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Testimony before the City Council Finance Committee concerning the Mayor's proposed budget cuts to education and the capital plan

May 25, 2022

Good afternoon, Chair Brannan, and members of the City Council. My name is Leonie Haimson, and I am the Executive Director of Class Size Matters, a non-profit organization that advocates for class size reduction in NYC public schools.

The budget cuts proposed to school budgets of \$375 million over the next three years are projected to lead to a loss of over 3200 teaching positions. I urge you to prevent these cuts from being imposed, or this will likely cause the largest increase in NYC class sizes since the Great Recession, and the quality of our schools to fall further behind from being able to provide children with a better opportunity to succeed.

Though the DOE euphemistically calls these proposals "right-sizing" school budgets, or "enrollment adjustments" instead they reflect "wrong-sizing" school budgets, keeping their budgets handcuffed to an outmoded system called Fair Student Funding system, devised fifteen years ago by Joel Klein, a man who did not believe in small classes and did everything he could to prevent them from happening. As a survey undertaken by the Fair Student Funding taskforce revealed, nearly 80% of the principals identified their large class sizes as a consequence of the formula.¹

Our analysis reveals substantial decreases in average class size this year citywide, especially in the early grades, due to enrollment decline. And yet more than 187,000 students still in classes of thirty or more, and sharp disparities exist across school districts. I am including a pdf with charts with relevant data along with my testimony.

Yet instead of seizing on this decline in average class size and moving forward to make it more equitable across the city, the administration seems intent on undoing this progress, however inadvertent, and moving backwards.

While the DOE often claims there is not the space to lower class sizes to acceptable levels, at the same time, the SCA proposes to slash new capacity by \$1.5 billion or 19 percent, compared to the five-year capital plan adopted last June. This would include cuts of more than 11,000 new school seats, with especially large reductions in both the Bronx and Queens of about 6,000 seats.

¹ <https://nycpublicschoolparents.blogspot.com/2021/11/why-fair-student-funding-task-force.html>

Though the School Construction Authority has now substantially lowered classroom capacity standards in their annual School Enrollment, Capacity, and Utilization report (known as the “Blue Book”) to align them with the smaller classes in the city’s original reduction plan approved by the state in 2007 – that is, 23 students per class in grades 4th-8th and 25 students per class in high schools, they have counter-acted that change by at the same time eliminating the classroom efficiency ratio from the Blue Book formula.

What does that mean? It means that the formula assumes that every middle and high school classroom is scheduled in every period of the day, even though that is unrealistic and indeed impossible in most cases. For example, it is impossible to schedule a dance room as a regular classroom or use it as a dance room when the dance teacher is at lunch or at her break. It is very difficult to schedule even regular classrooms one hundred percent of the time in most medium size or small schools as well. By eliminating the efficiency ratio, our analysis finds that the SCA has artificially = created over 20,000 new classroom seats in high schools, and over 2500 new middle school seats. This is certainly quicker and cheaper than building new schools, but it reflects magical thinking.

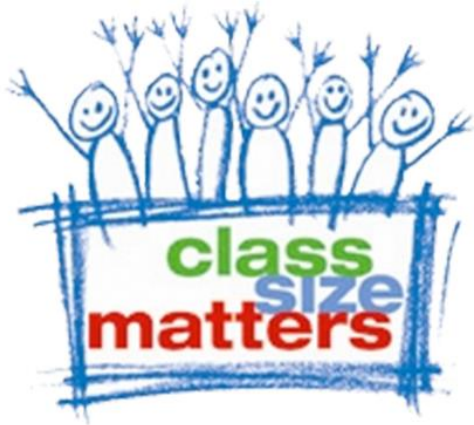
Despite their implied claim that the 20% cut in new seats will fulfill the need to eliminate overcrowding and reduce class sizes to adequate levels, we have no confidence that this is true. Our doubts are exacerbated by the fact that the NYC Department of Education and the SCA have not complied with Local Law 167, passed by the Council in 2018, which requires them to provide the data on which they base their estimates upon as well as their methodology. More details on how this law has been flouted is in the attached pdf.

They have not complied with Local Law 168 either, passed in 2018, that created a Task Force that would together analyze the suitability of all city- and privately-owned empty lots for siting schools, but as the SCA recently admitted they still have not analyzed over 22,065 privately-owned sites.

We urge you to oppose the huge cuts to the seats proposed in the Capital plan, unless the SCA can clearly prove they are not needed to eliminate overcrowding and to cap class sizes at lower levels.

We also ask that you prevent the proposed cuts to school budgets, and instead resubmit and pass Intro 2374-2021, which would phase-in smaller classes by amending the administrative code regarding classroom capacity. As you know, the original bill last session had the support of 41 out of 50 Council Members last session, including you Chair Brannan, but never came to a vote.

Thanks for the opportunity to speak to you today.



Proposed budget cuts to NYC schools & capital plan:
With likely impact on class size and school overcrowding

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Appendix to Council budget testimony
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5.25.2022

In 2003, NY state's highest Court concluded in CFE that NYC class sizes too large to provide students with constitutional right to an adequate education

- *Court of Appeals wrote: "Plaintiffs presented measurable proof, credited by the trial court, that NYC schools have excessive class sizes, and that class size affects learning."*
- "Plaintiffs' evidence of the advantages of smaller class sizes supports...a meaningful correlation between the large classes in City schools and the outputs...of poor academic achievement and high dropout rates."
- ***"[T]ens of thousands of students are placed in overcrowded classrooms ... The number of children in these straits is large enough to represent a systemic failure."***

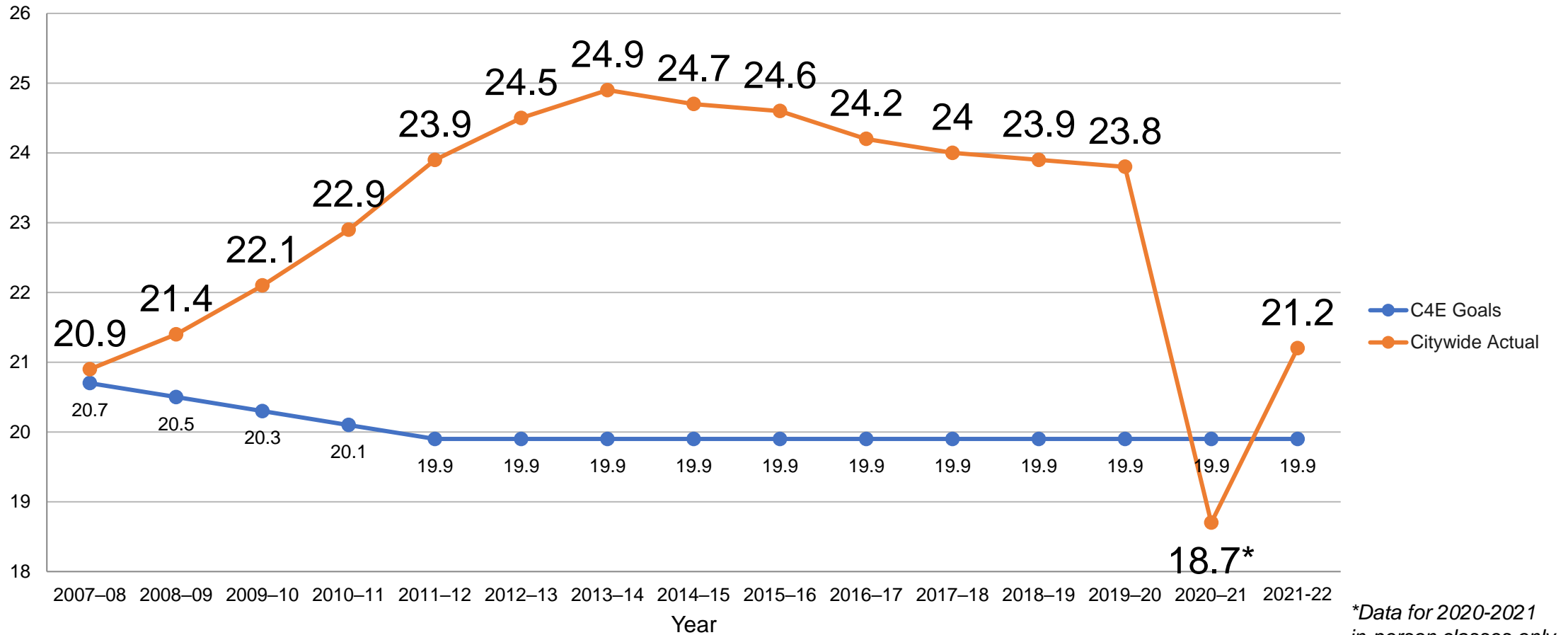
(Campaign for Fiscal Equity, Inc., et al. v. State of New York, et al., 100 N.Y.2d 893, 911-12 (2003) ("CFE II"))

Research shows *smaller classes* provide important benefits, esp. to students of color & economically disadvantaged kids

- Smaller classes lead to better grades and test scores, stronger engagement, fewer disciplinary referrals, and higher graduation rates, especially for students who need help the most.
- Class size reduction is one of few reforms proven to narrow the achievement/opportunity gap between income and racial groups.
- Economists estimate that smaller classes in grades K-3 would yield economic benefits worth twice the costs.
- Class size reduction in NYC would also likely make cost savings through fewer special education referrals & private school placements; & higher rates of teacher retention.

Class sizes have decreased significantly on average THIS YEAR in K-3 mostly due to enrollment decline

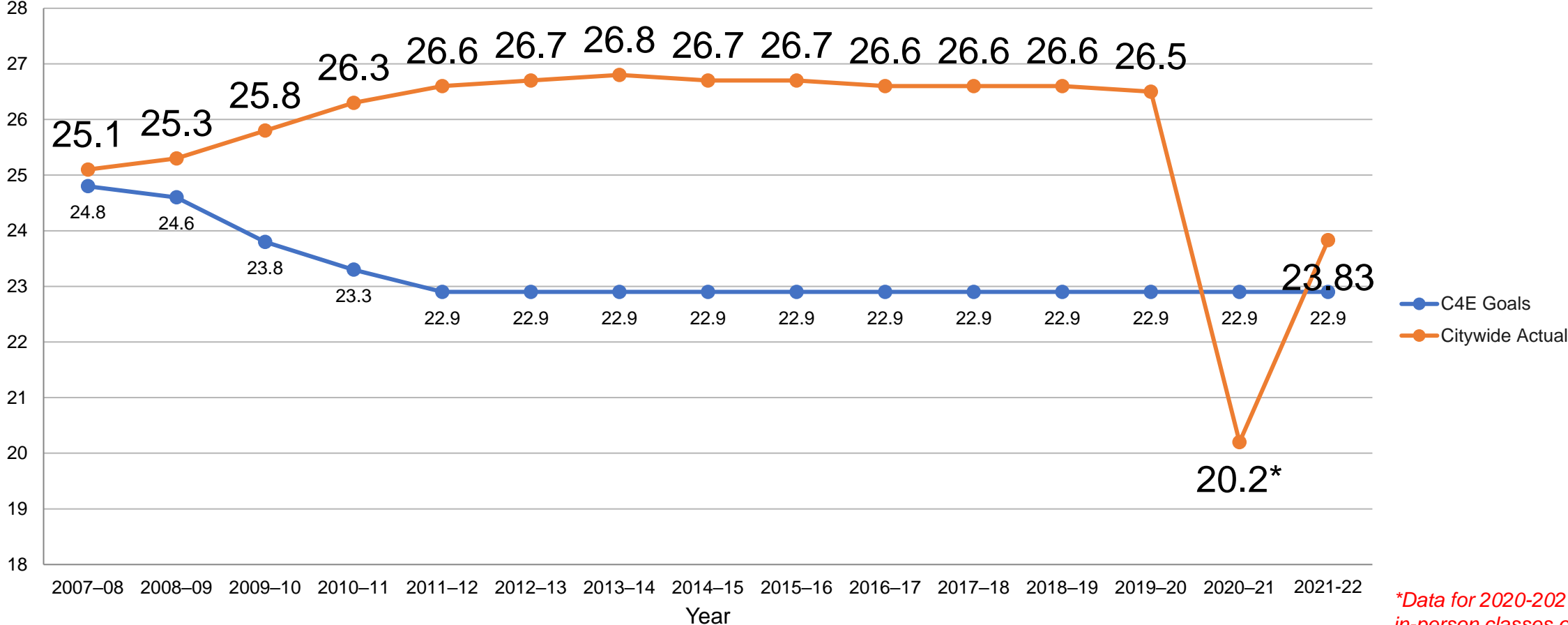
Average Citywide K-3rd Class Sizes



*Data for 2020-2021 in-person classes only

Class sizes have also fallen in grades 4-8 on average

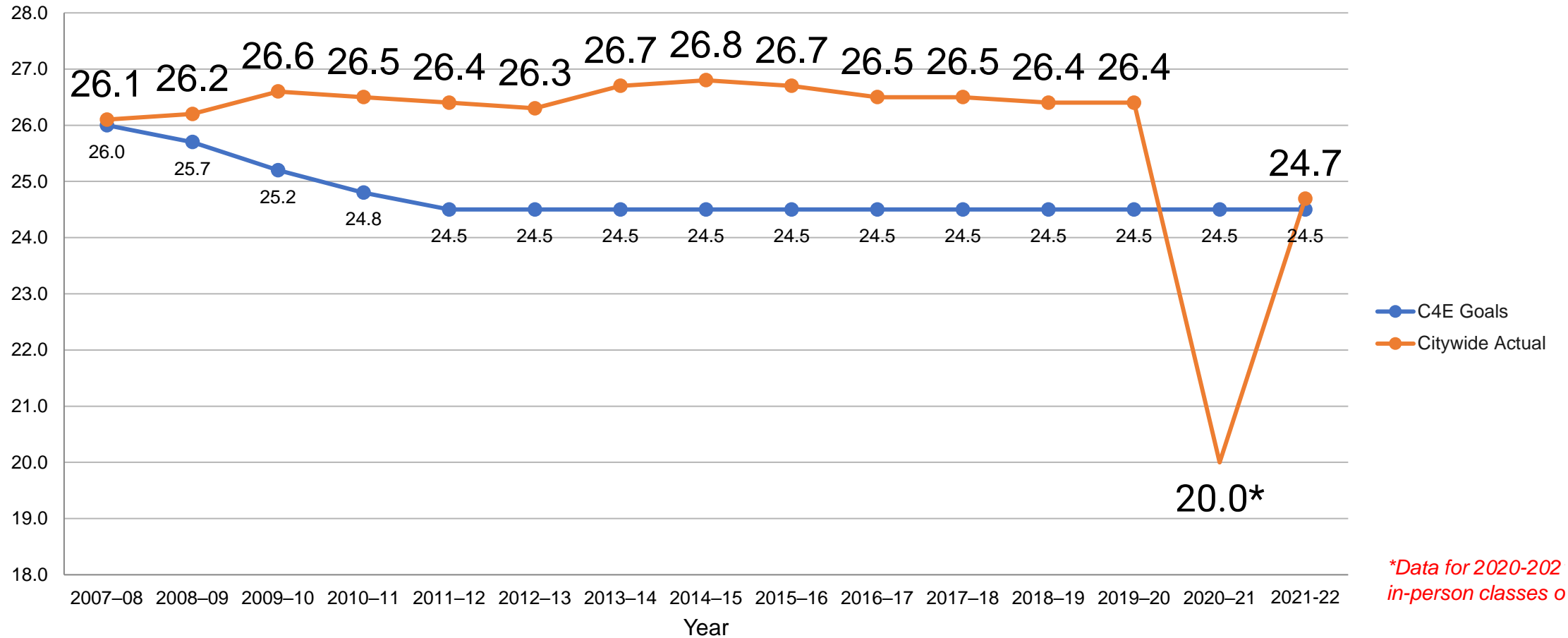
Average Citywide 4th-8th Class Sizes



**Data for 2020-2021 in-person classes on!*

And in high schools...

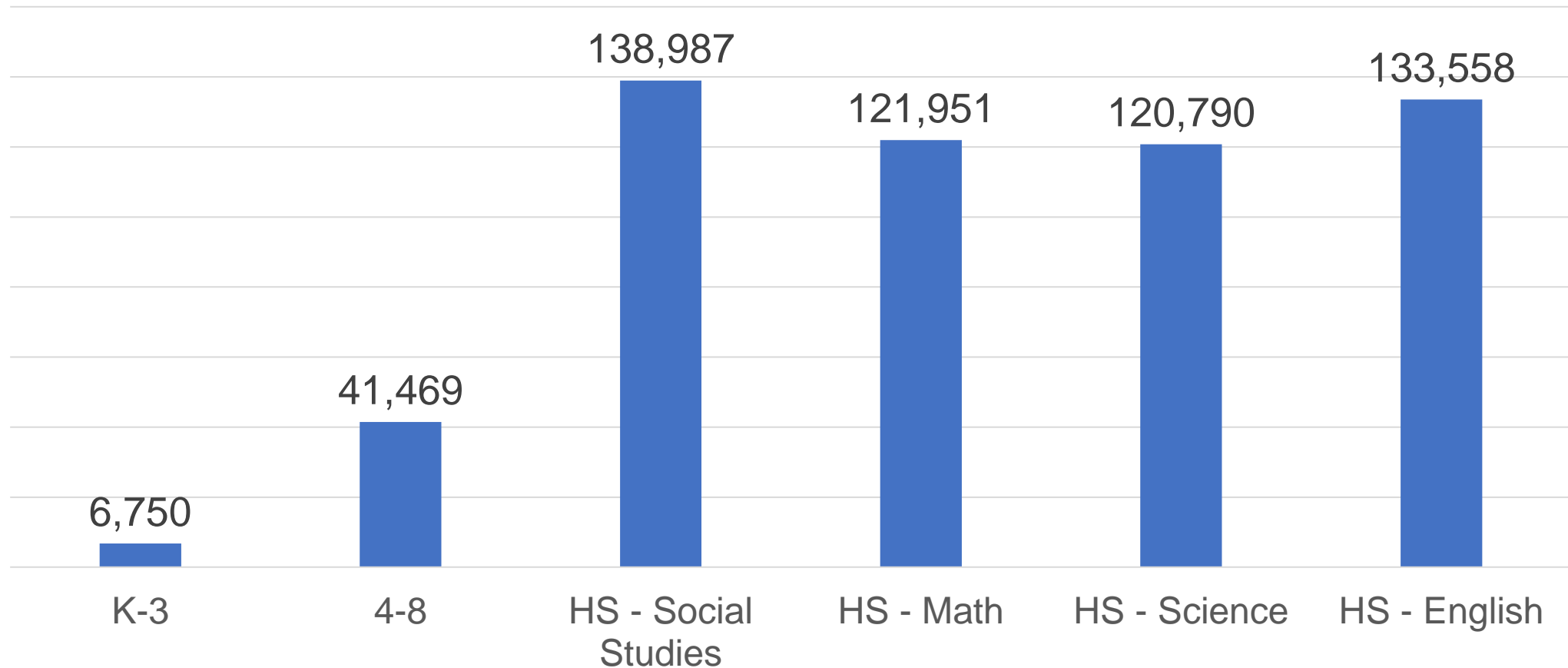
Average Citywide HS Class Sizes



*Data for 2020-2021 in-person classes only

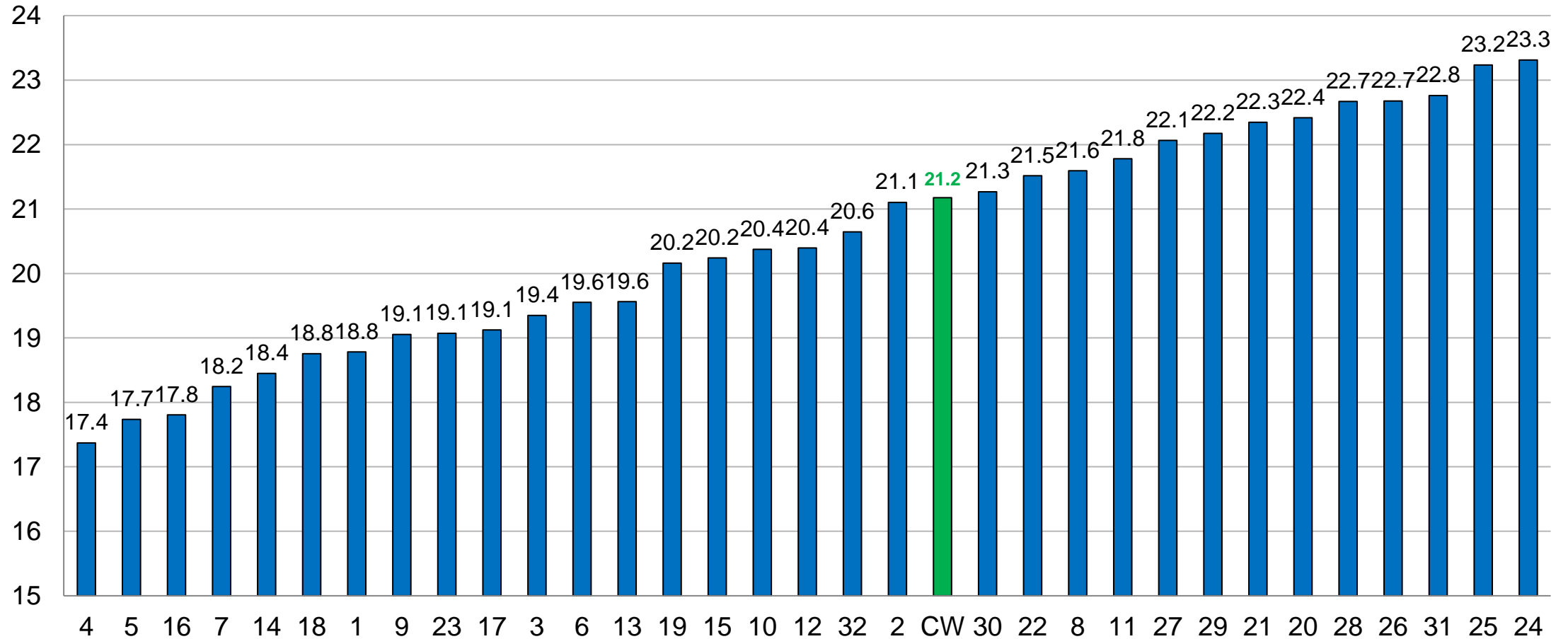
STILL more than 187,000 NYC students are in classes of 30 or larger

(only HS social studies classes in this total, so not to double count)



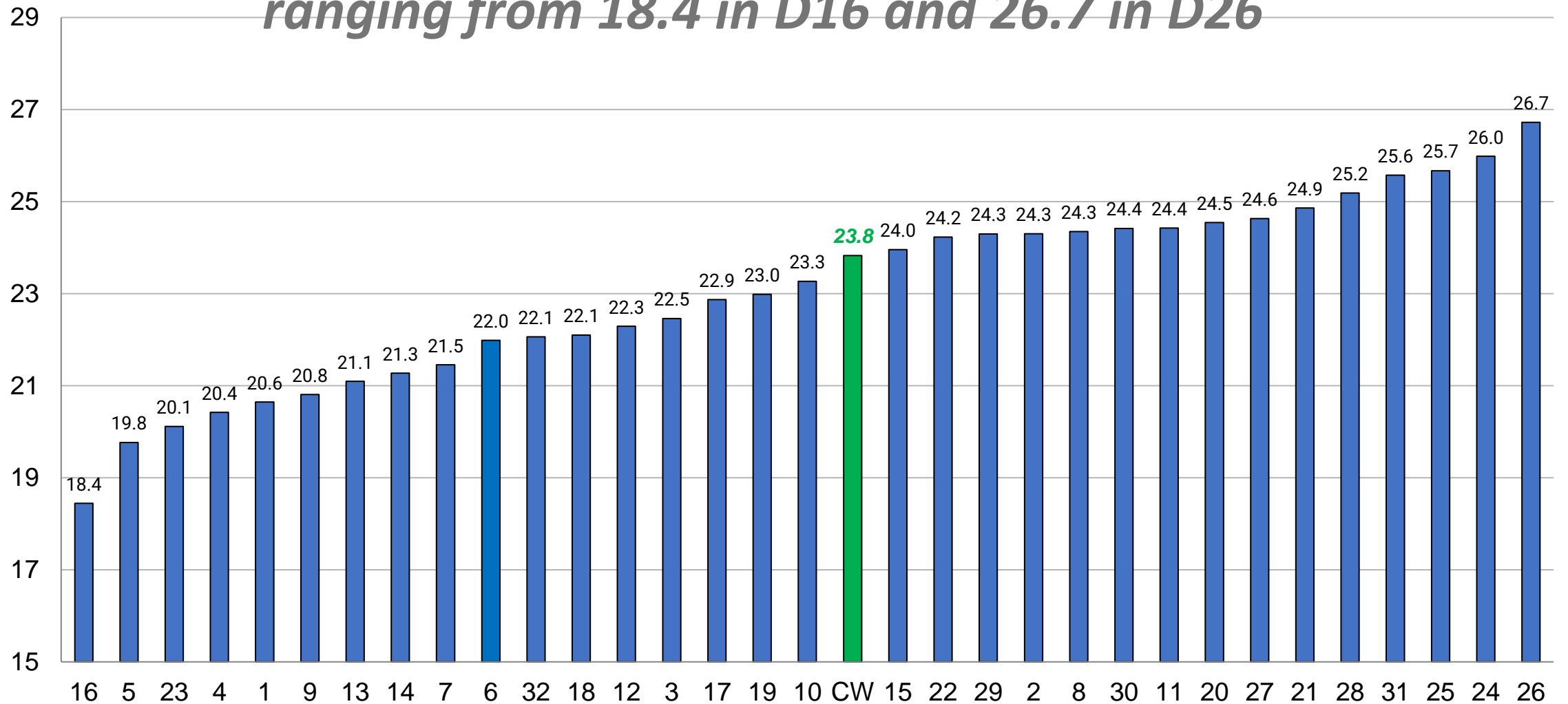
And class sizes are very unequal across districts in grades K-3

Ranging from 17.4 in D4 to 23.3 in D24



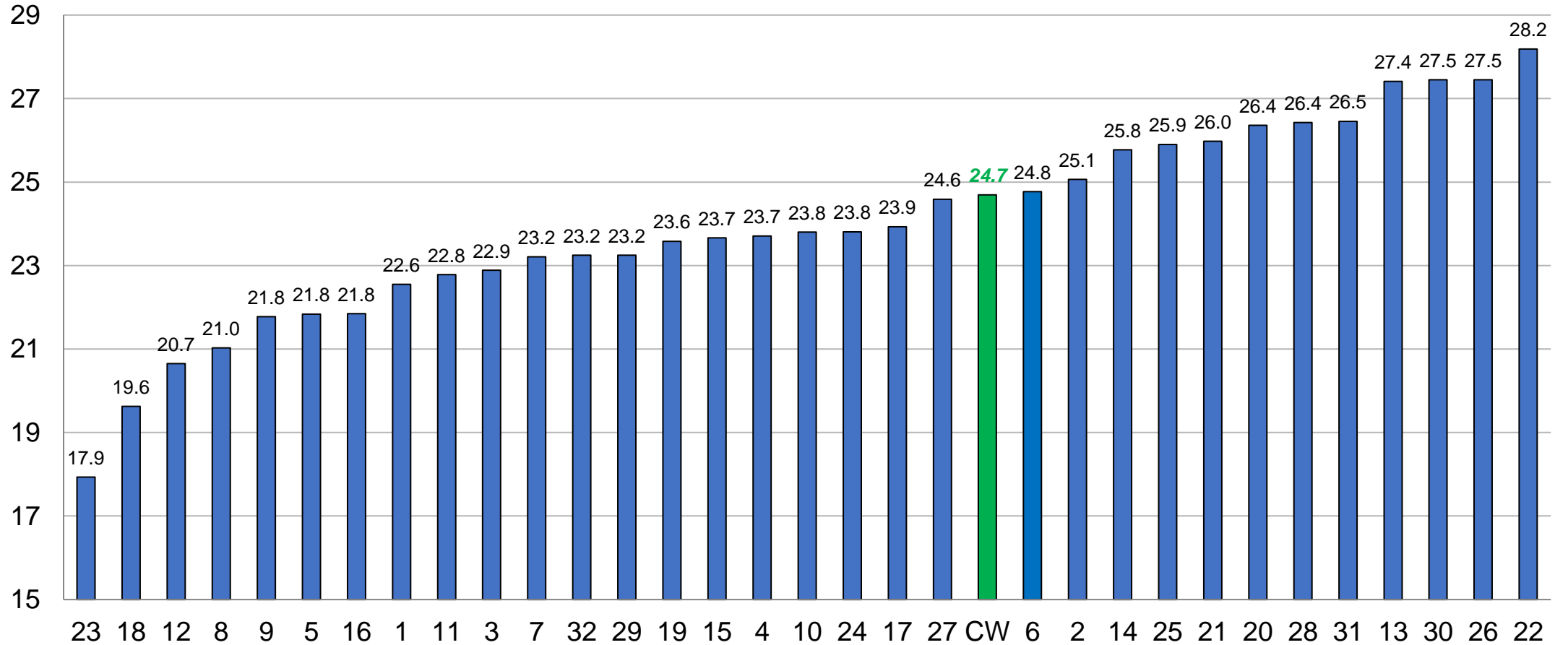
ALSO in grades 4-8

ranging from 18.4 in D16 and 26.7 in D26



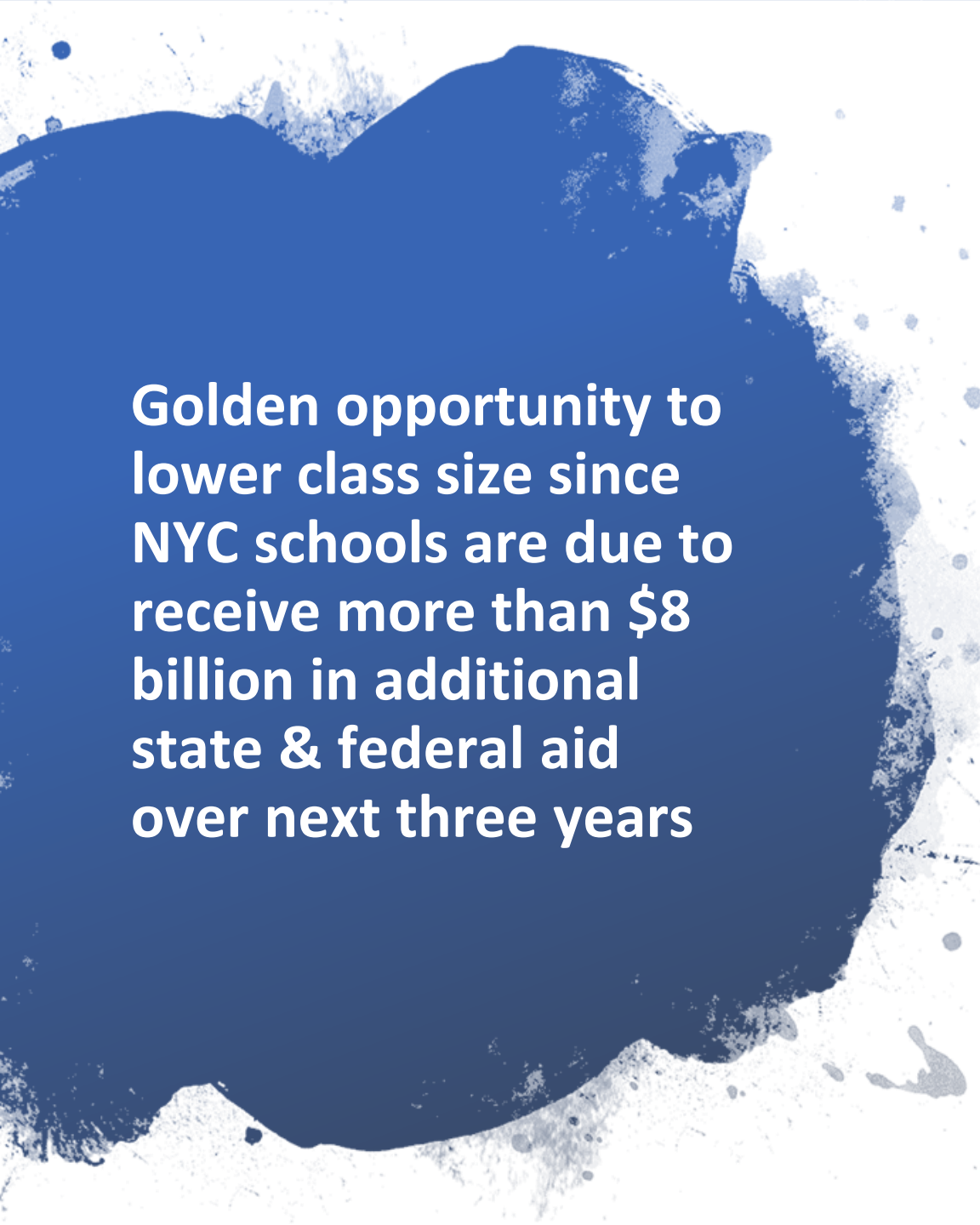
ALSO in High School

Ranging from 17.9 in D23 to 28.2 in D22



So, the problem of large classes in NYC schools NOT solved

- We need class sizes capped so that whatever happens to enrollment next year or thereafter, they don't increase to even more unacceptable levels.
- Also, DOE currently plans to cut the budgets for schools by more than \$350 million which would otherwise cause these class sizes to increase to previous levels, as "Fair Student Funding" ties budgets strictly to enrollment.
- ***All NYC students should have reasonably small class sizes no matter where they live or go to school.***



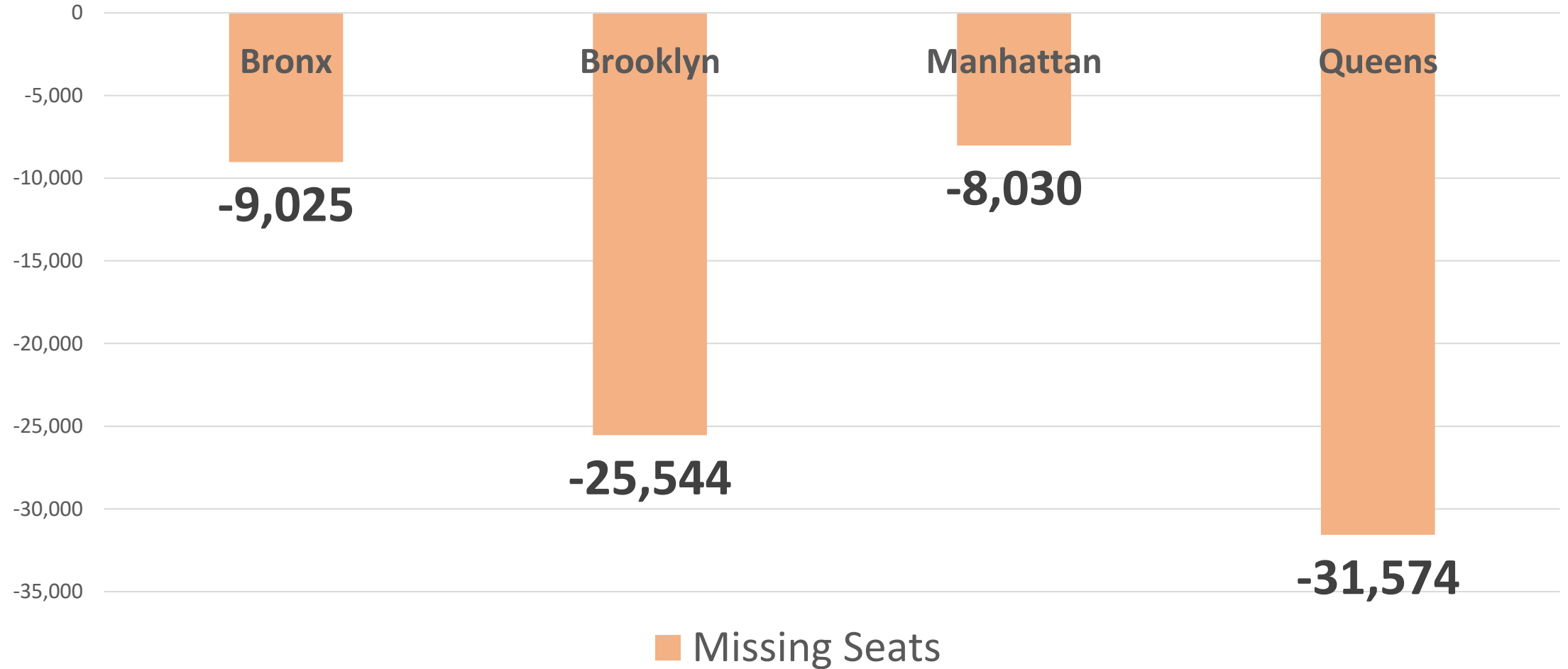
Golden opportunity to lower class size since NYC schools are due to receive more than \$8 billion in additional state & federal aid over next three years

- NYC receiving \$7 billion in additional aid for NYC schools via the federal Coronavirus Response and Relief Supplemental Appropriations (CRRSA) and the America Cares Rescue Act (ACRA) to help NYC schools reopen safely and well with additional learning support.
- State sending \$530 Million in additional Foundation Aid to NYC schools this year, increasing to \$1.3 Billion annually over three years, to fulfill the crucial class size reduction goals of CFE.
- But instead, Mayor Adams is proposing to CUT about \$375M from school budgets over the next 3 years, causing a loss of over 3200 teaching positions and likely class sizes to increase more sharply than at any time since the Great Recession.

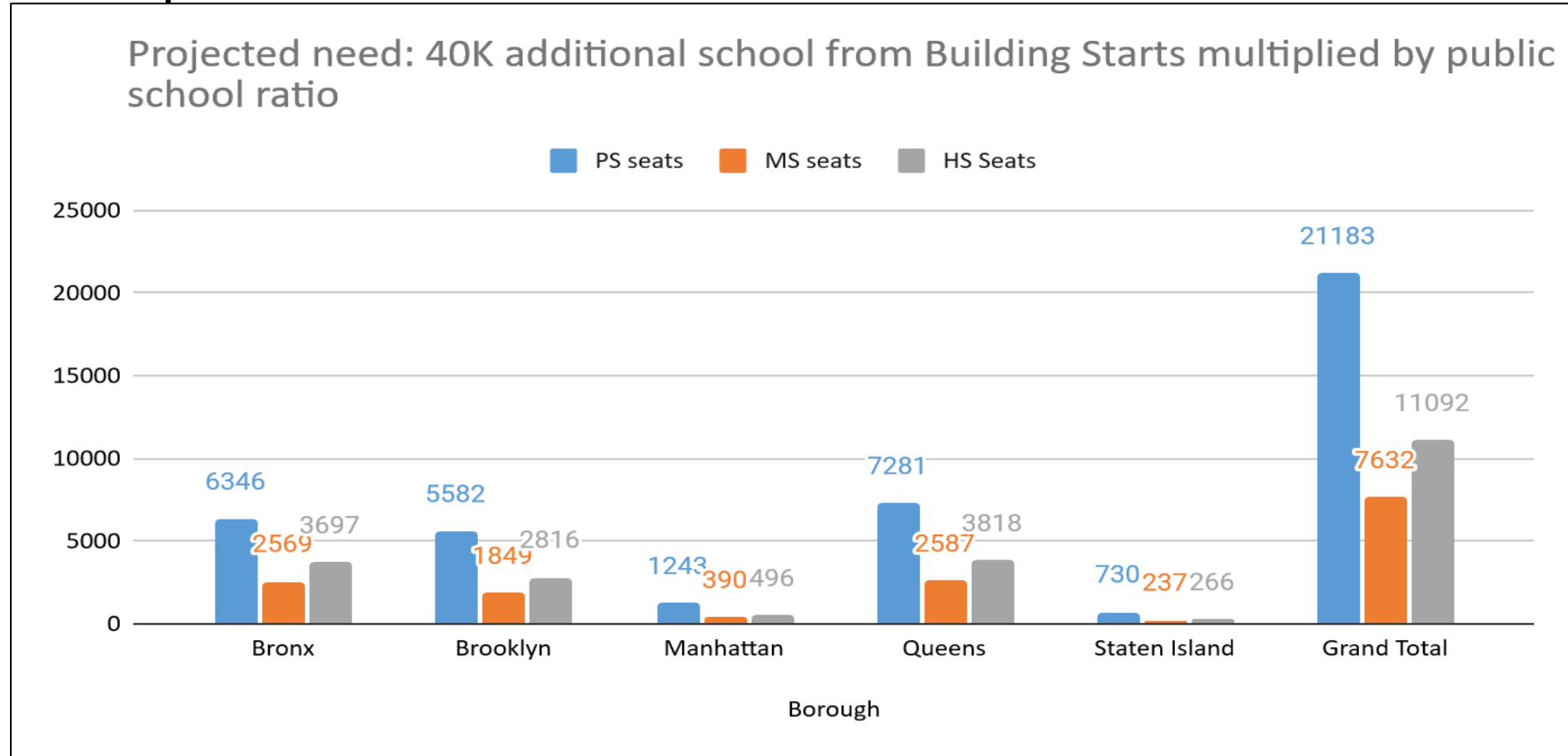
New proposed capital plan would also cut \$1.5B in new capacity compared to plan adopted in June

- Amount to be spent on new capacity would plunge from \$7.8B to \$6.3B in the adopted plan
- Number of new school seats cut 20% from 57,498 to 45, 883
- More than 6,000 seats to be cut from Queens and nearly that many from the Bronx.

At least 79,839 Additional Seats Needed in Overutilized Schools
As of the latest Blue Book (2019-2020)



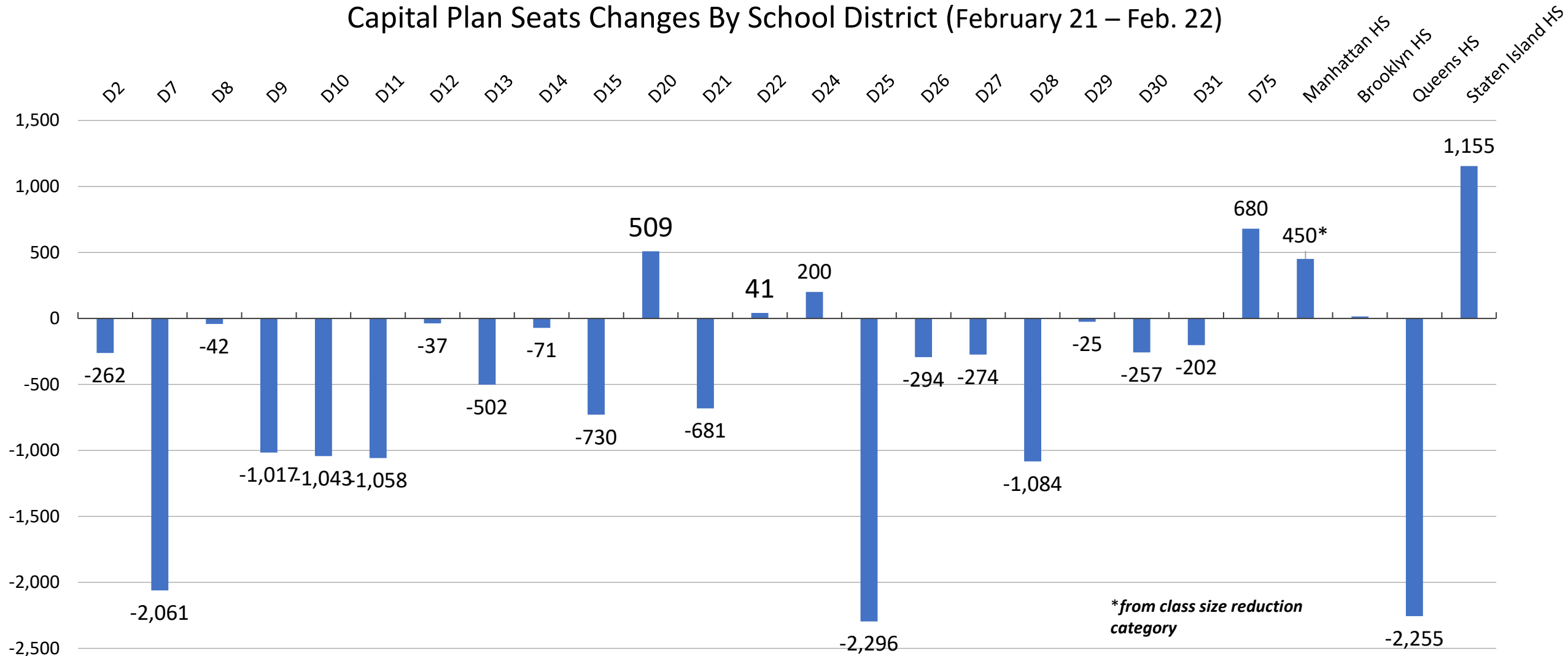
Another ~40K seats needed from new residential development 2020-2029



Data: Projected Housing Starts 2020-2029 as used in 2020-29 Enrollment Projections multiplied by Public School ratio. See <http://www.nycsca.org/Community/Capital-Plan-Reports-Data#Housing-Projections-70>

Proposed capital plan would cut funded school seats citywide by over 11,000 seats compared to the adopted plan.

Capital Plan Seats Changes By School District (February 21 – Feb. 22)



What's perplexing about these cuts...

- In latest Blue Book (DOE annual school capacity/utilization report) max classroom capacity was lowered to 23 students per classroom in grades 4-8, and 25 students per classroom in HS to align with original NYC C4E goals.
- Previously these figures were at 28 for grades 4-8 and 30 for HS classes. (Max capacity per classroom was already 20 students per class in grades K-3.)
- One would think that would create need for MORE space, not less.

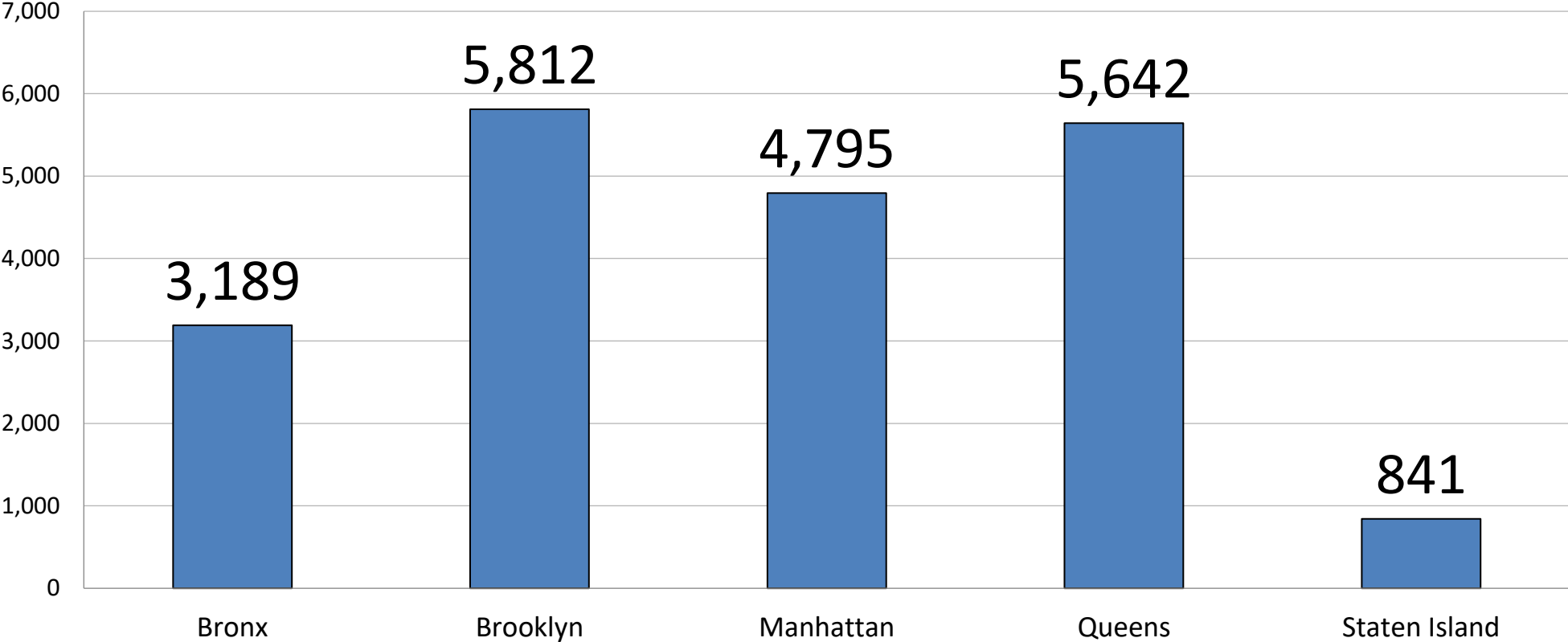
However, they made another change to the capacity formula

- In previous Blue Books, they included an “efficiency ratio” that set out how many periods a day they expected classrooms to be occupied.
- Typical classrooms were expected to be in use 7 of 8 periods a day. Specialty rooms – science labs, music classrooms, etc. –in use 5 of 8 periods a day
- In the latest BB they write, *“we are dropping the program efficiency ratios in capacity calculation for middle and high schools. The program efficiency ratios were used to partially account for lower classroom capacity but are no longer needed.”*

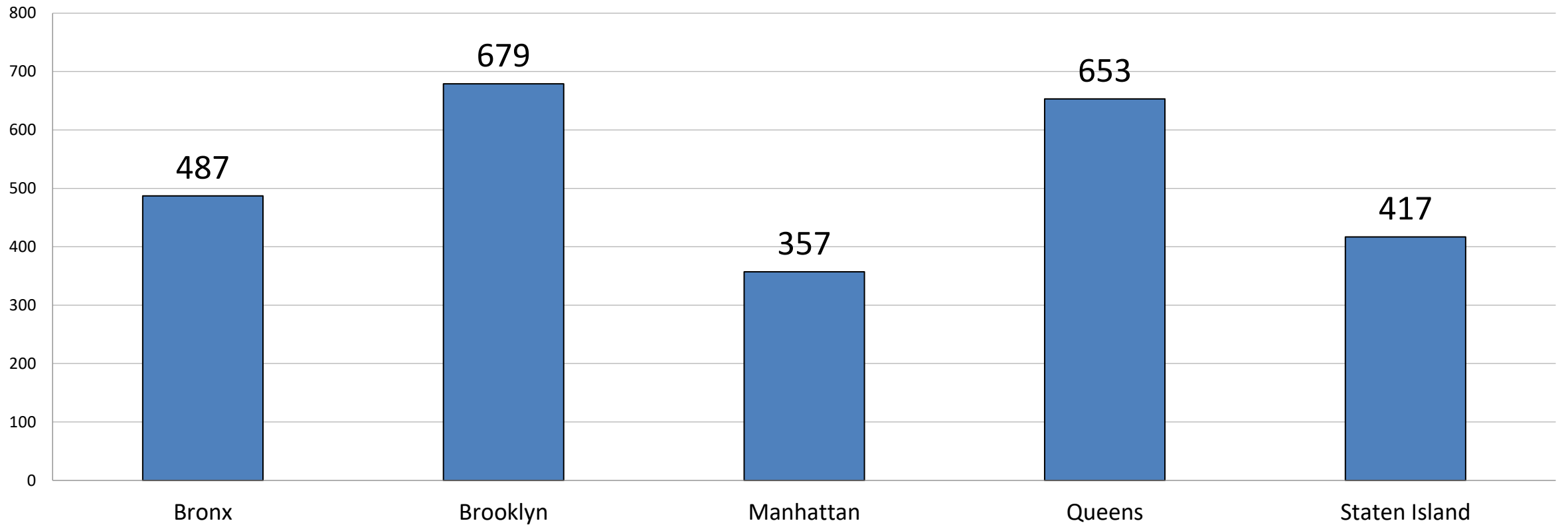
Scheduling all classrooms 100% of time impossible in most middle and high schools

- In most middle and high schools, impossible to schedule specialty rooms like art rooms, dance rooms or science labs when the art, dance or science teacher having prep period or lunch.
- A dance room or science lab cannot be used as regular classroom when the dance teacher is having their prep period or lunch.
- Even classrooms are difficult to schedule 100% of time, especially in smaller schools.

20,279 Seats Added to High Schools due to Revised Efficiency Ratio



2,593 Seats Added in Middle Schools due to revised efficiency ratio



SCA/DOE claims they're building sufficient seats but haven't abided by laws to improve school capital planning

[Local Law 167](#) (2018) requires DOE to provide transparent methodology and data on which seats needs estimates made. Neither has happened.

- Enrollment projections posted are from 2/2018; housing starts from 6/2020; No current utilization or enrollment data.
- Identified seat needs 3/22 STILL do not differentiate elementary vs MS needs
- Rezoning/changes in school utilization info provided only to 2021
- Methodology isn't provided in enough detail & can't be replicated, instead vaguely describes using "*qualitative analysis*" and "*various strategies to address need*" without specifying.
- Data source <http://www.nycsca.org/community/capital-plan-reports-data> as of 5.22.22



FAILED!

DOE also in non-compliance with Local Law 168

[Local Law 168](#) (2018) created a Task Force for School Siting to identify sites where new schools could be built, including all empty lots owned privately and by the city.

The Task Force met twice, released a 2-pg report with no input from City Council & parent members (including Shino)



Through FOIL we received a spreadsheet that ruled out hundreds of city-owned sites for unclear reasons, and never reported on suitability of 22,065 privately-owned sites.

All NYC students should be able to attend uncrowded schools with reasonable class sizes no matter where they live or go to school – especially given the disruption due to the pandemic.

- These capital plan cuts are incomprehensible, especially as enrollment may increase once again.
- Also, the Mayor proposes to slash school budgets by \$215 million next year, rising to \$375 million in cuts over the next three years, causing projected loss of about 3200 teachers.
- This would cause class sizes to sharply increase once more.

\$374 million proposed budget cuts to schools in the Executive Budget projected to cause loss of more than 3,200 teachers

040 - Department of Education	City Personnel as of 6/30/23	FY22	FY23	FY24	FY25	FY26
February 2022 Plan PEG Initiatives						
<u>ATR Savings</u> Re-estimates cost of the ATR Transfer Subsidy allocation.	(125) P	(14,659)	(14,659)	(14,659)	(14,659)	(14,659)
<u>Central Savings</u> Re-estimates costs for central and administrative salary, per session, professional development, equipment, and supplies.		(110,015)	(57,000)	(57,000)	(57,000)	(57,000)
<u>Enrollment Changes</u> Systemwide savings from enrollment changes, including elimination of a current register relief allocation; stimulus is repurposed in a separate initiative to support schools with enrollment changes.	(3,227) P	-	(374,644)	(374,644)	(374,644)	(374,644)
<u>Prior Year Revenue</u> Recognizes recently received State revenue related to prior year costs.		(55,000)	-	-	-	-

C = Civilian, P = Pedagogical

DATA Source: Executive Budget Fiscal Year 2023
 Program to Eliminate the Gap ((PEG), April 2022
<https://www1.nyc.gov/assets/omb/downloads/pdf/peg4-22.pdf>

DOE plans to use some federal stimulus funds but only to temporarily fill the gap

- Next school year (2022-2023) \$160M in federal funds to TEMPORARILY fill in some of the gap – with cut of \$215M causing loss of 1,449 teaching positions
- The year after, cut would equal about \$295M compared to this year, with a net loss of 2,338 teaching positions vs this year
- The following year the entire \$375M would be cut, with the total loss of ~3,200 positions overall
- **Source: NYC Independent Budget Office,** “Fewer Students, Fewer Dollars: DOE Savings Plan Phases Out School Budget Cut Forgiveness Available During the Pandemic,” March 2022 at: <https://ibo.nyc.ny.us/iboreports/fewer-students-fewer-dollars-doe-savings-plan-phases-out-school-budget-cut-forgiveness-available-during-the-pandemic-fopb-march-2022.pdf>

City Council should introduce & pass legislation to require class sizes be reduced

- [Intro 2374](#) required smaller classes to be phased in by amending the administrative code to raise the capacity requirements per student in classrooms
- Bill had support of 41 of 50 Council Members last session but never came to a vote.
- Bill should be resubmitted and passed by the Council, in an amended form to allow a 5-yr phase in and slightly different class sizes by grade.

Given the pandemic and its aftereffects

- Smaller classes are more critical than ever before to give the in-person emotional and academic support NYC kids need after more than a year and a half of remote or blended learning.
- *Students will need to make closer connections with their teachers and peers more than ever before – connections that only smaller classes can provide.*

Our kids face bigger challenges given Covid - they shouldn't have to face bigger class sizes, too.

Call the Mayor at 311 & your Council Member and tell them:

DON'T CUT SCHOOL BUDGETS!

