



Class Size Matters
124 Waverly Pl., New York, NY 10011
Phone: 917-435-9329
info@classsizematters.org
www.classsizematters.org

Testimony before the NYC Council Education Committee on DOE's Admissions Process

January 25, 2023

Thank you for holding these hearings today. My name is Leonie Haimson, and I am the Executive Director of Class Size Matters. As you know, the Legislature overwhelmingly passed a new bill last spring, S9460/A10498, that requires NYC to implement a five-year class size reduction plan beginning in fall of 2022. Gov. Hochul signed the bill into law in September, based upon an agreement that the phase-in will begin Sept. 2023 instead.

The law requires the Department of Education to cap class size at 20 students per class in grades K-3, 23 students in grades 4th-8th, and 25 students in HS classes in core academic subjects by the end of the 2027-8 school year. Each year starting in September 2023, 20 percent of all classes must achieve these caps, with an additional 20 percent of classes each year.

I am very concerned that the NYC Department of Education is not prepared to achieve these caps. There have been no changes in budgeting to allow for smaller classes, and no evident efforts to acquire sufficient space. According to the latest available data in the DOE's Blue Book, their annual Enrollment, Capacity and Utilization reports, last year 347,000 or 38 percent of all students citywide were in schools over 100 percent.

Yet instead of expanding the capital plan for new school construction, the plan adopted last June cut new capacity by over 11,000 school seats. In the new amendment to the capital plan proposed in November, the SCA moved an additional 4,300 additional seats in ten districts into the category of "funded for design only". Our estimate of how many seats will be needed to comply with the new class size mandate range from 48,000 to 100,000, depending on what "efficiency ratio" is used – meaning how many periods a day classrooms and specialty rooms can be scheduled. It takes at least five years to site and build a school in most cases, so the planning for new capacity needs to begin as soon as possible.

It would take fewer seats to comply with the law if enrollment were more equitably allocated across schools. About 20 percent of NYC schools are at 60 percent utilization rates or less, while 28 percent of schools are over 100 percent, and sometimes these schools are sitting close to each other.

Because school funding is tied to enrollment, it is often very difficult to provide a full, well-rounded education at severely underutilized schools. Schools that are very overcrowded face different challenges: They generally have excessive class sizes, many students have to eat lunch early in the morning or late in

the afternoon, and often extracurricular activities and sports are difficult to schedule because the school may be on double or triple shifts.

So it was very disappointing to hear Deputy Chancellor Daniel Weisberg testify in response to CM Aviles at these hearings today there are no changes anticipated in enrollment planning to enable schools to adhere to the new class size caps. Subsequently, in response to questions from CM Krishnan, he said that it was up to the principals at under-enrolled schools to improve their programs to be better able to attract students. Principals have enough to do in order to run their schools than be forced to go out into the community, hand out flyers, and make videos to post on social media, to recruit more students and avoid having to excess teachers and lose programs, as happened in too many schools this year.¹

It really should not be the responsibility of principals to have to market their schools in this way. The entire system of “school choice” created under Mayor Bloomberg depends on a notion of free-market competition, in which good schools would attract more parents, and bad schools would contract and eventually be closed, with new schools and charter schools put in their place. We have had twenty years of this system and it hasn’t work to lift all boats as predicted. Instead, DOE should ensure that all schools are able to provide a quality education, and an important step in doing this is to more equitably distribute enrollment, through rezoning elementary schools and capping admission at the most overcrowded unzoned middle and high schools.

Alleviating overcrowding by redistributing enrollment could provide several important benefits, along with better enabling schools to have sustainable budgets, sufficient staffing and achieve the smaller class size caps in the law. This would also likely create more diversity within schools, as the most underutilized schools tend to have the highest proportion of Black and Hispanic students, and the most overutilized schools the highest proportion of White and Asian students . In the Appendix, I include three charts showing a roughly linear correlation between school utilization rates and the racial breakdown of their student population.

Class Size Matters and many groups have been calling for a Task Force, including parent leaders, advocates, community members, and local elected officials, to help create a workable plan to ensure that class size reduction happens in the most effective and equitable way possible. Many Community Education Councils and the Chancellor’s Parent Advisory Council have passed resolutions calling for this Taskforce as well, and many leaders and advocates have signed our letter to the Chancellor, urging him to do so, as there is no time to waste. ² Sadly, so far, Deputy Chancellor Weisberg written responses to CECs concerning this issue have not been encouraging.

I urge the City Council Education Committee to hold hearings on the DOE’s planning or lack thereof to achieve the five-year caps in the new law, including in the out years, as so far I have seen no evidence that they are preparing to do so.

Thank you for allowing me to submit this testimony today.

¹ See the poignant recent article in Chalkbeat of a principal in the Bronx, desperately and unsuccessfully trying to recruit more students in order not to be forced to lose critical teaching staff. <https://ny.chalkbeat.org/2022/11/2/23437695/nyc-soundview-academy-bronx-budget-cuts-enrollment-declines>

² <https://classsizematters.org/please-join-us-in-urging-that-a-class-size-task-force-be-created-asap-there-is-no-time-to-waste/>

Appendix: The correlation between NYC school utilization rates and student race/ethnicity

