

Budget Series: Unfunded/Underfunded Mandates

February 20, 2024

What are Unfunded/Underfunded Mandates?

- Regulations or requirements placed on school districts which require a district to purchase the following with little or no funding from the state:
 - materials/resources
 - personnel
 - programs
 - The burden these place on local school districts can have a significant impact on a district's finances due to:
 - limited personnel in a district that can implement the mandates
 - limitations on the way in which a district can increase revenue due to the 2% tax levy cap and administrative spending growth limits
-

2014-2015 SY - PARCC Assessment (NJSLA & NJGPA)

- Required districts to transition from a paper-based to computer-based assessments
- Districts are required to expend money in order to have enough computers to allow hundreds of students to take the assessment at the same time
- Districts must expend money to ensure their technology infrastructure and internet connection are able to accommodate hundreds of students taking the assessment at the same time
- District personnel are required to spend additional time coordinating testing locations, the scheduling of the testing, ensuring that the testing environments were set up correctly, and that any required peripherals are available and functional
- Management of data increased significantly in order to ensure student and staff information was accurately submitted along with required testing accommodations for ELL, IEP, or 504 students

2014-2015 SY - PARCC Assessment (NJSLA)

Continued

- Additional training is required for staff in order to ensure the assessment is proctored correctly and troubleshoot technology issues that may occur during the administration
- Several days of infrastructure testing are required each year in order to ensure testing will run smoothly which takes up a significant amount of time for numerous district staff - principals, supervisors, technicians, etc.
- In the 14-15 and 15-16 school years, the state provided categorical aid in the amount of \$10 per student. Average cost of implementation across districts in NJ was \$236/student (source *NJSBA Unfunded and Underfunded State and Federal Mandates*)
- Annual requirement to report test results to the BOE
- NJASK - was only required in grades 3, 8, and 11

TEACHNJ/AchieveNJ - Adopted 2012

- Increased from 3 to 4 the number of years a new employee needed to serve in his/her position in order to receive tenure protection
- Required the development or adoption of an evaluation system with 4 summative ratings
- Increased the required number of evaluations to be performed for certificated staff. Initially increasing the required evaluations for non-tenured certificated staff to 4 per year and 3 per year for tenured certificated staff. Starting in the 2016-2017 school year, the required minimum number of evaluations was reduced to 3 for non-tenured certificated staff and 2 for tenured certificated staff.
- Requires the development of Student Growth Objectives (SGOs) for certificated staff each year. Staff in non-tested subjects/schools must develop 2 SGOs. Staff in tested subjects/schools must develop one.

TEACHNJ/AchieveNJ - Adopted 2012 (continued)

- Requires the submission of evaluation data on an annual basis for all certificated staff which includes a summative rating based on teachers' practice scores, SGOs and SGPs (for those in tested subjects/schools).
- Also requires the submission of data to the online evaluation information system and review of the AchieveNJ Data Card
- Required the creation of a SCIP in each school
- Greatly increased the amount of time administrators had to devote to the evaluation process yet had to implement in light of statutory financial constraints, such as the 2% tax levy cap and the administration spending growth limits.

Harassment, Intimidation & Bullying (HIB) - January 2011

- Requires annual training for all district staff
- Requires the district to have an Anti-bullying Coordinator and each school in the district to have an Anti-bullying Specialist
- Requires an investigation for any report of HIB in accordance with a very strict timeline
- Investigations take a significant amount of time in order to conduct interviews, complete the required paperwork, communicate with the building principal and send required parent notifications.
- HIBster is purchased annually by the district to reduce administrative burden but comes at an additional cost to the district
- Requires the creation of the school climate team
- Requires an annual assessment of district anti-bullying measures and reporting to the online HIB Grades Reporting System.

Threat Assessment Team

- Beginning in the 2023-2024 SY, all schools are required to have a threat assessment team
- Each team member is required to attend training
- Team meets regularly or on an as-needed basis

Gifted and Talented Requirement - updated 2019

- Law passed in 2019 requires districts to collect data on gifted and talented students, services and professional development that is offered to staff on an annual basis
- Requires the annual completion of a report to the State on gifted and talented data

Pass the Trash - 2018

- Requires districts to communicate with a prospective employee's previous employers to inquire about possible sexual misconduct or child abuse allegations while employed in the former district

CDS System Maintenance

- Districts are required to continuously maintain and update district information in the county, district, school system

School Safety & the School Safety Specialist - 2018

- Districts have had to greatly increase their spending, including Alyssa's law which has provided some funding but does not cover the monies already expended by the district for safety and security

NJSMART - 2006

- Started as a collection of approximately 36 data elements related to student information.
- Current collections for NJSMART include over 150 elements of student information, over 50 elements of staff information, course rostering data, online assessment data elements, high school graduation reporting, and special education data. All of these require ongoing data management and reporting throughout the school year

Administrative Oversight Requirements

American Rescue Plan (ARP) ESSER Funds -

Required extensive time in understanding the acceptable use of the funds and formulating a plan to expend the funds within the required timelines

Requires ongoing monitoring and reporting of the status of the grant funds

Requires additional bookkeeping to track expenditures

Requires updating and acquiring BOE approval of the American Rescue Plan:
Safe Return Plan

School Health Mandates

As of the 2023-2024 SY, the DOE provides districts with a 4-page list in the form of a [Summary of Selected School Health Mandates and Resources](#)

Items on the list include:

The required distribution of fact sheets on meningitis, HPV, and tuberculosis

Required annual in-service on topics such as asthma and blood borne pathogens

Janet's Law - requires districts to have AEDs

Paul's Law - requires training on seizure disorders