

13-0002-592

JUN 0 5 2013

RESOLUTION

RULES, ELECTIONS & INTERGOVERNMENTAL RELATIONS

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 49<sup>th</sup> 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

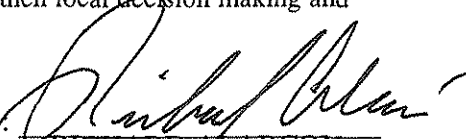
WHEREAS, Governor Brown has proposed the new funding formula based on the principles of subsidiarity, equity, and transparency; and

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

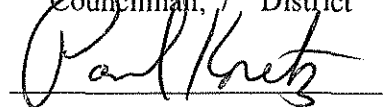
WHEREAS, the new funding formula would hold Local Education Agencies accountable to their local communities for implementing the Common Core State Standards, improving student achievement, making progress in closing achievement gaps, increasing attendance and high school graduation rates and improving 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  
Councilman, 7<sup>th</sup> District

SECONDED BY:





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