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Testimony on School Facilities before the NYC Council Education Committee Monday, June 24, 2013

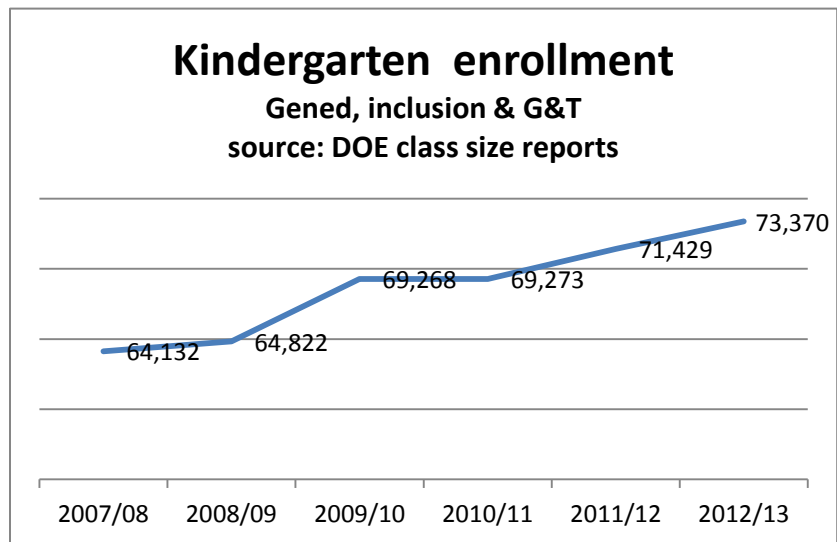
Thank you to the committee and chair Jackson for holding these hearings today; my name is Leonie Haimson and I'm the Executive Director of Class Size Matters. There are many important issues related to school facilities, but today I'd like to focus on school overcrowding, and how the situation is worsening because of enrollment increases, co-locations, and poor planning on the part of DOE.

Kindergarten enrollment rises

Kindergarten enrollment is the portion of the school age population that has increased most rapidly in the last few years, according to DOE data. Indeed, there is a sharp increase in the number of Kindergarten children for students enrolled in general education and inclusion classes, as well as in the early grades overall.¹

Census data suggests the total number of school age students citywide will continue to increase, as the number of children under five in Manhattan, Brooklyn, and Queens is growing, and there are more children enrolled in nursery and preschools in Manhattan, the Bronx, and Queens.

The shortage of space will likely further intensify as a result of proposals to expand the number of preKindergarten slots, as well as to make Kindergarten mandatory for all five year olds in New York



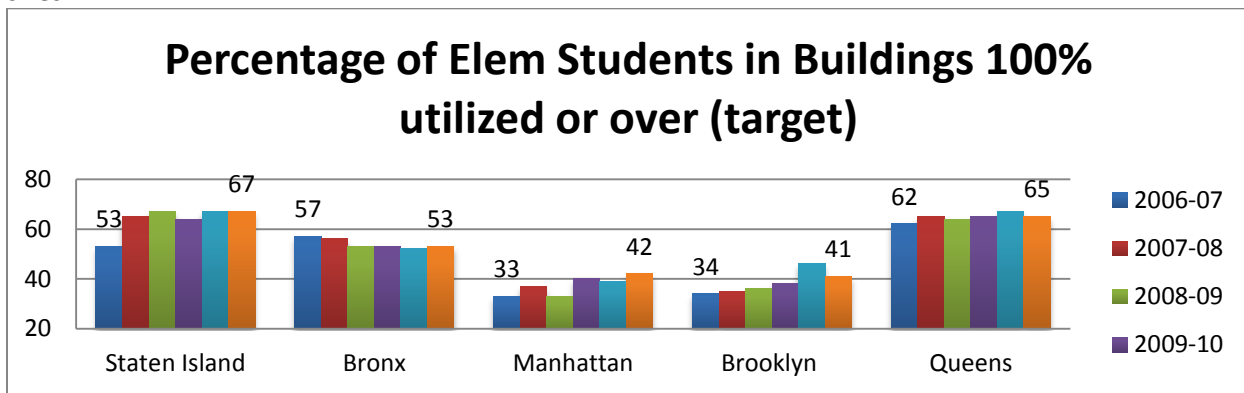
¹ Unfortunately, the DOE does not report on students in segregated special education classes by age or grade.

City. The latter proposal has been estimated to increase the number of Kindergarten students by an estimated 3,000 to 6,000 students each year.²

Worsening School Overcrowding

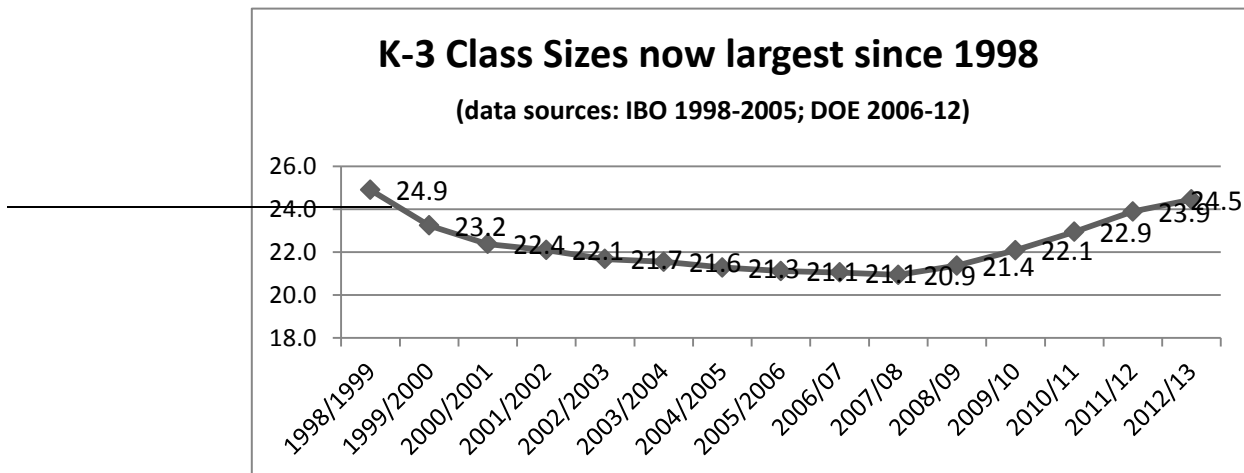
Meanwhile, there is a growing crisis in school overcrowding, particularly at the elementary school level. According to the latest available data, more than half (54%) of our elementary grade students attend school in buildings that are severely overcrowded (100% or more target utilization according to the Blue Book data for 2011-2012).

The boroughs with the worst elementary grade overcrowding are Staten Island and Queens. At the same time, only 17% of students attend elementary school in buildings that are 79% or less utilized – which according to most estimates, allow for sufficient space for cluster rooms and reasonable class sizes.



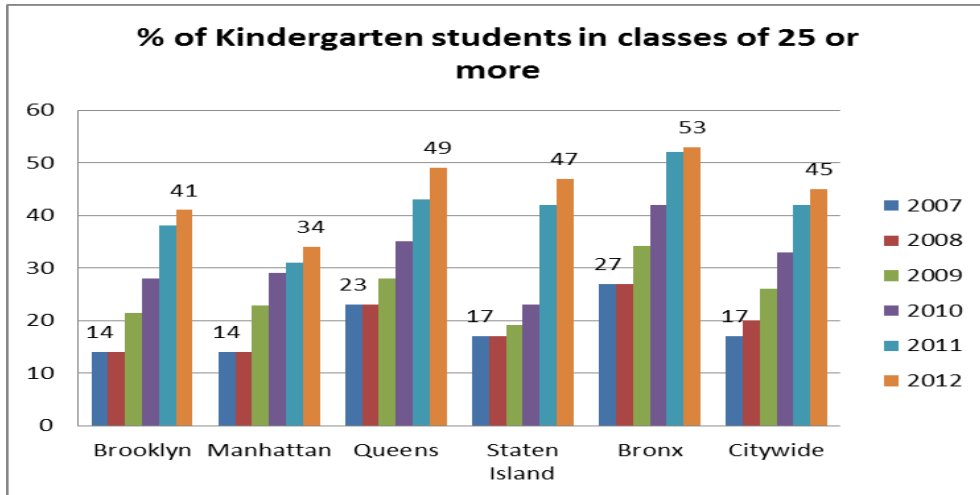
Increase in class sizes

At the same time, as a result of repeated budget cuts and increased enrollment, class sizes have risen sharply in all grades for the last five years.



² Winnie Hu, “To Quinn, No City Child Should Miss Kindergarten,” NY Times, March 21, 2012.

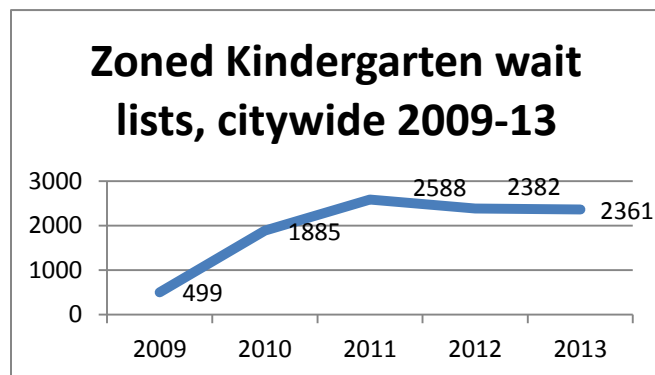
In grades K-3, where there is the most rigorous evidence that class size has a significant effect on student achievement and success later in life, class sizes are now the largest that they have been in 15 years. Nearly half of all Kindergarten students are now in classes of 25 or more – which is the union contractual maximum, compared to only 17% in 2007.



Waiting Lists for Kindergarten

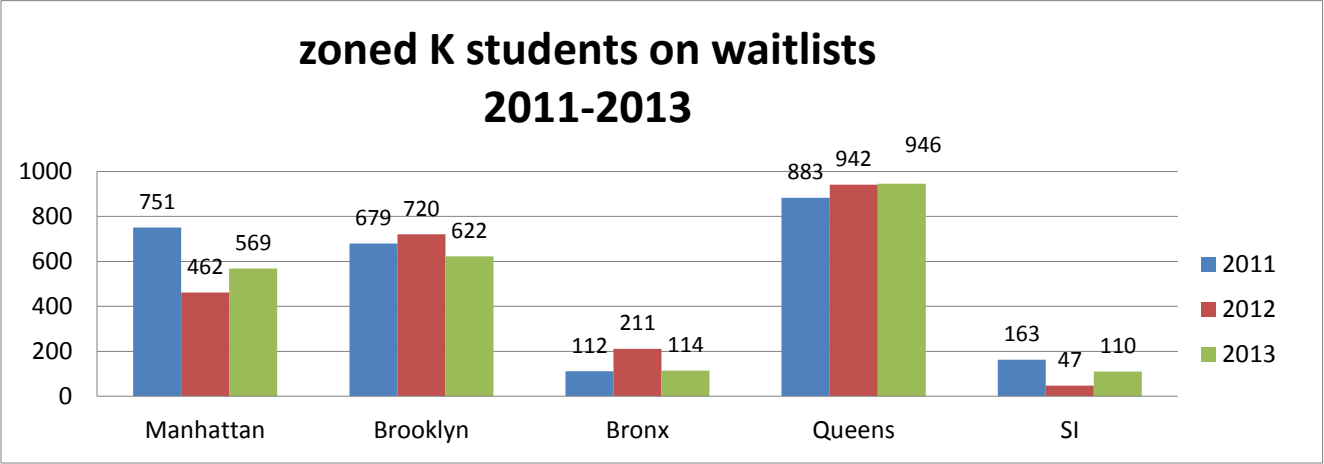
The problems with poor planning and increased overcrowding have become even more evident in recent years with the emergence of waiting lists for Kindergartens.

Prior to 2009, there were no waiting lists, except in isolated cases. But in 2009, the problem emerged citywide, and has become even more widespread since then, as the charts below demonstrate.



Although in 2013, the total number of students on waiting lists this spring slightly declined from the year before, the number of students on Kindergarten waitlists grew in three out of the five boroughs– in Manhattan, Queens and Staten Island. This spring, there were 2,361 students on waiting lists at their zoned elementary school at 105 schools.³

³ Cramer, Philissa, "[Annual tally of soon-to-be kindergartners on wait lists is 2,361](http://insideschools.org/blog/item/download/33_1127b3a0770556758d0becad4490edad)," GothamSchools, 12 April 2013; See also, Schneider, Anna, "[K waitlists persist; 2 overflow schools to open](http://insideschools.org/blog/item/download/33_1127b3a0770556758d0becad4490edad)," Inside Schools, 12 April 2013. Data file available at http://insideschools.org/blog/item/download/33_1127b3a0770556758d0becad4490edad



As DOE points out, many students vanish off waiting lists by the start of the school year. This occurs for a variety of reasons: either their families have moved elsewhere, to a new town or neighborhood, their children have enrolled in private or parochial schools, or gifted programs; or because more space has been made available within their local public school.

The latter option often means the principal has been pressured into increasing class sizes, sometimes over the union contractual level and far above what would be considered optimal, or the school has been forced to sacrifice preK programs, or art, music or science rooms, repurposed as general education classrooms.

Insufficient number of pre-K seats despite rising demand

In addition to increased enrollment and waiting lists for Kindergarten, each year there is an increased demand for pre-kindergarten seats. Yet this demand has met with insufficient seats.

- Demand for pre-k continues to grow. In 2013, there were 30,118 applicants for preK, compared to 29,072 applicants in 2012 and 28,815 in 2011.⁴ 30 percent of the applicants did not get seats; about the same as the year before.

Several proposals have been made to dramatically increase the number of preKindergarten seats, despite the apparent lack of space. Right now, most preK seats are half-day; with each classroom providing two sessions per day. Public Advocate Bill De Blasio has made a particularly ambitious

⁴ Schneider, Anna “No pre-k seats for 30% of applicants,” *InsideSchools*, 7 June 2013; Wheaton, Pamela, “Pre-K: No seats for 30% of applicants,” *InsideSchools*, 14 June 2012. Santos, Fernanda. “Big Kindergarten Wait List Limits City’s Pre-K Slots.” *New York Times*, 10 June 2011

proposal: to convert 38,000 part-time Pre-K seats to full time seats, which would necessitate another 19,000 seats; and adding another full time 10,000 Pre-K seats, for a total of 29,000 seats.⁵

In short, though otherwise laudable, the proposals to institute mandatory Kindergarten and expand the number of preK slots by many thousands, will put even more pressure on existing school capacity, and are likely to create even more overcrowding and larger class sizes unless there is a more ambitious capital plan that creates sufficient seats. The current plan only will create a small fraction of the seats necessary just to keep up with growing enrollment.

Overcrowding through co-locations by redefining full size room in instructional footprint

The DOE now relies on a document, called the Instructional Footprint, to help determine if there is sufficient space in a school to co-locate new schools. The Instructional Footprint has changed over time, in an apparent effort to squeeze more students and schools into limited spaces.

- Though the Instruction Footprint once had class size standards similar to the “target” formula in the “Blue Book” any mention of class size has now been eliminated completely, except in the case of transfer high schools, full time GED programs, and Young Adult Borough Centers. ***The DOE’s near total elimination of class size standards from the Footprint was done without public input or explanation.***

The original Footprint from 2008 assumed class sizes of twenty students per class in grades K-3, and 25 students in grades 4-5, in apparent recognition of the city’s commitment to reduce class size. In 2009, the Footprint raised these standards in grades 4-5 to 28.⁶ In the 2011 Instructional Footprint, for the first time, they eliminated class size standards. In this way, the DOE appears to be committed to increase class size through squeezing more schools into existing spaces.⁷

- The definition of a full size classroom has also consistently shrunk in size, so that classrooms, specialty rooms, and space for student support services are a minimum of 500 square feet, compared to at least 750 sq. feet in earlier versions of the Footprint - a reduction of 33 percent.
- In addition, the Footprint allows schools only a baseline of two rooms (min. 500 sq. feet each) for both student support services and resource rooms, and only one and a half size classrooms for administrative services.

⁵ De Blasio, Bill “*Starting Early, Leaning Longer: Education Investments to Keep NYC Competitive*,” Public Advocate office, accessed at <http://advocate.nyc.gov/files/DeBlasioEducationInvestmentFactSheet.pdf> ; Again, where these seats would be located is unclear, though the Public Advocate has also proposed \$50 million to be spent on new leases.

⁶ NYC DOE, Instructional Footprint, revised May 2009; accessed at http://schools.nyc.gov/NR/rdonlyres/21630B3B-E388-44EB-A099-9F9AB52473A8/66299/NYCDOE_Instructional_Footprint_revisedMay2009_noco.pdf

⁷ NYC DOE, Instructional Footprints, Consolidated Version, 2011; accessed at http://schools.nyc.gov/NR/rdonlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.pdf

- The absence of class size standards and the shrinkage of full-size classrooms have led to the children being forced into rooms that violate the building code. The NYC building code requires a minimum of 35 sq. feet per child in Kindergarten classrooms and 20 sq. feet per child in grades 1-12.⁸

This means that in a minimum size Kindergarten classroom, there can be only 14 children, and only 25 students in a minimum size classroom, as defined by the DOE's Footprint. ***The vast majority of NYC schools would violate the building code if classrooms were this small because they have far larger class sizes.***

- As of the 2012-2013 school year, 99 percent of Kindergarten students in general education, inclusion or gifted and talented classes had class sizes that exceeded 14, 66 percent of students in grades 1-8 and 72 percent of high schools had class sizes that surpassed 25. All these classes would violate the building code, if they were housed in rooms of the minimum size allowed by the Footprint.⁹

I have visited many schools that already violate the building code because the school is cramming too many students into small classrooms. The problem is likely to worsen over the next few years unless the DOE revises its footprint, and stops its push towards more and more co-locations. Moreover, the increased enrollment and co-locations, combined with wholly inadequate capital planning, will make it even more difficult if not possible to find space for class size reduction in the future.

Inadequate capital planning

In the current capital plan, the DOE admits that “Based on current Trend, [there is a] need for approximately 50,000 seats citywide” - with more than 16,000 of these seats as yet unfunded.¹⁰

Our estimate is that there is a need for at least 58,000 new seats based on future enrollment increases alone – without beginning to account for the need to alleviate existing overcrowding or reduce class size. The next mayor will hopefully put a higher priority on accomplishing these goals than the current one has.

⁸ New York City Department of Buildings. *Building Code of the City of NY Plus Reference Standards and Selected Rules and Regulations of the Department of Buildings, Includes Amendments to October 1, 2004*. New York: NYC Department of Buildings, 2004. p. 166.

<http://www.nyc.gov/html/dob/downloads/bldgs_code/amendment_set_1.pdf>

⁹ Source: New York City Department of Education 2012-2013 Updated Class Size Report. All figures are GenEd, CTT and G&T student

¹⁰ NYC Department of Education. *Building on Success; FY 2010 – 2014 Five-year Capital Plan, Proposed 2012 Amendment*. New York: Department of Education, Feb. 2012. p. 7.

<http://www.nycsca.org/Community/CapitalPlanManagementReportsData/CapPlan/021012_10-14_CapitalPlan.pdf>