



Class Size Matters
124 Waverly Pl., New York, NY 10011
Phone: 212-529-3539
info@classsizematters.org
www.classsizematters.org

Testimony before the City Council on the DOE's plans for school reopening: Too little Covid testing and too much standardized Testing

September 1, 2021

Thank you, Chair Treyger and Chair Levine, for holding these important hearings today. My name is Michael Horwitz, and I am testifying on behalf of Class Size Matters.

The DOE's school reopening plan has many weaknesses. First, and perhaps most egregiously, the DOE refused to allocate a single penny of the additional \$8 billion in federal and state education funds to lower class size, despite the City Council's dedicated advocacy during budget negotiations, and despite the DOE's own surveys finding smaller classes are the top priority of parents. Lowering class size would ensure a safer and more supportive environment for NYC students, particularly during this pandemic, given the need for social distancing.

Instead of the \$250 million the Council proposed for this purpose, the DOE allocated only \$18 million for a small program for only 72 of elementary schools and has encouraged them to hire push-in teachers instead of actually lowering class size. This could actually lead to more classroom overcrowding, and an even more unsafe environment.¹

Not a penny of the additional state Foundation funds is specifically allocated for smaller classes, even though these funds resulted from the Campaign for Equity lawsuit, in which excessive class sizes led New York's highest court to conclude NYC children were denied their right to the sound, basic education under the state's constitution. If principals choose to use Contracts for Excellence (C4E) funds for this purpose, they will be forced to pay 40% extra to cover their pension and benefits, which are usually covered centrally.²

Class Size Matters would like to add our support to the many parent groups, elected officials, and organizations clamoring for a remote option for NYC students, as most other large school districts have offered. Among other reasons, the three feet of social distancing that the DOE has promised will be

¹ <https://classsizematters.org/list-of-elementary-schools-to-be-included-in-class-size-pilot/> see also <https://ny.chalkbeat.org/2021/6/30/22558104/nyc-budget-deal-2022-smaller-class-size-covid-learning-loss>

² Other problems with the DOE's plan for C4E funds are articulated in this memo to the Commissioner. <https://classsizematters.org/does-completely-bogus-contracts-for-excellence-plan/>

provided at most schools will not be feasible unless many students choose not to attend classes in person.

Originally, the DOE stated roughly eighty schools would not be able to achieve social distancing. The DOE then altered the formula they used by dividing classroom space by 20 sq. ft. per student rather than 25 sq. feet per student as they had originally done. Their spreadsheets also assume principal's offices and other administrative spaces would be used for classrooms, which seems highly unrealistic. They now claim only about fifty schools will not be able to achieve social distancing but refuse to release that list of schools or say what these schools will do instead.³

Rather than finding additional space by leasing closed parochial school buildings or moving PreK classes into community-based centers, for the last year and a half, the DOE has continued along its customary track, pretending the need for social distancing did not exist. They co-located 26 additional schools in existing buildings, although each new school inserted into a building causes classroom space to be sacrificed for the sake of new administrative and cluster rooms.

DOE has also continued expanding the number of PreK and 3K students in elementary school buildings for the fall. According to our analysis, there were already nearly 230 elementary schools at or over 100% that had PreK and/or 3K programs. This fall, there will be 26 new 3K programs added to already overcrowded elementary schools – despite the fact that these rooms could have been used for smaller classes for the rest of the student population.

Last week, DOE released its [health and safety protocols](#) for the reopening of school in September, which included mandatory mask wearing, vaccination for all school staff, and social distancing if possible.

The DOE claimed that “every classroom across New York City has been provided with two HEPA purifiers,” but there is a dispute as to whether this is actually true. The Intellipure model that DOE will have purchased for \$43 million lacks HEPA filters, which are considered the industry standard.⁴ The CDC recommends portable air cleaners [that use HEPA filters](#). Independent experts found Intellipure devices among the most expensive and least effective of all the air purifiers tested.⁵

But the biggest disappointment is the laxity of the DOE's Covid testing plan: only 10% of unvaccinated students who have submitted consent will be tested once every two weeks. Despite the fact that Delta is far more transmissible and there will be more overcrowding and less social distancing this year, this represents a sharp decrease in Covid testing compared to last year, when 20% of students were tested weekly.

The DOE's new protocol also does not require quarantining or testing of vaccinated students or staff, even after exposure. Yet with Delta, [breakthrough infections are on the rise](#), here in NYC and nationally. [The CDC reports](#) that as of August 23, 11,050 patients with breakthrough infections nationally had been hospitalized or died.

³ <https://nycpublicschoolparents.blogspot.com/2021/08/original-list-of-tier-one-schools-which.html>

⁴ https://gothamist.com/news/nyc-approves-4000-classrooms-unreliable-ventilation-person-schooling?utm_medium=social&utm_source=twitter&utm_campaign=shared_twitter

⁵ See https://twitter.com/marwa_zaatari/status/1426723070639751169?s=21

In NYC in the first week of August there were nearly [3,000 breakthrough infections](#), and more than 100 hospitalizations. Many times that number of vaccinated individuals were likely asymptomatic and able to transmit the virus. Given these facts, excluding vaccinated teachers and students from testing seems extremely unwise.

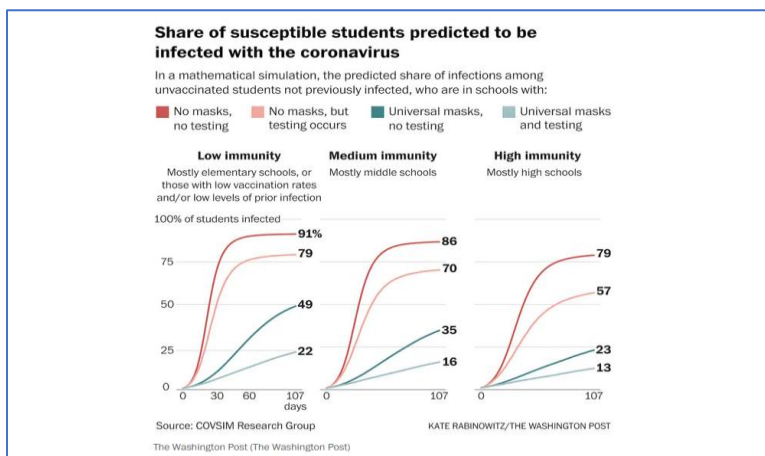
The DOE’s extremely limited testing regimen is also not aligned with the [CDC recommendations](#), which state that students in moderate to high transmission zones should be tested weekly. According to [the CDC tracker](#), every NYC borough is a high transmission zone currently, ranging from 2.7% positivity rate in Manhattan to 4.8% in the Bronx.

	Low Transmission ¹ Blue	Moderate Transmission Yellow	Substantial Transmission Orange	High Transmission Red
Students	Do not need to screen students.	Offer screening testing for students who are not fully vaccinated at least once per week.		
Teachers and staff	Offer screening testing for teachers and staff who are not fully vaccinated at least once per week.			

Source: CDC

In contrast, Chicago public schools are [offering weekly testing](#) to all students and staff. [Los Angeles schools](#), the second largest in the nation after NYC, are mandating weekly testing for all students and staff, vaccinated or not, as are other [California school districts](#). According to Education Week, “*public health experts said the frequency and scale of LAUSD’s weekly testing appropriate given threat of Delta variant.*”⁶

As reported in [the Washington Post](#), a [new study](#) projects that testing half of all students every week would substantially reduce the expected infection rate in schools from 49% to 22% after three months.⁷



⁶ <https://www.edweek.org/leadership/inside-the-l-a-school-districts-massive-covid-testing-effort/2021/08> LAUSD students whose parents do not consent to weekly testing will be taught remotely

⁷ They do not report what weekly testing of all students would be likely to achieve.

The Medical Advisory Group of Newton MA public schools, headed by Dr. Ashish Jha, Dean of the Brown University School of Public Health, also [recommends weekly testing](#) for all students and staff. As this advisory board points out, if all asymptomatic students who were in close contact with infected individuals are given rapid tests, they may not have to be quarantined, which would be very helpful for preventing further disruptions to their education. They also recommend that all eligible students be mandated to receive vaccinations, as at least one other school district is doing.⁸

RECOMMENDATIONS OF THE MEDICAL ADVISORY GROUP (MAG)

1. All eligible faculty, staff and students should be vaccinated.
2. Universal masking when indoors should be required.
3. Routine COVID screening testing should be offered weekly to asymptomatic unvaccinated and vaccinated individuals.
4. Rapid antigen testing should be offered to those developing possible symptoms of COVID in school and as part of a “Test and Stay” program for contacts of cases.
5. Cases of COVID and those with symptoms developing at home should isolate.
6. “Test and stay” may allow asymptomatic exposed students to remain in school.
7. Ventilation upgrades and hand washing should continue as mitigation measures.

For those who might argue that weekly testing of all students and staff is too expensive, Los Angeles [expects FEMA to pay for most of their testing program](#). Indeed, as [a recent fact sheet](#) explains, the federal government will entirely cover the cost of staffing and Covid testing for any school district: ***“FEMA will fund 100% of COVID-19 testing costs and will not require non-federal matching funds through December 31, 2021.”***⁹

Thus, it is entirely unacceptable that fewer than ten percent of NYC students will be tested only once every two weeks, given that no vaccinated students will be tested, and some families may not provide their consent for the others.

In contrast to this lax Covid testing regime, DOE is mandating more standardized testing to be given at every school across the city. According to the manual sent to principals and entitled, ***“Our 2021-2022 Instructional Principles,”***¹⁰ the following assessments will be required:

⁸ <https://www.nytimes.com/2021/08/19/us/culver-city-student-vaccine-mandate.html> There is a bill in the NY State Legislature that would mandate the Coronavirus vaccine for all eligible students, once it is granted full approval by the FDA. <https://spectrumlocalnews.com/nys/central-ny/ny-state-of-politics/2021/08/25/bill-would-require-covid-19-vaccination-for-sending-kids-to-school> In any case, NYC apparently has the legal right to mandate vaccines in schools whether or not the state requires them, according to a 2018 court decision. <https://www.wsj.com/articles/can-schools-mandate-covid-19-vaccines-for-children-what-we-know-11623412802>

⁹ <https://www.fema.gov/fact-sheet/fema-funding-covid-19-testing>

¹⁰ https://www.weteachnyc.org/media2016/filer_public/b1/23/b123ef41-02d3-48e9-864b-0b11e4f2de1e/2021-2022_instructional_principles_june2021_accessible.pdf

- Schools will select common screeners that will be administered to all students in ELA and Math K-8/HS, three times a year (Fall, Winter, Spring) to inform instructional next steps for teachers focusing on core instruction as a priority. The common screeners are:
 - K-2 Literacy: *Acadience*
 - 3-12 ELA and K-12 Math: *MAP Growth* or *iReady* (for schools already using)
 - Instead of the above, additional options are available in consideration of:
 - Students with disabilities that participate in Alternate Assessment: *SANDI* or *WebABLLS* (but choose from above for students participating in Standardized Assessment)
 - Multilingual Learners/ELLs in Spanish bilingual programs: *STAR*
- If schools prefer to use a different screener than the ones provided by central DOE, they must seek approval from their Superintendent through an exception process:
 - Alternative screeners must be 1) valid and reliable screeners for ELA and Mathematics, as vetted by the Superintendent and central office; and, 2) the screener data must be shared with Central and included in each district's dataset.
 - Pre-vetted alternative screeners include *DRP* (reading only for MSQI schools) and *Acadience* (math for K-2)

Yet there is little or no research showing these standardized tests will help students learn or support their recovery. Few if any independent peer-reviewed evaluations have offered evidence for the validity of these assessments, or that their use has any positive impact on student learning.¹¹ One study found that utilizing the MAP tests had “no significant effect on reading” achievement for students at 32 elementary schools in Illinois.¹² Many teachers have critiqued i-Ready exams, and many students despise them.¹³

The insistence that schools must make every student take these exams at least three times a year also belies the DOE’s claim that they will be focusing on “*creating and sustaining school cultures where students, staff and families can experience joy and thrive*” by creating a “*welcoming and affirming school environment.*”

Thank you for the opportunity to testify to you today.

¹¹ Alanna Bjorklund-Young and Carey Borkoski, Do Formative Assessments Influence Student Learning?: Research on i-Ready and MAP,” Johns Hopkins Institute for Education Policy at <https://edpolicy.education.jhu.edu/formative-assessments/>

¹² https://ies.ed.gov/ncee/edlabs/regions/midwest/pdf/REL_20134000.pdf

¹³ [https://dianeravitch.net/2021/05/27/jane-nylund-i-ready-stinks/;](https://dianeravitch.net/2021/05/27/jane-nylund-i-ready-stinks/)

<https://www.common sense.org/education/website/i-ready-teacher-review/4149811;>

<https://www.urbandictionary.com/define.php?term=i-Ready> ; <https://mathexchanges.wordpress.com/2018/06/14/why-i-ready-is-dangerous/> ;

<https://www.heraldtribune.com/news/20180921/more-teachers-less-tech-say-parents-wary-of-i-ready>