



Community District Education Council 26

New York City Department of Education

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Resolution - #2 – 2014

Joining of NYSER Coalition Lawsuit

Whereas, New Yorkers for Students Educational Rights (“NYSER”), together with a number of individual parent Plaintiffs from New York City and other parts of New York State, have filed a law suit against The State of New York, Governor Cuomo, The Education Commissioner, and the Regents to ensure that all students in New York State receive a properly funded, sound basic education as required by the NY State Constitution; and

Whereas, the Court of Appeals, New York’s highest court, decisively held in *CFE v. State of New York* in 2003 and again in 2006 that every child in the State of New York has a constitutional right to the opportunity for a sound basic education pursuant to Article XI, section 1 of the New York State Constitution; and

Whereas, the State of New York has failed to provide students in the New York City School District with adequate funding, as required by the Court of Appeals in *CFE v. State of New York*, and

Whereas, the State of New York has failed to identifying the essential resources, services, and supports that must be available in all school and to all students to meet the New York State Learning Standards and to prepare them to be “college and career ready” and to provide appropriate guidance to school districts regarding these requirements; and

Whereas, the State of New York has failed to assess the scope of current resource deficiencies and current violations of students’ rights to the opportunity for a sound basic education; and

Whereas, the State of New York has failed to maximize school and district cost effectiveness by reducing barriers to effective spending by eliminating or revamping unnecessary mandates and providing school districts clear guidance on how to improve cost effectiveness while safeguarding constitutional educational services; and

Whereas, the State of New York has failed to develop and implement a new methodology to determine the costs of efficiently providing all students with the essential resources for a sound basic education; and

Whereas, the State of New York has failed to revise the state funding formulas to ensure that all schools receive sufficient resources; and

Whereas, the State of New York has failed to create state and local accountability mechanisms to ensure that, on an on-going basis, schools have sufficient resources and are, in fact, providing all students the opportunity for a sound basic education; and

Whereas, Community District Education Council for school District 26 supports the NYSER litigation; and

Whereas, it is understood, that joining NYSER requires no financial obligation from the Community District Education

Council for School District 26 (CDEC 26),

BE IT RESOLVED that the Community District Education Council for School District 26 (CDEC 26) hereby agrees to join NYSER and to support the lawsuit, NYSER v. State of New York.

PASSED and ADOPTED this 20th Day of March, 2014 by vote of the Council Members present at the public meeting (6 in favor - 1 abstention).

RESOLUTION APPROVED AND ADOPTED BY DISTRICT 26 CDEC