

Resolution urging the City Council and Mayor to allocate \$250 million for the first year of a five-year class size reduction plan starting next year, and the Legislation to approve a law requiring NYC to do so in fulfillment of the goals of the CFE lawsuit

Whereas, In 2003, in the Campaign for Fiscal Equity (CFE) lawsuit, NY's highest court determined that NYC public school class sizes were too large to provide students with their constitutional right to a sound basic education¹; and

Whereas, Class sizes in our public schools have increased since that decision was made, particularly in the early grades;

Whereas, As of last school year, about one third or over 300,000 NYC students were crammed into classes of 30 or more;

Whereas, Reducing class size has proven to be through research to be one of the best ways to improve student learning, lower teacher attrition rates, and narrow achievement and opportunity gaps between students of different racial, gender, and economic groups;

Whereas, Smaller classes have been also shown to lead to better grades and test scores, stronger student engagement, fewer disciplinary referrals, and higher graduation and college-going rates, especially for students who need help the most;

Whereas, Reducing class size has been the top priority of NYC public school parents with children in grades Kindergarten through 12th when asked what change they would most like to see in their children's school since the Department of Education began to administer parent surveys in 2007;

Whereas NYC public schools are finally due to receive more than \$530 million in additional state Foundation Aid next year, rising to \$1.3 billion annually over the next three years, as a direct result of the decision in the Campaign for Fiscal Equity (CFE) case;

Whereas, NYC schools are also due to receive approximately \$7 billion in federal funds to be spent over the next two to three years, to help them reopen safely and well and with additional supports so students can begin to recover from all the disruptions caused by the pandemic;

¹ https://www.law.cornell.edu/nyctap/I03_0084.htm

Whereas, smaller classes would also make it easier to implement social distancing in our schools next year, as well as provide students with the additional academic support and feedback they will need, after more than a year of remote and blended learning;

Whereas, some schools have the space to lower class size now; in others, space could be created by moving PreK classes currently in elementary schools to city-run preK centers and Community-Based organizations, which currently run these programs and have space to expand;

More space could be acquired right away if NYC DOE leased or bought the buildings of 17 parochial schools that recently closing;

The capital plan for school construction should also be expanded with use of the additional funds from the proposed federal infrastructure program;

Whereas, Senator Robert Jackson, the original plaintiff in the CFE case, has introduced a bill in the State Senate, [S.6296](#), that would update the Contracts for Excellence law originally passed in 2007 to settle the CFE lawsuit by renewing NYC's obligation to develop and submit a five-year plan to lower class size;

Whereas, Assemblymember Jo Anne Simon has introduced the same bill in the Assembly, [A07447](#);

Whereas, The Council of the city of New York in its preliminary budget response, included \$250 million be allocated to lower class size that could fund the first year of such a plan, targetted first in struggling schools with especially vulnerable students;

Resolved, That [name of your organization] urges the New York State Legislature to pass and the Governor to sign [S.6296](#) and [A.7447](#), so that the NYC Department of Education shall develop and implement a five-year citywide class size reduction plan starting in the fall of 2021;

Resolved, That [name of your organization] urges the Mayor and Chancellor Porter agree to agree to the Council proposal that at least \$250 million be used as the first step in this five-year reduction plan, as well as sufficient funding so that every school has at least one school counselor and one social worker.