



Legislation Text

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Res. No. 592

Resolution calling upon the New York State Legislature to fully implement the education funding requirements for New York City resulting from the Campaign for Fiscal Equity v State of New York case.

By Council Members Levine, Dromm, The Speaker (Council Member Mark-Viverito), Arroyo, Chin, Gibson, Johnson, King, Rose, Koslowitz, Barron, Rosenthal, Constantinides, Eugene, Kallos, Lander and Levin

Whereas, The Campaign for Fiscal Equity (CFE), a non-profit organization founded by a coalition of concerned parents and education advocates, filed a lawsuit against New York State in 1993 seeking adequate resources and the opportunity for a sound basic education for all students in New York City; and

Whereas, After 13 years of litigation, the case's final ruling by the Court of Appeals, in 2006, confirmed that the State's school funding system violated New York City schoolchildren's constitutional right to a "sound basic education" which it defined as the "opportunity for a meaningful high school education, one which prepares them to function productively as civic participants"; and

Whereas, According to the Education Law Center, *CFE v. State of New York* was a landmark case in which the court established the State's constitutional obligation to provide essential resources to all public school children; and

Whereas, In order to comply with Court of Appeals *CFE* ruling, the State Education Budget and Reform Act of 2007 (Education Act) was enacted; and

Whereas, The Education Act provided for an increase of over \$7 billion in State education aid to be phased-in over four years, by 2011, and the majority, \$5.5 billion, to be allocated to school districts based on student need through a new Foundation Formula; and

Whereas, The State's funding increase for New York City was set at \$3.2 billion; and

Whereas, In the first two years, the State provided the required installments of the Foundation Aid Formula totaling \$2.3 billion statewide; and

Whereas, However, due to an economic downturn, the State budget enacted for 2009-10 froze the CFE funding increase for two years; and

Whereas, Further, State education aid was cut by a total of \$2.7 billion in 2010 and 2011 through a mechanism called the Gap Elimination Adjustment, which seeks to balance the State's overall budget by reducing state school aid; and

Whereas, Despite modest increases in State education funding in the past 3 years, the increases have barely covered prior cuts, leaving a huge gap in terms of what was required under the 2007 Education Act to comply with the CFE ruling; and

Whereas, According to an August 2014 report by the Alliance for Quality Education and other advocates, New York State owes its public schools \$5.9 billion in Foundation Aid and Gap Elimination Adjustment funding; and

Whereas, New York City is currently owed more than \$2.5 billion, according to that same report; and

Whereas, The State has not yet fully implemented the funding increases that the Legislature committed to in settlement of *CFE v. State of New York* which required that the State meet its constitutional obligation to provide essential resources to all public school children to give them the opportunity for a sound basic education; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to fully implement the education funding requirements for New York City resulting from the Campaign for Fiscal Equity v State of New York case.

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JA
2/24/15