

# **HOW DOE'S C4E PLAN VIOLATES THE LANGUAGE AND INTENT OF THE LAW**

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December, 2015

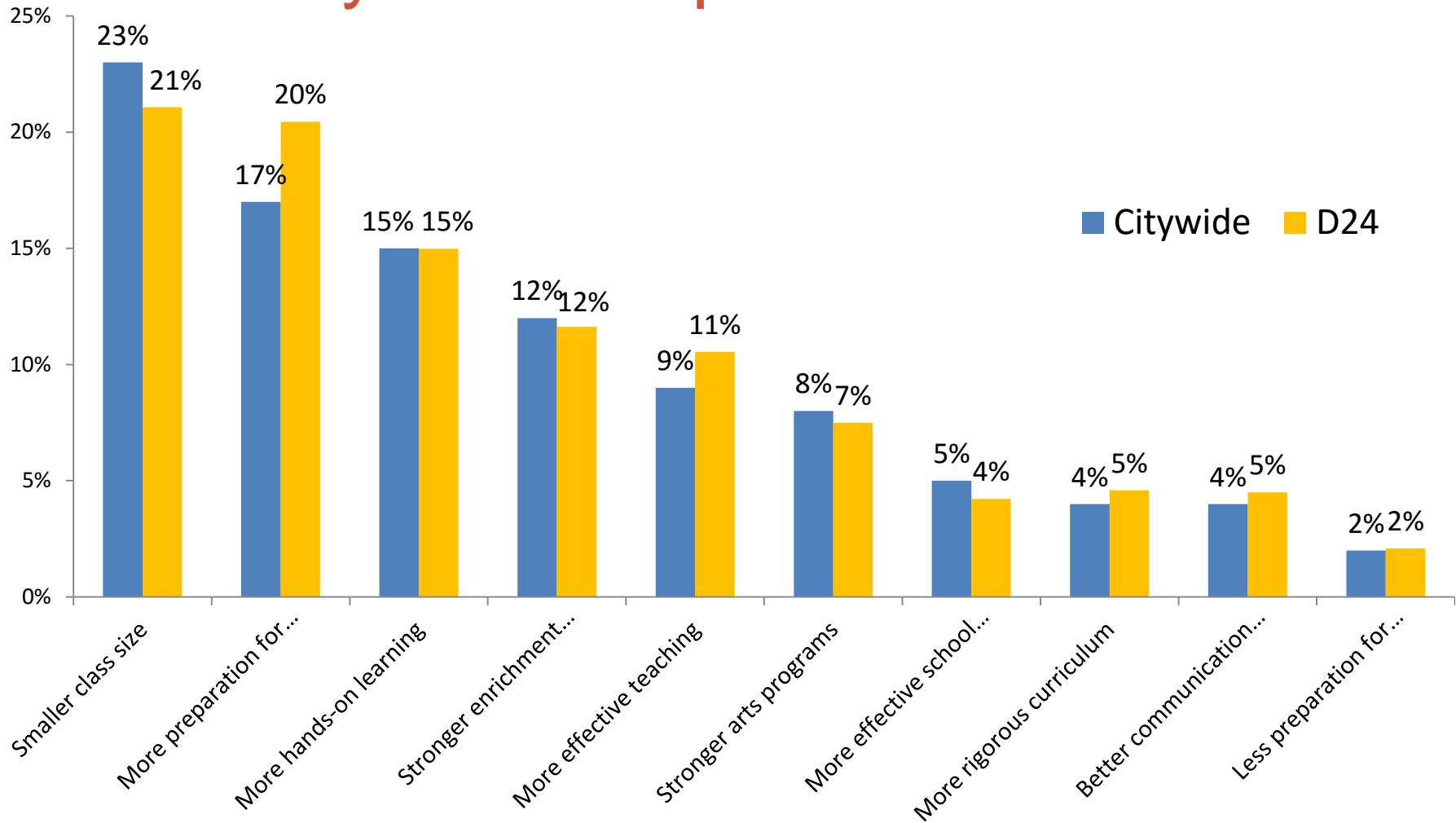
Data for Community Education Council 24

Produced by Class Size Matters

# CFE and C4E

- In 2003, the state's highest court concluded in the Campaign for Fiscal Equity (CFE) case that NYC kids were denied their fundamental constitutional right to an adequate education.
- This was primarily because NYC class sizes were much larger than NY state averages and far larger than research shows is optimal.
- In 2007, a new state law was passed, the Contracts for Excellence (C4E) that would provide NYC with extra funds on condition that the city also submit a plan to reduce class size in all grades.
- Yet every year since then, class sizes have increased, and now in the early grades are the largest in 15 years!

# Reducing class size top priority of parents citywide and parents of D24



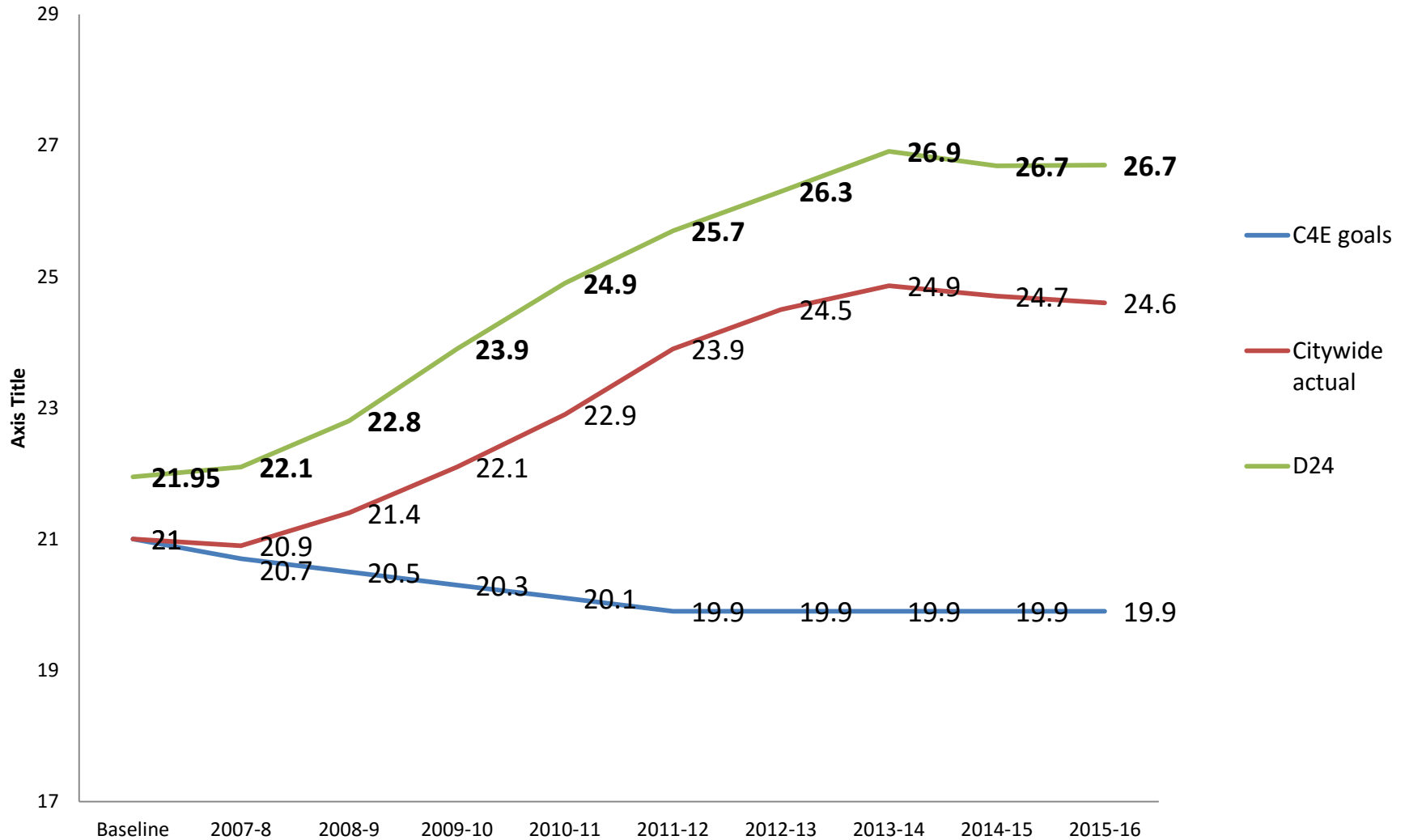
Data Source: 2014\* NYC School Survey Results

*\*this question was eliminated from the 2015 NYC School Survey*

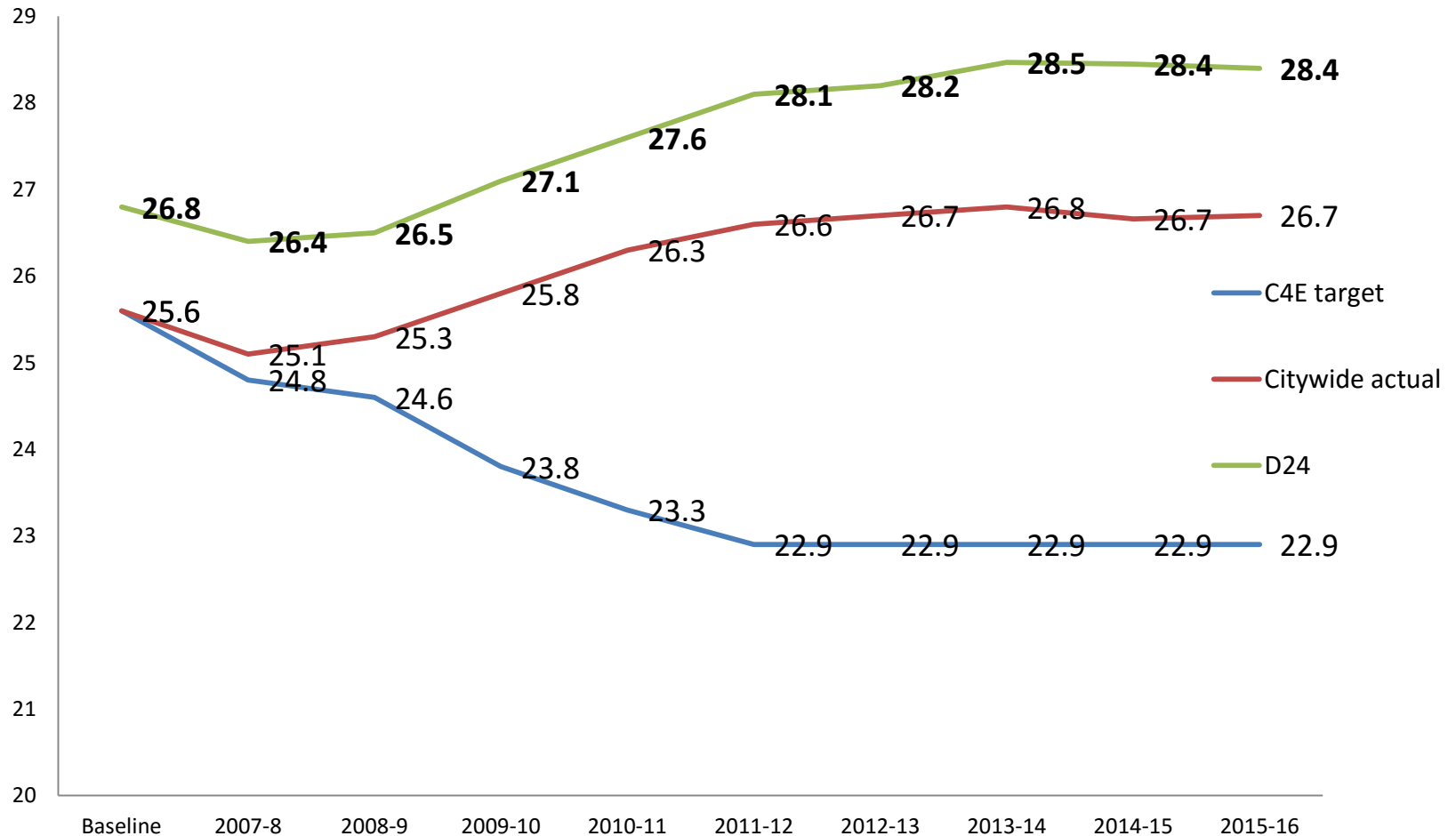
# DOE's class size reduction plan

- In Nov. 2007, the DOE submitted a plan to gradually reduce average class size over five years at three different grade ranges.
- In K-3, class sizes to be reduced to no more than 20 students per class, in grades 4-8 no more than 23 and HS core classes would be no more than 25 on average
- Yet each year since 2008, class sizes have increased rather than decreased and are now largest in 15 years in early grades.

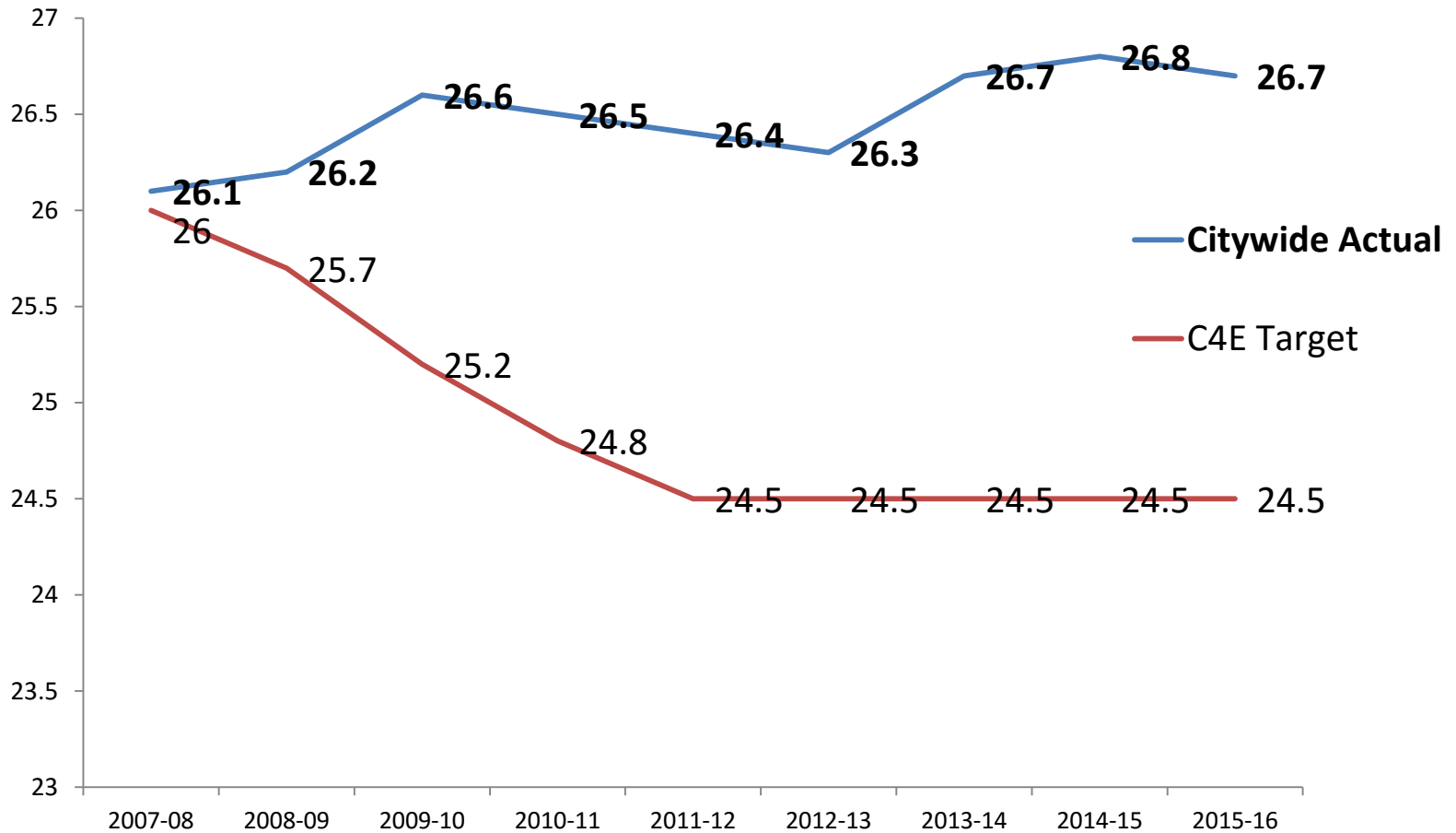
***Class sizes in D24 have increased in grades K-3 by 22% since 2007 and are far above C4E goals***



# *D24's class sizes in grades 4-8 have increased by 6% since 2007 and are far above C4E goals*



**HS Class sizes city-wide have increased in core HS classes as well, by 2.3% since 2007, though the DOE data is unreliable\***

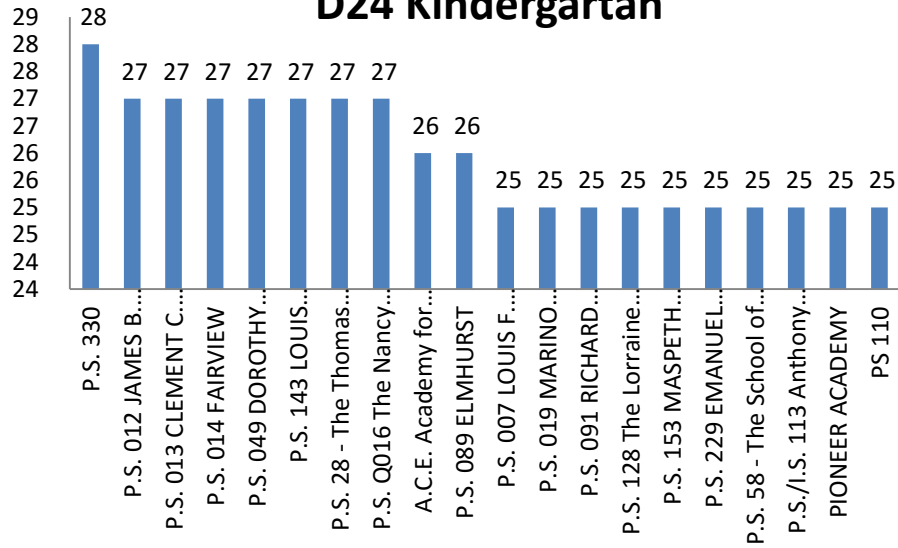


\*DOE's class size data is unreliable & their methodology for calculating HS averages have changed year to year

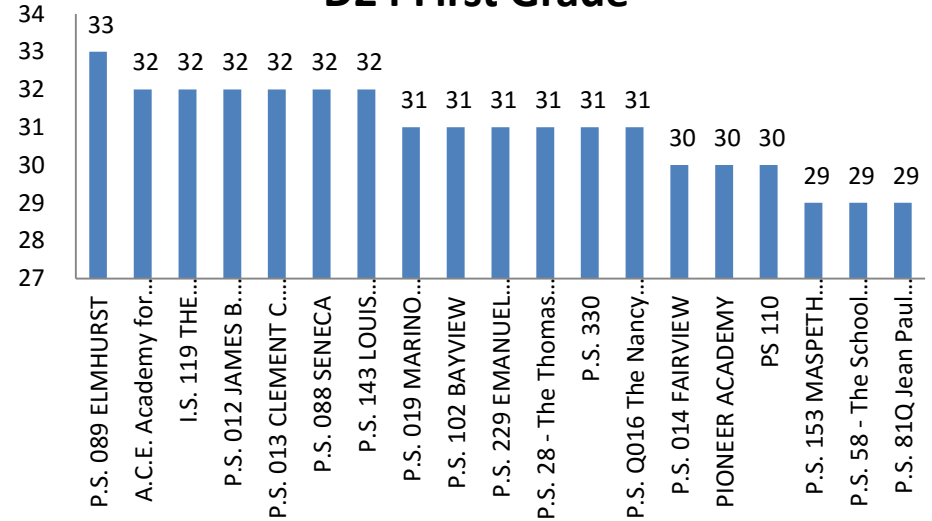
Data sources: DOE Class Size Reports 2007-Fall 2015, 2008 DOE Contracts for Excellence Approved Plan

# Examples of schools in D24 with large class sizes, K-3 in 2015-16

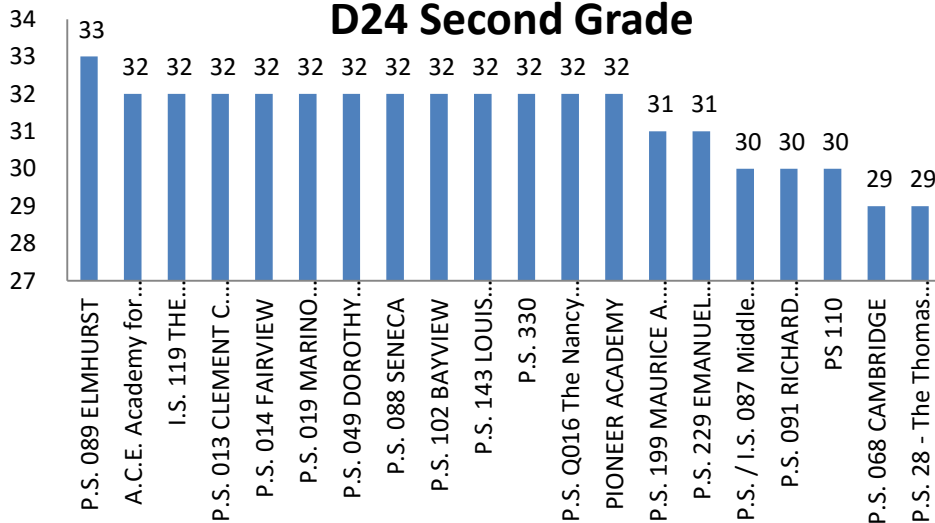
## D24 Kindergarten



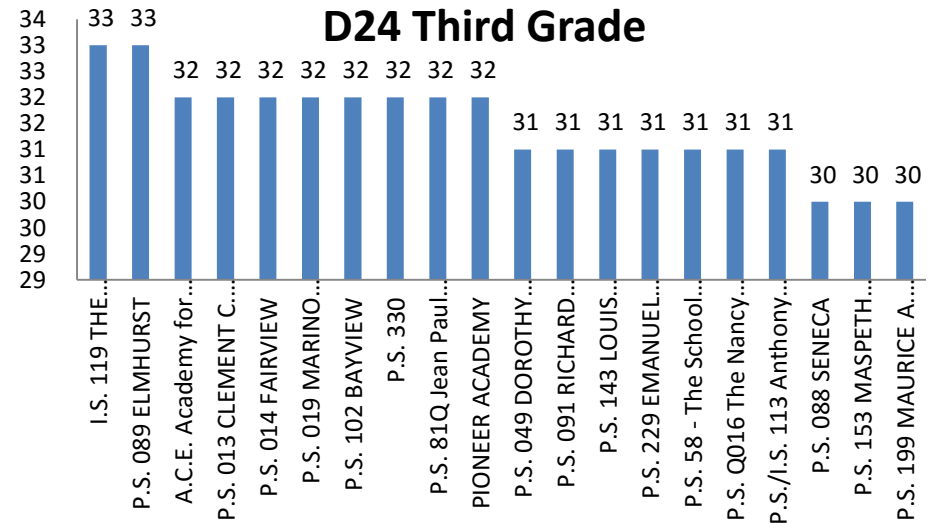
## D24 First Grade



## D24 Second Grade



## D24 Third Grade



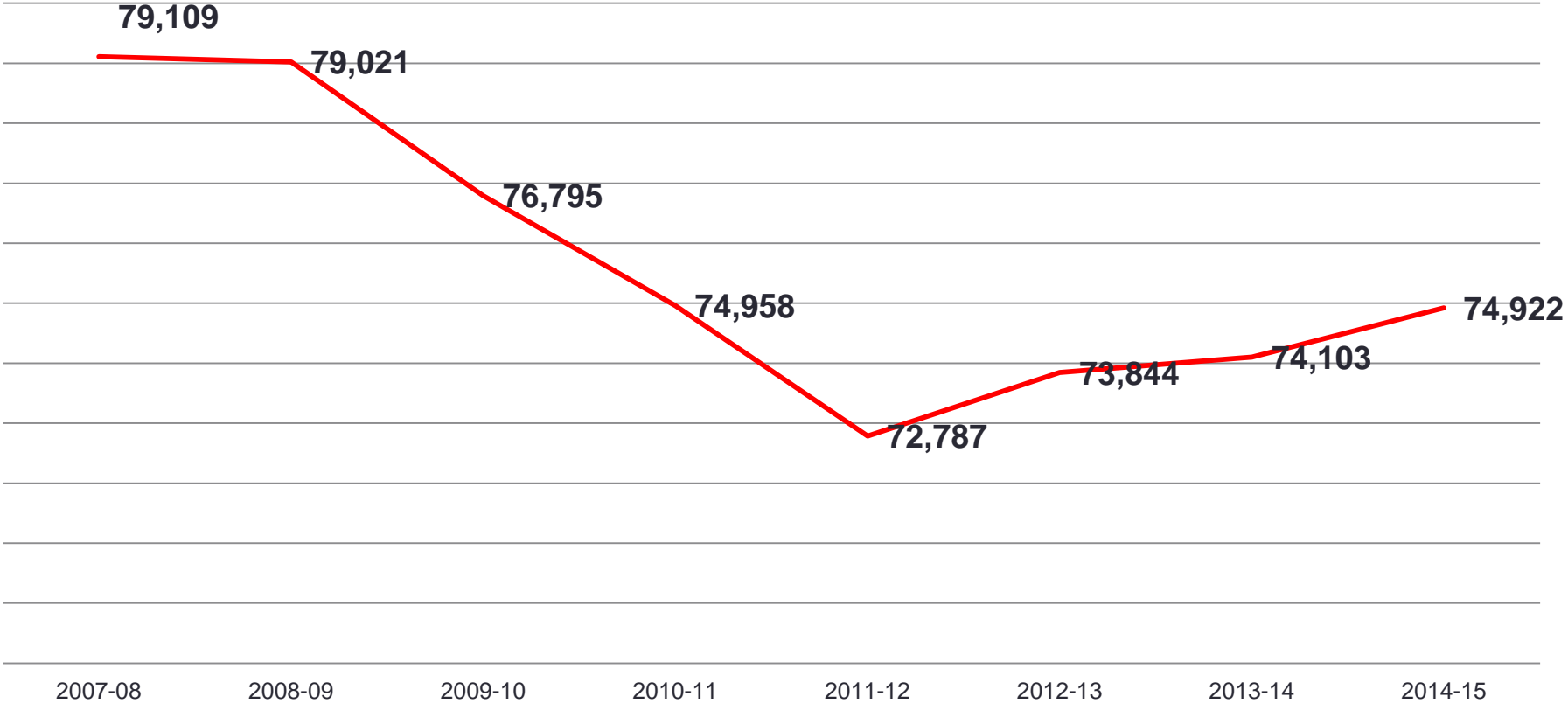


# Why? Because DOE has cut back school budgets by 14% since 2007

- In the state C4E law, says these funds must “**supplement not supplant**” city funds.
- This means that the DOE could not cut back its own funding to schools when the state increased its funding. But this is what happened, starting the first year of C4E.
- This year, in its C4E plan, for the first time DOE admits allowing supplanting – but also claims that the State Education Dept. is giving its permission for this to occur.
- *“Expenditures made using C4E funds must ‘supplement, not supplant’” funding provided by the school district; however, SED has provided guidance explaining that certain expenditures may be paid for with C4E funds even though these programs or expenditures were originally or have been typically paid for by the district or by other grants.”*

# Loss of more than 4,000 Teachers since 2007

Total no. of teachers  
(data source: Mayor's Management report)



# Other ways city has encouraged class size increases

- In 2010, the DOE eliminated the early grade class size reduction funding for K-3, despite promising to keep it as part of its C4E plan.
- In 2011, the DOE refused to comply with a side agreement with the UFT to cap class sizes at 28 in grades 1-3, leading to sharp increases in these grades to 30 or more.
- Co-locations have made overcrowding worse, and taken space that instead could have been used to reduce class size.
- When principals try to lower class size, particularly in middle or high schools, DOE often sends them more students.

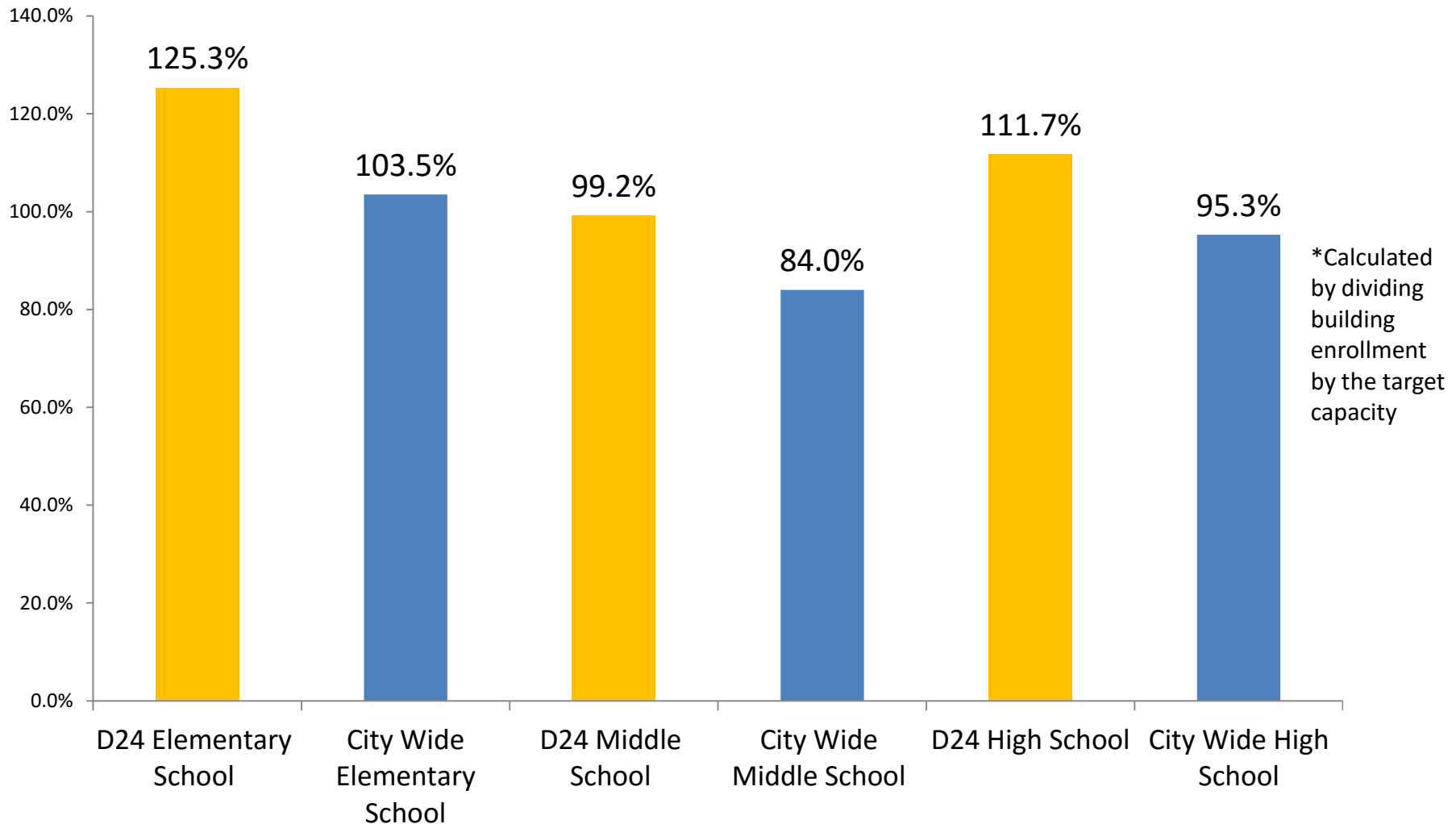
# More ways DOE has worked to increase class size in its C4E plan

- DOE refuses to allocate any funds specifically towards class size reduction in its targeted allocations.
- DOE allows principals to use C4E funds to “*Minimize growth of class size,*” which is not class size reduction.
- DOE has never aligned its capital plan or the school utilization formula to smaller classes, contrary to the C4E law.

# Overcrowding in D24 and Queens

- Last year there were 39 District 24 buildings with elementary and middle school students that were over-100% utilization.
- 27 Queens high school buildings were over-utilized.
- Most experts believe that these figures *underestimate* the actual level of overcrowding in our schools; and so Chancellor has appointed a task force to revamp the Blue Book formula.
- DOE consultants project 7,641 new D24 student by the year 2021.
- *Yet there are only 4,045 ES & MS seats for D30 in the 5 year plan, and 2,802 Queens HS seats.*

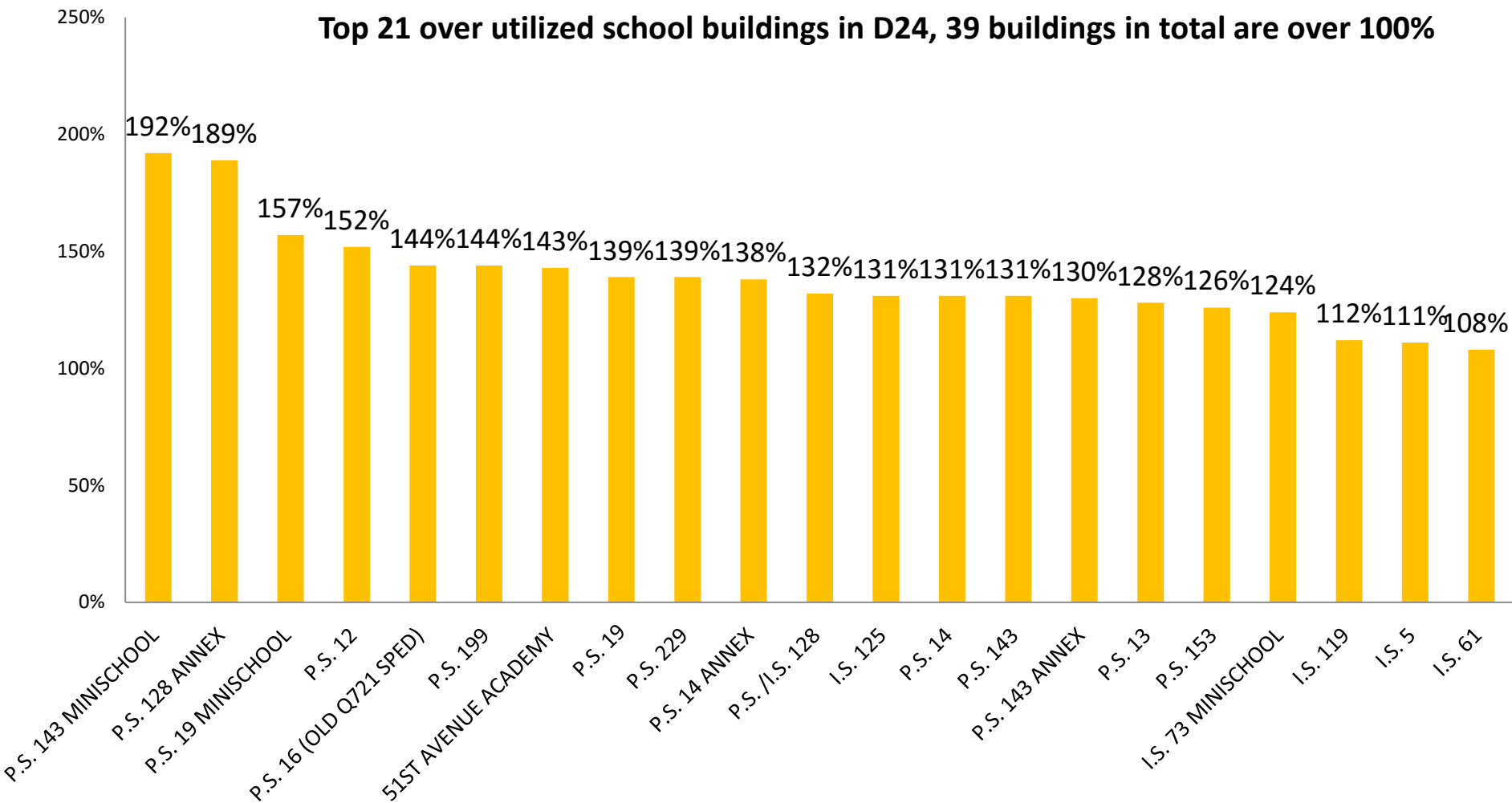
# Average Utilization Rates in D24 compared to City-Wide 2014-15, about 7,907 seats needed to bring D24 average utilization to 100%



Source: 2014-2015 DOE Blue Book

# 39 ES and MS Buildings in D24 are over-utilized

about 7,796 ES and MS Seats needed to reach 100% building utilization

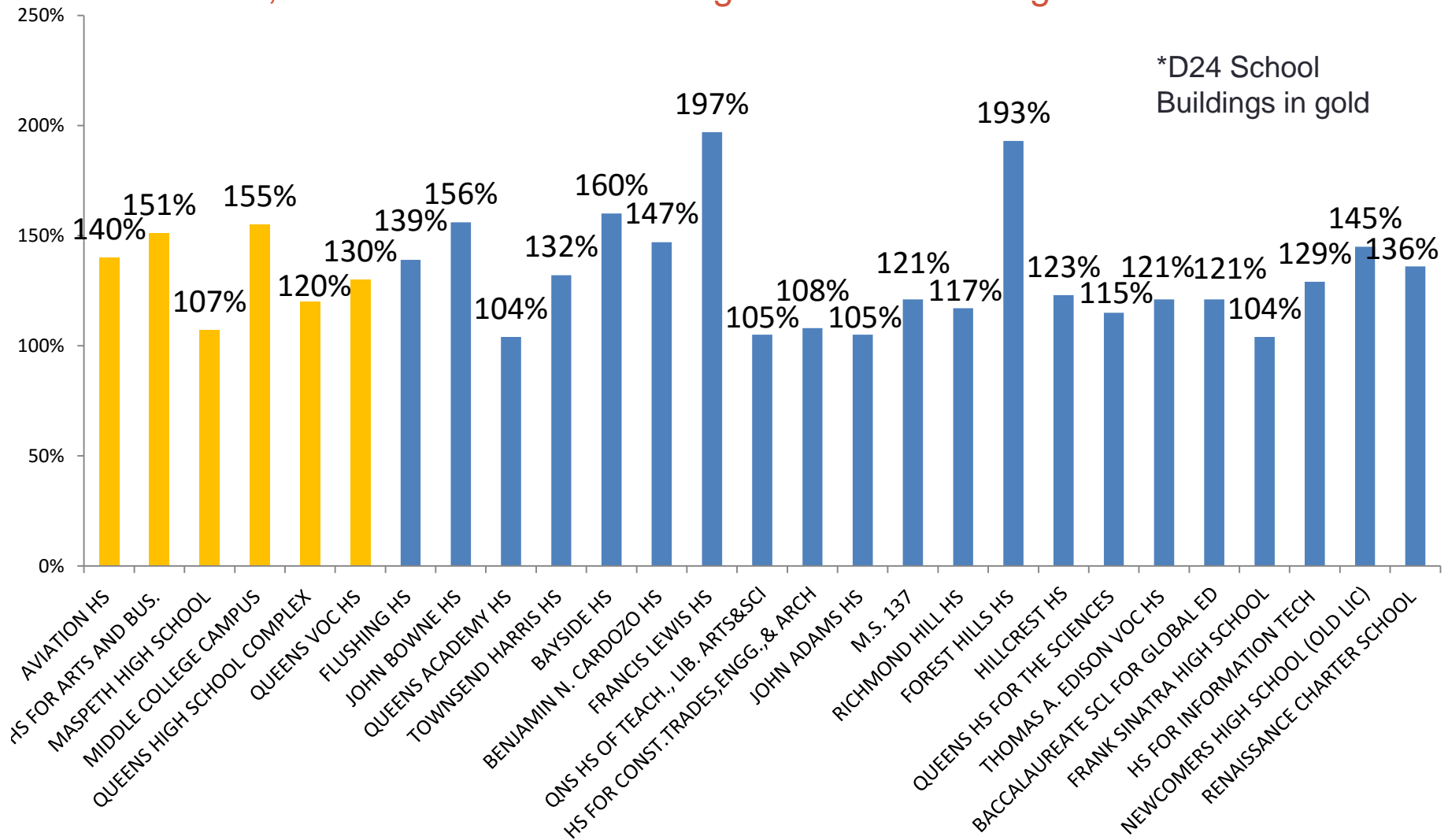


\*IS/PS Schools are counted as Elementary Schools, and Secondary Schools are counted as Middle Schools

Source: 2014-2015 DOE Blue Book

# 27 Queens HS buildings are over-utilized.

About 13,632 new seats needed to bring these school buildings to 100% Utilization.



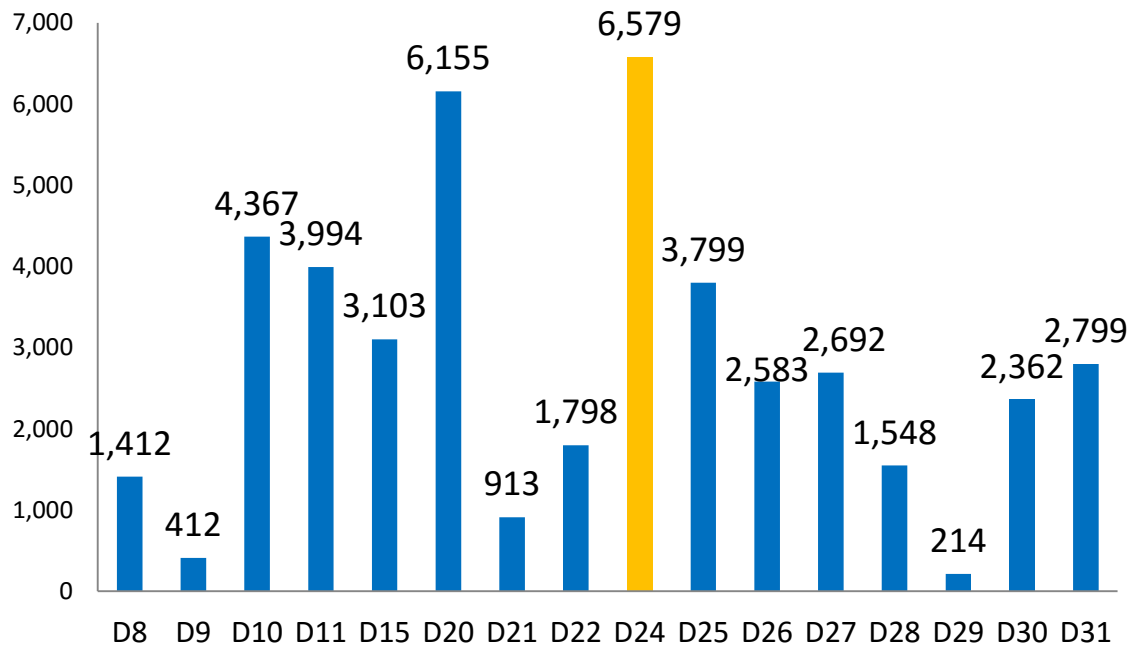
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Source: 2014-2015 DOE Blue Book

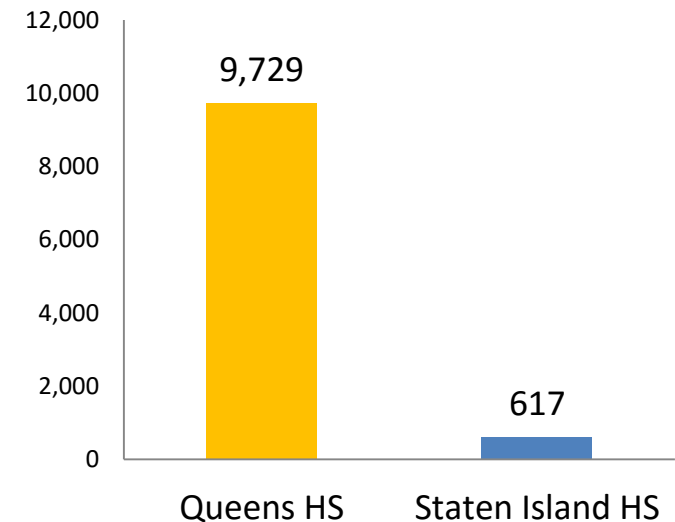


# Seat need by District ES utilization averages and Borough HS utilization averages over 100%

**# of Seats needed in Districts with ES Building Utilization Average higher than 100%**

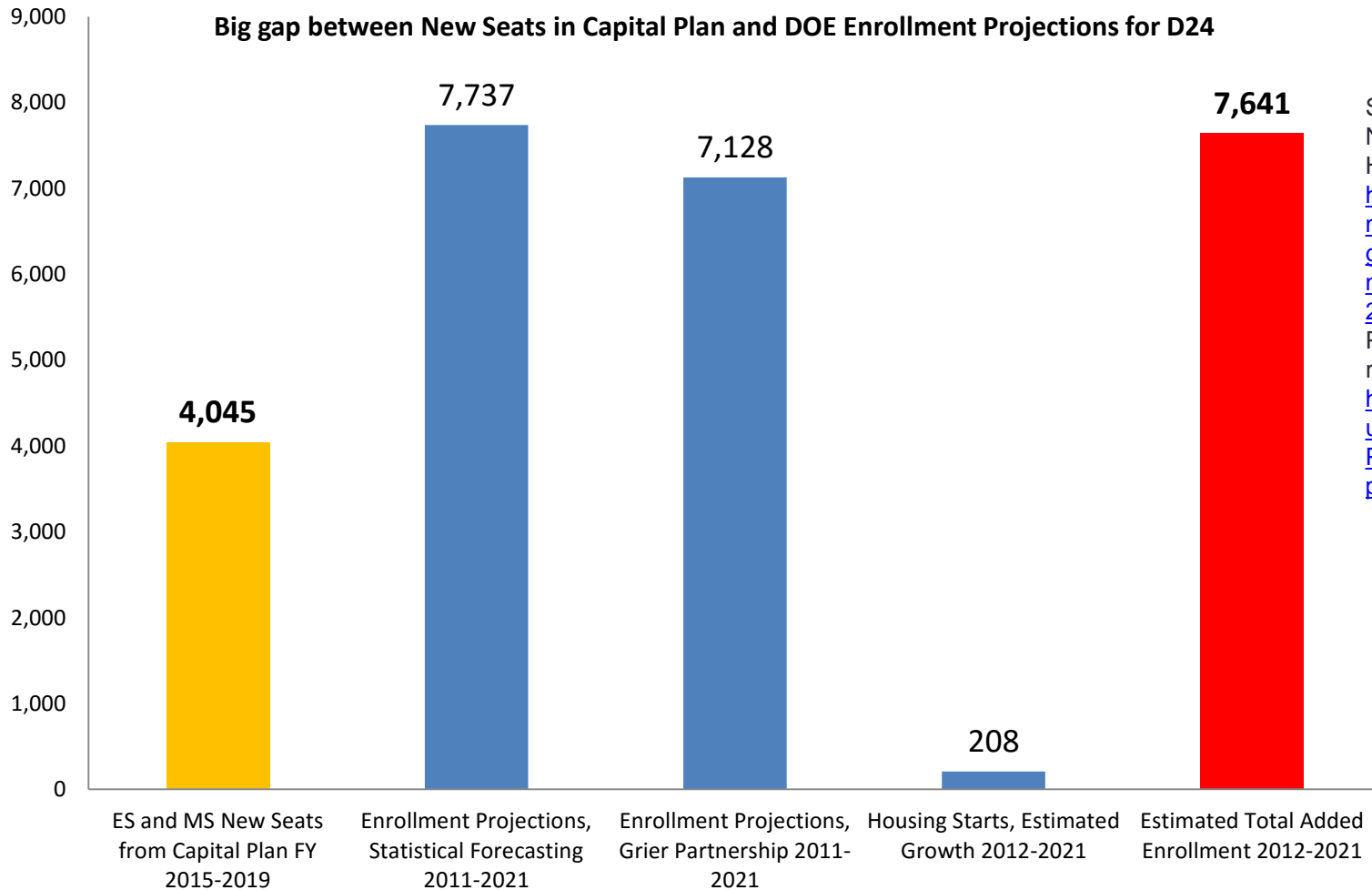


**# of Seats Needed in Boroughs with HS Building Utilization Average higher than 100%**



\*These are district-wide and borough-wide averages that are over 100% building utilization. 44,730 seats needed to bring these district's ES Building Utilization averages down to 100%. 10,346 seats needed to bring Queens and Staten Island Borough-wide averages down to 100% utilization.

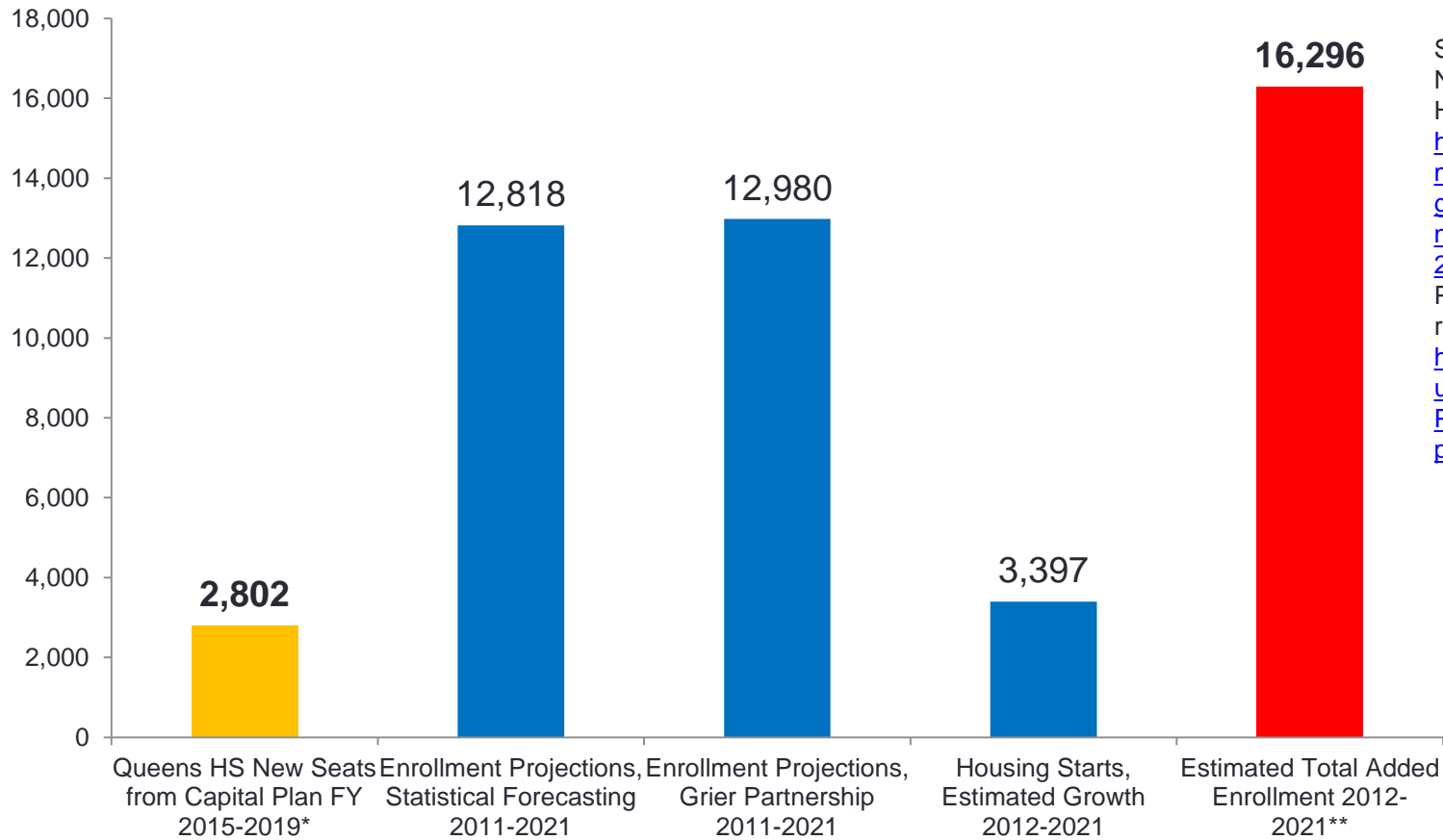
# New ES and MS Seats in Capital Plan and DOE Enrollment Projections for CSD 24



Source for Housing Starts: NYSCA Projected New Housing Starts 2012-2021, <http://www.nycsca.org/Community/CapitalPlanManagementReportsData/Housing/2012-21HousingWebChart.pdf>; Projected public school ratio, <https://data.cityofnewyork.us/Education/Projected-Public-School-Ratio/n7ta-pz8k>

\*Seats in plan does not include 4,900 seats as yet undetermined as to district and grade level. Includes seats planned for PS and PS/IS. Total added enrolment = housing starts estimation + average of both consultant projections. Statistical Forecasting does not include D75 students.

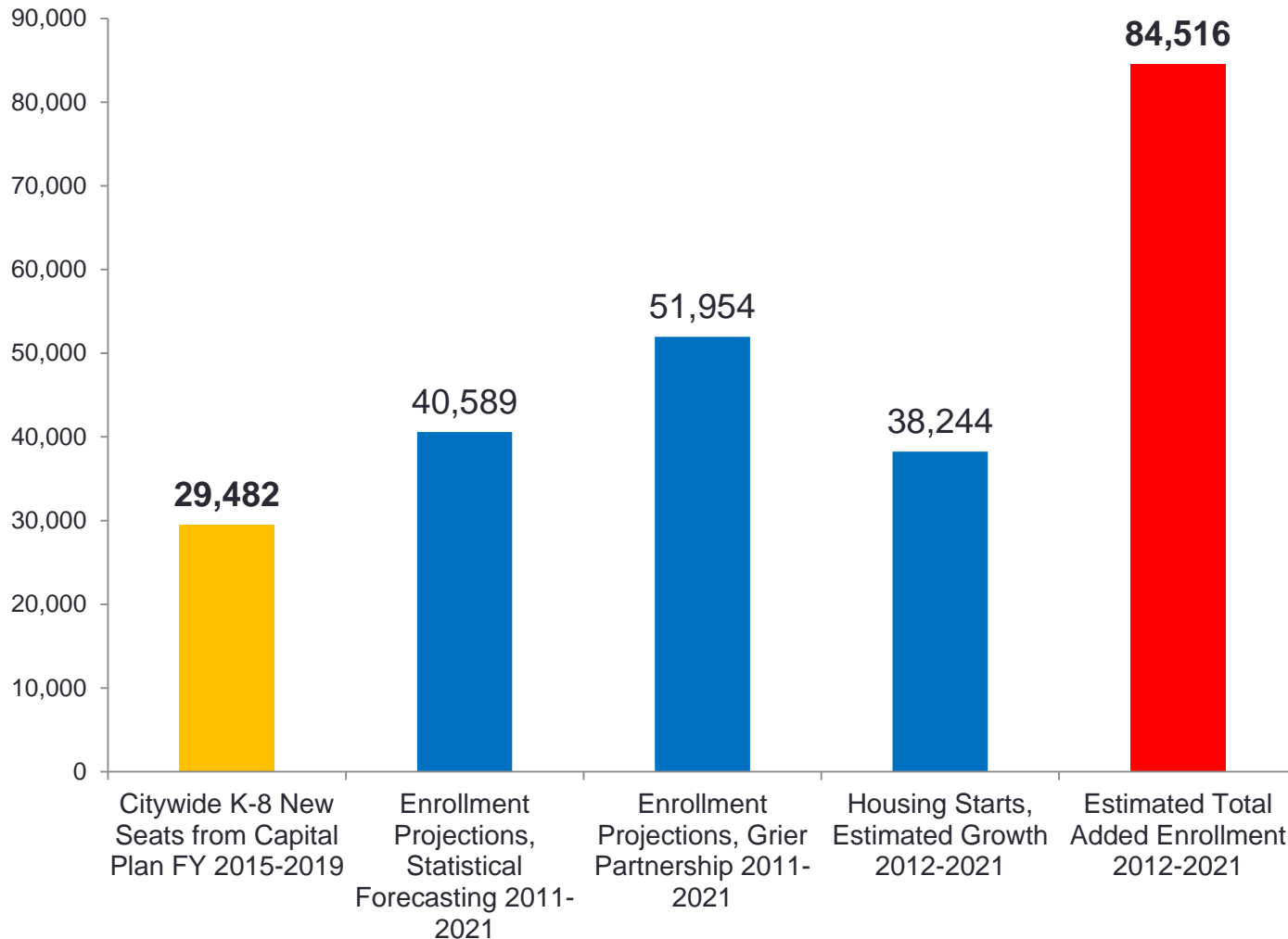
# Capital plan has fewer than 1/5 of the seats in Queens to address future HS enrollment of projected additional 16,296 students – nothing to alleviate current overcrowding



Source for Housing Starts: NYSCA Projected New Housing Starts 2012-2021, <http://www.nycsca.org/Community/CapitalPlanManagementReportsData/Housing/2012-21HousingWebChart.pdf>; Projected public school ratio, <https://data.cityofnewyork.us/Education/Projected-Public-School-Ratio/n7ta-pz8k>

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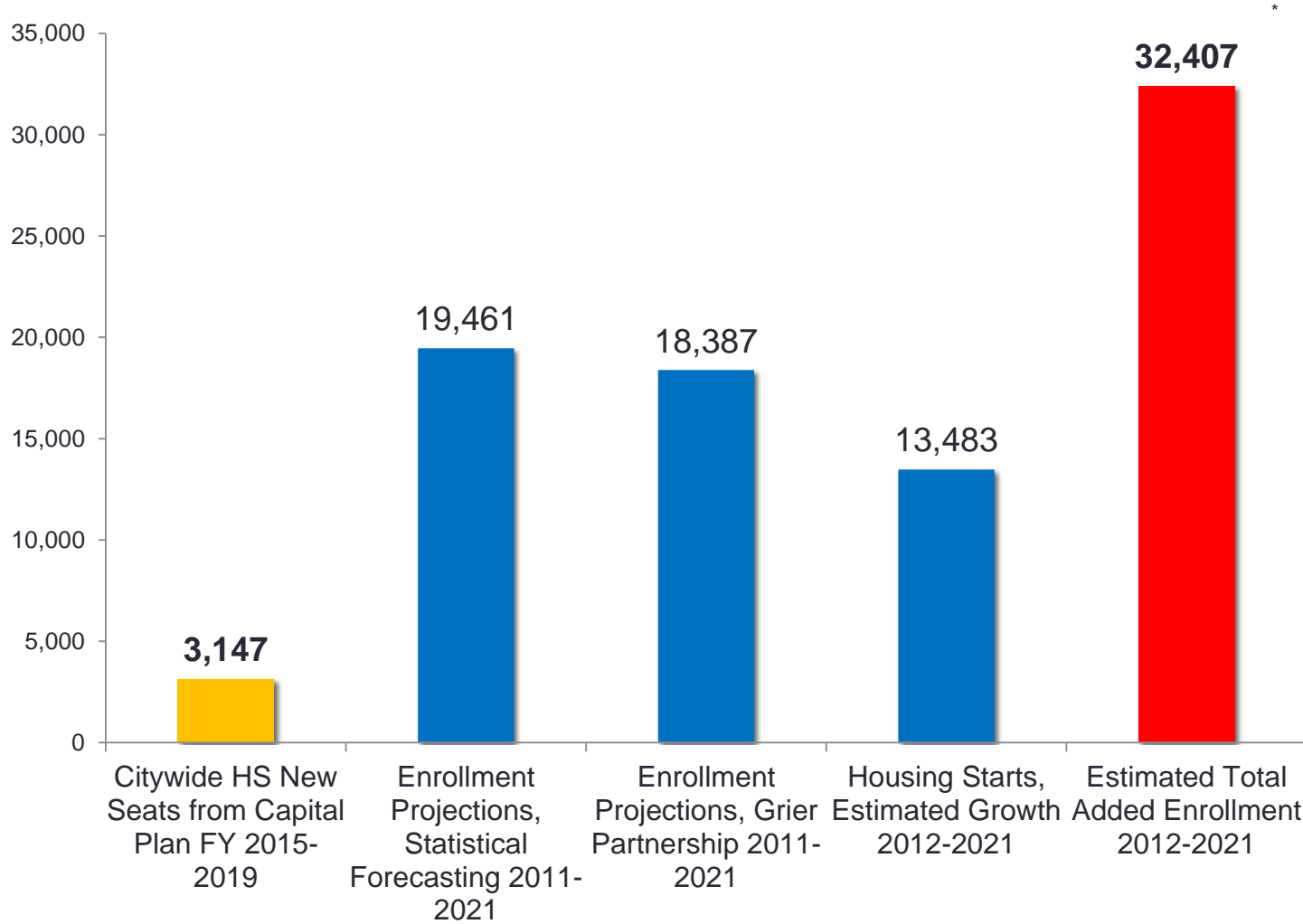
# City-wide Enrollment Projections K-8 vs. New Seats in May 2015 Capital Plan



Source for Housing Starts: NYSCA Projected New Housing Starts 2012-2021, <http://www.nycsca.org/Community/CapitalPlanManagementReportsData/Housing/2012-21HousingWebChart.pdf>; Projected public school ratio, <https://data.cityofnewyork.us/Education/Projected-Public-School-Ratio/n7ta-pz8k>

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# City-wide Enrollment Projections HS vs. New Seats in Capital Plan



Source for Housing Starts: NYSCA  
 Projected New Housing Starts 2012-2021,  
<http://www.nycsca.org/Community/CapitalPlanManagementReports/Data/Housing/2012-21HousingWebChart.pdf>;  
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\*Seats in plan does not include 4,900 seats as yet undetermined as to district and grade level. Includes seats planned for IS/HS; Total added enrollment = housing starts estimation + average of both consultant projections. Statistical Forecasting does not include D75 students.

# What should be done?

- During his campaign, Mayor de Blasio promised if elected to abide by the city's original C4E class size plan approved by the state in 2007 and to expand the capital plan to make this possible.
- He now denies he made these promises.
- We must hold him to these promises and continue advocating for NYC children to receive their constitutional right to a sound basic education.

# How You Can Help

- Join our campaign for doubling of the seats in the capital plan and a Commission to improve the efficiency of school planning.
- The Public Advocate and 22 Councilmembers signed onto a letter last spring, urging this as well.
- Sign up for the Class Size Matters newsletter, like our Facebook Page ([www.facebook.com/classsizematters](http://www.facebook.com/classsizematters)), and follow our Tweets (@ClassSizeMatter) to stay informed.
- Visit our Website, <http://www.classsizematters.org> to learn more about the issue.
- Meet with your City Councilmembers (Mark Levine and Ydanis Rodriguez) to continue advocating on this issue.
- Any questions, concerns, or stories of large class sizes or overcrowded schools? Please email us at [info@classsizematters.org](mailto:info@classsizematters.org)

# Check your room sizes vs. building code!

- According to the NYC building code, all schools are supposed to provide 35 square feet per student in Kindergarten classrooms, and 20 square feet per student in other grades.
- ***With the increase in school overcrowding and class size, we believe that many school violate these requirements.***
- Every parent should check the school's annual survey report. You can find it on the school's DOE portal, then click on statistics and budget, then the Principal Annual Space Survey.



# Go to School Portal

(Example: P.S. Q228 in D30 School Portal)



## P.S. 228 EARLY CHILDHOOD MAGNET SCHOOL OF THE ARTS

OLGA GUZMAN, PRINCIPAL  
32-63 93 STREET, QUEENS, NY 11369  
PHONE: 718-899-5799



[DOE Home Page](#) > [SchoolPortals](#) > [Q228](#)

Qualify for Free  
Meals & Support  
School Funding!



**APPLY NOW!**

**Q228**

### About Us

[Overview](#)

[Photo Album](#)

[Statistics & Budget](#)

[Maps & Directions](#)

### Welcome



### School Details

P.S. 228 Early Childhood Magnet  
School Of The Arts

**School Number:**  
Q228

**Address:**  
32-63 93 STREET  
QUEENS, NY 11369

**Phone:**  
718-899-5799

**Fax:**  
718-899-7323

**School Hours**

**Student Enrollment:**  
327

**Grades Served:**  
01, 02, 0K, PK, SE

# Click on *Building/School Facilities Report*

and budget amounts by assignment, subject or grade depending on the section.

## *Building/School Facilities Report*

Reports and general information about the conditions of the school building, including accessibility status and department of health reports.

## *Statistical Summaries*

The Statistical Summaries web site highlights summaries of various important DOE statistics including official enrollment, regional attendance, citywide exam results in reading and math, and employee headcounts. In addition, the site provides links to more detailed attendance and enrollment data.

then: the *Principal Annual Space Survey*

# UFT class size caps vs. Blue book vs current averages vs Contract for excellence goals

Grade levels	UFT Contract class size limits	Target class sizes in "blue book"	Current average class sizes	C4E class Size goals	Square footage per student required in classroom according to the NYC building code
Kindergarten	25	20	23	19.9	35
1st-3rd	32	20	25.4	19.9	20
4th-5th	32	28	26.1	22.9	20
6th-8th	30 (Title I) 33 (non-Title I)	28	27.1	22.9	20
HS (core classes)	34	30	26.8	24.5	20



# Principal Annual Space Survey 2014 - 2015

Bldg ID: Q228 P.S. 228 (ECC) - QUEENS

Geo District: 30

Bldg Address: 32-63 93RD STREET

Survey Principal: OLGA GUZMAN

 Added Room  Room Number Changed

Room No	2014-2015 Org Name	Room SQFT	AC	2013-2014 Room Function	2014-2015 Room Function	Primary Function Used %	Sharing Y/N
201	P.S. 228 - QUEENS	135	Y	FUNDED - ESL	FUNDED - ESL	50 - 100	N
203	P.S. 228 - QUEENS	682	Y	KINDERGARTEN	KINDERGARTEN	50 - 100	N
208	P.S. 228 - QUEENS	228	Y	TEACHER'S ROOM	TEACHER'S ROOM	50 - 100	N
209	P.S. 228 - QUEENS	759	Y	KINDERGARTEN	KINDERGARTEN	50 - 100	N
211	P.S. 228 - QUEENS	759	Y	KINDERGARTEN	KINDERGARTEN	50 - 100	N
212	P.S. 228 - QUEENS	805	Y	KINDERGARTEN	KINDERGARTEN	50 - 100	N

**PS 228 Kindergarten classrooms ranged between 682-805 sq. ft in 2014-15. Referencing the building code information on the previous slide, this would legally hold between 19 and 23 children. *But are the class sizes safely capped at these numbers?***