



Community Education Council for District 4

240 E 109 Street, Room 104, New York, NY 10029

Phone: 212-360- 4777 Email: cec4@schools.nyc.gov

**A President & IEP**

Rosa G. Diaz

1st Vice President

Evelis Galarza

2nd Vice President

Lacey Jordan

Recording Sec

Vacant

Treasurer

Johanna Dominguez

Council Members:

Jessica Baker

Jasmin Benitez

Rafael Lima – District 75 Rep

Niasia Nathaniel

Elizabeth Soto-Cardona - MBPA

District 4 Superintendent

Dr. Kristy De La Cruz

High School Student Representatives

Eliezer Talavera

Myah Restituyo

Resolution for CECD4 Urging DOE to Adopt the Proposals of the Class Size Working Group and to Comply with the New Class Size Law

Whereas, in 2003, the New York Court of Appeals determined that NYC public school class sizes were too large to provide students with their constitutional right to a sound basic education;

Whereas, following that decision, class sizes in NYC schools increased, and to this day, remain far larger than in the rest of the state;

Whereas, in June 2022, the NY Legislature overwhelmingly passed [Education Law 211-D](#) by a vote of 59-4 in the State Senate and 147-2 in the Assembly, requiring that NYC implement a five-year class size reduction plan beginning in the fall of 2022.

Whereas, on Sept. 8, 2022, Gov. Kathy Hochul signed the bill into law, based upon an amendment that the phase in would begin instead in Sept. 2023;

Whereas, the law calls for class size caps to be achieved over this period of no more than 20 students per class in grades K-3, no more than 23 students per class in grades 4th-8th, and no more than 25 students per class in high school, with physical education and performing art classes capped at forty students per class;

Whereas, instead of taking any steps to start lowering class size, average class sizes increased citywide this fall and in most districts, including in District 4; and in elementary and middle school grades this was the second year in a row of increases;

Whereas, the percentage of classes that complied with these caps in District 4 schools in both K-3 and 4th-8th grades;

In District 4 schools, the percentage drop was especially severe, falling from 76.5% classes that achieved the caps of twenty students or less to only 48.1%;

Whereas, since coming into office, Mayor Adams has repeatedly cut school budgets and plans to cut them even more next year;

Whereas, these budget cuts have occurred despite more than \$1.3 billion in additional annual state aid provided to NYC schools as a result of the settlement of the CFE decision;

Whereas, if enacted these cuts will likely lead to even sharper increases in class size next year;

Whereas, principals at overcrowded schools were also told that they cannot ask for their enrollments to be capped next year at levels that would enable them to lower class size;

Whereas, the Mayor has proposed more than \$2 billion also to be cut from the new proposed five-year capital plan for school construction, that would likely make it impossible for schools in the most overcrowded communities to lower class;

Whereas, the new proposed capital plan also fails to specify the locations of new schools as to district, subdistrict or even grade level for more than 70% of the seats funded, and instead says that this information will only be provided after school sites have been acquired and the design process has begun;

Whereas, this unprecedented lack of transparency would leave parents, Community Education Councils, Community Boards, and local officials in the dark and unable to provide input about where schools are needed and should be built;

Whereas, this change also appears to violate the class size law as well as [Education Law 2590-o](#), which requires the Chancellor to annually prepare an “*educational facilities master plan...including a list of prioritized projects to the extent ascertainable and [to] list each proposed new educational facility and set forth a justification, including demographic data, documenting the long term need therefor.*”

Whereas, given current trends, it is highly unlikely that the DOE will make the mandate in the class size law next year that 40% of classes in compliance with the new caps, and even less likely that they will achieve the mandates in years three to five;

Whereas, the Class Size Working Group has proposed a variety of actionable and effective policies that would enable the DOE to lower class sizes to the mandated levels starting next year and beyond, including changes in enrollment, budgeting, and the capital plan;

Be it resolved, that the Community Education Council in District 4 calls on the Mayor and the Chancellor to refrain from cutting school budgets or the capital plan, but instead to increase their funding;

Be it resolved, that the capital plan should specify where new schools are needed to create the space to lower class size, and should fully fund all those schools;

Be it resolved, that the Community Education Council in District 4 urges the Mayor and the Chancellor and adopt the Class Size Working Group’s proposals as soon as possible, to ensure that schools are able lower class size to the levels required by the law;

Therefore, be it resolved, that if the Mayor and the Chancellor fail to take these necessary steps, the Community Education Council in District 4, urges the State Education Department to require them to adopt a corrective class size reduction plan to do so.

Duly Adopted by Community Education Council 4 on **December 13th, 2023.**

by a vote of:

 9 YES 0 NO 0 ABSTAIN 0 ABSENT