



COMMUNITY DISTRICT EDUCATION COUNCIL 30

28-11 Queens Plaza North, Room 512

Long Island City, NY 11101

Tel: 718-391-8380

Fax: 718-391-8500

Email: cec30@schools.nyc.gov

Resolution #138

Calling on Governor Cuomo and New York State Legislators to fully fund the Campaign for Fiscal Equity in New York City

Whereas, in 2006 the NYS Court of Appeals found that in fact NYS was violating students' constitutional rights to a "sound, basic education" through its final court order; and

Whereas, the final court order led to the 2007 statewide settlement of the Campaign for Fiscal Equity case by committing to provide \$5.5 billion in Foundation Aid; and

Whereas, more than 10 years after the court ruling, NYC public schools are still owed over \$1.1 Billion; and

Whereas, the Contracts for Excellence law requires school districts to implement measures, such as class size reduction, to improve student outcomes; and

Whereas, accountability measures have been put in place by the NYC Department of Education to track monies allocated to schools and expenditures, and that these reports¹ are accessible to the public via the schools.nyc.gov website; and

Whereas, these accountability reports are available in various forms through Fair Student Funding Programming Details², which include a Fair Student Funding Overview, School Specific Data, Annual Allocation Summaries by District, and reports on Supplemental Funding allocated to each individual school along with budget summaries for expenditures; and

Whereas, the NYC Department of Education also provides information annually through School Allocation Memorandums³ by Category, which offer information not only for Fair Student Funding but provide information on Externally Restricted Funds, Internally Restricted Funds, Other Special Education Funds, Budget and Technical Adjustments, and School Allocation Memorandums sorted numerically; and

Whereas, New York State School Transparency Forms are submitted to the State on an annual basis; and

Whereas, New York State has created the guidelines⁴ for the NYS School Transparency Forms, and the NYC Department of Education complies annually; and

Whereas, students, particularly Black and Latinx students and students living in poverty have been disproportionately affected by the state's indifference to providing "a sound, basic education" for all and refusal to comply with CFE ruling; and

¹ <https://www.schools.nyc.gov/about-us/funding/funding-our-schools>

² https://www.nycenet.edu/offices/finance_schools/budget/DSBPO/allocationmemo/fy19_20/AM_FY20_FSF1.htm

³ <https://infohub.nyced.org/reports/financial/financial-data-and-reports/school-allocation-memorandums>

⁴ <http://www.nysed.gov/accountability/essa-accountability-designations>

Whereas, according to a report by the Alliance for Quality Education titled “*CFE Derailed: The State of our Schools in the Wake of the 2016 State Budget and a Decade after the campaign for fiscal Equity*”⁵, 30 out of 33 school districts where the overwhelming student population is Black and Latinx, have not received the money owed; and

Whereas, in school year 2018-2019 more than 1,000 NYC public schools are not funded at 100% of the Fair Student Funding (FSF) formula largely because of the lack of funding from the State; and

Whereas, to fund every school at 100% of the FSF will require \$750 million, without reduction in class size or provision of robust programming or adequate social emotional supports; and

Whereas, for the past several years the City of New York committed additional resources to raise the floor for the FSF funding, so that no school is funded below 90%; and

Whereas, Fair Student Funding cannot be made more equitable and responsive to the needs of our most vulnerable students without the funding owed to the students by the State; and

Whereas, lack of CFE funding has had real impact on students through increased class sizes, elimination of programming such as art or music, advanced courses, after school programs and reduction in essential non-instructional personnel, such as guidance counselors; and

Whereas, an achievement gap is a misnomer better defined as an opportunity gap; and

Whereas, we affirm that New York State has a constitutional responsibility to provide a “sound, basic education” for all, regardless of race, disability, language proficiency or zip code and must address the opportunity gap now.

Therefore be it resolved: that Community District Education Council 30 calls on Governor Cuomo and the New York State Legislators to fully fund the Campaign for Fiscal Equity distributed via the Foundation Aid Formula, to begin to address the opportunity gap that has caused a systemic impact on our schools’ ability to provide a sound basic education for all children in the City of New York.

VOTED AND APPROVED: March 10, 2020

cc:

The Honorable Governor Andrew M. Cuomo

The Honorable Mayor Bill de Blasio

New York City Comptroller Scott M. Stringer

New York City Public Advocate, Jumaane D. Williams

New York State Senate Majority Leader Andrea Stewart-Cousins

New York State Assembly Speaker Carl E. Heastie

New York State Senator, Brian Benjamin

New York State Senator, Robert Jackson

Education Committee Chair, New York State State Senator Shelley Mayer

Education Committee Chair, New York State Assembly Member Michael Benedetto

New York City Education Committee Chair, New York State State Senator John Liu

New York City Council Member and Education Committee Chair Mark Treyger

New York City Schools Chancellor Richard A. Carranza

Acting Deputy Chancellor of Community Empowerment, Partnerships, and Communications Adrienne Austin

AQENY Legislative Director & Statewide Education Advocate Jasmine Gripper

⁵ <https://www.aqeny.org/2016/06/20/cfe-derailed-the-state-of-our-schools-in-the-wake-of-the-2016-state-budget/>