

CITY OF NEW BEDFORD

IN CITY COUNCIL

June 22, 2017

Resolution on Following Foundation Budget Review Commission Recommendations

WHEREAS, The Constitution of the Commonwealth (1780) requires “it shall be the duty of Legislatures and magistrates, in all future periods of this Commonwealth, to cherish the interests of literature and the sciences...public schools and grammar schools in the Towns”; and

WHEREAS, *McDuffy v. Secretary of the Executive Office of Education* (1993) declared the “Massachusetts Constitution impose[s] an enforceable duty on the magistrates and Legislatures of this Commonwealth to provide education in the public schools for the children there enrolled, whether they be rich or poor and without regard to the fiscal capacity of the community or district in which such children live, it shall be declared also that the constitutional duty is not being currently fulfilled by the Commonwealth”; and

WHEREAS, *Hancock v. the Commissioner of Education* (2005) concluded “I do not suggest that the goals of education reform adopted since *McDuffy* have been fully achieved, clearly they have not, nothing I say today would insulate the Commonwealth from a successful challenge under the education clause in different circumstances”; and

WHEREAS, The Massachusetts Budget and Policy Center report *Cutting Class* (2011) found “the real value of the original foundation budget has eroded significantly over time, due in large part to rapid cost growth for health care and special education, since the foundation budget's original design did not foresee this rapid cost growth, spending reductions have been forced in other key areas,” rather than cutting and squeezing these key areas, the City Council realizes a responsibility to provide our students with the strategic investments in resources they need to succeed: pre-school programming and additional teaching support in Grades K-2 to reduce class size and include reading and math specialists to help our students build a solid foundation for success early on, socio-emotional learning positions such as school adjustment counselors, behavior specialists and mental health clinicians among others, increased opportunities in arts, sports and technology, updated curriculum resources, and increased maintenance and upkeep of our buildings and grounds, in addition to a seemingly never-ending list of unfunded needs; and

WHEREAS, The Foundation Budget Review Commission (2015) resolved “the good work begun by the Education Reform Act of 1993, and the educational progress made since, will be at risk so long as our school systems are fiscally strained by the ongoing failure to substantively reconsider the adequacy of the foundation budget.”:

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council hereby petitions the 190th General Court of the Commonwealth of Massachusetts to implement without further delay, in full the recommendations of the Foundation Budget Review Commission.