

# **HOW THE DOE DOES NOTHING TO ADDRESS CLASS SIZE OR OVERCROWDING IN D4**

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Miho Watabe for Class Size Matters  
November 12, 2015

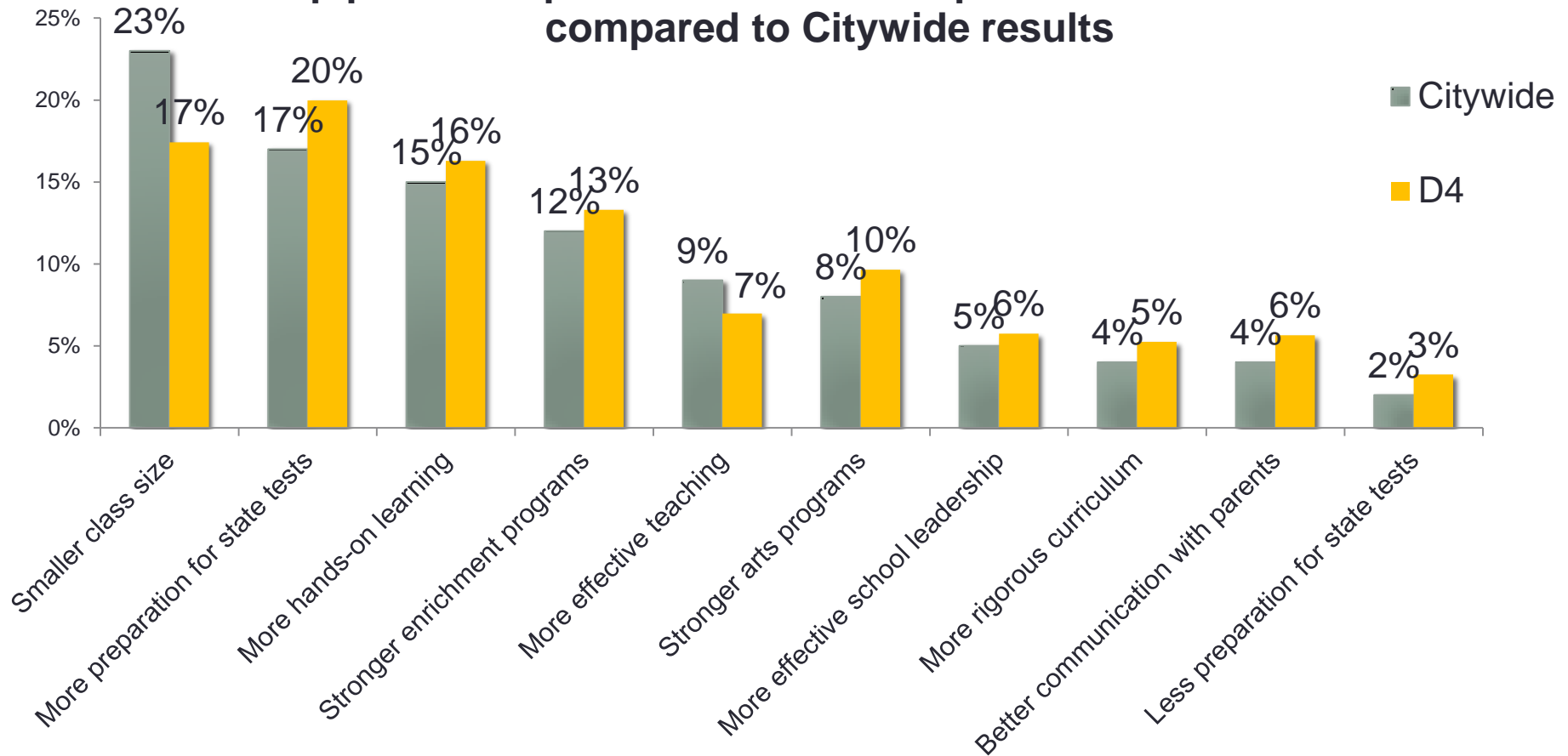
- \*Update: Updated with new class size data 12/2015.**
- \*Correction: this original presentation listed Juan Morel Campos Secondary School as a renewal school in D4. It is a renewal school in D14.**

# CFE and C4E

- In 2003, NYS Court of Appeals concluded (in the Campaign for Fiscal Equity (CFE) case) that NYC kids were denied their fundamental constitutional right to an adequate education. A key issue in the case was class size.
- “[T]ens of thousands of students are placed in overcrowded classrooms, taught by unqualified teachers, and provided with inadequate facilities and equipment. The number of children in these straits is large enough to represent a systemic failure.” - (Campaign for Fiscal Equity, Inc., et al. v. State of New York, et al., 100 N.Y.2d 893, 911-12 (2003) (“CFE II”).
- In 2007, a new state law was passed: the Contracts for Excellence (C4E) that provided NYC with extra funds on condition that the city also submit a plan to reduce class size in all grades.

# Reducing class size #1 priority for parents citywide and #2 for D4 parents

**Top parent responses for school improvement in District 4 compared to Citywide results**



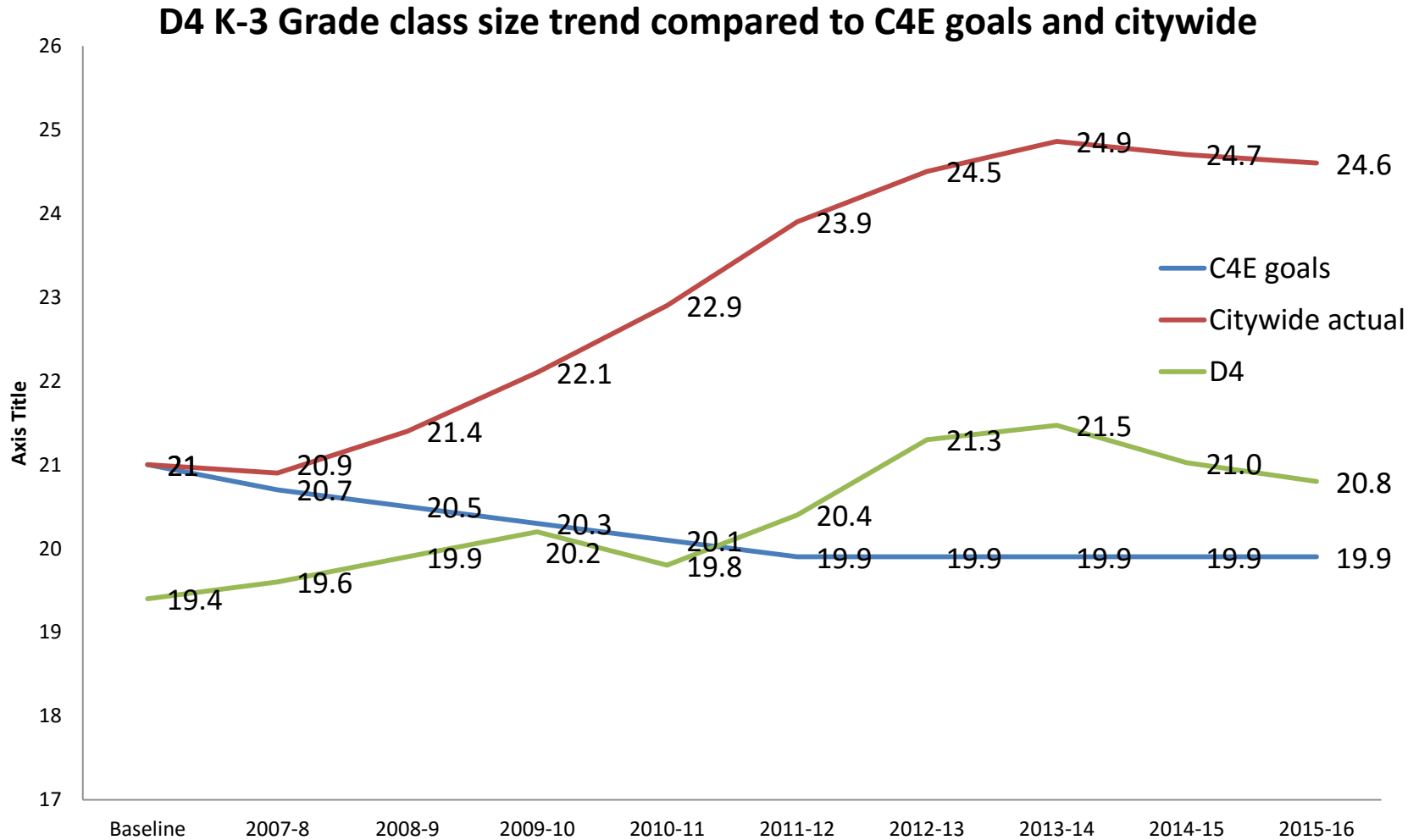
Data Source: 2014\* NYC School Survey Results

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

# DOE's class size reduction plan

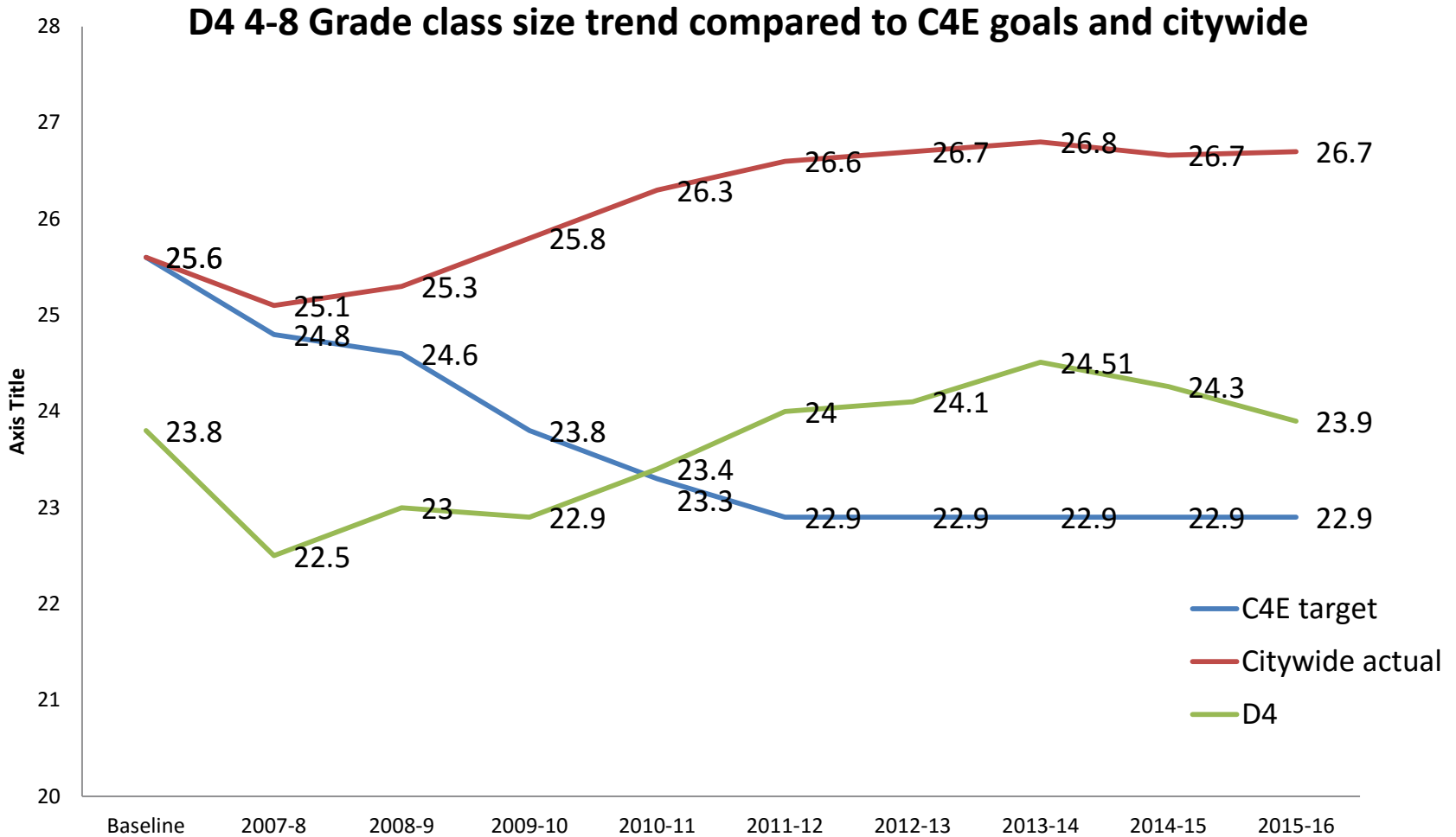
- In Nov. 2007, the DOE submitted a plan to gradually reduce average class size over five years at three different grade ranges.
- **In K-3, class sizes to be reduced to no more than 20 students per class, in grades 4-8 no more than 23, and HS core classes would be no more than 25 on average**
- Yet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

***Class sizes in CSD 4 have increased in grades K-3  
By 7.2% since 2006 and are now above Contracts for Excellence goals***

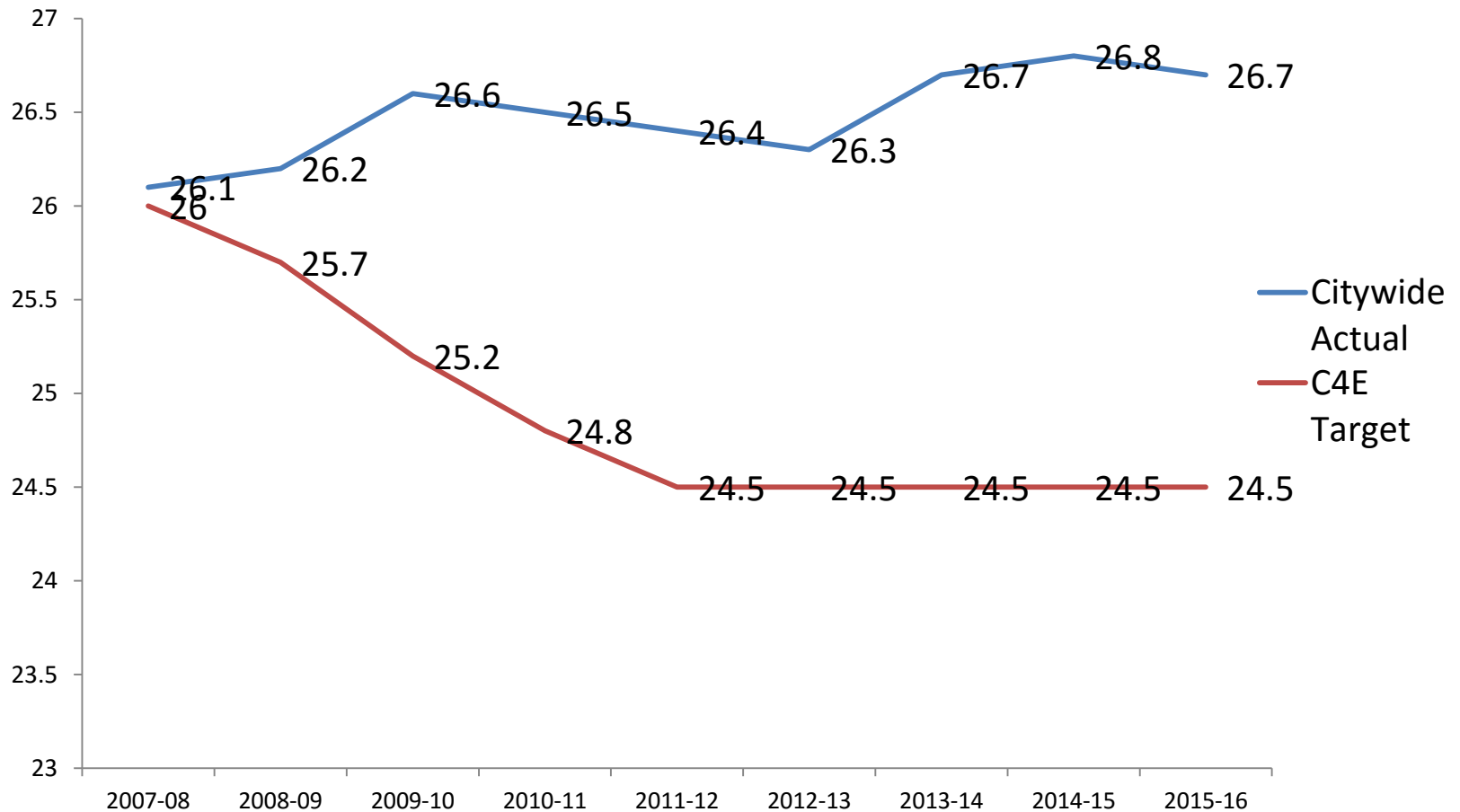


Data sources: DOE Class Size Reports 2006-2015, 2008 DOE Contracts for Excellence Approved Plan

***CSD 4's class sizes in grades 4-8 have increased by 6.2% since 2007 and are above Contracts for Excellence goals***



**Class sizes city-wide have increased in core HS classes as well, by 2.7% since 2007, though the DOE data is unreliable\***

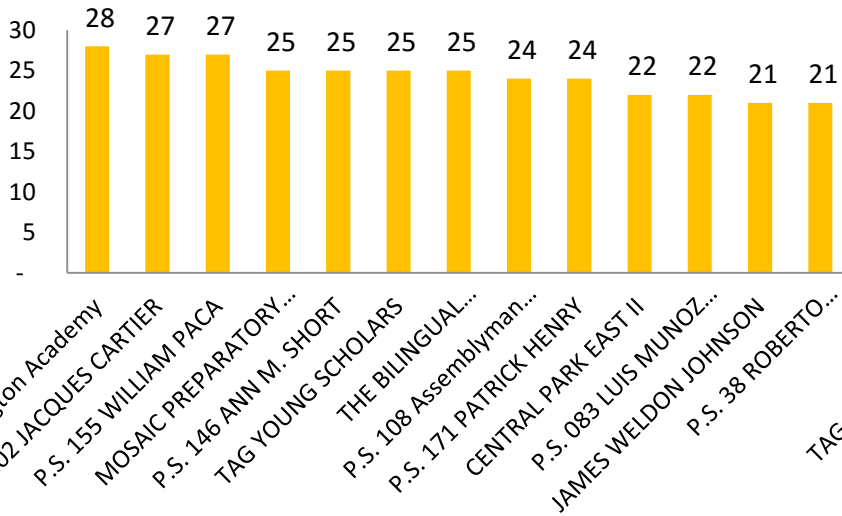


\*DOE's class size data is unreliable & their methodology for calculating HS averages have changed year to year

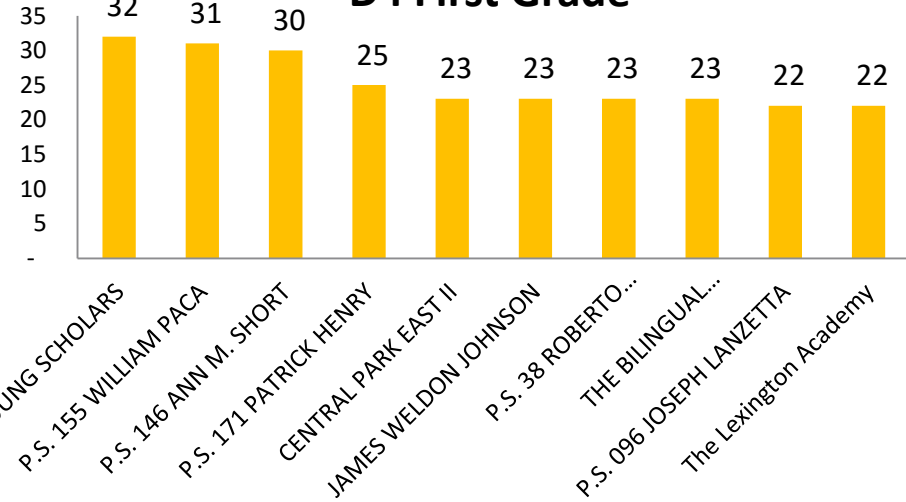
Data sources: DOE Class Size Reports 2007-2015, 2008 DOE Contracts for Excellence Approved Plan

# Examples of schools in CSD 4 with large class sizes, K-3

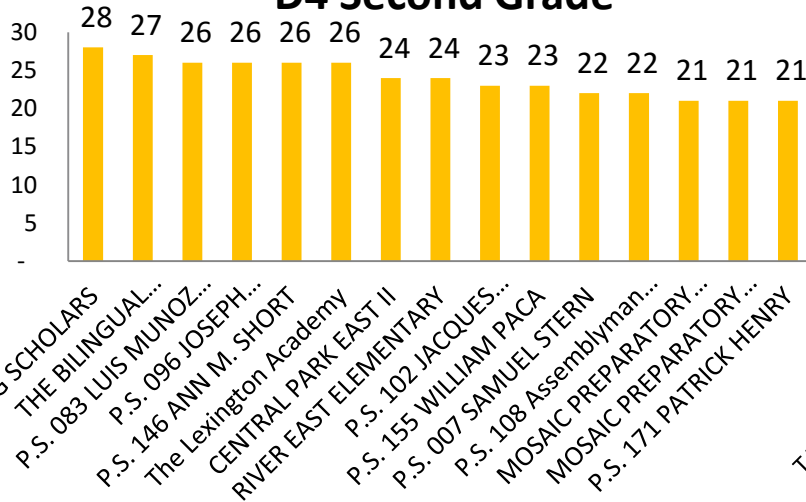
## D4 Kindergarten



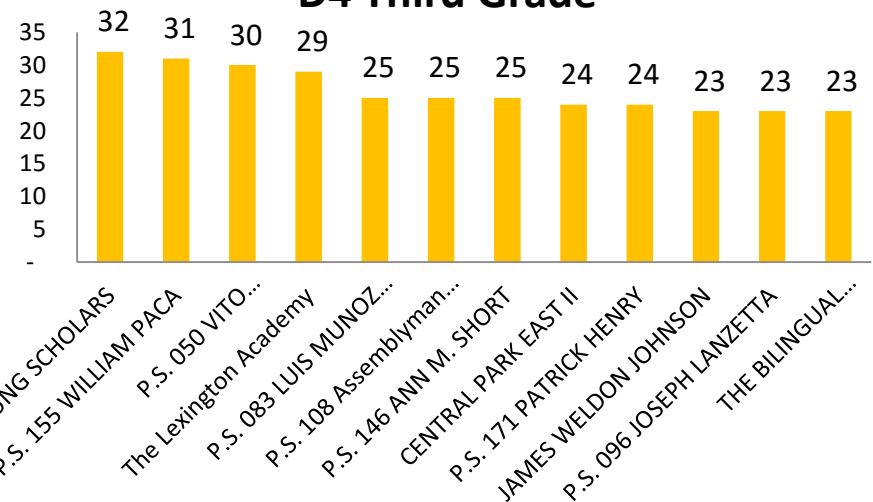
## D4 First Grade



## D4 Second Grade



## D4 Third Grade





# C4E is supposed to Focus on Class Size Reduction in Renewal Schools but Fails

- Last December, DOE wrote in response to public comments on their proposed Contracts for Excellence plan that *“to better align with the chancellor’s priorities, C4E’s class size reduction plan will now focus on the 94 schools in the School Renewal Program.”* \*
- This statement was repeated in the DOE PowerPoint presented to CECs last month: *“For the 2015-26 school year, NYCDOE will focus class Size Reduction planning efforts on the school renewal program.”* \*

## AND YET:

- Our analysis of last year’s data revealed that revealed that 60% of the Renewal Schools had classes with 30 or more students and few, if any, met C4E goals of 20 in K-3, 23 in 4<sup>th</sup>-8<sup>th</sup> and 25 in core High School classes.
- This year, we have received reports of Renewal elementary schools where class sizes have actually increased in Kindergarten.
- The UFT reported that this fall, there were hundreds of classes in Renewal high schools hat violated contractual cap of 34 students per class.
- Which renewal schools have class sizes been actually reduced? What funding and accountability strategies have been used to achieve this?

\* Source: DOE C4E PowerPoints, can be found at <http://schools.nyc.gov/AboutUs/funding/c4e/default.htm>

# Renewal Schools and Receivership Schools in D4 that C4E is supposed to focus on

**Coalition School for Social Change**

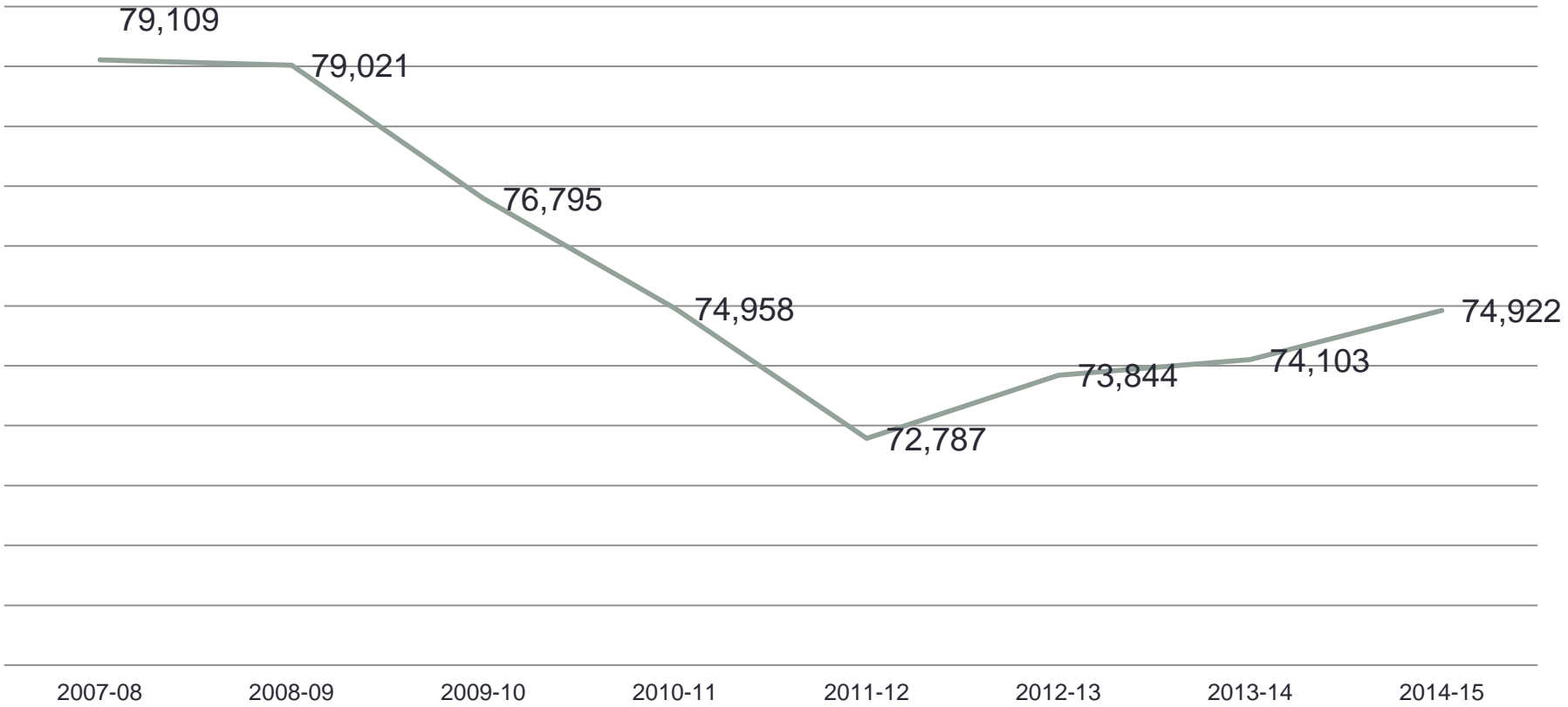
**P.S. 050 Vito Marcantonio**

**Renaissance School of the Arts**

- Two of these Schools (Coalition School for Social Change, and P.S. 050 Vito Marcantonio) had classes at 30 students or more last year.
- What are the class sizes this year? Is DOE fulfilling promise to reduce them?

# Loss of more than 4,000 Teachers since 2007

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



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

- In the C4E law, says these states 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.
- 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.”*

# Other ways city has encouraged class size increases

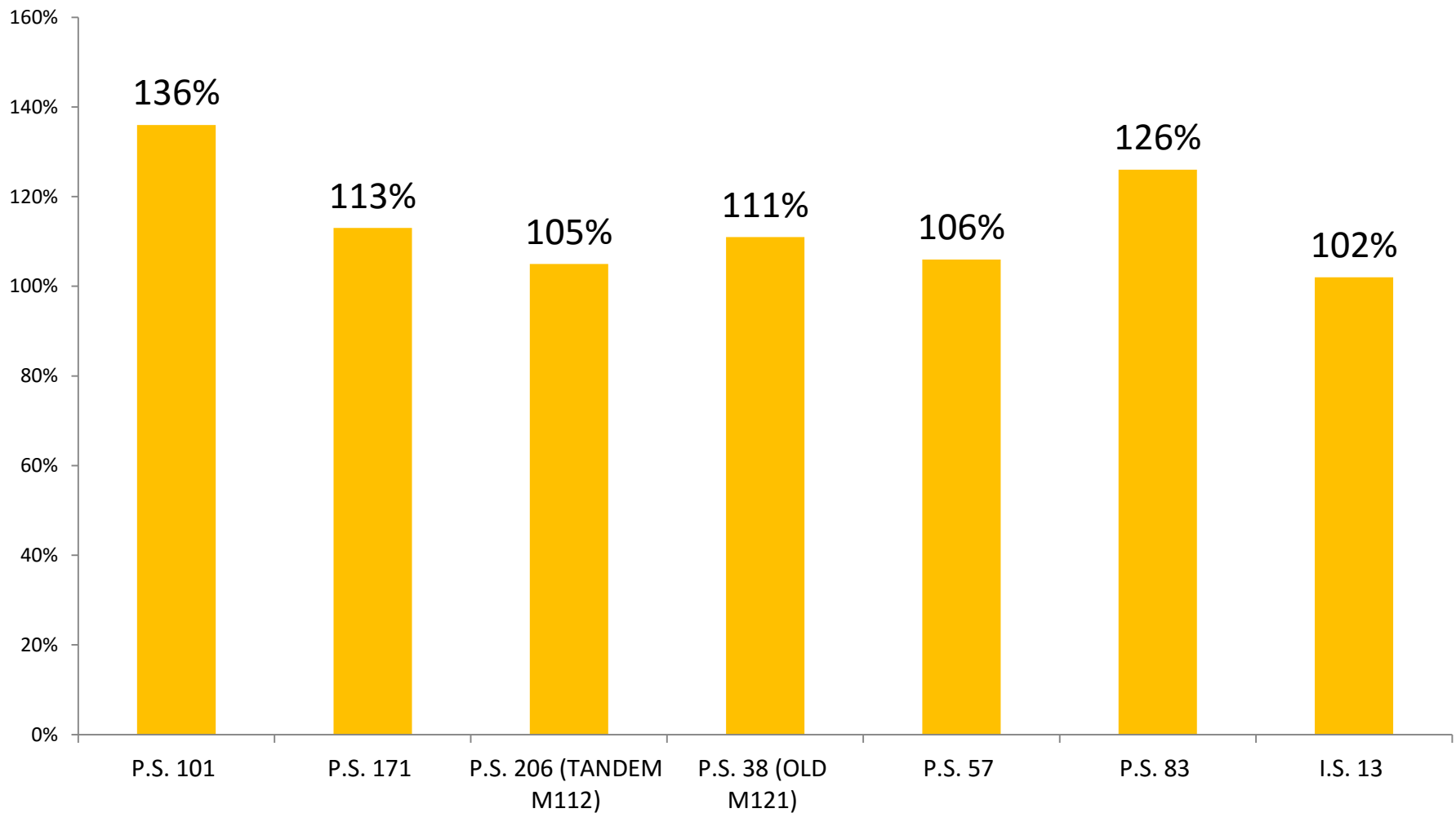
- In 2010, the DOE eliminated the early grade class size reduction funding for K-3, despite promising the state to keep it as part of its C4E plan.
- In 2011, the DOE refused to comply with a UFT side agreement to cap class sizes at 28 in grades 1-3, leading to sharp increases in these grades to 30 or 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 C4E 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.

Seven CSD 4 ES and MS Buildings are over-utilized. 702 seats are needed to bring these school buildings to 100% utilization.

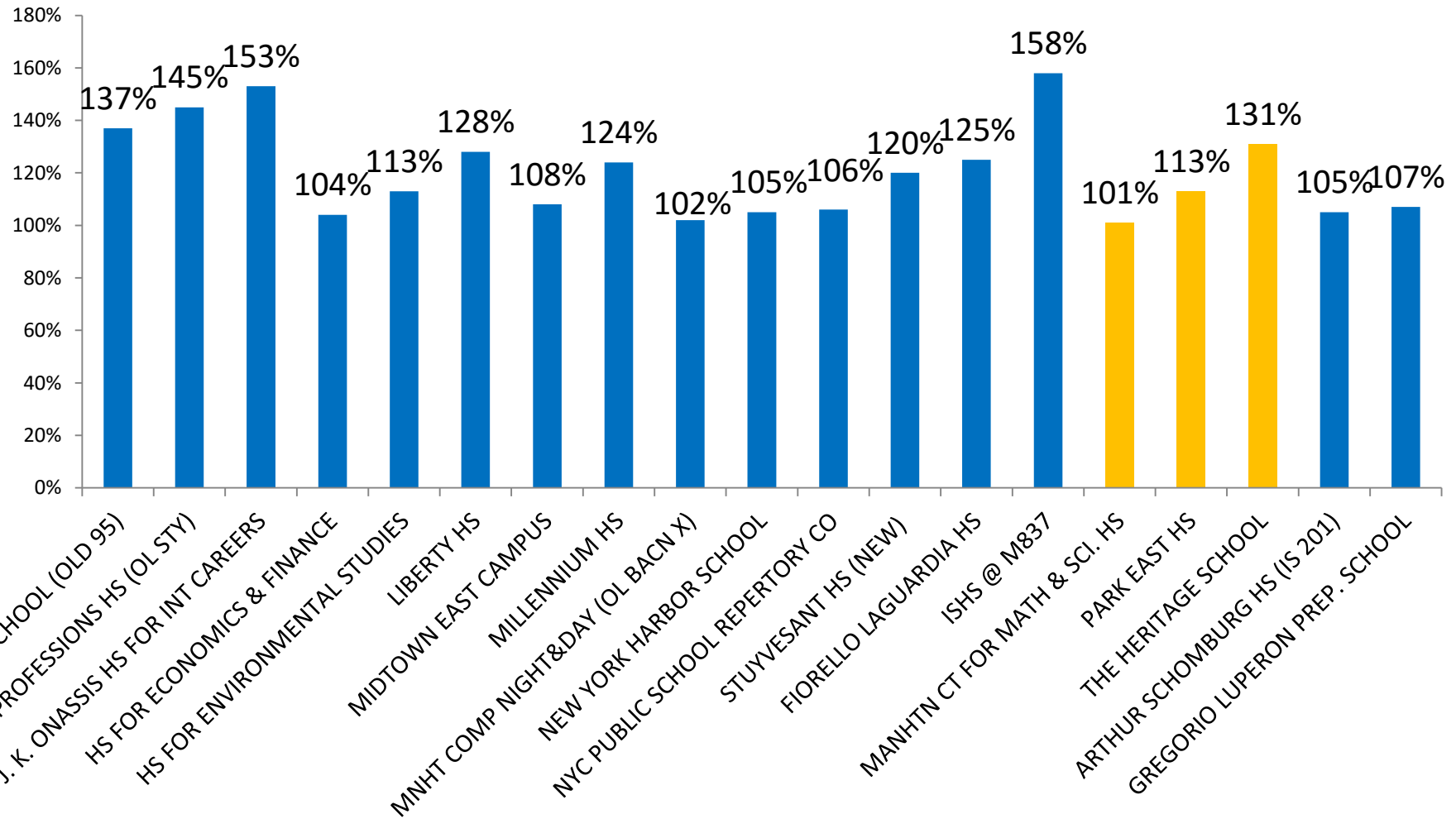
*\*And Yet No Seats in Cap Plan for D4 Schools*



Source: 2014-2015 DOE Blue Book

19 Manhattan HS buildings are over-utilized. 3,539 new seats needed to bring these school buildings to 100% Utilization.

*\*And Yet No Seats in Cap. Plan for Manhattan High Schools*

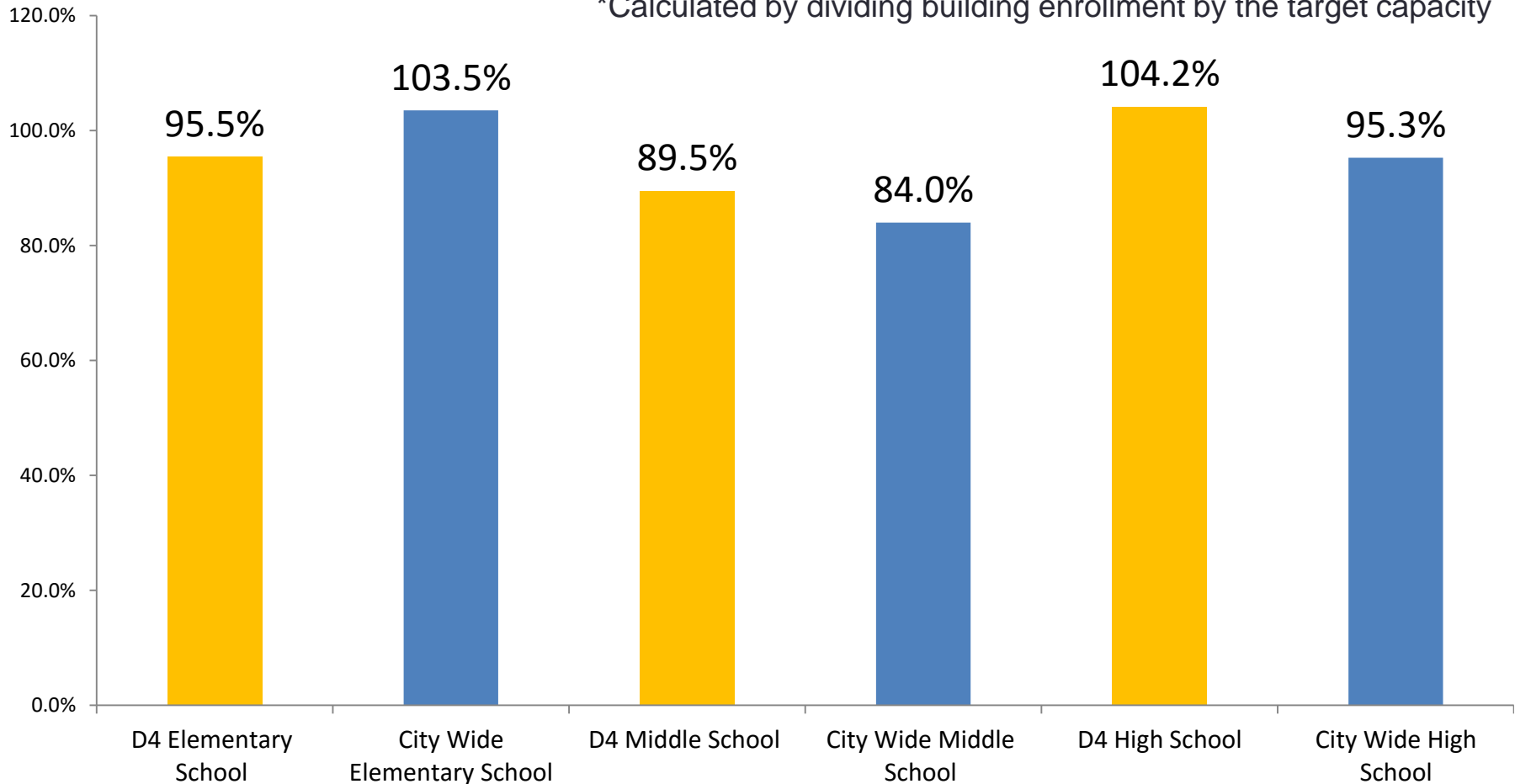




# D4 MS and HS buildings are above the citywide average. HS buildings are over-utilized.

\*But no Seats in Cap. Plan for D4

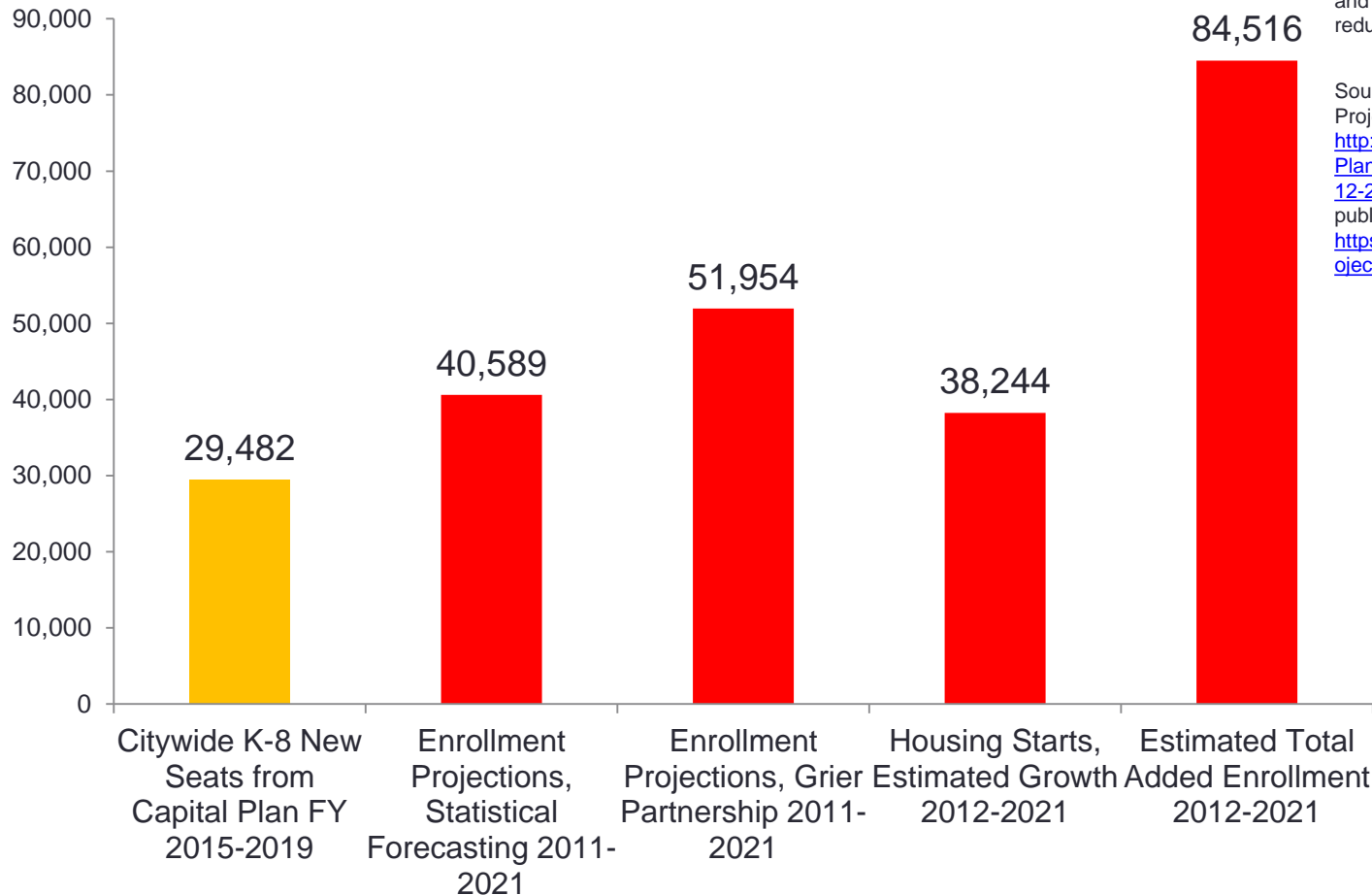
\*Calculated by dividing building enrollment by the target capacity



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

Source: 2014-2015 DOE Blue Book, citywide figures median from IBO 2015 Report

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



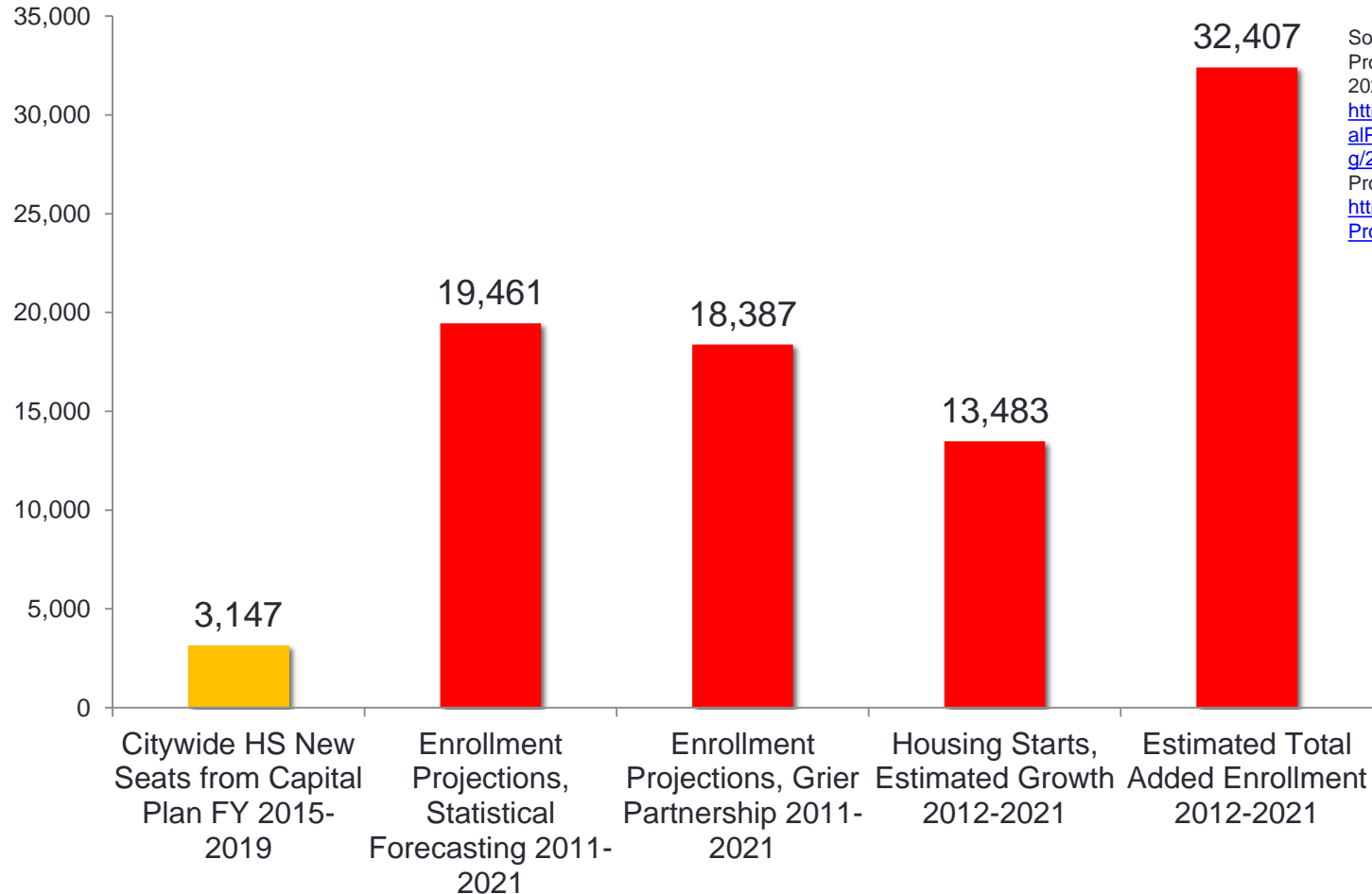
\*Statistical Forecasting does not include D75 students; K-8 Seats in Capital Plan are categorized as Small PS and PS/IS and includes 4,900 seats for class size reduction if Bond issue passes.

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>

\*Does not include 4,900 seat as yet uncited and undetermined location and/or grade level seats

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

\*Statistical Forecasting does not include D75 students; HS Seats in Capital Plan are categorized as IS/HS and does not include seats for class size reduction



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>

\*Does not include 4,900 seat as yet uncited and undetermined location and/or grade level seats

# Need to Expand Capital Plan

- DOE's OWN figures show that at least 100,000 seats needed just to address existing overcrowding & expected enrollment growth
- Current capital plan will meet less than one half of the need according to the DOE's current data on overcrowding and enrollment projections.
- New census data shows that NYC is the fastest growing large city in the U.S.
- The Mayor's plan for additional 160,000 market-rate housing units and 200,000 affordable units will require even more seats in schools
- We need to double the number of new seats in the capital plan – costing approximately \$125 million in city spending per year, as state provides matching funds.

# A Commission to Strengthen Planning Process

- The Council should form an independent Commission to improve the planning process and efficiency of siting new schools. to improve zoning/land use process to ensure that school capacity keeps up with residential development and enrollment growth.
- *Environmental Impact Statements* should consider enrollment projections & policy goals, such as class size reduction. EIS's now include unreasonably high thresholds for mitigation, and no EIS's needed for housing built "as of right."
- CEQR Formula used to estimate the impact of a new construction on student enrollment based on 1990-2000 birth rate data, now outdated.
- Enrollment projections should be released each fall as part of the capital planning process, before DOE's annual amendment to the capital plan.
- DOE inefficient in siting new schools – though has power of eminent domain (Two Examples: Sunset Park school in cap plan for ten years, still not sited AND 4900 seats added to capital plan Feb. 2014 for "class size reduction" – still not decided what grade level or borough.)
- Impact fees: Over half of all states including all large states other than NY enable impact fees from developers to pay for infrastructure improvements like schools etc. - 60% of large cities require these impact fees; why not NYC?

# How You Can Help

- During his campaign, Bill de Blasio promised if elected to abide by the city's original class size plan, approved by the state in 2007. The Mayor needs to deliver on his promise by expanding the capital plan to alleviate school overcrowding, end ALL co-locations, and build more schools!
- Be pro-active about fighting for your children to receive their constitutional right to a sound basic education, by lowering class size.
- 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 Councilmember (Speaker Melissa Mark-Viverito) and urge her to expand the capital plan and form a Commission.
- Any questions, concerns, or stories of large class sizes or overcrowded schools? Please email us at [info@classsizematters.org](mailto:info@classsizematters.org)

# 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