

FAQ on the NY Class Size Law & why the NYC Department of Education Needs to Start Planning Now!

On June 2, 2022, the NY State Legislature passed a bill to by a vote of 59-4 in the Senate and 147-2 in the Assembly that required NYC schools to implement a five-year class size reduction plan beginning in the fall of 2022. On Sept. 8, 2022, Gov. Kathy Hochul signed the [bill into law](#), based upon an agreement that the five-year phase-in period should begin in fall of 2023 instead. This bill is now known as Chapter 556 of the Laws of 2022.

What are the class size benchmarks that the DOE must meet? The law calls for the phase-in over five years 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, except for physical education and physical education and performing groups such as orchestra and band, which will be capped at forty students per class.

Each year starting in September 2023, 20 percent of all public school classes must achieve these caps, with an additional 20 percent of classes added each year, until the smaller class sizes are achieved citywide by the end of the 2027-2028 school year. The city must prioritize schools with high levels of poverty to implement these caps first.

Are there enough quality teachers to staff class size reduction? Roughly 4,000 – 4,500 NYC teachers resign or retire every year, and many cite excessive class sizes as a reason. Class size reduction has been shown to lessen teacher turnover, meaning that smaller classes are likely to lead to a more experienced, effective teaching force over time. [The report](#) from the Class Size Working Group has other suggestions on how the teacher pipeline can be strengthened, particularly in shortage areas.

Yet DOE has shrunk the overall full-time K12 teaching force by about 4,000 between FY 2019 and FY 2022, and projects the loss of another 3,000 teachers between FY 2024 and FY 2026. It is important for this planned shrinkage to be reversed as soon as possible to ensure there are sufficient teachers to staff smaller classes.

In addition, the DOE should create a separate budget allocation so that schools can hire sufficient teachers to meet the benchmarks in the law. This is how 3K and PreK classes in public schools are funded, outside the Fair Student Funding formula, to ensure that they meet their legal caps of 15-18 students.

What about the need for more space? While an expanded and accelerated capital plan is needed to provide enough space to lower class size in the most overcrowded districts, DOE and SCA has cut new capacity by \$2 billion since the law was passed. The CSWG report has many practical, actionable recommendations to ensure that the process of identifying school sites and the expansion and construction of new schools can be accelerated – but the process starts now.

If enrollment were capped at lower levels at the most overcrowded schools, it would be easier to meet the benchmarks in the law. Too many schools are over 150% capacity and others are severely under-capacity, sometimes sitting close by.

How can you help? The Class Size Working Group (CSWG), appointed by the Chancellor to make recommendations on the city's class size plan, released [a report](#) in December 2023 with many actionable and cost-effective proposals. Please reach out to your Community Education Council and Community Board and ask them to pass a resolution urging the DOE to lower class size and adopt the proposals of the Class Size Working group.

Class Size Working Group report <http://tinyurl.com/CSRWreport>
Resolution urging the DOE to adopt the CSRW proposals tinyurl.com/reclasses
Questions: email info@classsizematters.org

Myths and Facts Regarding Class Size Reduction

Myth: Smaller classes only benefit students in the early grades

Fact: Though [studies](#) demonstrate that students assigned to smaller classes in grades K-3 do better in every measurable way, there are also [many controlled studies](#) that point to significant benefits of smaller classes to students in the middle and upper grades as well. One [authoritative analysis](#) looked at student achievement in 2,561 schools, as measured by their performance on the NAEP (national) exams. **It found that class size correlated with higher scores, and the effect was even stronger in the upper grades.**

Myth: Reducing class size in NYC schools is too expensive

Fact: The [latest estimate](#) from the Independent Budget Office show that the costs of lowering class size will be \$214 million in 2026 and \$427 million in 2027, respectively, to cover salaries for additional teachers over the first two years of the three-year phase-in period. This is relatively low considering the entire DOE budget is more than \$37 billion.

Moreover, NYS has provided more than \$1.3 billion in additional annual support to NYC schools over the last three years as a result of settlement of the Campaign for Fiscal Equity lawsuit, in which excessive class sizes were the central issue in the case, causing the State's highest court to conclude that NYC students were denied their right to a sound basic education because their class sizes were too large.

Finally, many economists have found that the [benefits of smaller classes outweigh the costs](#). Alan Krueger, the former chief economist of the Council of Economic Advisers, [estimated](#) that *"the benefits of reducing class size are estimated to be around twice the cost."*¹ His calculations did not factor in potential savings in academic remediation and special education services, the costs of which would be expected to decrease if class sizes are lowered and instead are increasing rapidly in NYC schools .

Myth: The DOE was not provided with enough time to cap class sizes at lower levels

Fact: The new law was passed in June 2022 with a deadline of five years, starting in the fall of 2022, to achieve full implementation. When Governor Hochul signed the law in September, 2022 it was with the agreement that the phase-in would begin in the fall of 2023 instead. Thus DOE has six years to cap core instructional classes at lower levels. Moreover, because of enrollment decline, in the fall of 2023, [nearly 40% of core academic classes](#) have already met the mandated caps. ***But there is no time to waste, so the efforts in terms of building new schools and hiring additional teachers need to begin now.***

Myth: Reducing class size will interfere with schools offering AP and other advanced courses.

Fact: There is no reason advanced courses like AP cannot still be offered when class sizes are reduced. Instead, the quality of these courses and student outcomes would likely be substantially improved with smaller classes.

Myth: Lowering class size will cause teacher quality to suffer

Fact: In California, when class sizes were reduced, [researchers found](#) "little or no support for the hypotheses that the need to hire large numbers of teachers following the adoption of CSR [class-size reduction] led to a lasting reduction in the quality of instruction... Overall, the findings suggest that CSR increased achievement in the early grades for all demographic groups..." An analysis [of New York state schools](#) revealed that when class sizes were lowered, teacher turnover rates fell, showing that reducing class size will likely lead over time to a more experienced and effective teaching force, especially at our highest need schools.

Myth: Reducing class size is inequitable because the more advantaged schools already have small enough classes

Fact: Lowering class size is one of very few reforms that is naturally highly equitable, as the benefits from smaller classes are about twice as large for students of color and those from low-income families. This is why [class size reduction has been found to significantly narrow](#) the achievement and opportunity gap.
