

1 SENATE RESOLUTION

2 WHEREAS, The school children of the State of Illinois  
3 represent the future of this State; and

4 WHEREAS, The single greatest influence on the future  
5 success of Illinois is the quality of education received by  
6 the State's children; and

7 WHEREAS, A stated goal of the State Board of Education is  
8 to provide advocacy and leadership for adequate and equitable  
9 funding of Illinois public schools; and

10 WHEREAS, Under the federal No Child Left Behind Act of  
11 2001, schools must show that all children are learning by the  
12 year 2014 and all children must meet State learning standards  
13 and achieve at high levels; and

14 WHEREAS, If the State does not comply with the mandates  
15 imposed by the No Child Left Behind Act of 2001, then the  
16 State may lose federal education funding; and

17 WHEREAS, The amount of per pupil spending in Illinois  
18 varies greatly and ranges from less than \$4,000 to more than  
19 \$15,000; and

20 WHEREAS, Property tax rates levied for educational  
21 purposes in Illinois vary greatly, from less than 1.00% to  
22 over 8.00% for schools; and

23 WHEREAS, Average school teacher salaries range from less  
24 than \$24,000 to more than \$83,000; and

25 WHEREAS, Almost 80% of school districts are currently or  
26 will in the near future be unable to balance their annual  
27 budget to support necessary programs and will be forced to  
28 deficit spend; and

29 WHEREAS, Illinois ranks 34th among all states in the

1 Union in total State and local tax burden as a percentage of  
2 personal income; and

3 WHEREAS, Illinois ranks 48th among all states in the  
4 Union in the share of school funding provided by the State;  
5 and

6 WHEREAS, Illinois ranks 49th among all states in the  
7 Union in the difference in revenue per student between the  
8 State's highest and lowest poverty districts; and

9 WHEREAS, Section 1 of Article X of the Illinois  
10 Constitution states, "The State shall provide for an  
11 efficient system of high quality public educational  
12 institutions and services."; and

13 WHEREAS, Section 1 of Article X of the Illinois  
14 Constitution further states, "The State has the primary  
15 responsibility for financing the system of public  
16 education."; and

17 WHEREAS, Only about 39% of funding in fiscal year 2002  
18 for public schools came from the State; and

19 WHEREAS, The State and federal governments have created  
20 education standards and benchmarks for adequate academic  
21 progress; and

22 WHEREAS, The decision by the First District Appellate  
23 Court of Illinois in the last significant court case in  
24 Illinois regarding education funding, Committee for  
25 Educational Rights v. Edgar, 267 Ill. App. 3d 18 (1994), held  
26 that (i) Article X of the Illinois Constitution did not  
27 require equal educational benefits and opportunities among  
28 school districts and (ii) it was not a violation of the equal  
29 protection clause that students in poorer districts did not  
30 receive identical educational services to those in wealthier  
31 districts; and

1           WHEREAS, According to this court decision, "the complaint  
2 [did] not allege that the education offered in the  
3 plaintiffs' school districts [fell] below [the State Board of  
4 Education's] minimum standards, or that the plaintiffs [were]  
5 being denied a minimally adequate education"; and

6           WHEREAS, The Illinois Education Funding Advisory Board  
7 was created by the General Assembly in 1997 and charged with  
8 the task of making recommendations to the General Assembly  
9 for foundation and supplemental general State aid funding  
10 levels; and

11           WHEREAS, The Illinois Education Funding Advisory Board  
12 has recommended that the foundation level be set at \$5,665 to  
13 "assure adequate funding"; therefore, be it

14           RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL  
15 ASSEMBLY OF THE STATE OF ILLINOIS, that we respectfully  
16 request that the Attorney General of the State of Illinois  
17 provide an opinion interpreting Section 1 of Article X of the  
18 Illinois Constitution; and be it further

19           RESOLVED, That the Attorney General include, as part of  
20 this opinion, a determination as to whether Section 1 of  
21 Article X of the Illinois Constitution requires the State to  
22 develop a system of public school funding that provides every  
23 public school student with access to a minimally adequate  
24 education; and be it further

25           RESOLVED, That the Attorney General include, as part of  
26 this opinion, a determination as to whether or not the  
27 current system of public school funding provides every public  
28 school student access to a minimally adequate education; and  
29 be it further

30           RESOLVED, That we respectfully request that the Attorney  
31 General submit this opinion to the members of the Senate on

1 or before May 30, 2003; and be it further

2 RESOLVED, That a suitable copy of this resolution be  
3 delivered to the Attorney General of the State of Illinois.