



Legislation Text

File #: Res 1691-2001, **Version:** *

Res. No. 1691

Resolution calling on the Governor not to proceed with the appeal of the decision of the New York State Supreme Court in the Campaign for Fiscal Equity's Lawsuit which concluded that the State's education funding formulas violated the Education Article of the State Constitution and the United States Department of Education's regulations implementing Title VI of the Civil Rights Act of 1964.

By the Speaker (Council Member Vallone) and Council Members Perkins, Berman, Wooten, Clarke, DiBrienza, Freed, Lopez, Marshall, Michels, Reed and Warden; also Council Members Fisher, Foster, Koslowitz, Linares, Miller, O'Donovan, Pinkett, Povman, Quinn, Robinson, Robles, Rodriguez, Spigner and Nelson.

Whereas, The Campaign for Fiscal Equity (CFE) has been fighting the injustice of New York State's education financing system in court since 1993, when CFE and the City filed suit against the Governor and numerous state defendants challenging the State's educational funding system; and

Whereas, On January 11, 2001, the Supreme Court of the State of New York, issued a decision in the CFE lawsuit which held that the State's educational funding formulas violated the Education Article of the New York State Constitution, and the federal Department of Education's regulations implementing Title VI of the 1964 Civil Rights Act, by failing to provide New York City students with a "sound basic education" as required by the State Constitution and by disparately impacting minority students in violation of federal regulations; and Whereas, Judge DeGrasse found that the patchwork of State funding formulas, and their use by the Governor and Legislature during budget negotiations, resulted in a level of funding often unrelated to the needs of the City's students, leaving the City school system with an inadequate number of qualified teachers, inadequate and in many cases dangerous facilities, and antiquated tools of learning; and

Whereas, The Court found that these and other inadequacies caused by the State's educational funding system have resulted in the majority of the City's public school students leaving high school unprepared for today's job market, higher education, and the duties placed upon them by a democratic society; and

Whereas, Sadly, rather than give the City its fare share of state education aid, New York State has spent almost a decade fighting this litigation and has, according to reports in Newsday, paid experts -- whose work has been used to fight desegregation plans and undermine public education -- to essentially argue that poor students are doomed by their socioeconomic backgrounds regardless of the educational opportunities they are given; and

Whereas, Despite the Court's exhaustive and well-reasoned decision which relied on evidence and studies clearly debunking the State's arguments, and even despite the fact that the Court pointed out that the State's own Department of Education has contradicted their arguments that additional funding could not significantly improve the City's schools, the Governor has decided to appeal the decision; and Whereas, Such an appeal would not only delay justice but would make it harder to remedy the situation which the Court stated is cumulative and likely to get significantly worse over time and can only hurt New York City students; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Governor not to proceed with the appeal of the decision of the New York State Supreme Court in the Campaign for Fiscal Equity's Lawsuit, which found that the State's education funding formulas violated the Education Article of the State Constitution and the United States Department of Education's regulations implementing Title VI of the Civil Rights Act of 1964.