

The new class size law and planning for class size reduction; implications for capital plan

Presentation for CSWG capital plan subcommittee

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Last year,
there
were big
budget
cuts to
schools

Budgets were cut drastically in most every school, tied to continued projected enrollment decline through Fair Student Funding formula

Federal funds also reduced sharply - about \$1B, even though NYC still had more than \$4B in federal Covid funds unspent as of late August

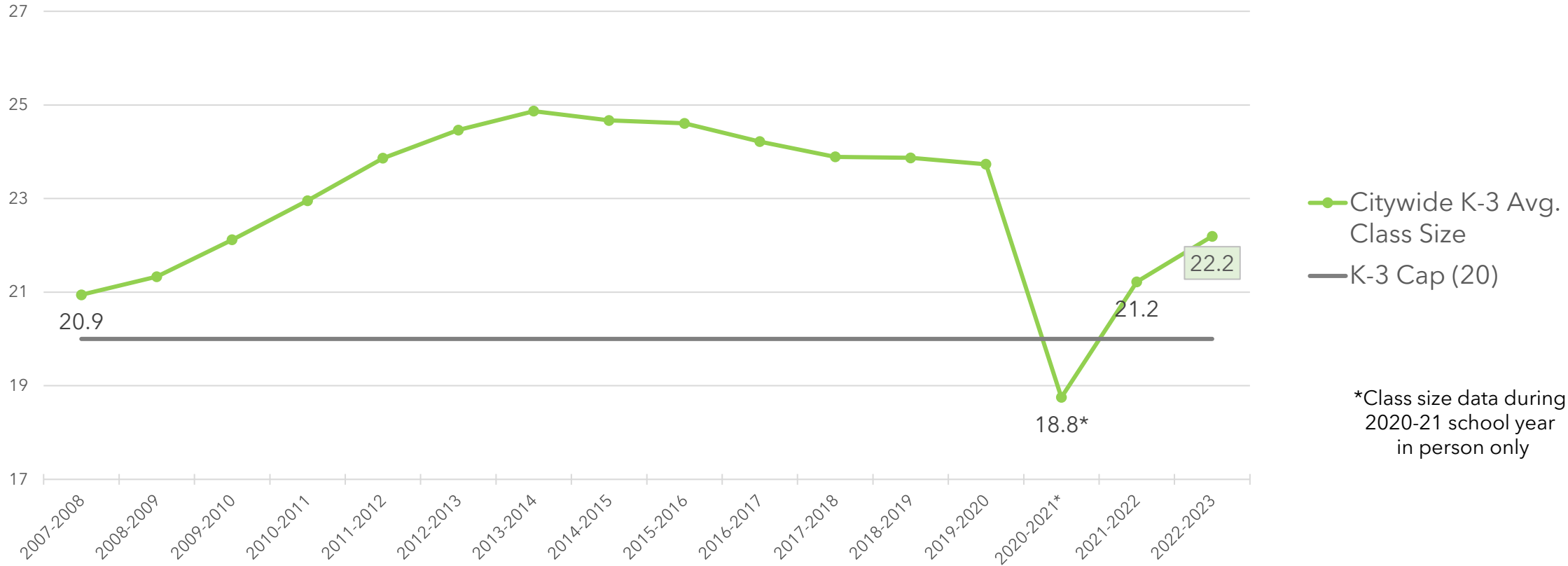
These cuts led to class size increases in many schools as teachers were let go or retiring teachers not replaced, and critical programs & service eliminated.

How much were schools cut?

- City Comptroller estimated that 77% of schools had their Fair Student Funding cut by a total of \$469 million
- But FSF is only one part of school budgets.
- As of Jan. 13, 2023, schools' entire Galaxy budgets slashed by net \$822 Million.
- 86% of schools suffered Galaxy cuts totaling \$893 million, averaging about \$655,000 each.

Citywide average class sizes in K-3rd increased this year to 22.2, above eventual cap of 20

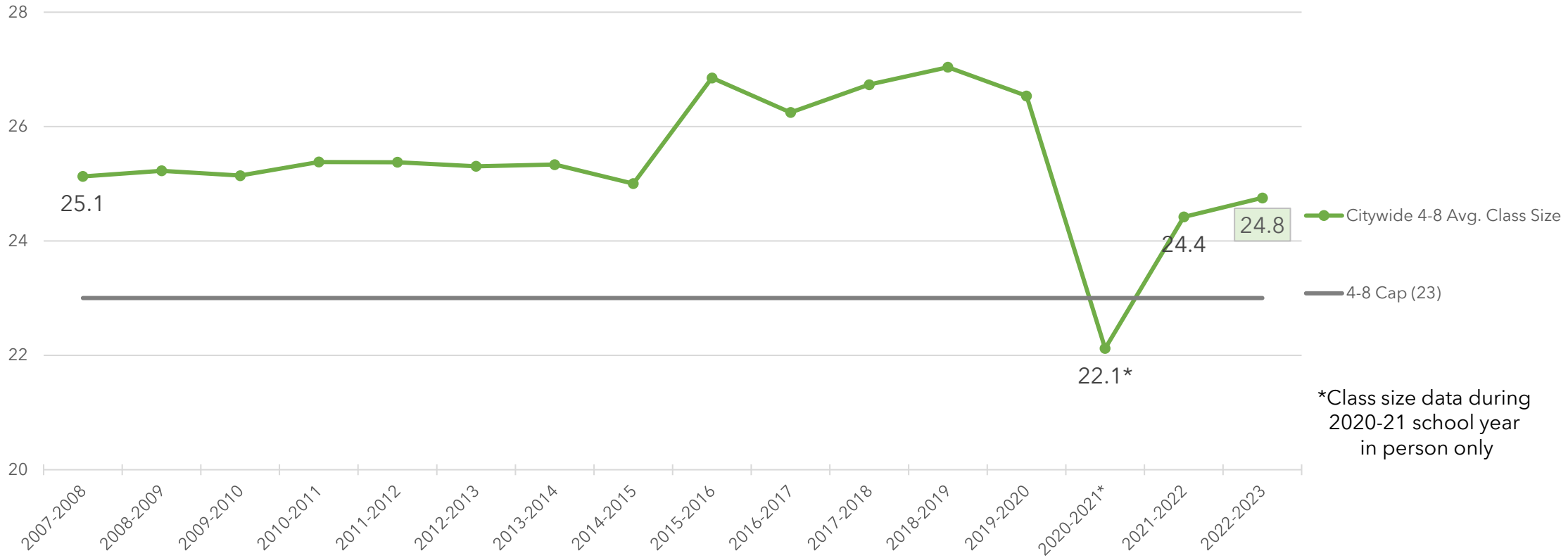
(2007-2023)



*Class size data during 2020-21 school year in person only

Citywide average class sizes in 4th-8th increased this year to 24.8, above eventual cap on 23

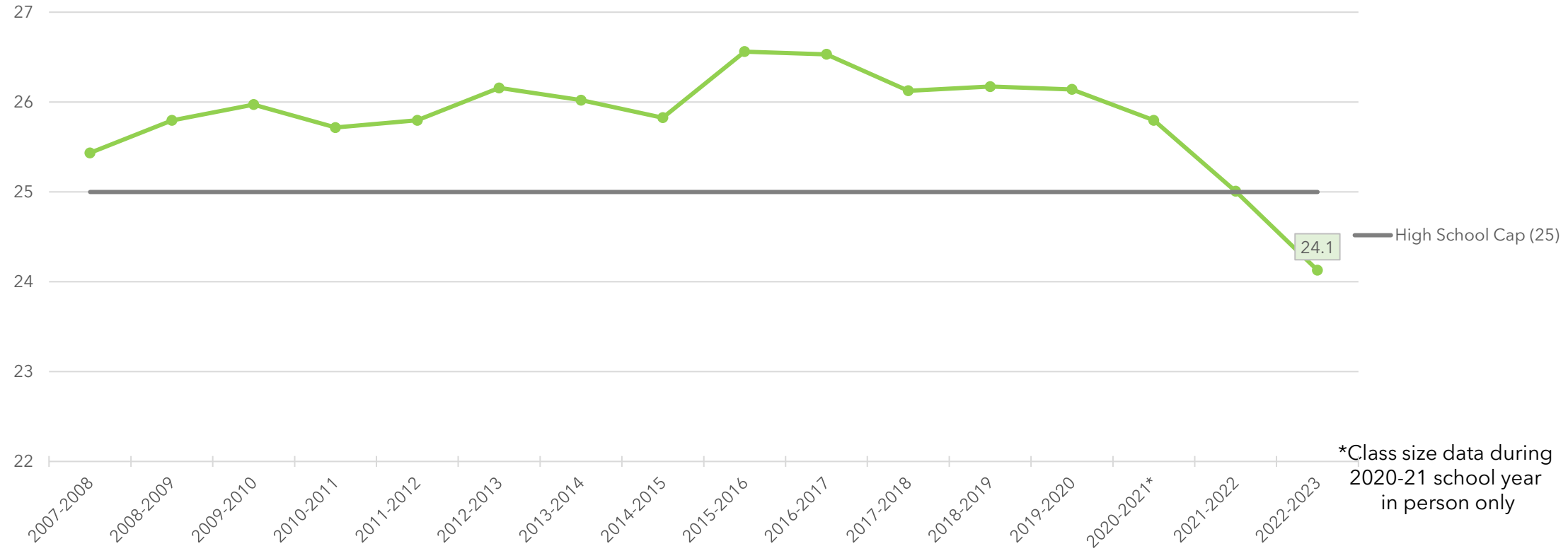
Average 4-8 Class Sizes
(2007-2023)



*Class size data during 2020-21 school year in person only

Citywide high schools averaged 24.1 students per class, below the cap of 25 - but huge disparities in class size across HS

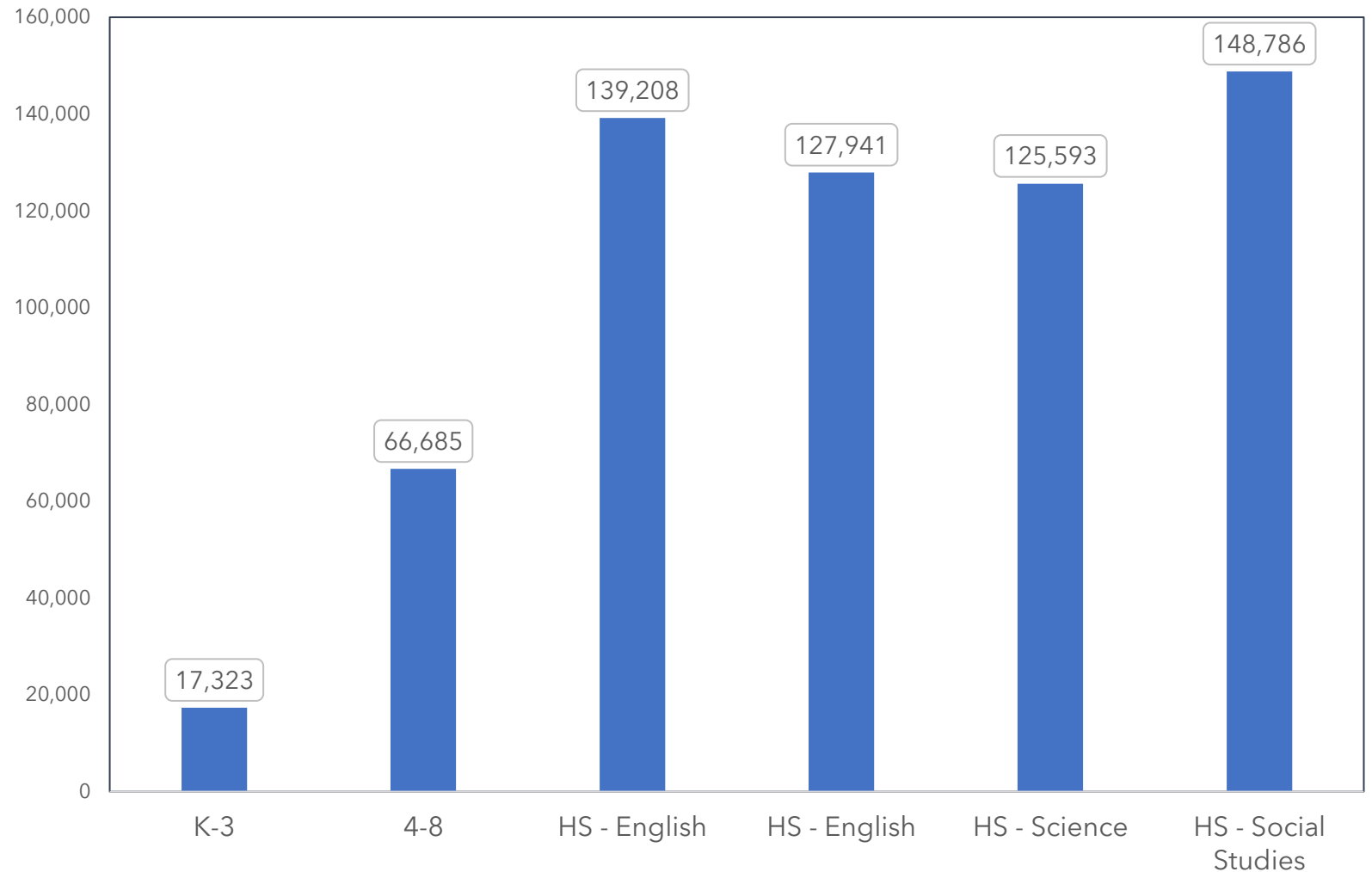
Average HS Class Sizes in Council District 3
(2007-2023)



Still more than 232,000* students citywide were crammed into classes of 30 or more (>149,000 in HS)

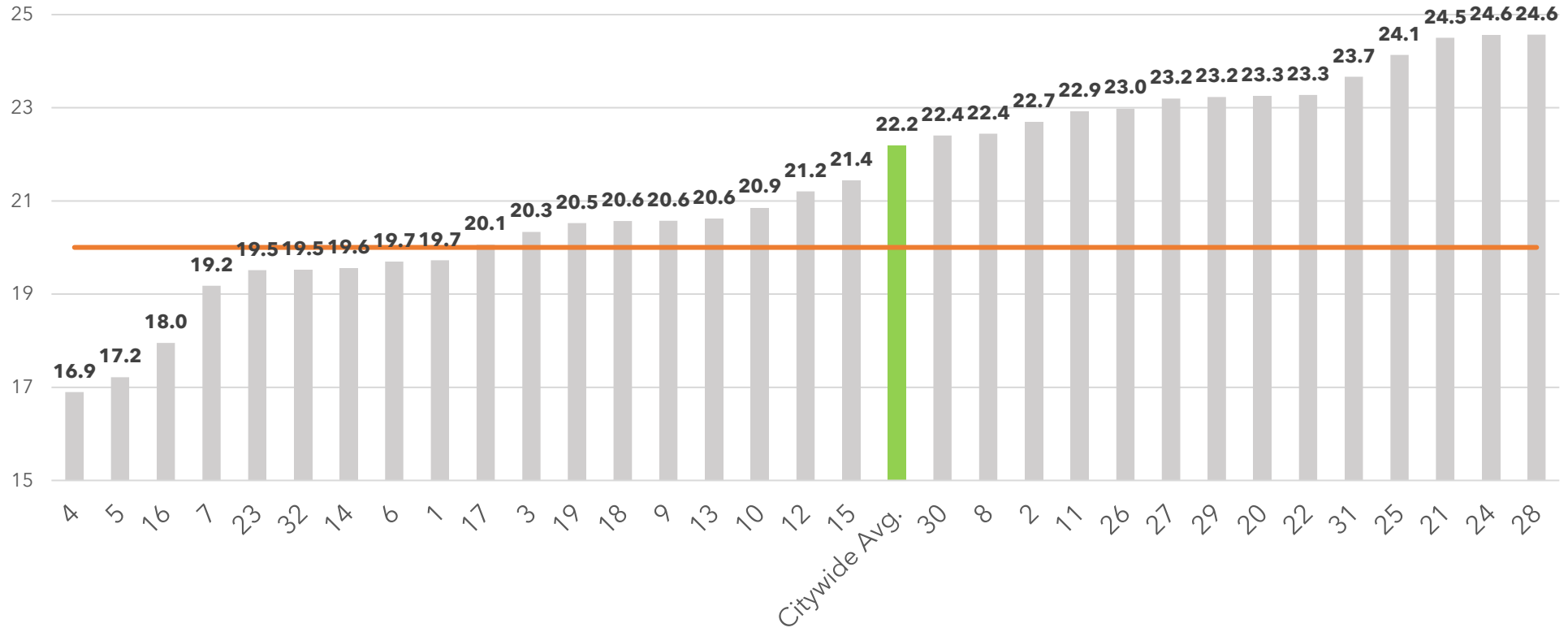
* - (only HS social studies classes included, so not to double count)

Number of Students in Classes of 30 or larger (2022-2023)



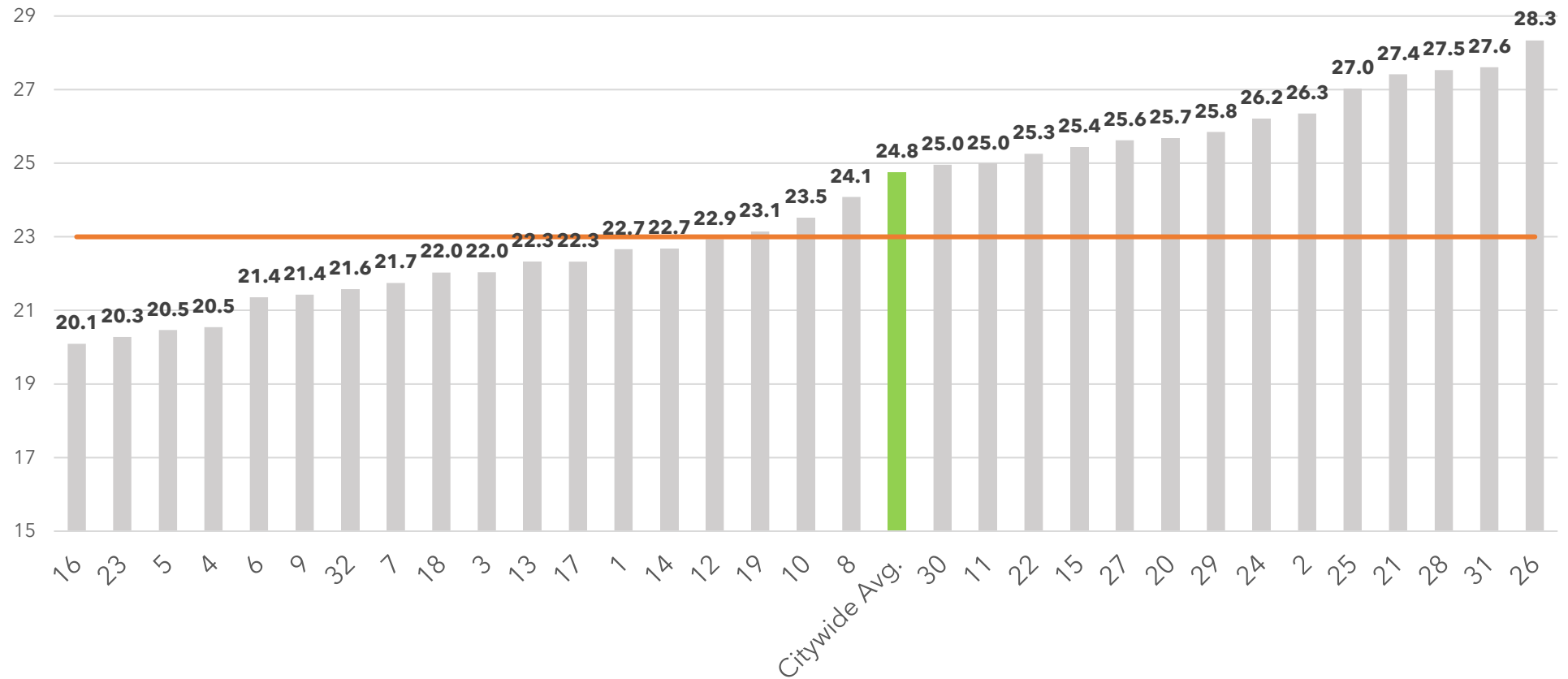
In only 9 of 32 school districts, average K-3 Class Sizes were smaller than the new class size cap in the law of 20

— Class Size Cap (K-3)



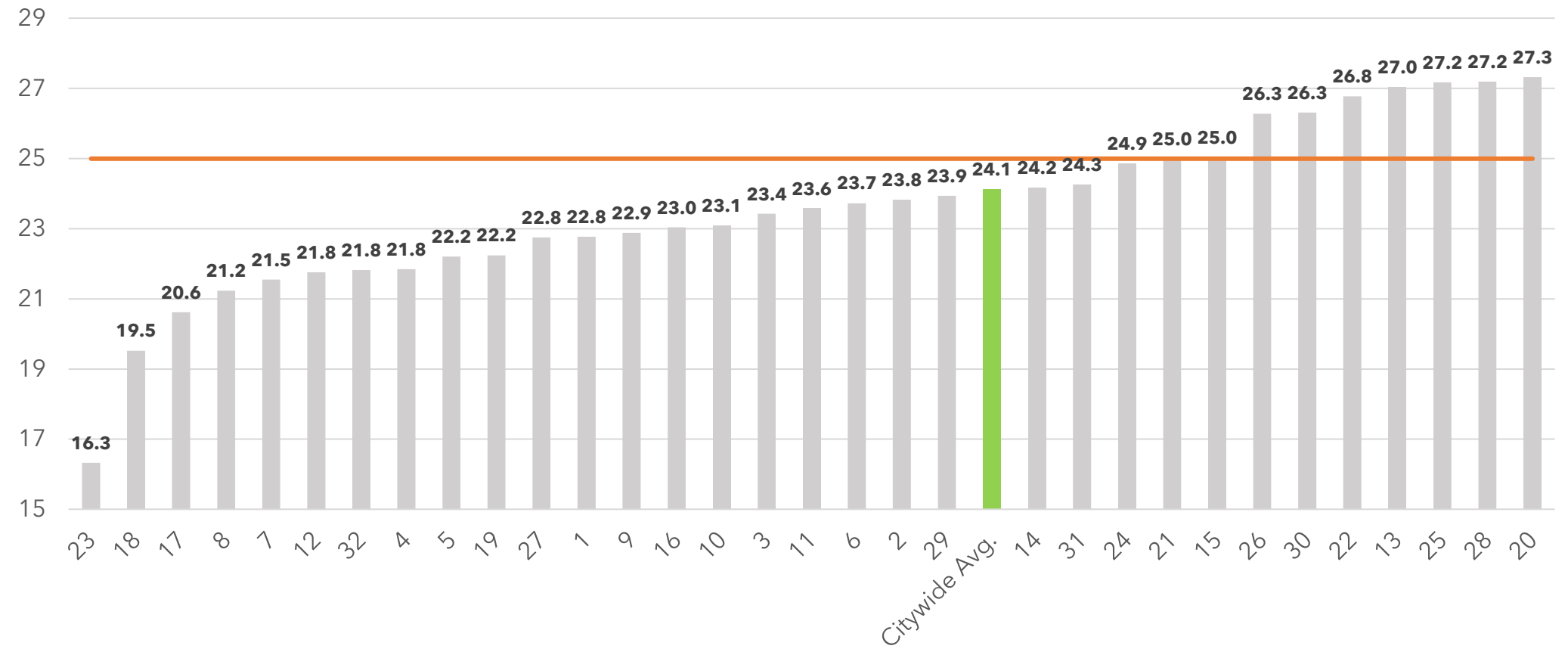
Only 10 of 32 districts were average 4-8 Class Sizes smaller than the cap

— Class Size Cap (4-8)

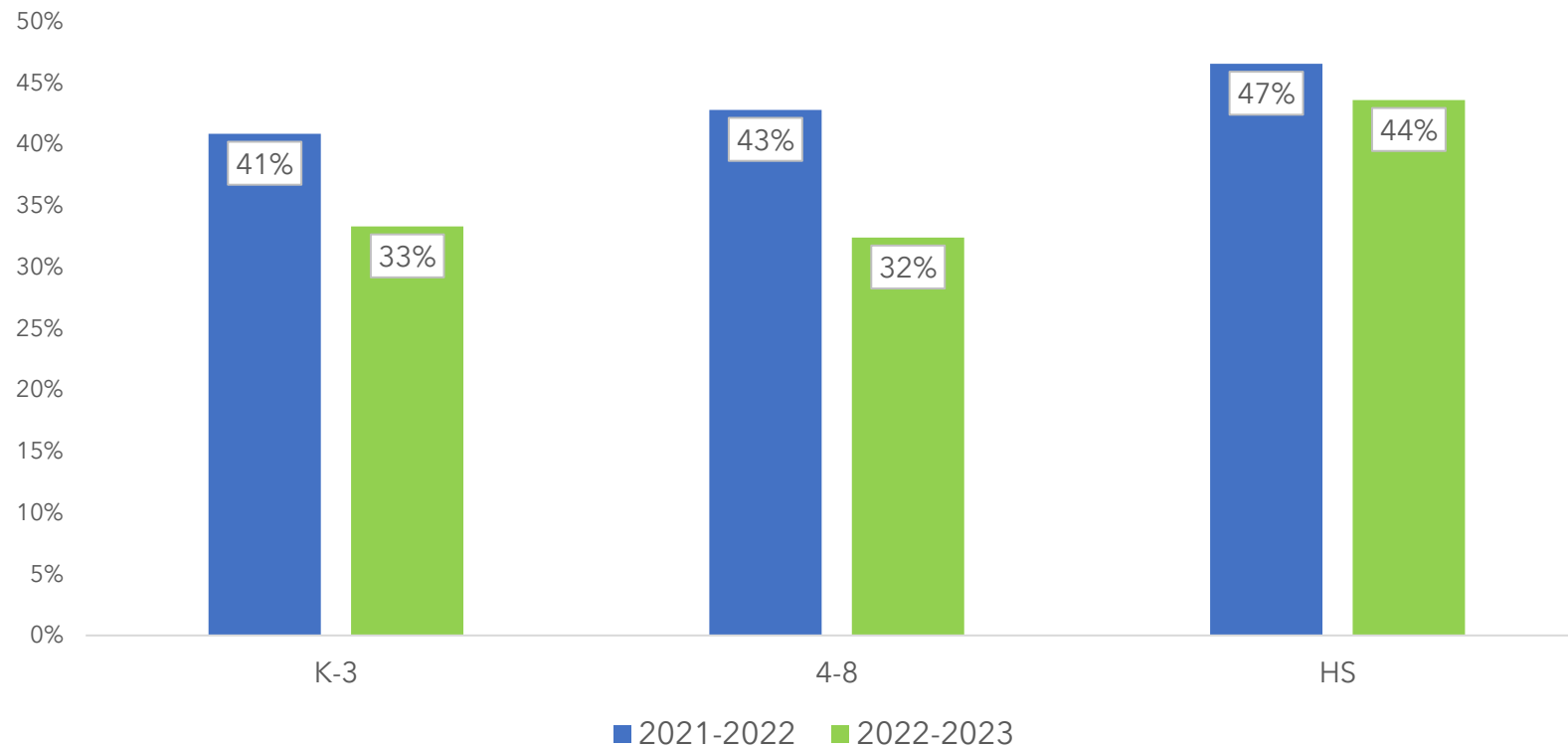


High School Class Sizes smaller than cap in 24 out of 32 School districts

— Class Size Cap (HS)



Last year, we found 38% of classes citywide were at or below new class size caps, compared to 42% last year. [DOE says 39%]



DOE likely will likely comply with 20% cap next year, but out years unclear without expanded capital plan & policy reforms

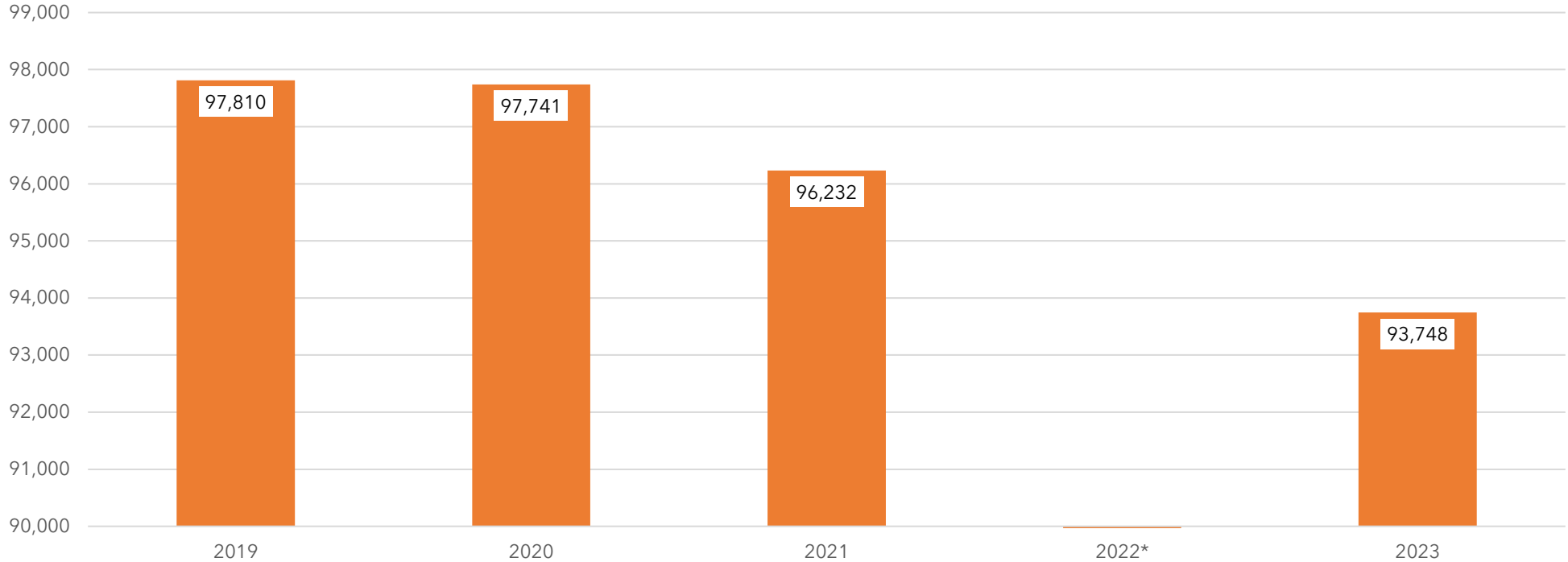
Additional budget needed for staffing/ hiring additional teachers

Creating more space in overcrowded districts by building more schools & possibly moving more 3K & PreK classes to CBOs

Cap enrollment at extremely overcrowded schools at lower levels

DOE has lost over 4,000 full-time K12 teaching positions since FY 2019

Data sources: DOE headcount reports
(U/A 401 gened, U/A 403 sped & U/A 481 categorical)

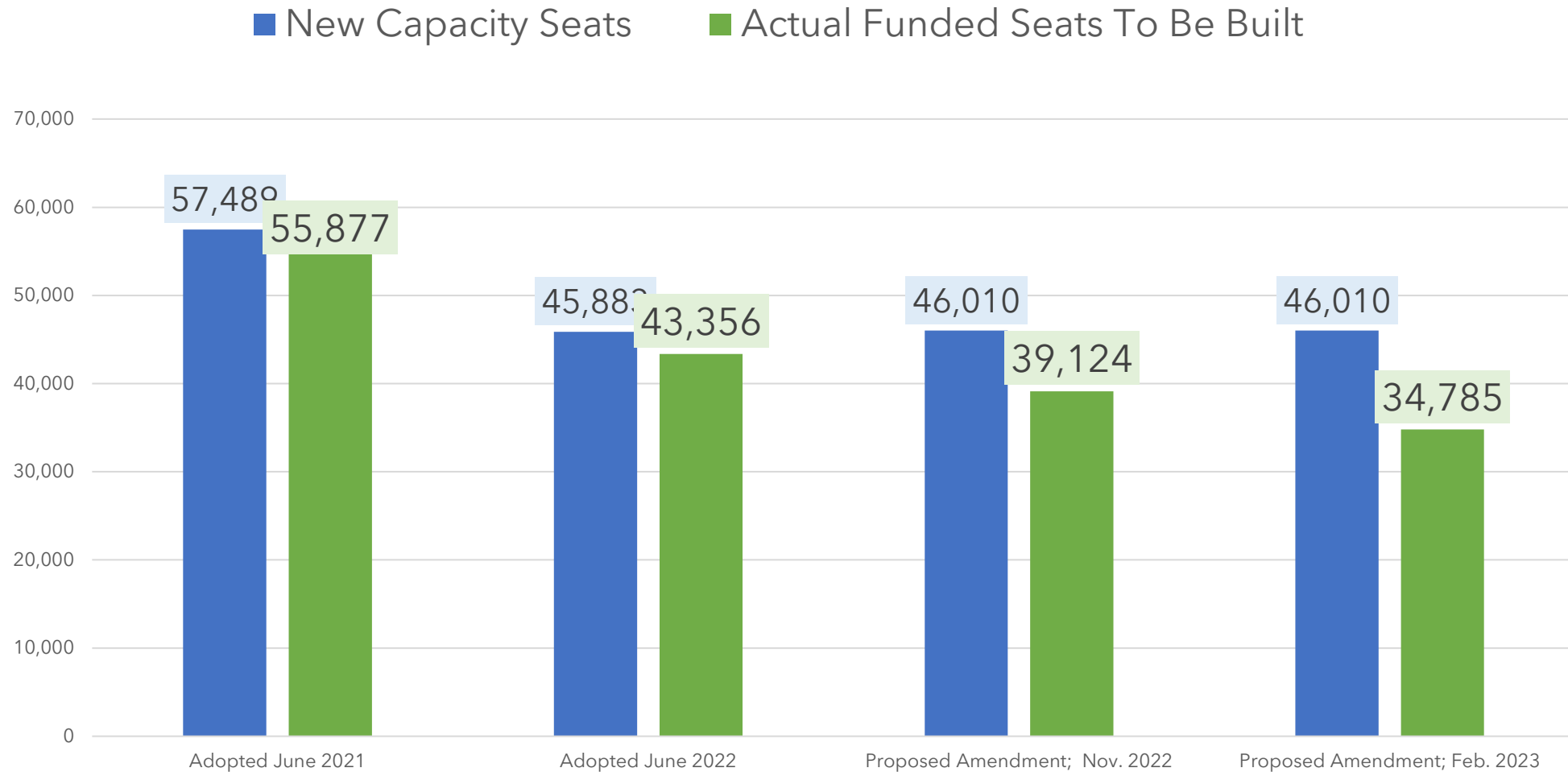


* -2022 Headcount report missing from NYC Council website as of February, 2023

Big concern:
capital plan
cut nearly
\$2.3B in new
capacity vs.
plan adopted
in 2021

- 347,000 (38%) of students citywide were enrolled in schools over 100%, according to latest available Blue Book (based on Oct. 2021 register).
- Yet amount to be spent on new capacity plunged from \$7.8B to \$6.3B in the June 2022 adopted plan
- More than 11,000 net seats cut (57,489 to 46,010)
- Capital plan adopted in June 2023 cuts another \$820M & puts 11,000 seats in 11 districts into “funded for design only” category.

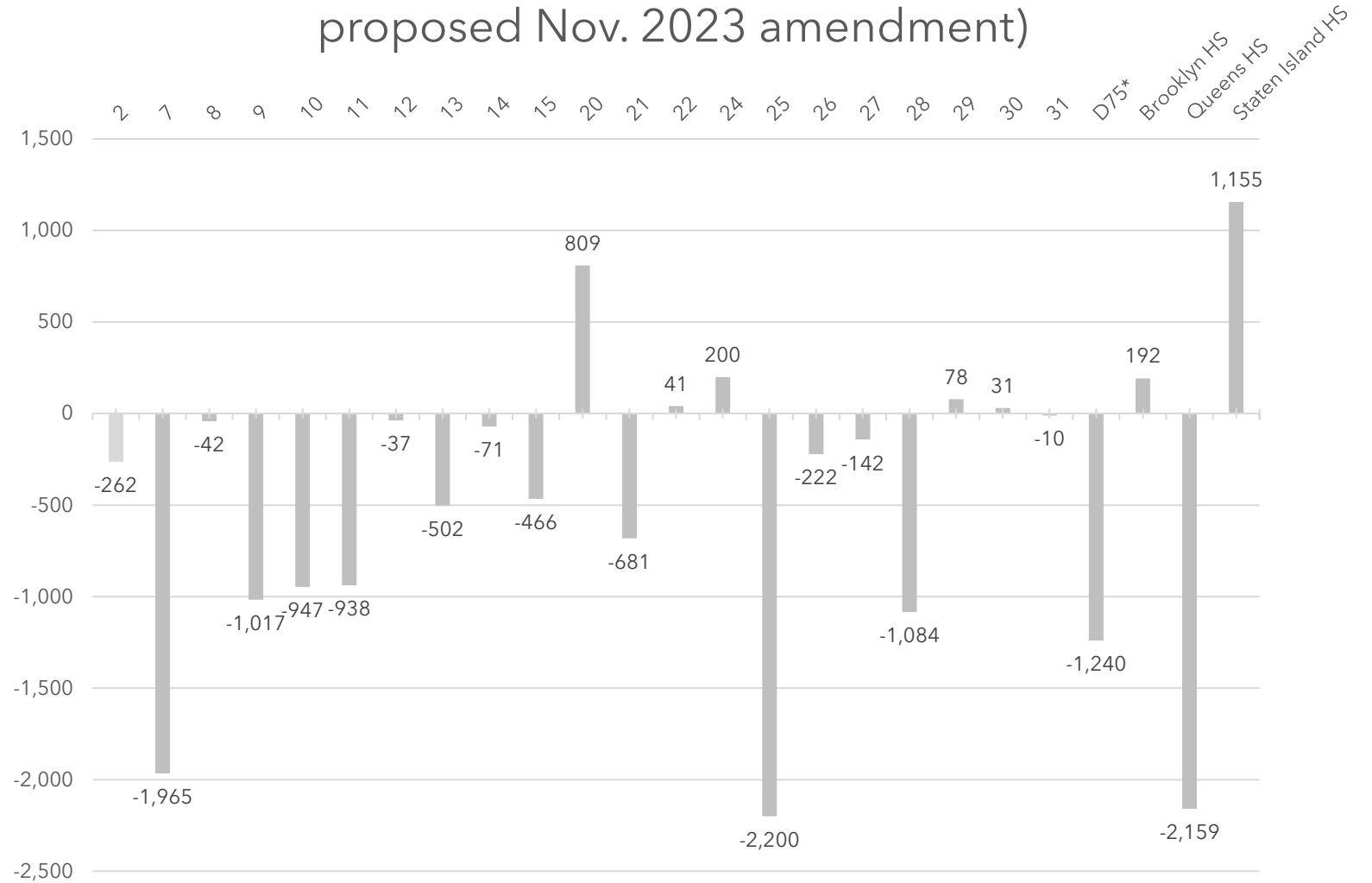
Since plan adopted in June 2021, funding for new capacity slashed by \$2.3 billion & actual funded seats to be built cut by over 21,000 (38%)



Source: New Capacity section of FY2020 - 2024 Capital Plan, including un-sited D75 seats

Net 11,000 seats cut in new proposed Feb. amendment compared to plan adopted in June 2021.

Capital Plan Seat Changes By School District
 (Five-year adopted plan June 2021 vs. proposed Nov. 2023 amendment)

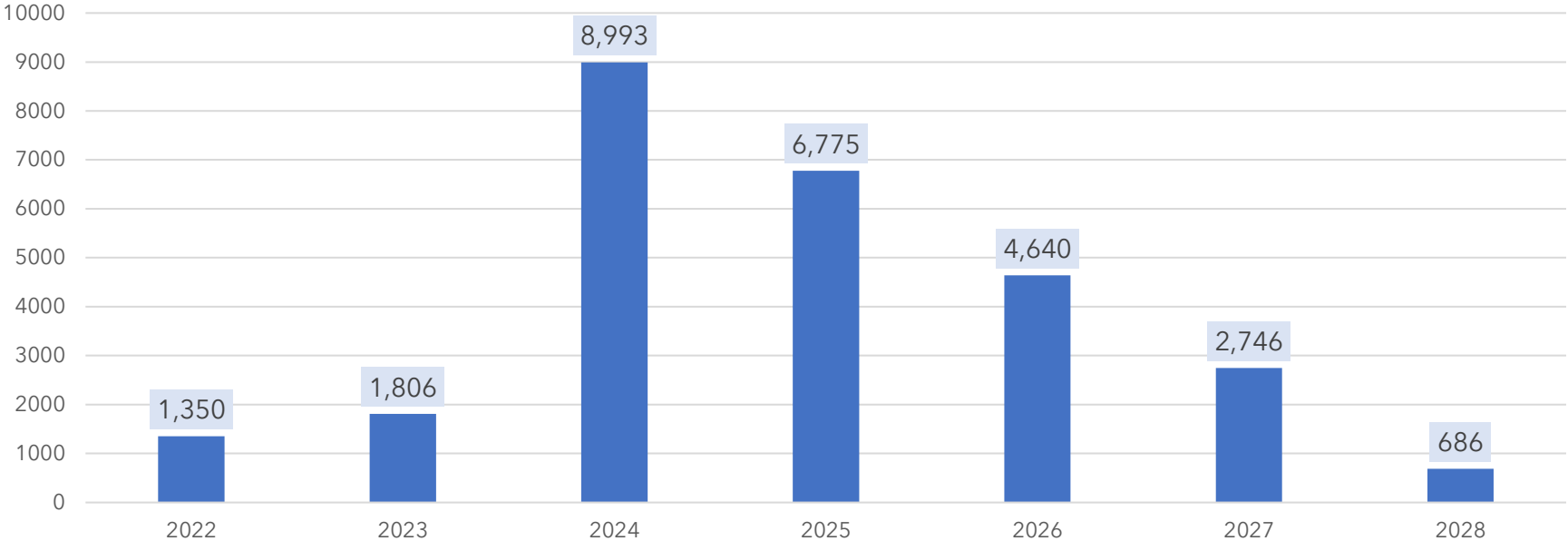


* - D75 field includes only un-sited District 75 Seats.

Cuts in capital plan despite SCA claims to cost \$30B-\$35B to create sufficient space to comply with law

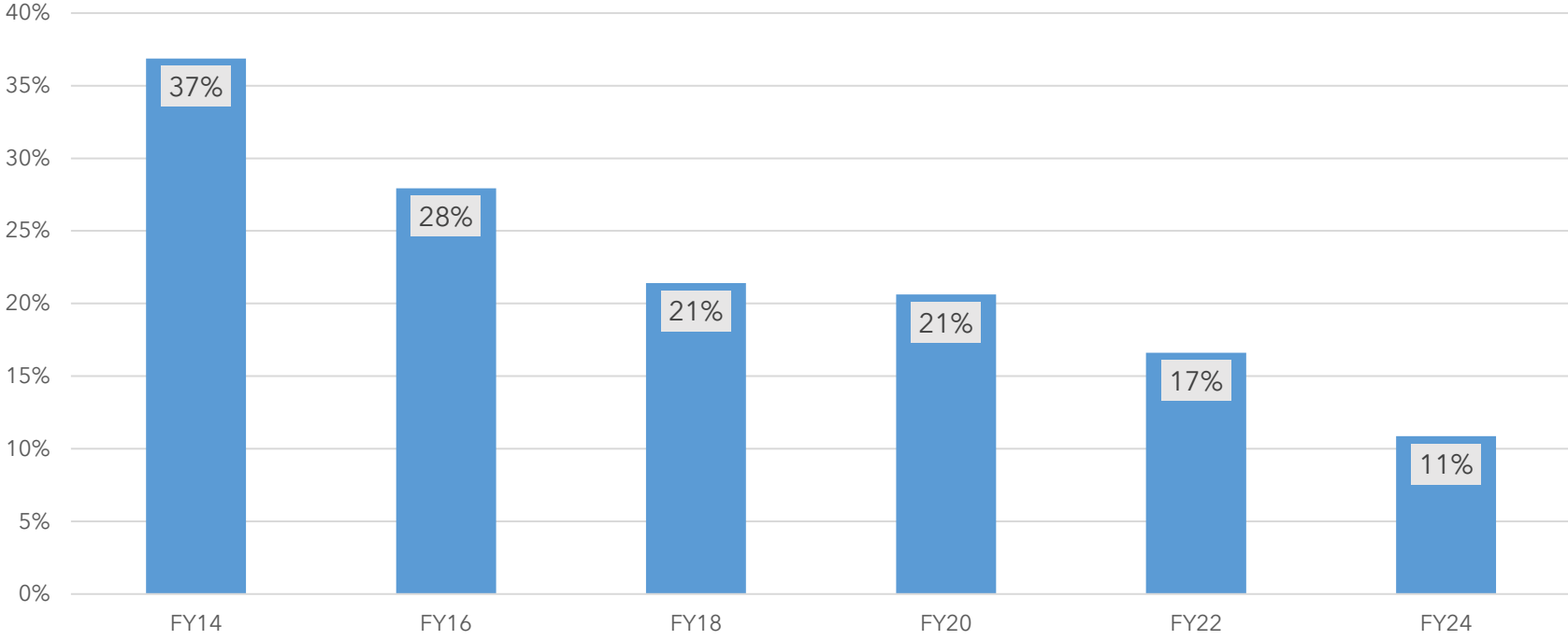
- This would allow for the construction of about 200,000 more seats.
- This figure likely inflated as it is the exact same DOE estimate for new seats proposed for 2019 City Council bill– which would require smaller classes of 14-21 students per class (depending on the size of the classroom) rather than 20-25 students per class, as in the state bill.
- At that time, the IBO estimated the number of seats required by this bill at half that number– or 100,000, based on 2019-2020 enrollment. To finance this, they said it would cost roughly \$1 billion a year over 30 years, with half of that covered by the state.
- Not only was City Council bill more ambitious in terms of class sizes, but enrollment has fallen since the 2019-2020 school year, alleviating overcrowding and thus likely requiring fewer additional seats to lower class size
- In any case, this new estimate starkly contradicts the SCA proposed Feb. amendment to the capital plan that would fund the creation of only 35,000 seats, while cutting more than 21,000 from the capital plan adopted in June 2021.

Number of new school seats to be completed will decline over the next five years (fall of 2022- fall of 2028)



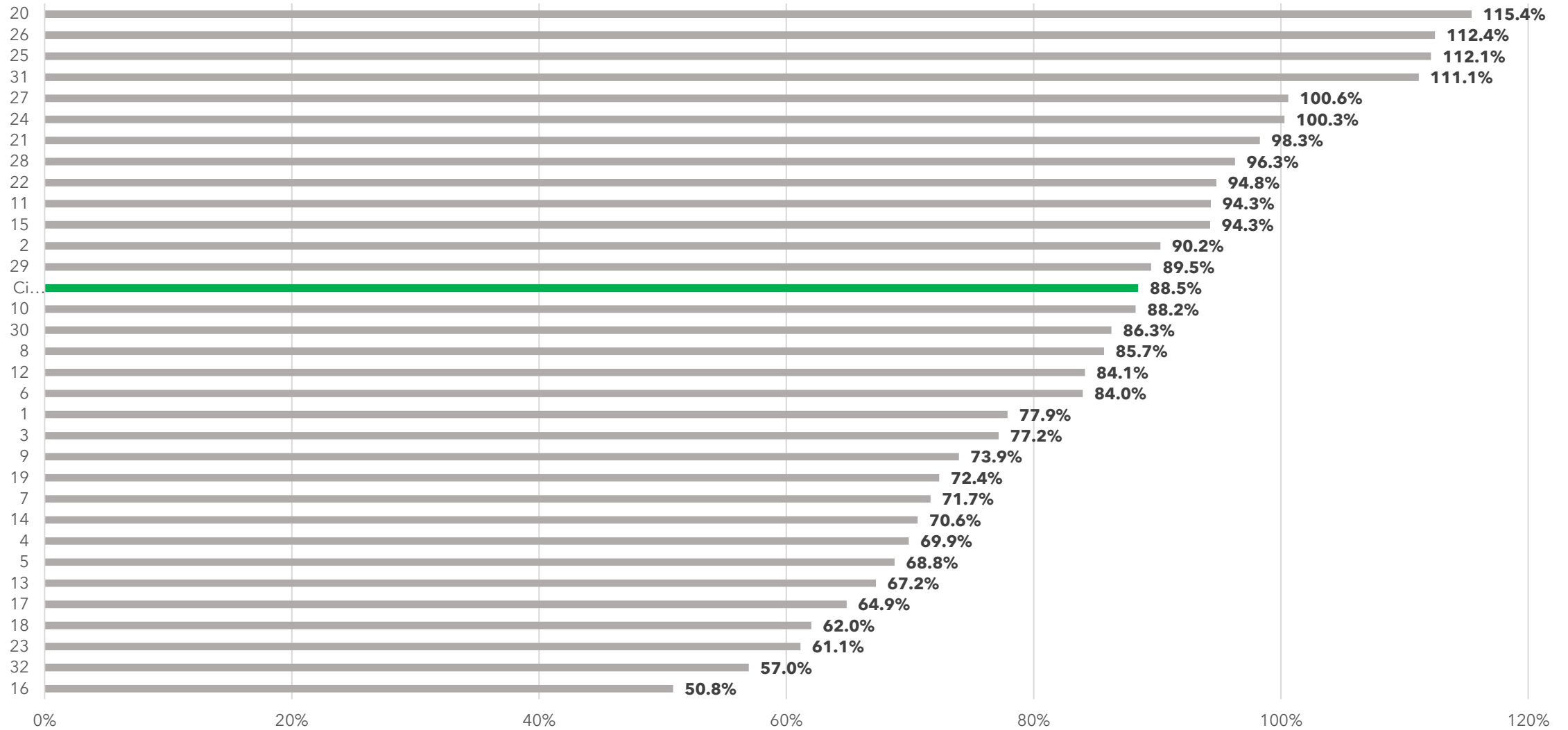
[Source: FY2020 - 2024 Capital Plan, List of Projects in Process](#)

Education Budget declining sharply as Percentage of NYC Ten-Year Capital Strategy Funding

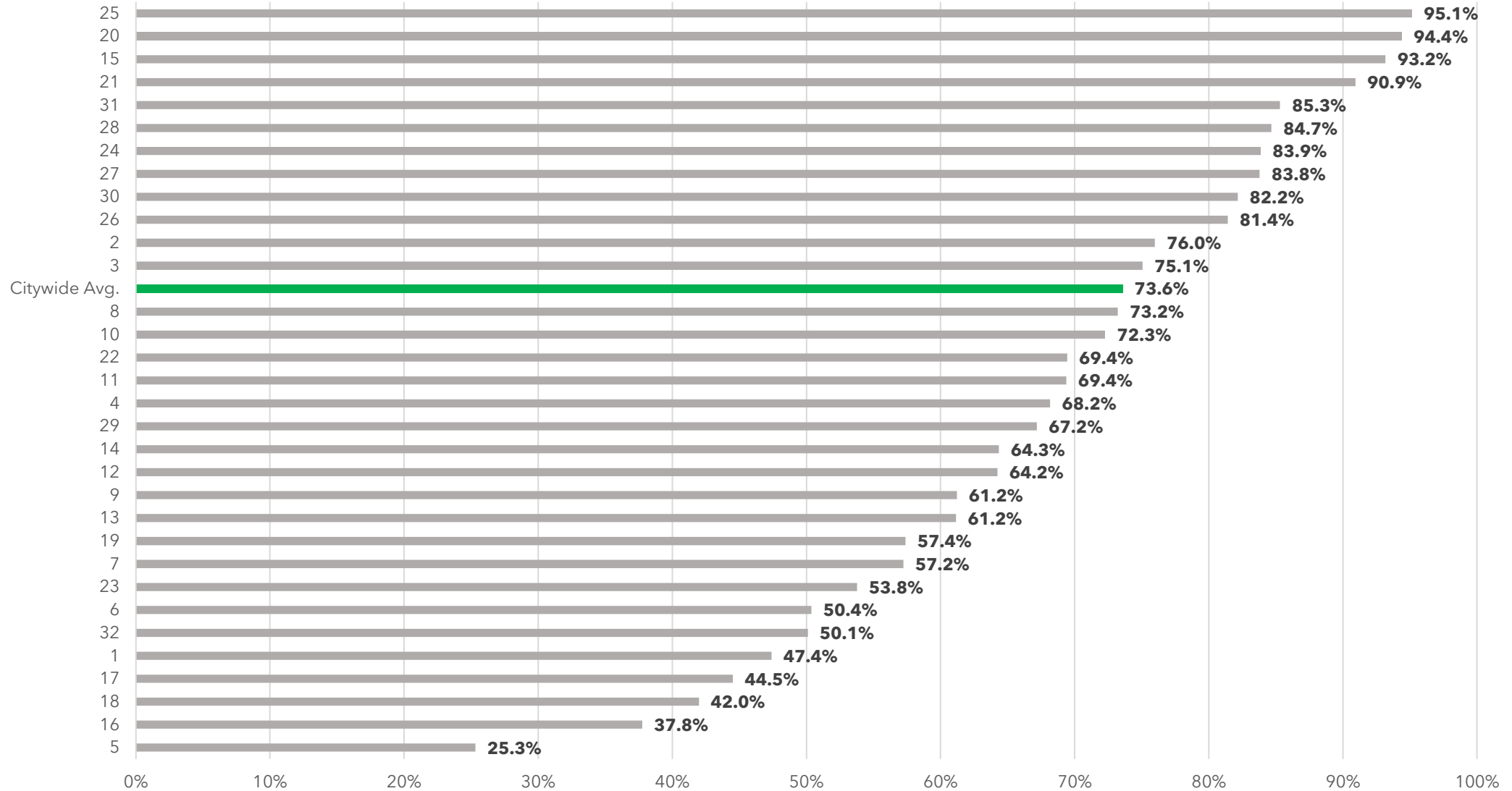


[Source: NYC OMB Executive Budget Ten Year Capital Strategy, 2003-2023](#)

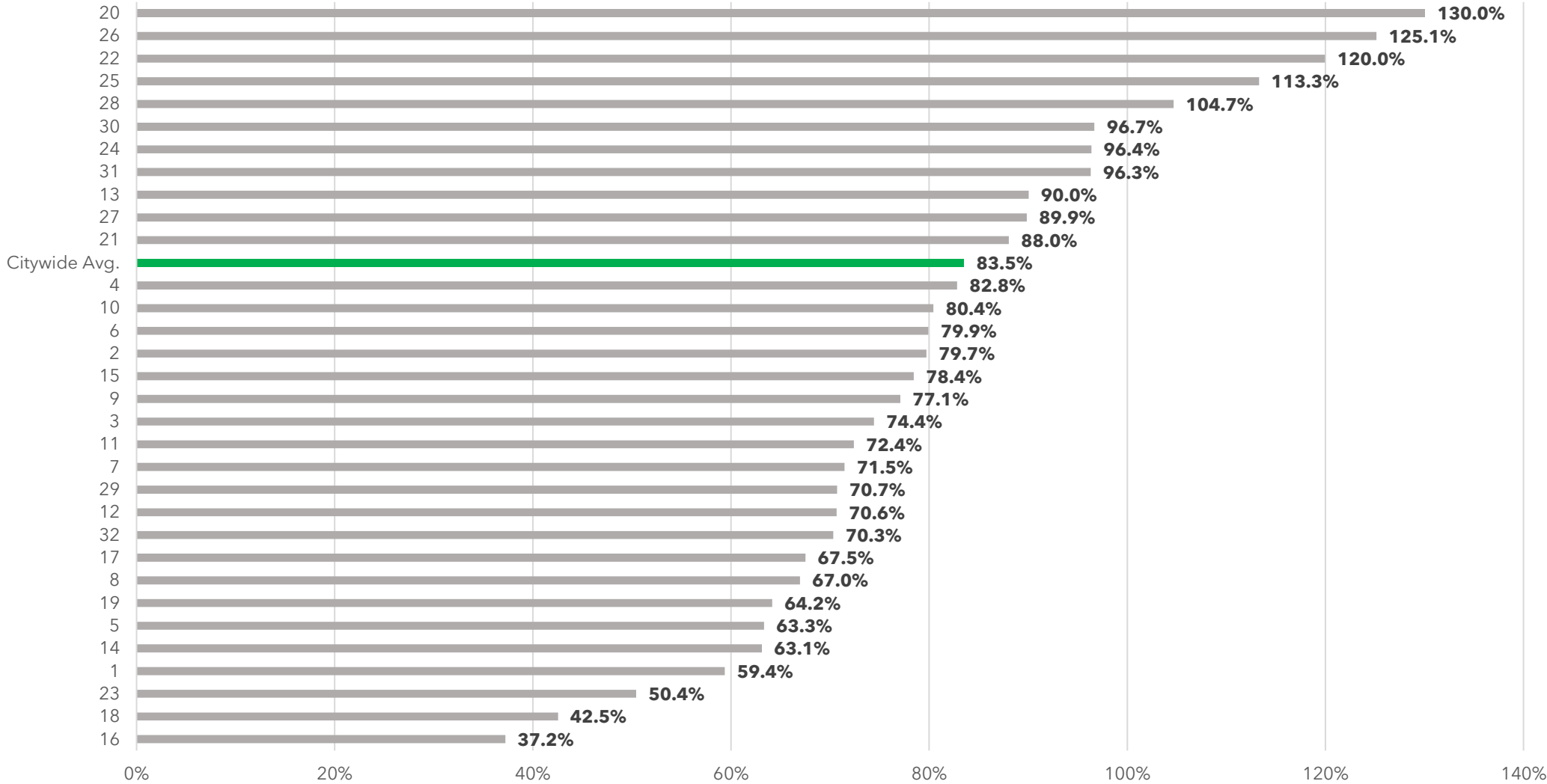
Average ES Utilization by School District (2021-2022)



Average MS Utilization by School District (2021-2022)



Average HS Utilization by School District (2021-2022)

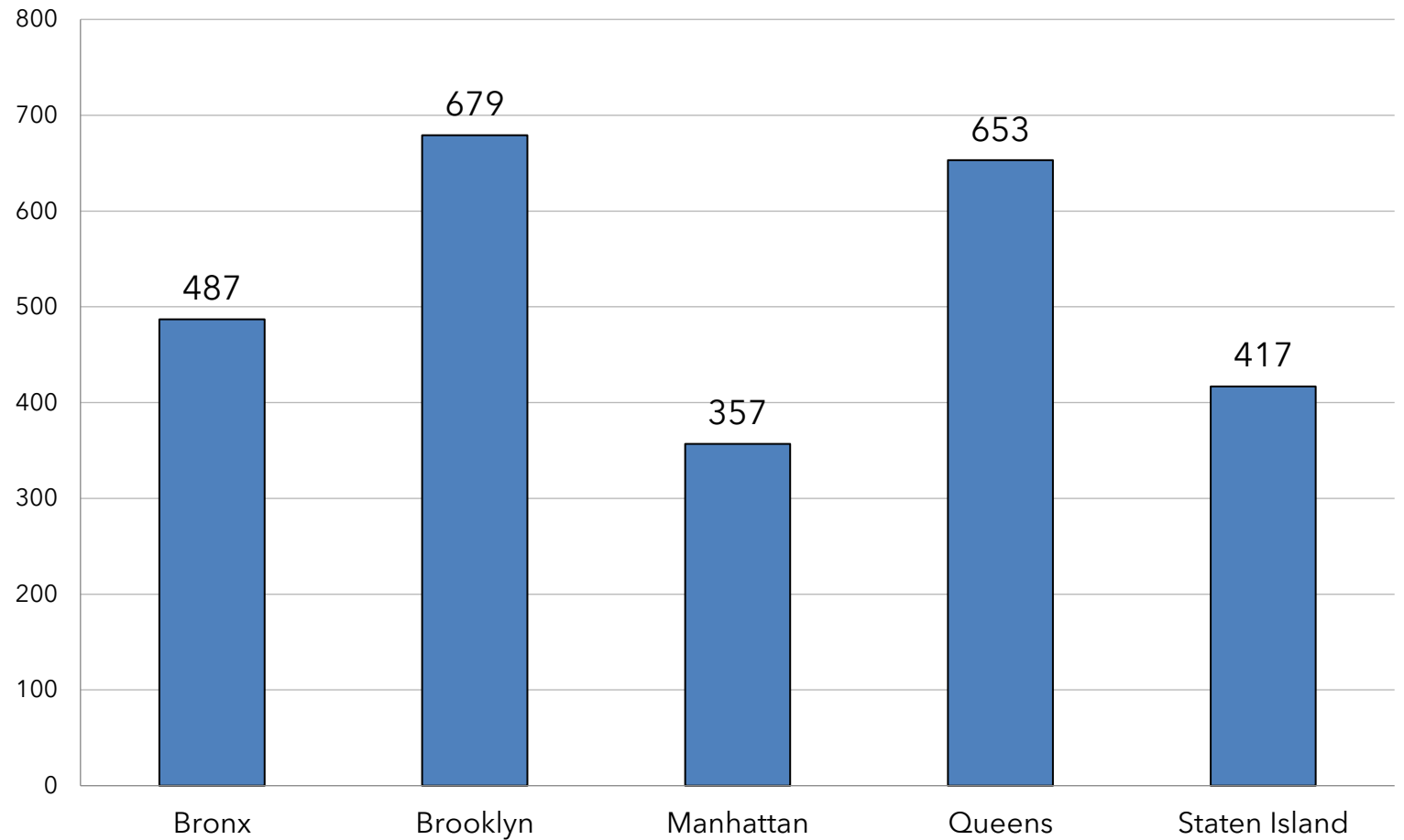


Cuts in capital plan not explained and class size not mentioned

- No mention in any of these plans of new state law or need to create more space for class size reduction to comply
- SCA changed school capacity formula in 2019-2020 Blue Book by adjusting room capacity limits down to smaller classes ---but at the same time, changed "efficiency ratio" in utilization formula that assumes how many periods a day a MS or HS classroom will be scheduled.
- Previously regular classrooms were expected to be in use 7 of 8 periods a day. Specialty rooms 5 of 8 periods a day.
- Now all MS and HS rooms expected to be scheduled 100% of time - difficult if not impossible to achieve.
- ***This single change artificially added 2593 seats to existing MS & 20,279 Seats to HS without building any additional space***

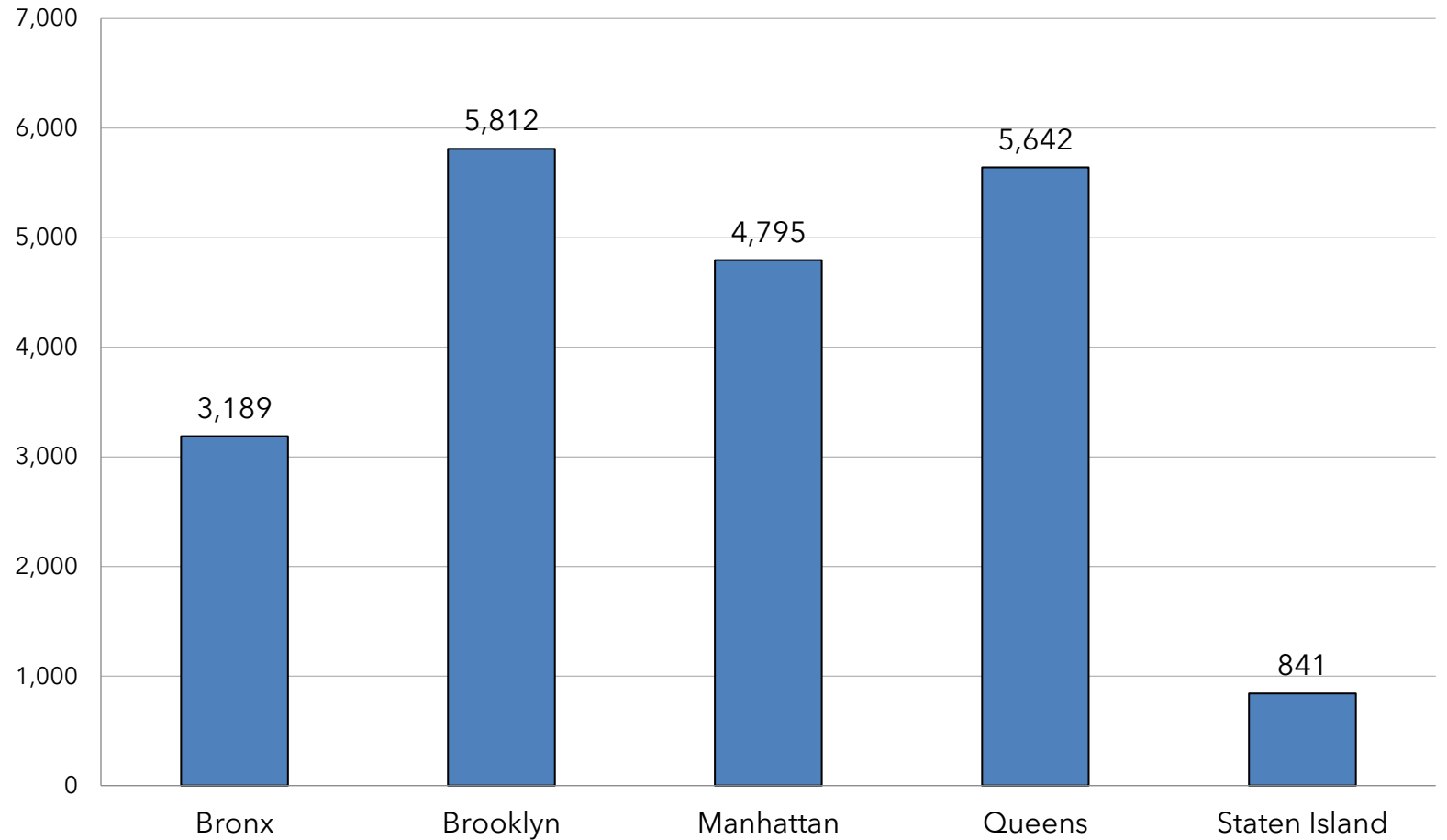
2,593 Seats
were added in
Middle Schools
due to the
revised
efficiency ratio

Seats Added in Middle Schools by borough
due to revised efficiency ratio

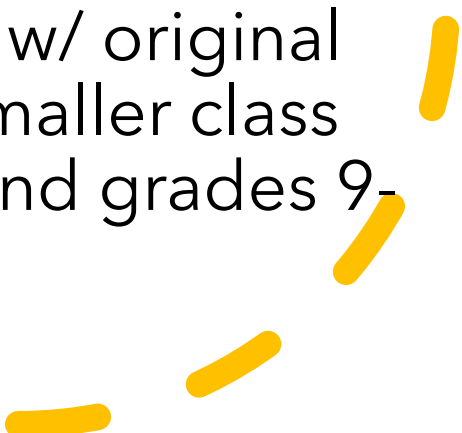


20,279 Seats
were added to
High Schools
due to the
Revised
Efficiency Ratio

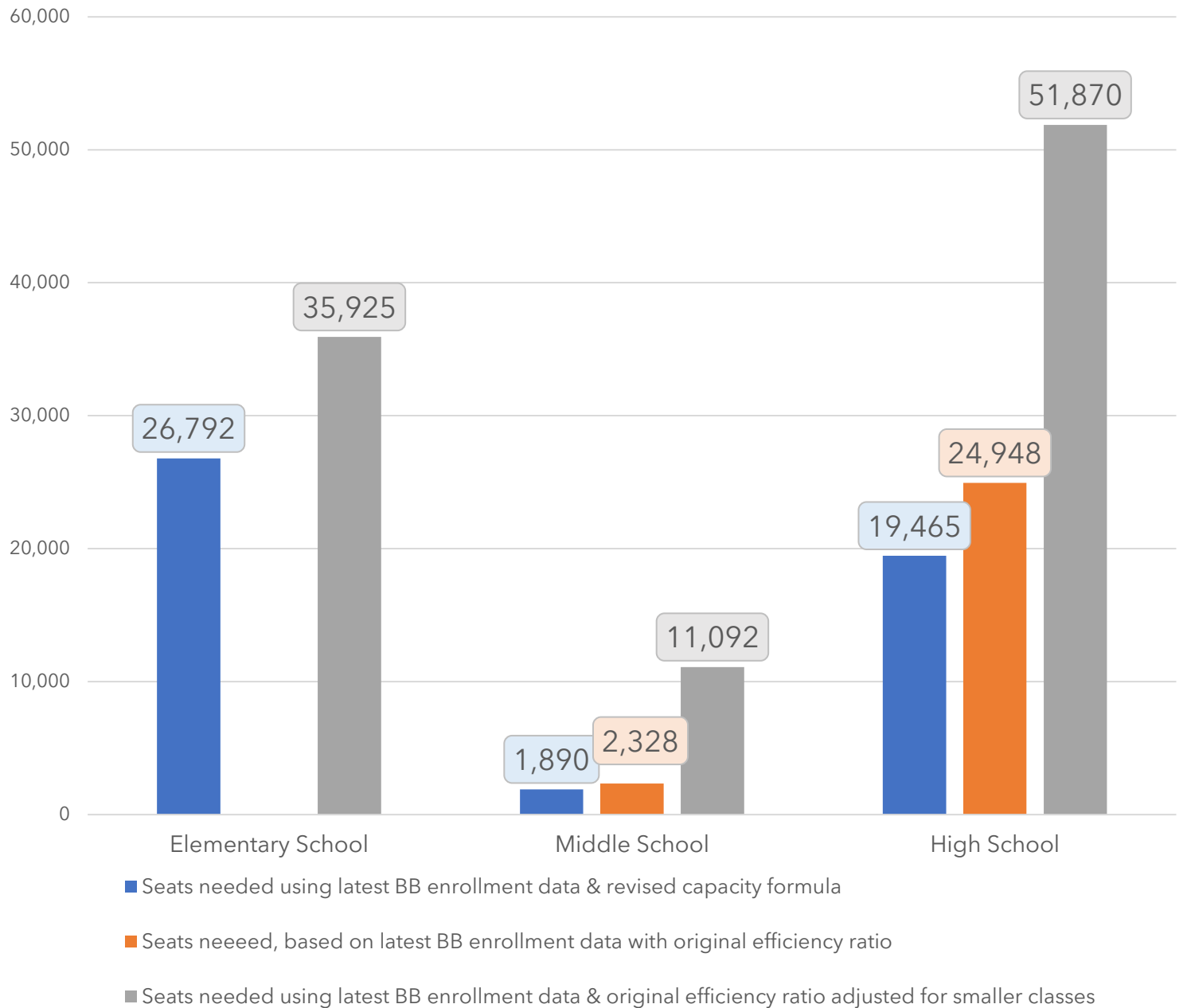
Seats Added to High Schools by borough due to Revised Efficiency Ratio



We
calculated
the need
for new
school
seats three
ways

- A: We used the latest capacity/enrollment data from the '21-'22 Blue Book.
 - B: Using '21-'22 enrollment data but MS/HS capacity with original efficiency ratio (classrooms scheduled 7/8 periods; specialty rooms 6/8 periods; efficiency ratio of ES unchanged) & original class size assumptions
 - C: With '21-'22 enrollment data w/ original efficiency ratio & adjusted for smaller class sizes in grades 4-8 (23 vs. 28); and grades 9-12 (25 vs. 30)
- 

Estimates of seat shortage in overutilized schools range from 48K -100K depending on which efficiency ratio & assumed class sizes



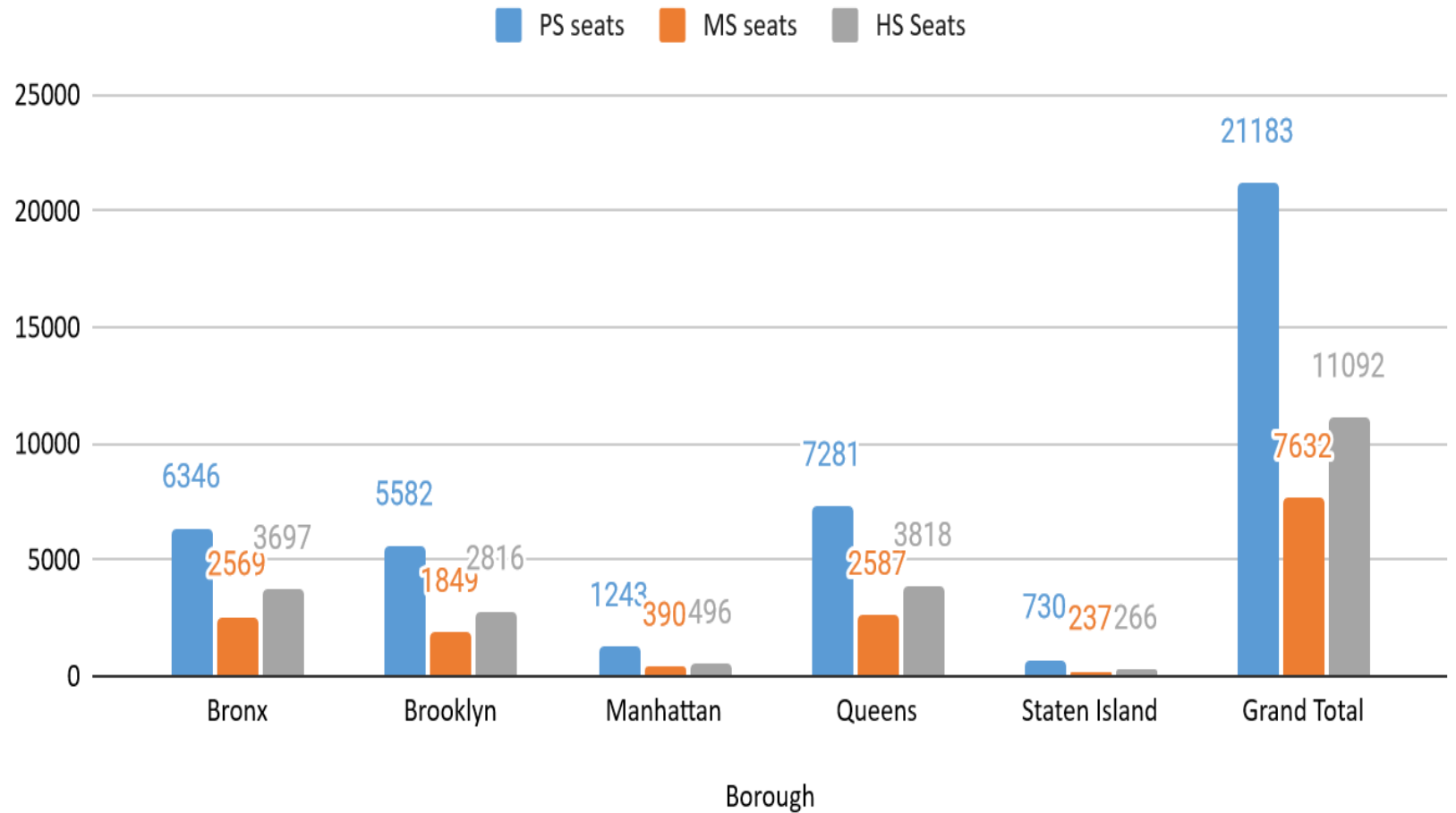
These
estimates
based on
2021-22
Blue Book
figures,
but...

- Blue Book capacity figures often incorrect as do not fully take into account need for specialized rooms, intervention rooms, & issues related to co-located schools
- Future enrollment trends difficult to predict especially as changes in in-migration and out migration rates uncertain
- More than 15,000 newly enrolled homeless students in 599 schools are currently receiving funds through [Project Open Arms](#)
- Even before migrant surge, census data showed significant increase in immigration to NYC
- Reducing class size could lure more parents into staying in city and/or sending their children to public schools vs. charters/privates as happened in CA
- DOE/SCA also looks at building starts which add to & redistribute student population across the city

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

(Housing start data 6/2020; multiplier based on 2010 census data)

Projected need: 40K additional school from Building Starts multiplied by public school ratio



Reforms also need to be considered to admissions/ zoning policies

SCA in general does not plan to build any schools where district or subdistrict AVERAGE utilization is under 100% except in rare occasions -Yet many schools in same district may be at 50% utilization or less while others over 150%

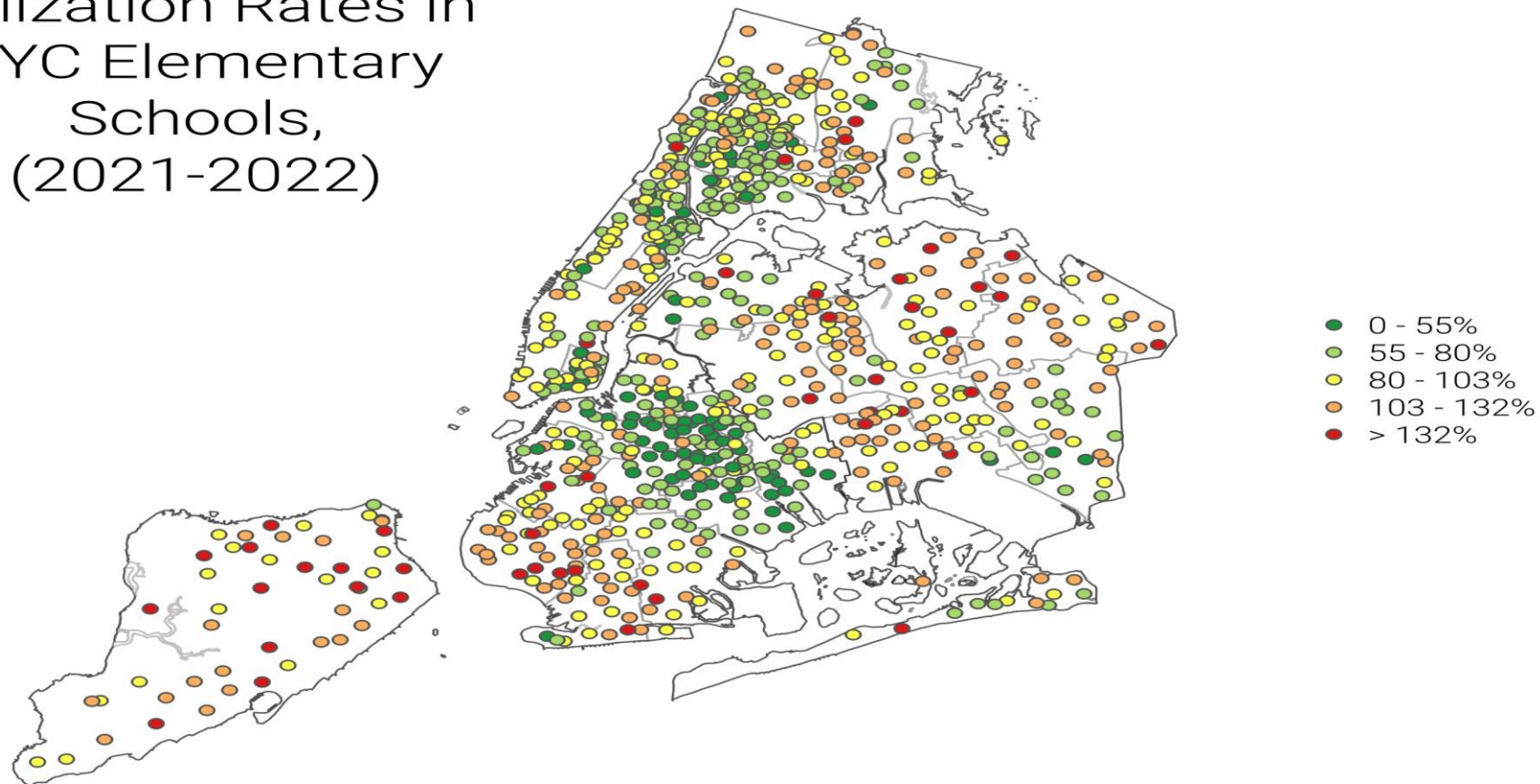
Accelerating rezoning of elementary schools and revamping MS & HS admissions to more equitably allocate enrollment across all schools would lower # new seats needed

This would also likely create more diversity across system as most overcrowded schools are those with the highest white/Asian populations, and those most underutilized tend to have highest Black/Hispanic population

More balanced enrollment across schools would also provide more sustainable budgets for underenrolled schools

We have interactive school overcrowding map at <https://tinyurl.com/NYCschoolovercrowdingmap>

Utilization Rates in
NYC Elementary
Schools,
(2021-2022)



Other steps DOE could take to create more space for smaller classes

- There are more than 34,000 empty 3K and preK seats in CBOs and DOE pre-K centers, according to data released last week
- Moving 3K and preK classes out of overcrowded elementary schools into neighborhood CBOs would benefit parents and children, since many CBOs have longer hours and higher quality ratings
- This would also create more space in elementary schools and provide CBOs with more sustainable budgets –over the short and long term
- Merging co-located schools and moving charter schools out of DOE buildings would also help in terms of funding and creating additional space for smaller classes.

SCA/DOE claims they're building sufficient seats but haven't provided evidence to support this

- [Local Law 167](#) (2018) requires DOE to provide transparent methodology and data on which seats needs estimates made by 2019. None of this has happened.
- Enrollment projections do not include 3K, D75, D79 or co-located charter school students, all of whom taking up increased space in our schools, and no sub-district trends are available.
- Seats listed under "seats needed" in capital plan STILL do not differentiate elementary vs MS needs; and IS vs HS seats; and housing start data is from 6/2020; with multiplier based on 2010 census data;



FAILED!

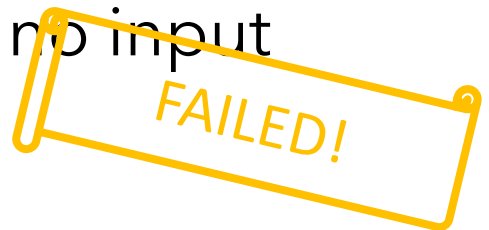
More issues with lack of compliance with Local Law 167

- Contrary to requirements in the law, no methodology is described, instead says SCA says they draw on various data sources including above, and then uses "*qualitative analysis*" and "*various strategies to address need.*"
- None of the underlying data or results posted has been updated since class size law passed in June 2022.
- <http://www.nycsca.org/community/capital-plan-reports-data> as of 7.4.23.

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 city-owned & privately-owned empty lots

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



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.

Issues with the DOE draft “plan”

- Not a single penny of additional \$500M in CFE/C4E funds to be allocated specifically for class size reduction or more staffing, though 4,000 K12 full-time teaching positions have been eliminated over last 5 years with another 800 or so to be eliminated according to new budget.
- More than 300K students crammed into overcrowded schools this year
- DOE claims will cost \$30B-\$35B to provide enough space but doesn't explain why they are cutting new capacity \$7.8B by \$2.3 B & 22,000 seats.
- Takes at least 5 years to site & build schools so this cannot be put off till next year or beyond unless we risk putting in hundreds more trailers.
- DOE “plan” includes no changes in zoning or enrollment to cap overcrowded schools at lower levels

Only one DOE promise for next year in its draft class size plan

- DOE draft plan contains NO proposed changes to policies or practices for next year except for one:
- ***Ensure that schools with classrooms that currently meet the class size mandate have appropriate funding to continue to maintain these class sizes in SY23-24.***
- Yet there is no information in the plan or otherwise on how the DOE is planning to ensure this, and we have already heard from some schools where classes made the class size caps in the law but will not make the caps next year.
- These schools appear to have received no special funding or support to prevent class sizes from further increasing.

Education budget for next year again claims NOT to cut school budgets, but is this true?

- DOE overall budget flat for next year despite \$500M in additional state foundation funds - the final tranche of 3-year phase-in of \$1.3B
- DOE claims no cuts to school **initial budgets** compared to this year's **initial budgets**, though mid-year adjustments (i.e. funding givebacks) may be required.
- ***In addition, 1/3 of schools will see cuts in Fair Student Funding - primary source of funding for teachers and other staffing.***
- ***Schools with higher percentages of students who are Black, Hispanic, have disabilities and in poverty are more likely to see FSF cuts.***
- Already we've heard of some schools forced to excess teachers; and according to [Council analysis](#), this budget will lead to the elimination of over 800 full-time teaching positions, many of them unfilled.

Next steps?

- Questions about presentation?
- Who should we invite to our next committee working group meeting July 13? SCA/ DOE space planning/ census bureau/ others?
- Should we provide list of questions to the speakers in advance to give them time to prepare & have less excuse if they come without answers?
- What else?