

# COMMUNITY DISTRICT EDUCATION COUNCIL 26

## Resolution

**Whereas, the No Child Left Behind Law** is a reauthorization of the Elementary and Secondary Education Act, and holds all public schools accountable for raising all students to academic proficiency by 2013-14. Its provisions require New York State and New York City to test students in reading and mathematics annually in grades 3-8 and at least once during high school, beginning this school year.

**Whereas**, under the law, schools and districts must meet annual performance targets, based primarily on test scores. These targets apply to the student populations as a whole and to subgroups of students who are poor, speak limited English, have disabilities, or are members of racial or ethnic minorities.

**Whereas**, Schools and Districts receiving Federal Title 1 money for disadvantaged students are subject to increasingly serious sanctions if they miss the targets for two or more years.

**Whereas**, sanctions include permitting students to transfer to a higher-performing public school, then offering eligible students free tutoring from a public or private provider, and eventually, school closure.

**Whereas**, under this Law, students have transferred to District 26 schools to receive a "better" education.

**Whereas**, no District 26 school receives Federal Title 1 money and District 26 schools primarily rely upon standard tax levy money per student for funding.

**Whereas**, existing funding in District 26 schools has been found by the Court of Appeals of New York State to not adequately provide students with a sound basic education.

**Whereas**, District 26 resources in funding and staffing have been fully maximized in efforts to maintain its demanding education standards.

**Whereas**, repeated efforts to have additional funding provided have failed and the current funding is inadequate to properly provide No Child Left Behind transfer students with necessary teachers and supplies.

**Whereas**, those schools identified for improvement and have had students transferred to District 26 schools receive more funding under the federal Title 1 Program and New York State programs than District 26 schools.

**Whereas**, District 26 schools receiving transfer students must divert funding from existing students and existing programs to provide needed services for transfer students.

**Whereas**, the Federal government has approved letting several districts reverse the order in which public school choice and tutoring are offered to students in schools identified for improvement.

**Be it resolved** that sufficient funding be provided for each NCLB transfer student to provide an opportunity to achieve academic success. Sufficient funding being deemed more than the current provision of tax levy money.

**Be it resolved** that until such funding is provided, the education offered existing and transfer students shall suffer.

**Be it resolved** that until such funding is provided, there should be a cessation of transfers. Instead, tutoring be offered to students in schools identified for improvement prior to giving a transfer, even if the school has been identified for improvement.

**DATED: JUNE 29, 2006**