

Resolution No. 2

Community Education Council 25



Resolution to Require DOE to move 3K and PreKs move to Community Based Organizations “CBOs”

Sponsor: Robert R. Wieczorek II, CFA

Co-Sponsors: Catherine St. Pierre
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APPROVED AND ADOPTED at the **June 3, 2025** Calendar Meeting/Business Meeting

Vote: **7 Yes No 0 Abstain 0**

WHEREAS, On June 2, 2022, the New York 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.

WHEREAS, 3K and PreK classes do not exceed 18 students in each class

WHEREAS, Kindergarten to 3rd grade: No more than 20 students per class.

WHEREAS, 4th to 8th grade: No more than 23 students per class.

WHEREAS, High school (9th to 12th grade): No more than 25 students per class

WHEREAS, Certain New York City “NYC” Department of Education “DOE” buildings may be constrained in the availability of classrooms to comply with the reduced class size law.

WHEREAS, According to DOE, there are 495 schools that currently do not have enough space to lower class size to the limits in the law, and 30 of them are in District 25;¹

WHEREAS, Thirteen of these D25 schools are elementary schools that currently do not have enough classroom space to meet the class size caps, but have PreK and/or 3K classes;

¹See DOE class size space analysis, <https://infohub.nyced.org/docs/default-source/default-document>

library/2024-2025-class-size-space-analysis-publish.pdf

WHEREAS, New York City Early Education Community Based Organization (CBOs) are independent, community-based organizations that partner with the New York City Public Schools (NYCPS) to provide free, full-day, high quality early childhood education. CBOs are run by non-profits, community-based organizations, nursery schools, day care centers, private-pay programs or faith-based organizations.

As Pre-K and 3-K providers, CBOs are held to same expectations as District Schools and CBO teachers receive the same [professional development and support from the Division of Early Childhood as NYCPS teachers](#) .

As described: <https://teachnyc.zendesk.com/hc/en-us/articles/360043994372-What-are-New-York-City-Early-Education-Community-Based-Organizations-CBOs>

WHEREAS, According to the two evaluation systems used by DOE to evaluate PreK quality, in one of these systems PreKs located in CBOs rate equal in quality, and in the other, CBOs rate better, because they are able to provide more appropriate space and furnishings for young children, personal care routines, social interaction, and classroom activities. ²

WHEREAS, Many school districts across the country now recognize that it is better for small children to have a learning environment specifically designed for their needs, and are investing in separate facilities because they recognize the advantages of having a small scale setting that can provide a more personalized, intimate, and play-based environment. ³

WHEREAS, PreK and 3K programs in CBOs are also better able to offer extended day and extended year programming, which is very valuable to working parents;

WHEREAS, There are Community Based Organizations “CBOs” that would like to offer a 3K or PreK for all programs funded by the DOE

WHEREAS, There are thousands of empty PreK and 3K seats in CBOs citywide, and yet DOE is threatening to close any CBO PreK program that does not fill 95% of their seats;⁴

WHEREAS, Many CBOs are already struggling financially and find it difficult to cover the costs of their staff because of they are under enrolled, as they are reimbursed by DOE per student rather than per class;

WHEREAS, If CBO programs are closed, this would likely lead to even more overcrowding in elementary schools;

² Bruce Fuller, et.al., Equity and Institutions: Distributing Preschool Quality in New York City, 2020 at https://gse.berkeley.edu/sites/default/files/nyc_pre-k_study_-_july_2020_update.pdf

³Fast Company, Feb. 18, 2025, Why some school districts are spending big on schools tailor-made for 4-year-olds, <https://www.fastcompany.com/91278644/why-school-districts-are-investing-in-pre-k>

⁴See Class Size Matters Testimony for Oversight Hearings on Early Child Care Center Closures, March 2025,

<https://classsizematters.org/why-doe-should-be-moving-more-prek-classes-to-cbos-to-provide-critical-benefits-to-students-and-the-city-as-a-whole/>

WHEREAS, For the 2023-24 school year District 25 has 2,018 3k students and 2,651 PreK students enrolled. Of these 4,669 students, 3,375 or 72% are currently in community based organizations funded by the DOE

WHEREAS, District 25 is committed to the wellness and holistic development of all students; and

WHEREAS, relocating 3-K and Pre-K programs to Community-Based Organizations (CBOs) would free up valuable classroom space in elementary schools throughout the district; and

WHEREAS, this additional space could be repurposed to comply with the class size laws or preserve and expand essential enrichment programs—such as art, music, dance, science, libraries, and calming corners—that support students’ social-emotional growth, creativity, and academic achievement as needed by each school community;

WHEREAS, Based on the maximum 3K/PreK of 18 students we estimate that the potential additional classrooms in district 25 could be a **total of 57 classrooms** without considering PS 242, PS 409 and PS 499.

WHEREAS, Moving PreK and 3K classes out of overcrowded elementary schools into nearby underenrolled CBOs was one of many recommendations of the Chancellor’s Class Size Working Group report to accelerate and facilitate creating more space for class size reduction;⁵

WHEREAS, Other NYC school districts could benefit from similar analysis and other CECs should consider similar resolutions.

THEREFORE BE IT RESOLVED, NYC DOE schools in need of additional classroom space that have existing 3K and/or PreK programs housed within the school move those programs into suitable nearby community based organizations “CBOs” to free up classroom space to help comply with the class size rules. This will help preserve space in the schools to help comply with the class size rules while maintaining specialized classrooms for Art, Science, Music, Dance, and Libraries.

⁵ https://drive.google.com/file/d/1gSiFUcuLOjJ49PLCMptkroFjXBHow2b_/view