

# **DOE'S C4E/CLASS SIZE/CAPITAL PLANS: HOW THEY FAIL TO ADDRESS CLASS SIZE AND OVERCROWDING IN D8 SCHOOLS**

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District 8 CEC

Karen Sprowal for Class Size Matters

Oct. 21, 2015

\*Updated with new class size data, 12/2015

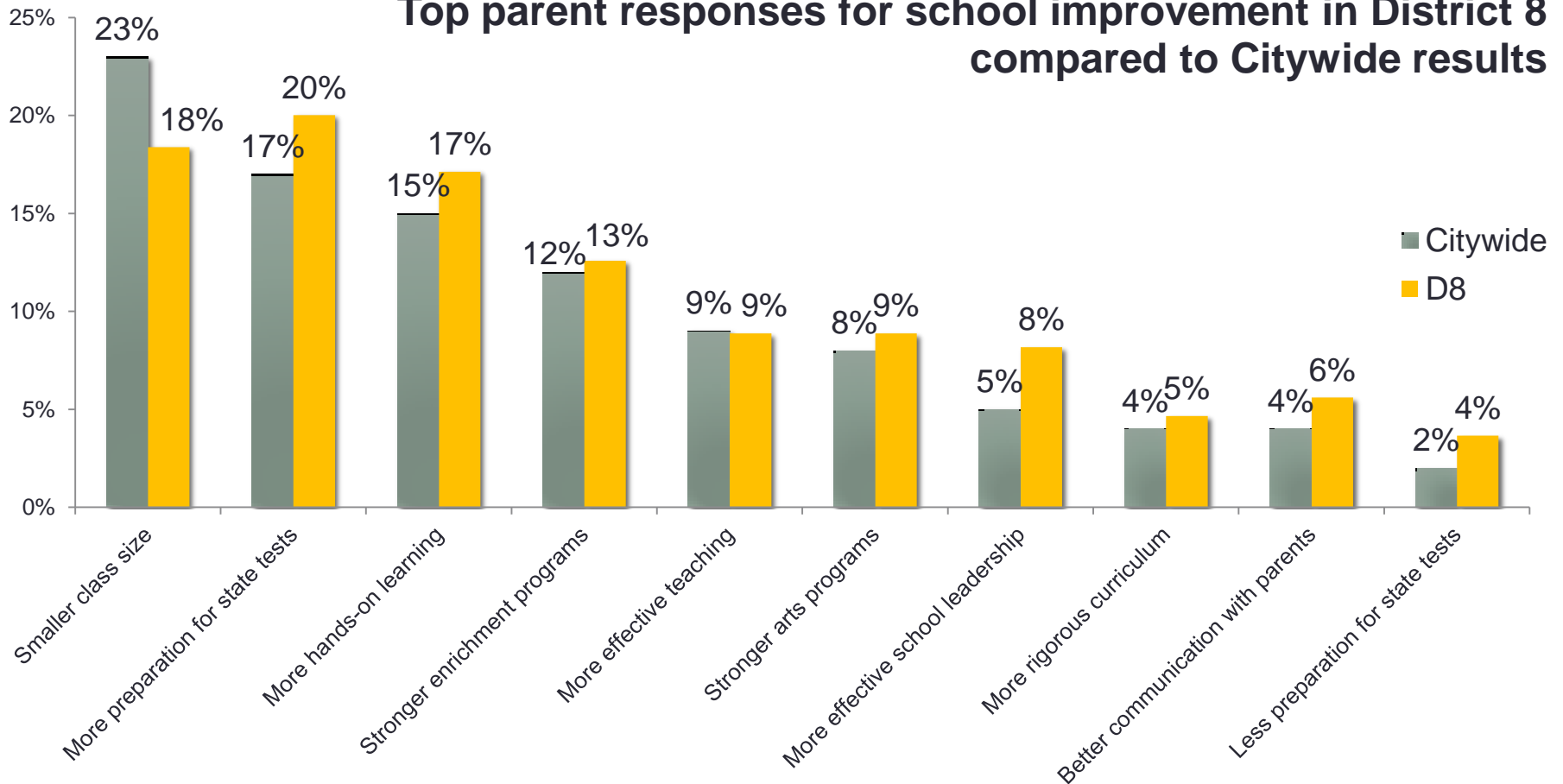
\*Updated with new Utilization (Blue Book) data, 12/2015

# 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 state averages and than research shows is optimal for student learning.
- In 2007, the Contracts for Excellence (C4E) law was passed, to provide NYC with extra education 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 in the early grades are the largest in 15 years.

# Reducing class size #1 priority of parents citywide and #2 in D8

**Top parent responses for school improvement in District 8 compared to Citywide results**



Data Source: 2014\* NYC School Survey Results

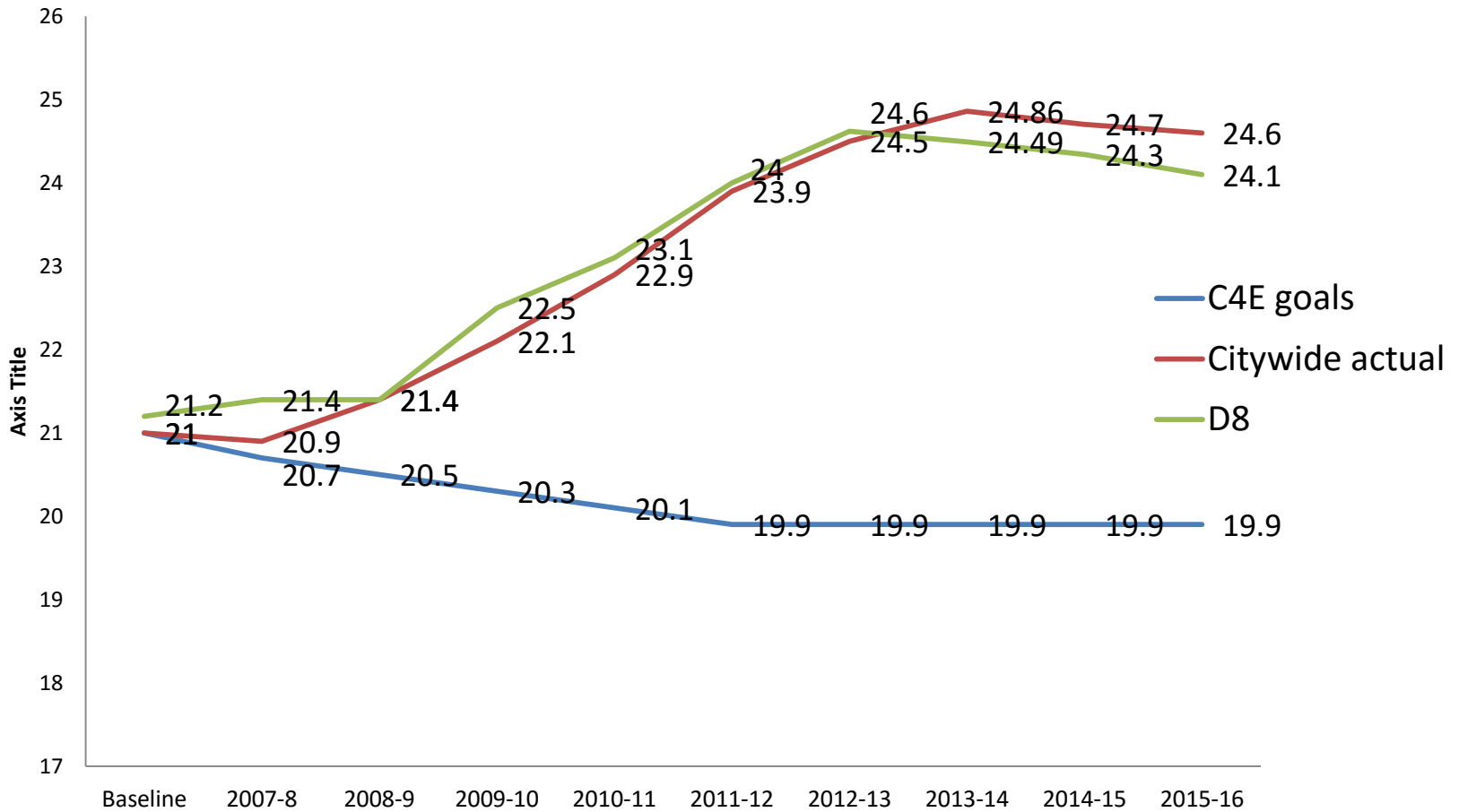
*\*this question was eliminated from the 2015 NYC School Survey*

# 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
- Here are the class sizes for your district, compared to citywide averages and C4E goals.

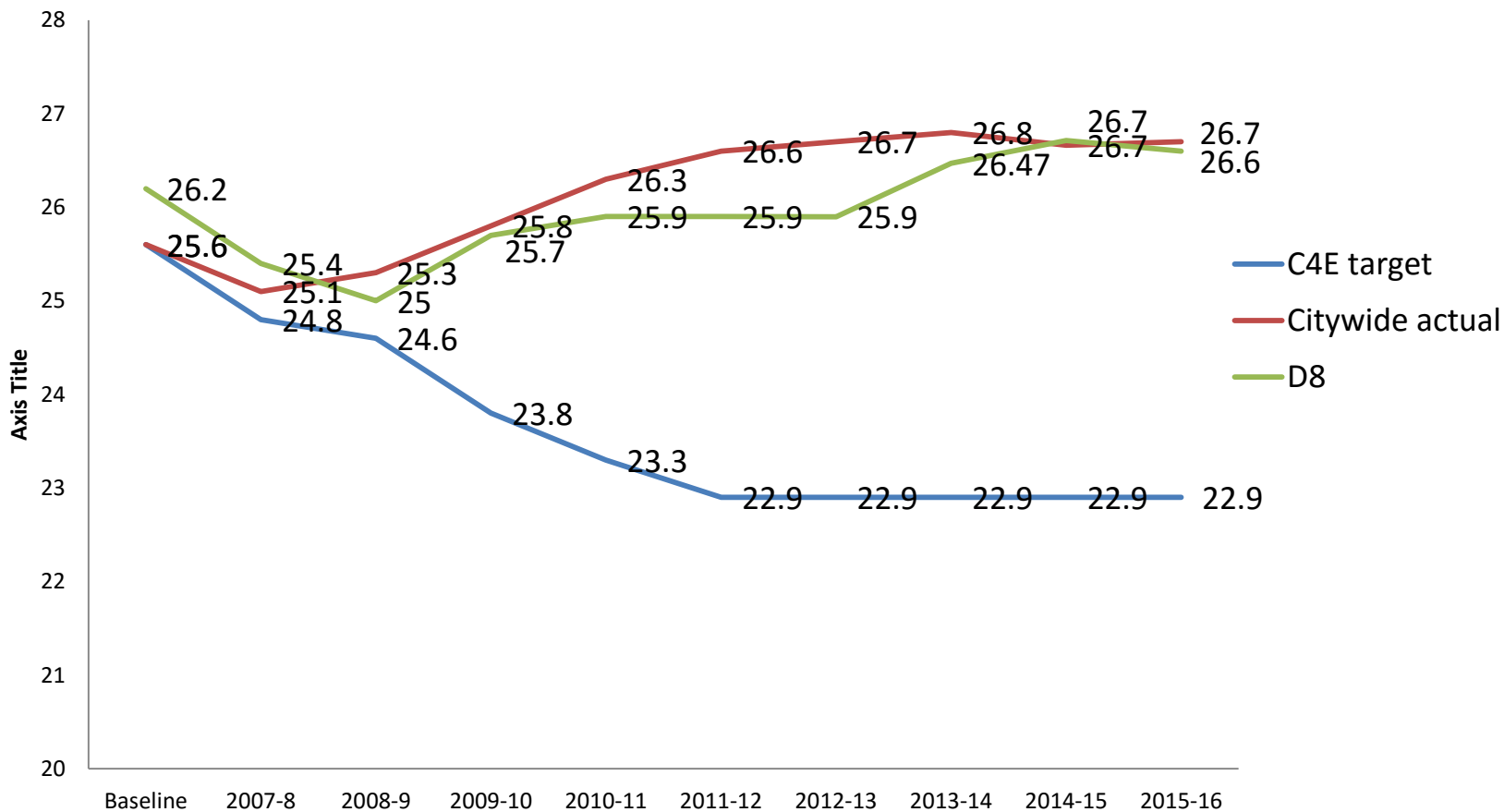
***Class sizes in District 8 have increased in grades K-3 by 13.7% since 2006 far above Contracts for Excellence goals***

**D8 K-3 class size trend compared to C4E goals and citywide**

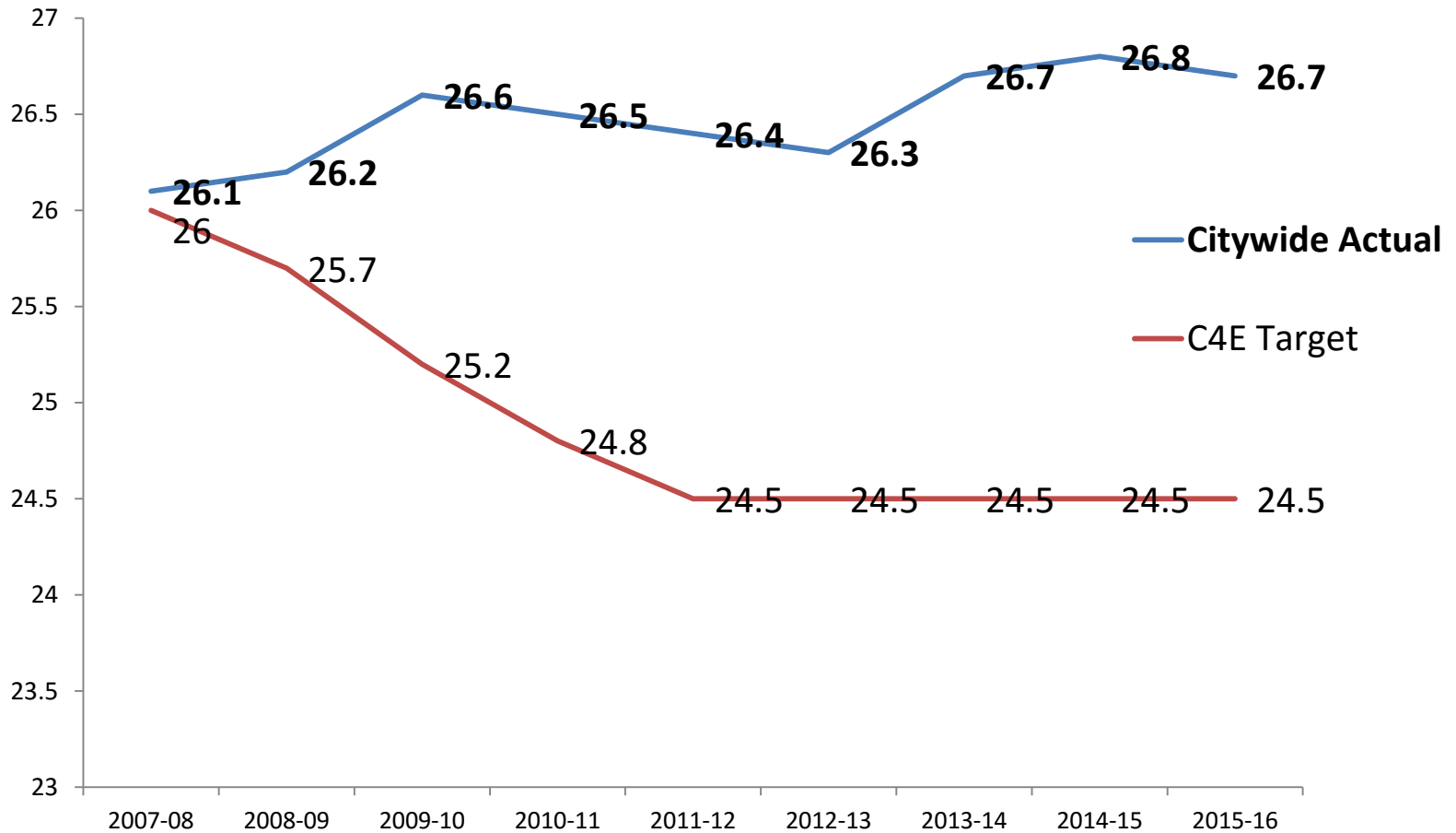


**4-8<sup>th</sup> grade D8 class sizes higher by 5.1% since 2008 and far above Contracts for Excellence goals**

**D8 class size trend compared to C4E goals and citywide**



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

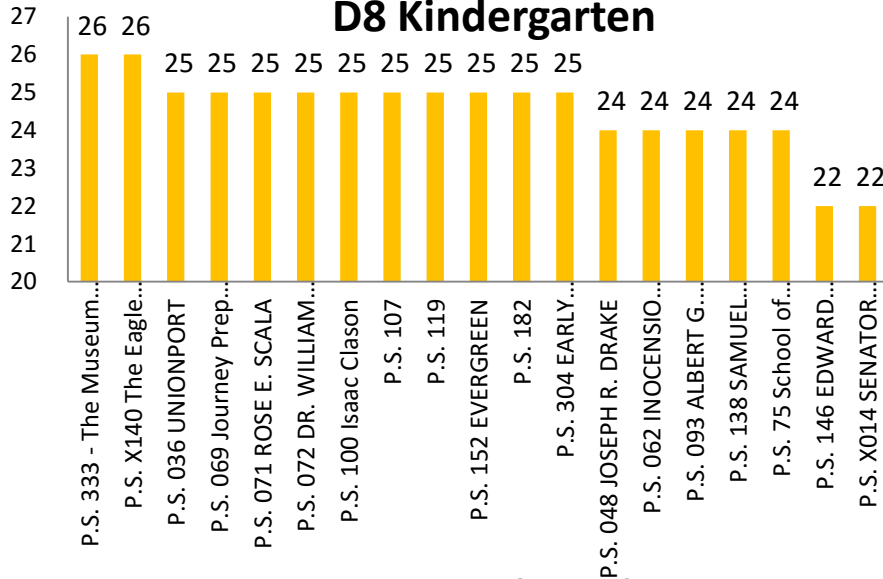


\*DOE's class size data is unreliable & their methodology for calculating HS averages have changed year to year

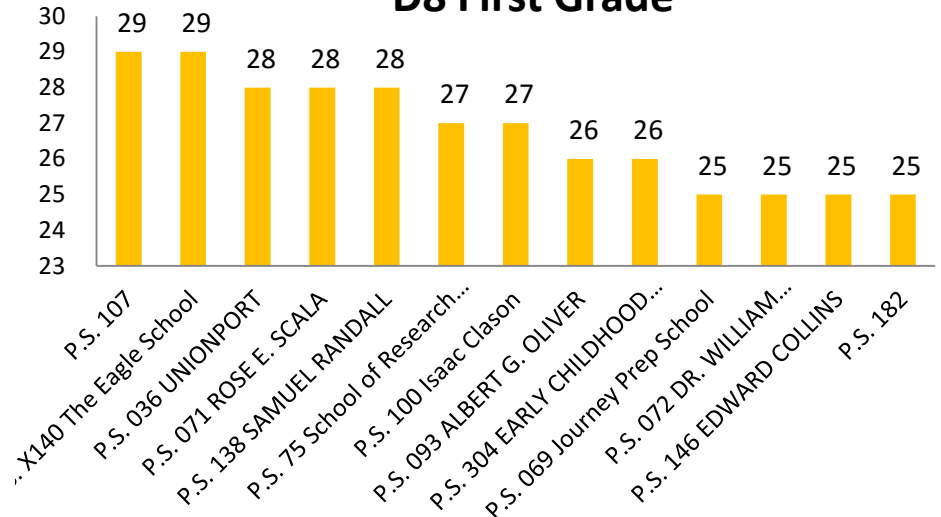
Data sources: DOE Class Size Reports 2007-Fall 2015, 2008 DOE Contracts for Excellence Approved Plan

# Examples of schools in D8 with large class sizes, K-3 in 2015-16

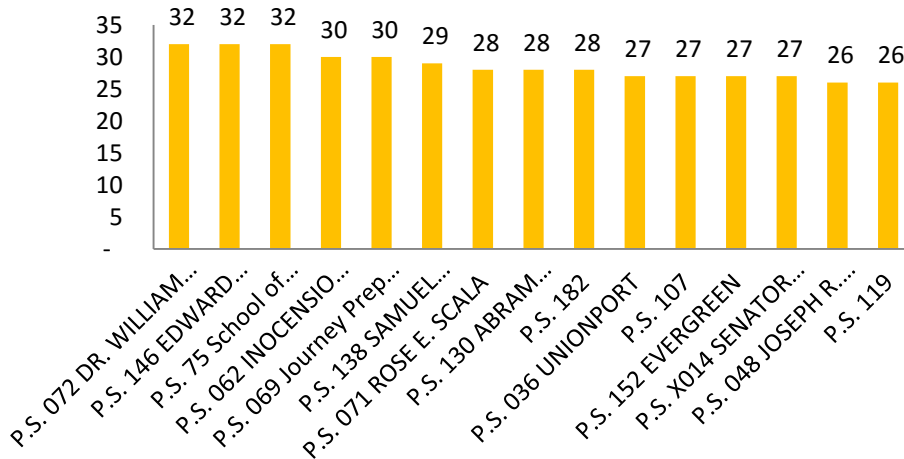
## D8 Kindergarten



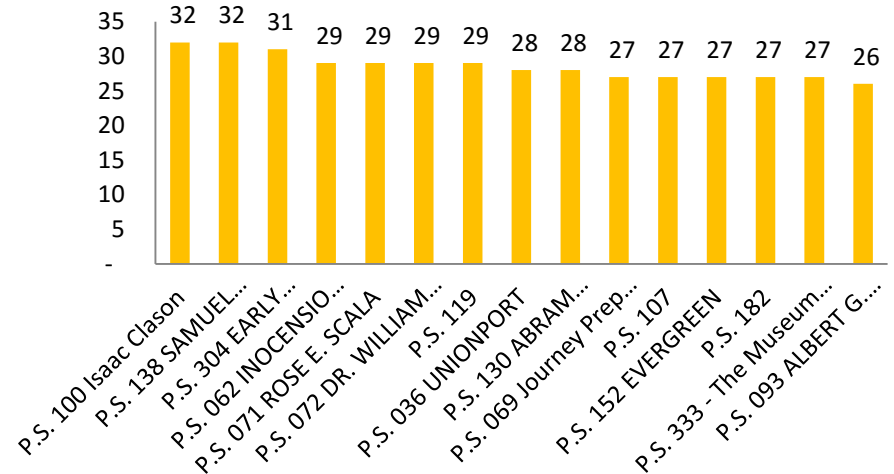
## D8 First Grade



## D8 Second Grade



## D8 Third Grade



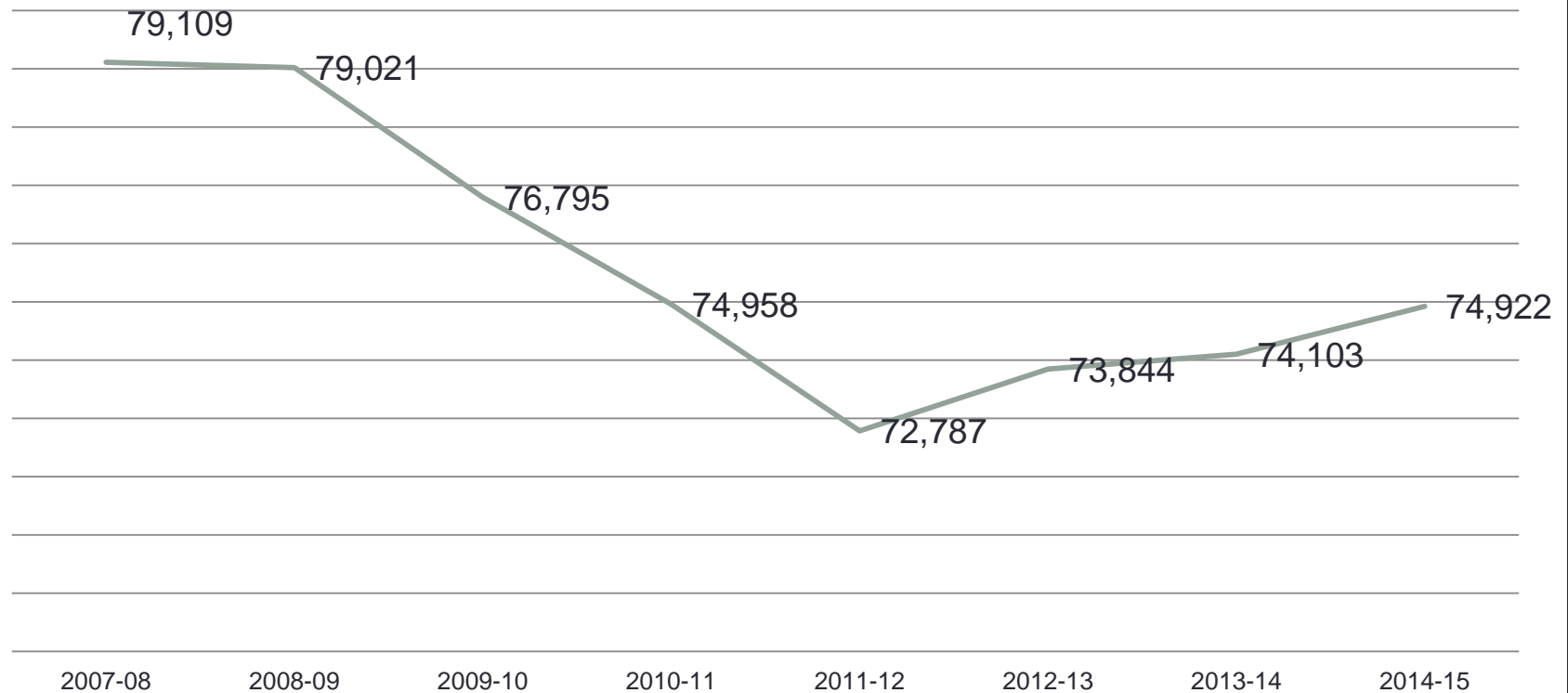


# Why? Because DOE has cut back school budgets by 14% since 2007

- 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.
- In its C4E plan, DOE admits allowing supplanting – but also claims that the State Education Dept. has given 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 Blue Book school capacity formula to smaller classes, contrary to the C4E law.

# Overcrowding in D8 schools

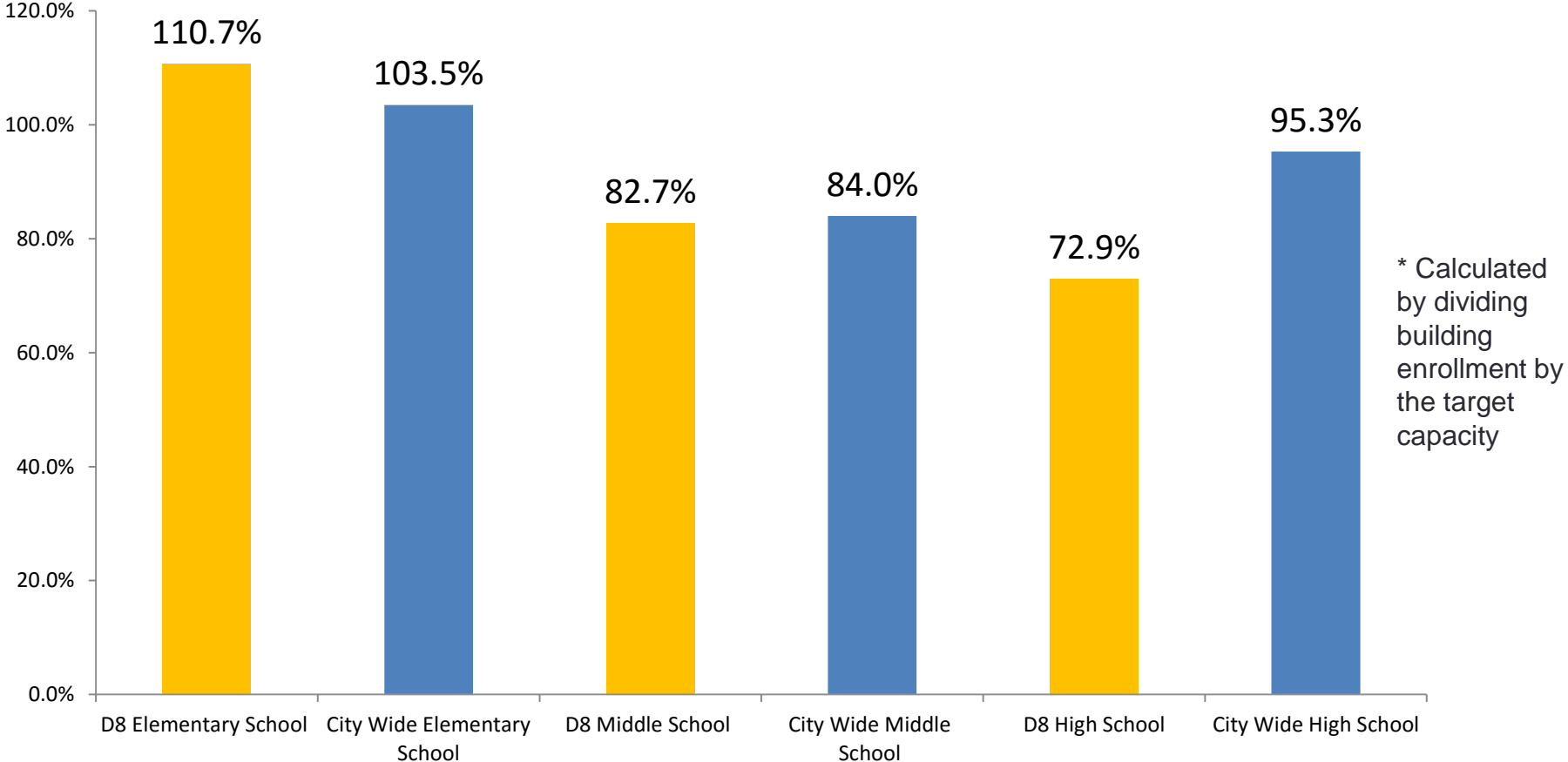
- District 8 Elementary schools averaged **103.8%** utilization in 2013-2014.
- **385** students were in trailers or TCUs.
- **485** students in mini-schools and 128 students in Annexes
- Elementary schools would register more overcrowded if DOE formula aligned to smaller classes, sufficient cluster rooms and dedicated spaces for special ed services.
- *Source: 2013-2014 Blue Book (2014-15 Blue Book has not been released)*

# Overcrowding in D8 and the Bronx

- In 2013-2014, there were 14 District 8 buildings with elementary and middle school students over-100% utilization – more than year before. This school year there are 20.
- This year, 12 Bronx high school buildings were over-utilized.
- Most experts believe that these figures *underestimate* the actual level of overcrowding in our schools.
- DOE consultants project 1500-2600 new D8 students over next 5-10 years.
- *Yet there are only 456 ES & MS seats for D8 in the 5 year plan, as of May 2015, and NO Bronx HS seats.*
- **DOE claims there is NO need for anymore seats in D8.**

*Source: 2013-2014 DOE Blue Book (2014-15 Blue Book has not been released)*

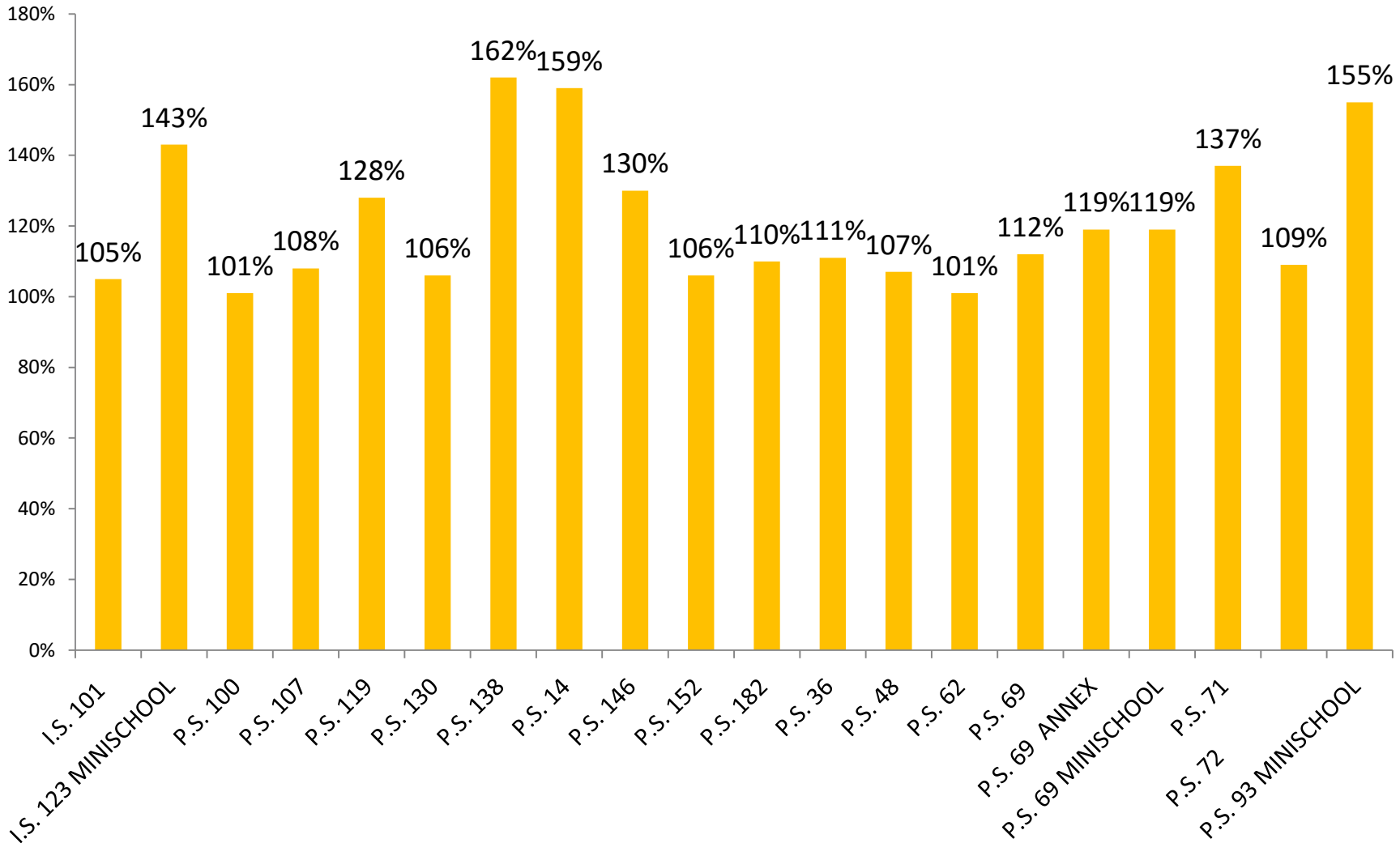
# Average Utilization Rates in D8 compared to City-Wide, *about 1,412 seats needed to bring district elementary to 100% utilization*



Source: 2014-2015 DOE Blue Book

# 20 ES & MS Schools over 100% Utilization Rate in

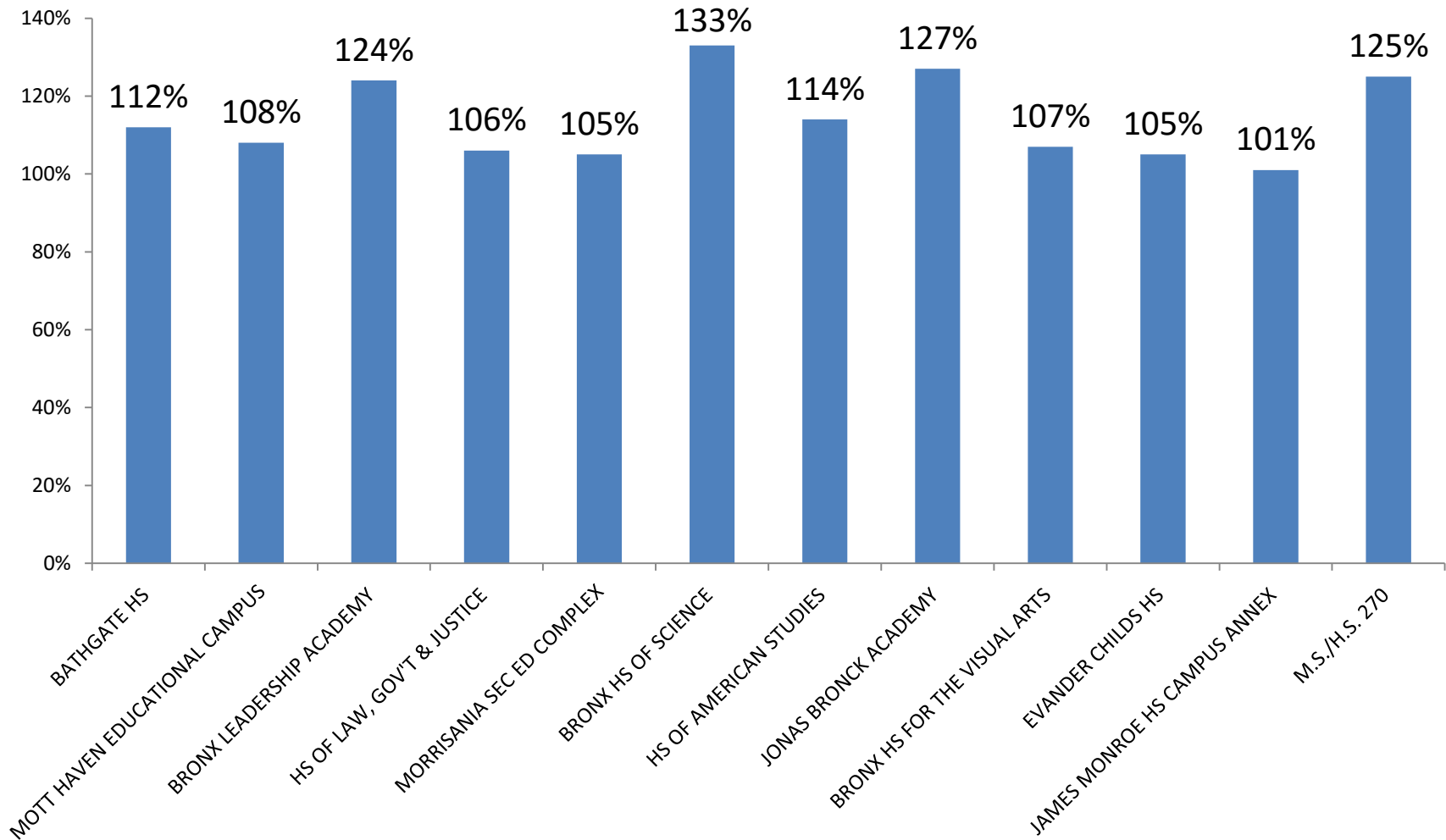
**D8** in these schools, there is a shortage of about **1,993** seats.



Source: 2013-2014 DOE Blue Book

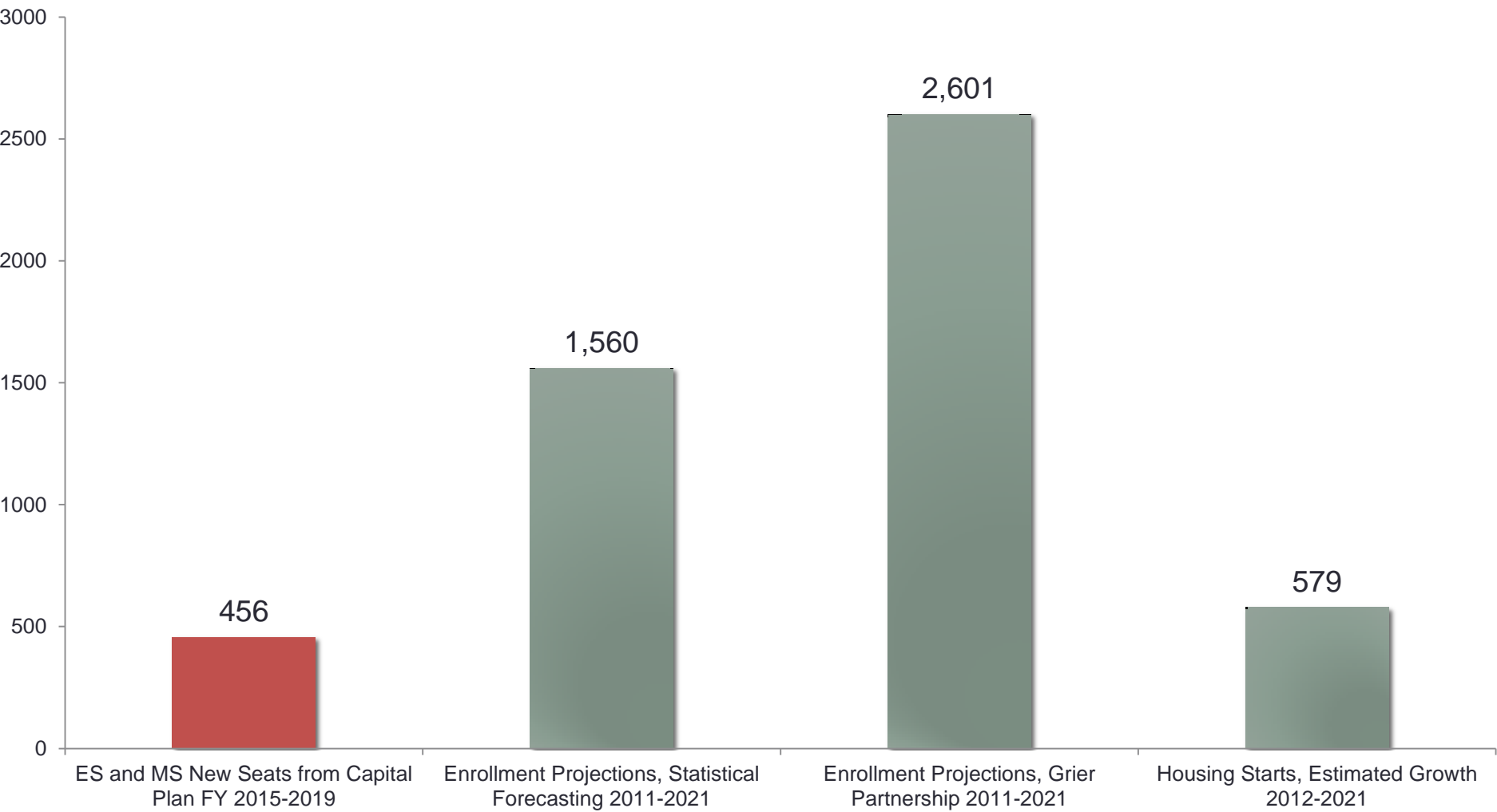


# 12 Bronx HS buildings are over-utilized. About 1,689 new seats needed to bring these school buildings to 100% Utilization.



\*IS/PS Schools are counted as Elementary Schools, and Secondary Schools are counted as Middle Schools  
Source: 2014-2015 DOE Blue Book

# New Seats in Capital Plan vs D8 Enrollment Projections



*Enrollment projections estimate 2,139 to 3,180 new K-8 students in D8 by 2021 but only 456 seats are added in the capital plan.*

# 8 Renewal Schools in D8

(5 also on receivership list)

- Banana Kelly High School\*
  - Herbert H. Lehman High School\*
  - Holcombe L. Rucker School of Community Research
  - J.H.S. 123 James M. Kieran
  - M.S. 301 Paul L. Dunbar\*
  - M.S. 375 The Bronx Mathematics Preparatory School\*
  - M.S. 424 The Hunts Point School\*
  - M.S. 366 Urban Assembly Academy of Civic Engagement
- 
- Seven of these schools had classes at 30 or more last year (2014-15)—some as large as 36 and **only one had** capped classes at C4E levels
  - **What are the class sizes in these schools this year? Is DOE fulfilling its promise to reduce them?**
  - *Schools with asterisks are also Receivership Schools*

## Questions to DOE about 2015-16 Contracts for Excellence proposal

- **1.** Where are DOE's state- approved C4E and/or class size reduction plan for the **2014-2015** school year? Can you provide us with a copy? It is available neither at the state or DOE website.
- **2.** Why doesn't DOE allocate any funds toward reducing class size in its C4E "targeted" or "district-wide" initiatives even though it's the top priority of parents in the DOE's own polls? Of the \$531 million in state C4E funds, only \$93 million in discretionary funds is being used by schools to reduce class size.
- **3.** What oversight does the DOE exercise to ensure that schools that say they're allocating Contracts for Excellence (C4E) funds for class size reduction actually do so?

# More questions to DOE about the C4E proposal

- **4.** Many schools are too overcrowded currently to reduce class size. Why did the city reject the Blue Book Working Group proposal to align the school utilization formula with smaller classes if there is an intention to lower class size, as the Mayor has promised?
- **5.** Why did class size increase last year for 7<sup>th</sup> year in a row, according to the DOE data, with more than 350,000 students attending classes 30 or more? The Mayor's Management Report reveals 4,000 fewer teachers since 2007, when the C4E program began. Doesn't that conflict with your legal obligation to reduce class size?
- **6.** The C4E law specifically forbids "supplanting" – i.e. allowing state funds to substitute for city funds. Yet DOE openly admits it in presentation it is supplanting funds in its C4E plan; can you explain why is this allowed?

## Final questions...

- **7.** Why is the city using class size reduction funds to “minimize class size increases”? Does that really constitute class size reduction, as the law requires?
- **8.** The DOE posted this in Dec. 2014, about its C4E proposed plan:

*For the 2015-16 School Year, NYCDOE will focus Class Size Reduction planning efforts on the School Renewal Program. The criteria for selecting Renewal Schools is [sic] aligned with C4E goals to target schools with the greatest needs. Further information about the School Renewal Program can be found here.*

This is mentioned again in the current C4E presentation. **In which renewal schools were class sizes reduced this fall, to what levels, and how was the list of schools selected?** So far the DOE has refused to provide this information, including to reporters.

- **9.** Why does the DOE hold hearings on its C4E plan after the funds have already been allocated? What is the point of gaining public feedback?

# Bill de Blasio promised to reduce class size while running for Mayor

- 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.
- The Mayor needs to deliver on his promise and provide what NYC parents want and their children need.
- He also needs to expand the capital plan to alleviate school overcrowding, end ALL co-locations, and build more schools!

# Comparison of class sizes in Blue book compared to current averages & 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	How many students allowed in 500 Sq ft classroom according to NYC building code
Kindergarten	25	20	23	19.9	<b>14</b>
1st-3rd	32	20	25.5	19.9	<b>25</b>
4th-5th	32	28	26	22.9	<b>25</b>
6th-8th	30 (Title I)	28	27.4	22.9	<b>25</b>
	33 (non-Title I)				
HS (core classes)	34	30	26.7*	24.5	<b>25</b>

\*DOE reported HS class sizes unreliable