

# Court panel calls for billions in new spending for New York City schools

Peter Daniels

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A court-appointed panel has determined that the New York City public schools have been denying millions of students a minimally adequate education, and that infusions of billions of dollars in new spending are needed to remedy the situation.

State Supreme Court Justice Leland DeGrasse appointed the referees this past summer, in the latest development in a lawsuit first filed 11 years ago by the Campaign for Fiscal Equity. The organization, a coalition of local school boards, parent organizations and advocacy groups that is also backed by powerful sections of business, charged the state with failing to provide a sound basic education for students in New York City. The Campaign reported several years ago that annual education spending in the city was \$10,469 per pupil, compared to \$13,760 in nearby suburbs.

The lawsuit has slowly made its way through state courts. In June 2002, the Appellate Division of the State Supreme Court overturned an earlier court order from Judge DeGrasse. According to the Appellate Division majority, the state was obliged only to provide skills at an 8th- or 9th-grade level. This decision was in turn overruled by the Court of Appeals, the state's highest court, in June 2003. The Court of Appeals pointed out that anything less than a high school education would leave young people at a severe disadvantage in modern society. The court gave the state government until July 30, 2004, to formulate a plan for upgrading the city's schools. When this deadline was not met by the Democrats and Republicans in the state capital of Albany, the panel of three special referees was appointed.

The panel's report, which is expected to be incorporated into a new order to be issued by Judge DeGrasse, calls on the state to come up with a plan within the next 90 days to increase annual spending on

school operations in New York City by \$5.6 billion, on top of the current schools budget of \$12.9 billion. The state will have four years to reach the \$5.6 billion figure, a 43 percent increase, in annual installments of \$1.4 billion in added spending.

At the same time, an additional \$9.2 billion in capital spending on the city's schools is called for, on top of the annual increases of \$5.6 billion in operating expenses. The state will also be given 90 days to formulate a plan for this capital spending, including construction and the repair of existing facilities, to be implemented over a five-year period.

The appalling conditions in city schools are longstanding and well known. The system, with a total of 1.1 million students, reports officially that it is 66,000 classroom seats short of its needs. Many students attend classes in split shifts, which forces them to wake at dawn. Classes are sometimes held in hallways or in bathrooms. Arts and music instruction have been eliminated in most schools, library facilities are hopelessly inadequate, and parents are sometimes forced to raise funds to purchase even basic supplies.

Education, like many other social and public services, is regulated by the states under the US federal system. There have been numerous legal struggles over unequal state spending for urban, suburban and rural districts, but the New York case is the most significant, not only because of its size and scope, but also because of its social content. In the wealthiest city in the world, the authorities have been found guilty of denying children the basic education that is guaranteed them by law. Michael Bloomberg, New York's billionaire mayor, who succeeded in eliminating the Board of Education and establishing mayoral control of the city's schools several years ago, presides over this scandal.

What comes next in the continuing legal case and

political maneuvers is a period of stepped-up negotiations between the plaintiffs in the case, led by the Campaign for Fiscal Equity, and city and state officials. The state, already facing a massive budget deficit of at least \$6 billion for the next fiscal year, will have the primary responsibility for coming up with the \$5.6 billion in additional spending on the city's schools, and this does not even count additional demands from other struggling school districts throughout the state.

New York's Republican Governor George Pataki has so far said nothing directly on the panel's report. The state budget has been balanced in recent years through a series of one-time gimmicks and windfalls such as the \$1.2 billion in state revenue produced by the conversion of the Empire Blue Cross and Blue Shield health insurer into a for-profit company. One of the few concrete proposals that has been floated is a plan for up to \$2 billion in revenues from video slot machines, a regressive gambling tax that will force the poorer sections of the population to shoulder more of the burden. Even this amount, moreover, will raise only a fraction of what has been called for.

In previous negotiations, the state has said that the city should come up with 40 percent of the additional costs. Mayor Bloomberg responded this week: "For the city to fund even a portion of this \$5.63 billion would require us to cut after-school programs, close libraries and make severe cuts to essential city services, even in the area of public safety. Such actions would harm the very children this lawsuit is designed to help." Bloomberg feels no need to explain how the wealthiest city in the world is unable to find the resources to provide a minimally adequate education for working class youth.

The crisis of the public schools is inseparably bound up with the social polarization for which New York City has become notorious in recent decades. The city has never been divided as sharply on class lines. The poverty rate remains near 30 percent; 2 million immigrants, mostly poor, have flocked to the city over the past 20 years; and meanwhile, the ruling elite and the upper middle class have never enjoyed greater wealth.

The immigration influx is a significant factor in the current situation. Hundreds of thousands of students, for most of whom English is a second language, have

entered a system that was already aging and inadequate.

If one compares the current wave with the previous high-water mark of immigration exactly 100 years ago, certain things stand out. New York's public schools, and those of other major cities, used to enroll almost the entire population. The earlier wave of immigration took place at a time when American capitalism was still able to enact limited reforms, and a growing labor movement exerted pressure for improvements in public education.

Today, however, there is no constituency within the political establishment for social reform. Private and religious school enrollment has grown, and a large upper middle class, including the vast majority of elected officials, has little connection to the public schools.

Meanwhile the working class majority lacks even the limited means of applying pressure that it utilized in earlier periods. The United Federation of Teachers, representing New York's teachers, is correctly perceived by workers as part of the political establishment. The two-party political system, both Democrats and Republicans, is utterly indifferent to the day-to-day crisis facing working class families.

The deterioration of the public schools has created problems for major employers looking for adequately prepared employees, but the political system run by big business is incapable of resolving the underlying crisis. These are the circumstances under which the courts have intervened, prodded by a lawsuit supported by, among others, the Ford, Rockefeller, and Bill & Melinda Gates Foundations.

Additional appeals could mean further delays, although it is likely that some resolution of the 11-year-old case will have to be reached in the next year. Whatever deal is finally struck, there is no reason to believe that the state will finally provide the resources needed to provide a decent education for New York City's public school students.



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