

**SOMERS CENTRAL SCHOOL DISTRICT**  
**Adopted May 8, 2012**

**A. Mandate Relief #3**

Be it resolved by the Somers Central School District that mandate relief must be addressed by the New York State Legislature as school districts implement the property tax levy limit.

**WHEREAS**, New York State leads the nation in local property taxes, in large part because New York leads the nation in imposing unfunded state mandates upon our local municipalities and school districts; and

**WHEREAS**, in response to New York's property tax crisis, the Governor and members of the New York State Legislature enacted legislation imposing a limit on the annual growth of the local school tax levy; and

**WHEREAS**, New York State school districts are under unprecedented funding shortfalls due to three years of frozen Foundation Aid, last year's \$1.2 billion aid cut, expiration of federal stimulus aid and revenue restrictions under the tax levy limit, which goes into effect for the 2012-13 school year, and

**WHEREAS**, unfunded and underfunded state mandates continually increase the obligations and expenditures of local public school districts, and a property tax levy limit without significant mandate reform will inescapably lead to drastic cuts in essential local school district programs and services, as well as significant layoffs of school district employees, and in some cases outright insolvency, in New York State school districts; and

**WHEREAS**, the cumulative impact of satisfying unfunded and underfunded mandates diverts local money from our school district's top priority of student learning,

**THEREFORE, BE IT RESOLVED**, that we the members of the Board of Education of the Somers Central School District initiate the process and join fellow school board members in Westchester and Putnam Counties in affirming the obligation of the Governor of the State of New York and the members of the New York State Senate and New York State Assembly, to reform all mandates that are unsound, unduly burdensome or costly, and thereby lead to high property taxes in New York.

**BE IT FURTHER RESOLVED** that, in accordance with Article 24, Executive Law §666, which establishes a Mandate Relief Council, the Somers Central School District asks, by resolution of its governing body, that the Mandate Relief Council review the following mandate to determine whether the specific statute, regulation, rule or order of state government is an unfunded mandate or is otherwise unsound, unduly burdensome or costly so as to require that it be eliminated or reformed: Article 89 - §4404 Appeal Procedures for Children With Handicapping Conditions. Parents now have the ability to place their children out of district without even enrolling their child in our local school. Placing the burden of proof back onto parents from the schools would not only align the law with a Supreme Court decision, but also would save the district money in regards to legal costs and the extra staff time required for CSE meetings and supporting documents.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Governor, Senate Majority and Minority Leaders, Assembly Speaker and Minority Leader, and the members of the State Senate and Assembly representing Westchester and Putnam Counties.

**BE IT FURTHER RESOLVED** that a copy of this resolution, along with any necessary supporting documents, be submitted to the New York Mandate Relief Council for immediate consideration and action.

MOVED Sarena Meyer

SECONDED Linda Graffitti

VOTE 5-0