



COMMUNITY EDUCATION COUNCIL DISTRICT 15

Office: 131 Livingston Street, Room 301, Brooklyn, New York 11201

CEC15@schools.nyc.gov | tel. 718-935-4267 | facebook.com/CECD15 | CECD15.org

Resolution to Have the PEP Vote on the Fair Student Funding (FSF) Formula Prior to the SY 2023-2024 Budget

The Community and Citywide Education Councils (CCECs) are composed of parents who have been elected or appointed to serve as stakeholders of NYC School Community Districts, and specific cohorts of students, representing NYC public school students and their families.

Resolution Approved on March 21, 2023

WHEREAS, in Spring 2022, the Panel for Educational Policy (“PEP”) voted to reject the Fair Student Funding (“FSF”) allocations for the 2022-23 school year. PEP members cited decades of inadequate funding as a result of the FSF formula and the failure to publish and adopt the recommendations of the prior administration’s Fair Student Funding Task Force;¹

WHEREAS, the need to re-evaluate the FSF formula might never have been revealed had the PEP not temporarily rejected the 2022-23 FSF allocation;²

WHEREAS, in June 2022, Mayor Adams and the City Council approved an FY 2023 budget³ that severely cut school budgets⁴. Schools were confronted with serious budget shortfalls due to the decision not to continue to hold schools harmless for enrollment loss by providing federal Covid funds⁵. Some schools had budgets reduced as much as \$5 million leading to excising of teachers, guidance counselors, and paras;⁶

WHEREAS, in July 2022, two New York City parents and two teachers (the “Plaintiffs”) filed a lawsuit, (“Lawsuit”) seeking to overturn the City Council’s approval of the city budget, which cut hundreds of millions of dollars from school budgets for this upcoming academic year;⁷

¹ <https://steinhardt.nyu.edu/metrocenter/revisiting-does-fair-student-funding-formula> pp 5

² <https://steinhardt.nyu.edu/metrocenter/revisiting-does-fair-student-funding-formula>

³ <https://council.nyc.gov/press/2022/06/14/2197/>

⁴ <https://www.gothamgazette.com/city/11376-mayor-adams-council-speaker-adams-nyc-budget-deal-fy23>

⁵ <https://ny.chalkbeat.org/2022/6/24/23181576/ny-budget-cuts-fair-student-funding-principals-enrollment-adams>

⁶

<https://comptroller.nyc.gov/newsroom/testimony-of-new-york-city-comptroller-brad-lander-to-the-new-york-city-council-committee-on-education-on-resolution-283-2022-to-immediately-reverse-doe-reductions-to-school-budgets-for-fy-2023/>

⁷https://ny.chalkbeat.org/2022/7/18/23269154/lawsuit-filed-to-halt-hundreds-of-millions-in-nyc-school-budget-cuts?utm_source=Chalkbeat&utm_campaign=6956b918a3-New+York+Lawsuit+filed+over+school+budget+cuts&utm_medium=email&utm_term=0_9091015053-6956b918a3-1296257202

WHEREAS, the Lawsuit — filed against New York City, the Department of Education (“DOE”), and NYC Schools Chancellor David Banks (the “Chancellor”) — claimed that city officials failed to follow the proper protocols before elected officials voted on the final budget, which took effect July 1;

WHEREAS, the Plaintiffs also wanted a temporary restraining order on implementation of the budget cuts and for the city schools to be funded at the same levels as last fiscal year;

WHEREAS, the Lawsuit claimed the city skirted proper protocols by failing to allow the Panel for Educational Policy, (“PEP”) — a largely mayoral appointed board that approves major contracts and policies — to approve the department’s estimated budget before it went to the City Council for a final vote;

WHEREAS, Chancellor Banks created a new Working Group (the “Working Group”) to continue the work done by the previous administration’s FSF Task Force. The Working Group was composed of representatives from the Council of School Supervisors and Administrators (“CSA”), The United Federation of Teachers (“UFT”), elected officials, PEP members, Community and Citywide Education Council (“CCEC”) members, education advocacy organizations and students which released recommendations on November 4, 2022;⁸

WHEREAS, the Chancellor accepted recommendations⁹ made by the Working Group to the existing formula in an effort to address inequities in the current funding formula;¹⁰

WHEREAS, those recommendations include new weights to support Students in Temporary Housing (“STH”) and schools with high concentrations of poverty;¹¹

WHEREAS, the Chancellor also accepted additional recommendations from the Working Group which do not directly impact FSF Weights. Those recommendations include:

- Enhancing the budget appeals process to ensure it is responsive to schools’ special education staffing needs
- Striving to improve budget transparency around both the FSF formula and NYC Public Schools’ budget as a whole;

WHEREAS, the allocation of funds in the FY 24 estimated budget hinges on FSF weights, but the new FSF weights cannot be implemented before a vote of the PEP;

WHEREAS, in spite of this, the PEP is scheduled to vote on the FY 24 estimated budget Wed. Mar 22, 2023 prior to approval of these critical FSF weights;

WHEREAS, in the absence of a vote of the PEP to approve the new FSF weights there is no transparency about how these weights impact the estimated budget;

⁸ <https://infohub.nyced.org/docs/default-source/default-document-library/fair-student-funding-working-group---final-report.pdf>

⁹ <https://ny.chalkbeat.org/2022/11/4/23441309/fair-student-funding-nyc-school-proposal>

¹⁰

<https://www.nyc.gov/office-of-the-mayor/news/055-23/mayor-adams-chancellor-banks-push-increase-equity-fair-student-funding-formula>

¹¹ https://img1.wsimg.com/blobby/go/951dd9a1-96ac-438b-8642-d89cc6651997/FY2024_FSF_CEC_Deck_Preliminary_English.pdf
pp.14

WHEREAS, there are concerns that new weights could be used to supplant other budgetary priorities such as Project Open Arms, which serves students who are asylum seekers¹²; and

WHEREAS, if enacted the Chancellor's new FSF formula may improve outcomes for NYC students, but schools will continue to address emerging issues. Thus, the FSF weights will require ongoing analysis. Some concerns are:

- Students continue to fall behind because of the school budget cuts in 2022, which did result in the excessing of teachers and the elimination of enrichment programs such as art and music. Vacancies in related service providers and special education instructors were left unfilled and the IEPs of students who need special education services were violated; and
- Due to the influx of asylum seekers, our city requires additional funding to support special populations beyond the McKinney-Vento funding set aside that supports Students in Temporary Housing ("STH").¹³

THEREFORE BE IT RESOLVED, that in an effort to avoid any delay in planning for School Year 2023-2024 and provide transparency to the public about the impact of the new FSF weights on the budget, the Community Education Council of District 15 ("CEC15") recommends that Chancellor Banks request a vote of the PEP on the Fair Student Funding Formula prior to the vote on the School Year 2023-2024 estimated budget;

BE IT RESOLVED, that in a further effort to provide transparency the NYC Council refrain from any vote on the FY 24 budget until the new FSF formula is approved by a vote of the PEP;

AND BE IT FURTHER RESOLVED, that CEC15 recommends the FSF Working Group continue to regularly assess FSF weights and develop related policy, including the implementation of guidelines and accountability measures regardless of the outcome of the PEP vote.

This Resolution was unanimously approved at a CEC15 Special Session Meeting held on March 21, 2023 by a vote of members present including: Camille Casaretti, Antonia Ferraro, Nancy Randall, Vanessa Ueoka Gonzalez, Joe Alexander, Nana-Poku Agyekum, Alfred DeIngeniis, Nakia Muhasa Brown, Vincent Lu and Ivan Banda.

¹² <https://gothamist.com/news/thousands-of-asylum-seeking-students-spread-out-across-more-than-300-nyc-schools>

¹³ <https://comptroller.nyc.gov/reports/students-from-families-seeking-asylum/>