



Legislation Details (With Text)

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**Title:** Resolution calling upon Mayor Michael Bloomberg to file an amicus brief on behalf of the plaintiff in Campaign for Fiscal Equity v. State of New York.

**Sponsors:** David Yassky, Charles Barron, Yvette D. Clarke, Bill De Blasio, Lewis A. Fidler, Helen D. Foster, Alan J. Gerson, Allan W. Jennings, Jr., Michael C. Nelson, Bill Perkins, Christine C. Quinn, Domenic M. Recchia, Jr., Joel Rivera, James Sanders, Jr., Larry B. Seabrook, Jose M. Serrano, Kendall Stewart, Robert Jackson

**Indexes:**

**Attachments:**

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12/31/2003	*	City Council	Filed (End of Session)	

Res. No. 261

Resolution calling upon Mayor Michael Bloomberg to file an amicus brief on behalf of the plaintiff in Campaign for Fiscal Equity v. State of New York.

By Council Members Yassky, Barron, Clarke, DeBlasio, Fidler, Foster, Gerson, Jennings, Nelson, Perkins, Quinn, Recchia, Rivera, Sanders, Seabrook, Serrano, Stewart and Jackson

Whereas, Education is one of the most important functions of state and local governments; and  
Whereas, The September 11th terrorist attacks aggravated New York's economic downturn and severely affected the City's finances; and  
Whereas, Mayor Bloomberg's Fiscal 2003 budget proposes hundreds of millions of dollars in education cuts; and  
Whereas, According to data from the New York State Education Department and Board of Regents, in 1998-99 New York City spent \$9,623 per -pupil - \$694 less than the State average of \$10,317; and  
Whereas, In January 2001, the New York State Supreme Court found in Campaign for Fiscal Equity v. State of New York, that the education provided to New York City public school students "is so deficient that it falls below the constitutional floor set by the Education Article of the New York State Constitution" (Article XI, Section 1); and  
Whereas, The New York State Supreme Court also found that the State's education finance system "is a substantial cause of the failure to provide New York City public school students with the opportunity for a sound basic education;" and  
Whereas, The New York State Supreme Court concluded that the State's school funding system "has an adverse and disparate impact on minority public school children" in violation of federal law (Title VI of the Civil Rights Act of 1964, 42 USC § 2000d; 34 CFR § 100.3[b][1], [2]); and  
Whereas, Given the magnitude of the physical and economic injury that the City has suffered as a result of the September 11th terrorist attacks, it is necessary now more than ever that the State's education finance system be fair and equitable to the City's 1.1 million public school children; and  
Whereas, As noted by the New York State Supreme Court, if properly deployed, increased educational resources can have a significant and lasting impact on student performance; and  
Whereas, Adequate financing for public schools is essential if we are to provide New York City children with a sound basic education; and  
Whereas, In its January 2001 ruling in Campaign for Fiscal Equity v. State of New York, the New York State Supreme Court ordered that the State "shall put in place reforms of school financing and governance designed to redress the constitutional and regulatory violations" set forth in the court's opinion; and  
Whereas, In February 2001, the State appealed the New York State Supreme Court's historic decision, which ruled that the State's method for financing education denies New York City public school students their constitutional right to an opportunity for a sound basic education; now, therefore, be it

Resolved, That the Council of the City of New York calls upon Mayor Michael Bloomberg to file an amicus brief on behalf of the plaintiff in Campaign for Fiscal Equity v. State of New York.

BS  
LS # 444

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