

CITY OF LOS ANGELES
CALIFORNIA

JUNE LAGMAY
City Clerk

HOLLY L. WOLCOTT
Executive Officer



ERIC GARCETTI
MAYOR

Office of the
CITY CLERK

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SHANNON HOPPES
Council and Public Services
Division

www.cityclerk.lacity.org

When making inquiries relative to
this matter, please refer to the
Council File No.

July 3, 2013

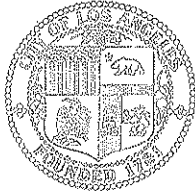
To All Interested Parties:

Chief Legislative Analyst

I HEREBY CERTIFY that the City Council adopted the action(s), as attached, under Council File No. 13-0002-S92, at its meeting held June 11, 2013. The Mayor failed to act by June 24, 2013, DEEMED APPROVED and EFFECTIVE June 25, 2013.

City Clerk
kw

cc: 8 Certified copies sent to Sacramento Representatives



OFFICE OF THE MAYOR
ANTONIO R. VILLARAIGOSA

MEMORANDUM

To: City Clerk

From: Gaye Williams, Chief of Staff

Date: June 25, 2013

RE: CF 13-0002-S92

The City's position to support the Governor's Proposed Local Control Funding Formula Providing both Supplemental and Concentration Grants for Students Living in Poverty or in Foster Care as well as those with Limited English Proficiency

MEMO TO FILE

The Mayor supports the policy position reflected in the resolution approved by your Honorable Body on June 11, 2013. However, in the spirit of upholding the City Charter – approved by the voters of Los Angeles – which delegates intergovernmental relations authority to the Executive Branch with the sole exception of positions on "legislation proposed to or pending before the state or federal government," the Mayor is returning this file without signature, with the understanding that this item will be considered deemed approved.

RECEIVED
CITY CLERK'S OFFICE
2013 JUN 27 PM 4:02
CITY CLERK
BY _____ DEPUTY



Mayor's Time Stamp
OFFICE OF THE MAYOR
RECEIVED
2013 JUN 12 PM 3:04
CITY OF LOS ANGELES

City Clerk's Time Stamp
CITY CLERK'S OFFICE
2013 JUN 12 PM 3:01
CITY CLERK
BY _____
DEPUTY

SUBJECT TO THE MAYOR'S APPROVAL

COUNCIL FILE NO. 13-0002-S92

COUNCIL DISTRICT _____

COUNCIL APPROVAL DATE June 11, 2013

RE: CITY'S POSITION TO SUPPORT THE GOVERNOR'S PROPOSED LOCAL CONTROL FUNDING FORMULA PROVIDING BOTH SUPPLEMENTAL AND CONCENTRATION GRANTS FOR STUDENTS LIVING IN POVERTY OR IN FOSTER CARE AS WELL AS THOSE WITH LIMITED ENGLISH PROFICIENCY

LAST DAY FOR MAYOR TO ACT JUN 24 2013
(10 Day Charter requirement as per LAAC Section 14.7)

DO NOT WRITE BELOW THIS LINE - FOR MAYOR USE ONLY

APPROVED

*DISAPPROVED

*Transmit objections in writing pursuant to LAAC Section 14.7

DATE OF MAYOR APPROVAL OR DISAPPROVAL _____

MAYOR

RECEIVED
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2013 JUN 27 PM 4:02
CITY CLERK
BY _____
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13-0002-592

JUN 0 5 2013

RESOLUTION

CLERK OF THE CITY OF LOS ANGELES, ELECTIONS & INTERGOVERNMENTAL RELATIONS

20

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the California Supreme Court in 1971 determined that "the California public school financing system, with its substantial dependence on local property taxes and resultant wide disparities in school revenue, violates the equal protection clause of the Fourteenth Amendment. We have determined that this funding scheme invidiously discriminates against the poor because it makes the quality of a child's education a function of the wealth of his parents and neighbors. Recognizing as we must that the right to an education in our public schools is a fundamental interest which cannot be conditioned on wealth, we can discern no compelling state purpose necessitating the present method of financing. We have concluded, therefore, that such a system cannot withstand constitutional challenge and must fall before the equal protection clause." [*Serrano v. Priest*, 5 Cal.3d 584]; and

WHEREAS, the United States Supreme Court ruled in 1974 that the failure of the school system to provide English language instruction to students "who do not speak English, or to provide them with other adequate instructional procedures, denies them a meaningful opportunity to participate in the public educational program, and thus violates § 601 of the Civil Rights Act of 1964, which bans discrimination based on the ground of race, color, or national origin," in "any program or activity receiving Federal financial assistance;" [*Lau v. Nichols*, 414 U.S. 563 (1974)] and

WHEREAS, various state and federal funding schemes have since sought, without significant success, to respond fully to the respective Supreme Courts' judgments, such as California Senate Bill 90 (Chapter 1406, Statutes of 1972) which established a "revenue control" system that over the next 40 years could equalize funding across districts and the Federal Emergency Immigrant Education Act (EIEA) authorized under Title VI of the Education Amendments of 1984 (P.L. 98-511 to provide supplemental assistance to states and school systems in response to the needs of large numbers of new immigrant students; and

WHEREAS, these and other state and federal financing schemes have failed to address the funding gaps that underlie the achievement gaps faced by students in poverty or with limited English skills and California continues to not provide equitable funding for the neediest students in the state; and

WHEREAS, California's per pupil funding has consistently declined since *Serrano v. Priest* and is now identified as 49th in the Nation by the 2013 Quality Counts in Education Week; and

WHEREAS, the California Legislature is considering Governor Jerry Brown's proposed reform of the K-12 school financing system, also known as the "Local Control Funding Formula" (LCFF), to provide additional funding for all students at all schools in all school districts; and

WHEREAS, the goal of the new system of finance is to modernize and simplify California's overly complex and historically outdated system; and

WHEREAS, Governor Brown has proposed the new funding formula based on the principles of subsidiarity, equity, and transparency; and

WHEREAS, the Governor's proposal helps to address the disparities addressed in *Serrano v. Priest* and *Lau v. Nichols*, by providing supplemental grants and concentration grants to provide additional funding to districts to address needs of English learners, students in poverty and students in foster care while providing increased funding for all pupils in all districts; and

WHEREAS, the new funding formula would hold Local Education Agencies accountable to their local communities for implementing the Common Core State Standards, improving student achievement, making progress in closing achievement gaps, increasing attendance and high school graduation rates and improving preparation for college and career;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2013-2014 State Legislative Program SUPPORT for the Governor's proposed Local Control Funding Formula providing both Supplemental and Concentration Grants for students living in poverty or in foster care as well as those with Limited English Proficiency, IF AMENDED to strengthen local decision making and accountability for the educational success of all students.

PRESENTED BY:

Richard Alarcon
RICHARD ALARCON
Councilman, 7th District

ADOPTED

JUN 11 2013

SECONDED BY:

Paul Kretz

[Signature]
JUN 5 2013

LOS ANGELES CITY COUNCIL

MAYOR WITH FILE

ORIGINAL