home.html