



Class Size Matters
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FAQ on the NY Class Size Law

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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, requiring that 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, and giving DOE an extra planning year. This bill is now technically 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 in all classes, except for physical education and physical education and performing art groups such as orchestra and band, capped at forty students instead. For academic classes these are the same class sizes in NYC's original Contract for Excellence plan that was approved by the NY State Education Department in 2007, yet as class size limits rather than averages and never implemented by the Department of Education.

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's plan must prioritize schools with high levels of poverty to implement these caps first. There are also provisions in the law for schools being exempted from the law, if agreed to by the UFT and the CSA.

What are the accountability and enforcement mechanisms?

The city must submit to the State Education Department annual class size plans by July of each year, and annual reports by Nov. 15 of each year to show how much funding is being spent on staffing and additional space, and how many classes have met the benchmarks in the law.

If the DOE does not meet the annual benchmarks, the State Education Department may order DOE to develop a corrective action plan to ensure that they meet the goals in the following year, signed off by UFT and the CSA, and certified by the NYC Comptroller as allocating sufficient funding to achieve the plan's goals. If the city does not adhere to the correction plan, the state can hold back all or a portion of the state Foundation Aid to schools.

Are there enough teachers to staff class size reduction?

The DOE estimates the need for an additional 10,000 to 12,000 teachers to comply with the law. And yet the city's Financial plan projects a continuing contraction of full-time teachers by nearly 900 this school year, and 2,708 over the next two years.

For the 2024-2025 school year, an additional \$137 million for class size reduction was allocated to schools to hire more teachers. However, this amount would pay for only about 1,300 teachers, a small fraction of the number required. Moreover, the funding was spread so thinly over 1,057 schools that nearly 500 schools would receive less than \$100,000 – not enough to hire even one additional teacher. Worse yet, more than 100 schools receiving class size funds also experienced concurrent cuts to their Fair Student Funding greater than the funding they received to lower class size. As a result, many schools are reporting class size increases this year.

In the long run, if implemented correctly, class size reduction may help in recruiting quality teachers and even more critically reducing teacher attrition, which currently causes the DOE to lose 4,000 to 5,000 teachers each year, many of them to teach in the suburbs or private schools where class sizes are smaller. Thus lowering class size may lead to a more experienced, effective teaching force over time. For more on this, see our [Myths vs. Facts sheet](#).

What needs to happen now?

The Class Size Working Group, appointed by the Chancellor to make recommendations on the city's class size plan, released [their report](#) in December 2023. It contained many actionable and cost-effective proposals, and yet the DOE has refused to adopt nearly any of these proposals.

In reality, DOE planning should have begun as soon as the law was passed in June 2022. Yet instead of developing a realistic multi-year plan to ramp up teacher hiring and create more school space, schools have suffered repeated budget cuts, leading to average class size increases for the last two years.

The School Construction Authority also cut new school construction in the capital plan by \$2.5 billion after the class size law was passed. And though in August 2024, \$2 billion was added to new capacity in the new five-year capital plan, the earlier cuts mean that a sharply declining number of new school seats will be created over the next four years, just when more seats will be required .

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 vastly overcrowded, while other schools sitting close are under-capacity. However, DOE has forbidden any principal from asking to cap their enrollment at lower levels to comply with the law.

While it is possible that the DOE will meet the 40% benchmark this year, it is extremely unlikely that it will meet the 60-100% goals in future years without radical changes in funding and planning. We will continue to urge the DOE to make those changes, and the State Education Department to require them to do so if they do not.

How can you help?

You should [subscribe](#) to the Class Size Matters newsletter at to be alerted to new developments and how you can help. Any questions, please email us at info@classsizematters.org Thanks!

See [here for more resources](#), including links to relevant DOE, SED and CSM documents pertaining to class size and the law's implementation so far.