

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON EDUCATION

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February 29, 2024

Start: 1:16 A.M.

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HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: Rita C. Joseph,
Chairperson

COUNCIL MEMBERS:

- Gale A. Brewer
- Eric Dinowitz
- James F. Gennaro
- Jennifer Gutiérrez
- Shahana K. Hanif
- Kamillah Hanks
- Shekar Krishnan
- Linda Lee
- Farah N. Louis
- Mercedes Narcisse
- Pierina Ana Sanchez
- Lynn C. Schulman
- Althea V. Stevens

A P P E A R A N C E S

Senator John Liu
New York State Senate

Senator Robert Jackson
State Senate

Dan Weisberg
First Deputy Chancellor

Emma Vadehra
COO and Deputy Chancellor for Operations and
Finance at New York New York City Public Schools

Nina Kubota
School Construction Authority President and CEO

Trevonda Kelly
NYCPS

Khalek Kirkland
District 23 in Brooklyn

Samuel Daunt
NYCPS

Rebecca Rawlins
NYCPS

Michael Sill
Assistant Secretary of the United Federation of
Teachers

A P P E A R A N C E S (CONTINUED)

Dr. Terrain Chambers Reeves
Teacher at Edward R. Murrow High School

Dale Kelly
CSA

Fernando Alvarez
Teacher

Leonie Haimson
Class Size Matters

Michael Rance
Class Size Matters

Naveed Hasan
Parent

DeWayne Murreld
Parent

April Blanding
Parent

Shelevya Pearson
Parent

Anyta Brown
Parent

Stephen Stowe
President of the Community Education Council in
District 20

A P P E A R A N C E S (CONTINUED)

Lupe Hernandez
Parent

Johanna Garcia
Class Size Working Group

Amy Tsai
New York City Coalition for Educating Families
Together

Venus Sze-Tsang
Self

Paullette Healy
Self

Tanesha Grant
Parents Supporting Parents New York

Maggie Sanchez
Self

Adriana Alicea
Self

Johanna Bjorken
Self

Olympia Kazi
Self

Debbie Kross
Self

1
2 SERGEANT AT ARMS: Check one, two. Check one,
3 two. A prerecorded sound test for the Committee on
4 Education. Today's date is February 29, 2024,
5 prerecorded by Michael Leonardo in Council Chambers.

6 SERGEANT AT ARMS: Good evening. Good evening
7 and welcome to the New York City Hybrid Hearing on
8 the Committee on Education. Please silence all
9 electronic devices. There will be no drink or food
10 allowed in the chambers and do not approach the dais
11 at any time. Thank you for your kind cooperation.
12 Chair, we are ready to begin.

13 SHH, quiet please. We will resume. Chair, we
14 are ready to begin.

15 CHAIRPERSON JOSEPH: Thank you. Good afternoon
16 and welcome to today's hearing on Implementing the
17 State Class Size Law in New York City. [GAVEL]

18 I am Rita Joseph, Chair of the Education
19 Committee. Thank you to everyone present here and to
20 those of you who are testifying remotely. At today's
21 hearing, you will also hear testimony on Introduction
22 Number 45, which I sponsored. We will hear more
23 about this legislation shortly.

24 Research has shown that small class sizes provide
25 students with many short- and long-term benefits in

1
2 addition to improving reading and math achievements,
3 especially for disadvantaged students, small class
4 sizes are linked to higher graduation and college
5 enrollment rates as well as higher future earnings.
6 As a forever educator for over 20 years, I know first
7 hand the benefits of smaller classes. Small classes
8 allow teachers to provide more individual attention
9 to students resulting in improved students learning
10 and behavior. They also enable teachers to spend
11 more time on instruction and less on classroom
12 management. Class size also has a big impact on
13 teachers working conditions, which in turn impact a
14 schools district ability to retain and recruit
15 teachers.

16 In fact, class size is a key issue referencing in
17 recent teacher strikes across the county. As
18 teachers are overworked and exhausted, conditions
19 especially difficult in the wake of a pandemic. As
20 teachers grapple with classrooms, now packed with
21 students increasing mental health needs. In 2022
22 after decades of advocacy, a state law was passed
23 requiring that class sizes in New York public schools
24 be reduced in all grades over five years beginning
25 this school year.

1
2 The New York City public schools posted an
3 initial plan for implementation of the law in
4 September of 2023. Months before the release of the
5 class size working group report in December. So,
6 none of their recommendations were included in New
7 York City public schools plan. Additionally, New
8 York City public school plan is vague. It only lays
9 out a number of potential actions that could be taken
10 to reduce class size. But don't specify which action
11 it will take aside from further analysis and
12 planning.

13 For example, New York City Public School has
14 currently identified 400 to 500 schools that may not
15 be able to meet the class size caps given their
16 current space and enrollment. New York City Public
17 School plan merely states that they're working
18 closely with SCA to develop estimates for the size of
19 the capital need. Which will depend on strategies
20 used to achieve compliance both New York City Public
21 Schools and SCA have estimated that huge increases in
22 capital funding will be needed to create enough space
23 to meet the new class size cap. Yet, SCA proposed
24 FY25 to FY29 Capital Plan include \$4 billion for the

1
2 new capacity and class size reduction, which is \$2
3 billion less than the current capital plan.

4 Regarding enrollment, New York City Public School
5 plans to identify its potential changes to enrollment
6 policy that could shift students from over crowded
7 classroom to underutilized schools. But make it
8 clear that the analysis is intended to impede school
9 choice, however, New York City Public School do not
10 address the issue that school choice is determined in
11 large part by admission policies, particularly by
12 screened schools that admit students on the basis of
13 high academic performance. Which not only result in
14 both overcrowded and underutilized schools but also
15 racially, economically segregated schools.

16 Additionally, families typically choose a school
17 on the basis of a student's performance, which is
18 highly correlated to students family income level.
19 This explains New York City Public Schools Data and
20 shows schools serving higher income students are more
21 over crowded. Unfortunately, the fact that New York
22 City public school does not discuss the impact of
23 admission policies or the correlation between income
24 level and achievement leads many to draw faulty
25 conclusions.

1
2 One of the most concerning of such conclusion
3 that found in the minority report written by a parent
4 representative which asserts that students attending
5 overcrowded schools perform better academically than
6 students attending under enrolled schools. This is
7 based on the data analyst showing a strong
8 statistical relationship between students in more
9 crowded classrooms and stronger academic performance.
10 Frankly, I can't think of a better example of data
11 that shows correlations, not quotation. But to
12 simply current school choices policies are creating
13 over crowded schools and the New York City public
14 school is choosing to do nothing about it.
15 Ultimately New York City Public School Plan projects,
16 schools will be in compliance with the law for the
17 first two years.

18 Since approximately 40 percent of schools were
19 already in compliance, so it's assumed no major
20 action will be needed to be taken until three years
21 and beyond. At today's hearing, the Committee wants
22 to know what step is New York City public school
23 taking to ensure that school is currently meeting the
24 class size caps remain in compliance. We also want
25 to know which of the class size working group

1
2 recommendation in New York City public schools intend
3 to implement and when will it release an updated plan
4 that incorporates these recommendations. Finally, we
5 look forward to hearing testimony on Introduction 45,
6 which is a bill that would require New York City
7 public schools to report actual class sizes and
8 expand reports on the amount of students in special
9 programs in New York City public schools.

10 Thank you to the Committee Staff as well as my
11 own staff for all of their work they put into today's
12 hearing. I'd like to remind everyone who wish to
13 testify in person today that you must fill out a
14 witness slip which is located on the desk of the
15 Sergeant at Arms near the entrance of the room. If
16 you have already registered in advance to allow as
17 many people as possible to testify. Testimony will
18 be limited to three minutes per person whether you're
19 testifying on Zoom or in person.

20 I would like to acknowledge my colleagues who are
21 here, Council Member Louis, Council Member Dinowitz,
22 Council Member Brewer, Council Member Gutiérrez and
23 Council Member Hanks and Council Member Stevens.

24 Now, without further, I'd like to turn it over to the
25 first witness panel which will be Senator John Liu

1
2 and Senator Robert Jackson. I will turn to the
3 Committee Counsel Nadia Jean-Francois to administer
4 the oath.

5 COMMITTEE COUNSEL: Senator John Liu, whenever
6 you're ready, you may begin your testimony. You may
7 begin your testimony.

8 SENATOR JOHN LIU: Oh, you don't want to swear me
9 in? Okay, I thought -

10 CHAIRPERSON JOSEPH: We need to because Senator
11 Liu says he wants to be sworn in.

12 SENATOR JOHN LIU: It's okay, I'm going to tell
13 the truth anyway. That's what we're here for. Good
14 afternoon esteemed members of the City Council
15 Education Committee and Chairperson Rita Joseph. I
16 first want to thank you for this honor of testifying
17 before this august Community and I want to thank
18 Chair Joseph for hauling my ass into City Hall to
19 talk about these very important issues. And I also
20 want to thank and we'll hear from my great colleague
21 Senator Jackson as well. This issue is of grave
22 importance to the school kids of our city.

23 Chair Joseph already mentioned a number of
24 reasons why small class sizes are what we need here
25 in New York City and I grew with all of those from

1 better education to better teacher results. A whole
2 litany of reasons why we need to reduce class sizes.
3 But I would submit that the most important reason is
4 complying with the state constitution. Our state
5 constitution requires that the state provide a sound
6 basic education for all school kids in the State of
7 New York, certainly including the City of New York.
8 And that constitution was interpreted by the highest
9 court of New York some 20 years ago to say that New
10 York City at the beginning, New York City was not
11 providing a sound basic education because of a number
12 of factors excessively large class sizes being one of
13 the main factors. And so, after years of litigation
14 led by my colleague Senator Jackson at the time, this
15 issue was resolved.
16

17 The issue of what the state and New York City
18 needs to do to resolve – to provide a sound basic
19 education. That issue was resolved but the money was
20 not resolved. The amount of foundation aid that was
21 calculated from the beginning had never been fully
22 funded by the state of New York. And in fact when
23 Robert Jackson and I were running for State Senate at
24 the same time in 2018, that was the biggest item on
25 both of our platforms that we needed to fully fund

1
2 foundation aid. And we didn't do it in the first
3 year but after a couple of years, we were able to
4 fully fund foundation aid. This in fact, is the
5 first fiscal year, state fiscal year that foundation
6 aid is fully funded.

7 And foundation aid was always meant to provide
8 that sound basic education. It was always meant to
9 help the City of New York pay for reducing class
10 sizes. So, the idea that this is an unfunded
11 mandate, there's no basis in reality what so ever.
12 There is a problem with a discontinuity when there's
13 a change of administration, which leads to a bigger
14 issue that we may have time to talk about but this
15 has always been part of foundation aid. It's been in
16 the calculation of foundation aid. This being the
17 cost of reducing class sizes in New York City.

18 So, now that we've done our job in the state, now
19 it's time for the city to do its job of providing a
20 sound basic education. Madam Chair, I am here,
21 ready, willing and able to answer any and all
22 questions. Thank you.

23 CHAIRPERSON JOSEPH: Thank you Senator Liu.
24 Senator Jackson.

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2 SENATOR ROBERT JACKSON: Good afternoon. I'm
3 State Senator Robert Jackson and I represent the 31st
4 Senatorial District of Northern Manhattan, Washington
5 Heights, Inwood and Marble Hill and part of my
6 district is in the Northwest Bronx, District 10 and
7 some District 9. So, I extend my gratitude to the
8 Committee on Education and Chair Rita Joseph for
9 convening this crucial hearing. Having once chaired
10 the Education Committee myself, I know the challenges
11 you face, yet I also know the profound importance of
12 your leadership for all New York City students.

13 And my advocacy of a class size began as a parent
14 activist advocating for my own children in
15 overcrowded classrooms in schools. And as President
16 of Community School Board 6 of Manhattan, I became
17 acutely aware of the fiscal inequities evident in
18 overcrowded school districts. I represented one of
19 the most burdened school districts in the state at
20 that time. We were busing kids to the Bronx and to
21 District 5 and District 3 all over the place because
22 we were so overcrowded. But consequently inspired by
23 the urgent needs for change, our attorney, Micheal
24 Rubel and I took the lead in assembling a diverse
25 coalition of community members, education advocates

1 and parents. And this united effort lead to the
2 creation of the campaign for fiscal equity to address
3 these disparities. The CFE lawsuit against the state
4 of the State of New York highlighted the detrimental
5 impact of oversized classes on education quality and
6 the opportunity for a sound basic education. And we
7 fought over a decade to secure billions of dollars
8 for New York City schools, which was affirmed as my
9 colleague said John Liu, by the highest court in the
10 state of New York, the Court of Appeals ruling that
11 found "tens of thousands of students placed in
12 overcrowded classrooms is enough to represent
13 systemic failure." And after enduring years of past
14 governors playing political games with students
15 constitutional rights to a sound basic education,
16 Governor Hochul committed to fully fund foundation
17 aid, and propelled state elected officials like
18 myself along with Assembly Member Jo Anne Simon and
19 Senator John Liu who Chaired the Senate New York City
20 Education Committee to strengthen the existing
21 education law as the contract for excellence.
22

23 And the new law marks a historical commitment to
24 a responsive individualized education yet our work is
25 not complete without New York City plan to plan these

1 changes and enact those changes. And currently the
2 Department of Education reluctance and fear mongering
3 and currently, the Department of Education reluctance
4 and fear mongering rhetoric could delay efforts to
5 reduce class size by 2028.
6

7 And despite New York City receiving record high
8 funding through the foundation aid formula, critics
9 overlooked the financial and educational benefits of
10 reducing class size. According to Alan Krueger,
11 Chairman of the Council of Economic Advisors, every
12 dollar invested in smaller class size yields
13 approximately \$2 in return. Moreover, reduced rates
14 of grade retention and special education referrals
15 further underscores the long-term advantages of this
16 approach. And when I decided to sue New York State,
17 I was told over and over again, it couldn't be done.

18 Well, we did it. When I said I was going to walk
19 to Albany for all children, there were doubters.
20 Really, are you going to run? Well, we did it. We
21 went the distance. Although we won the lawsuit and
22 foundation aid became law, former Governor Andrew
23 Cuomo said, we couldn't afford to fully fund the
24 formula and that "CFE was a ghost of the past." That
25 ghost is haunting us right now. Where would our

1
2 children and educators of this great state be if
3 people like me and my colleagues John Liu, teachers,
4 principals, parents, and activists listening to the
5 naysayers and relenting.

6 Our past victories remind us that delaying of
7 quality education for all students is not an option.
8 Underscoring the compliance with the class size law
9 is non-negotiable and in the state legislature, we
10 will remain committed to supporting students
11 education. It's important that the Mayor and the
12 Department of Education act on the recommendations
13 offered by the class-size working group, which was
14 co-chaired by my Chief of Staff Joanna Garcia. Nine
15 months, they worked hard and long in order to come up
16 with a plan that the majority of them agreed to.
17 Progress and meeting the 2028 deadline should not be
18 tied to mayoral control. This is a mandate no matter
19 who is in office to get it done, and I ask New York
20 City Council, would you Chair Joseph, to stand with
21 us in compliance with the law and I thank you for the
22 opportunity to come in front of you in order to
23 express how important this is to all of you and all
24 of us here. Thank you.

1
2 CHAIRPERSON JOSEPH: Thank you Senator Jackson.

3 It's important to me, two decades in a classroom with
4 35 students in front of me, so I get it. So my
5 question to you both is, I know how important this
6 issue is to you both, so thank you for your continued
7 advocacy on behalf of New York City students and for
8 finally ensuring that the state fully funds
9 foundational aid, however, as you both know,
10 foundational aid funds rely on outdated 2007 formula
11 that does not take into account the financial needs
12 of our schools today.

13 Do you believe that a study is needed to
14 reevaluate the formula and what efforts are being
15 taken by the state to ensure that the formula is
16 updated properly reflect current cost?

17 SENATOR JOHN LIU: Madam Chair, the answer is
18 yes. We are working together with the State
19 Education Department, so that we can at long last
20 update the foundation aid formula. Our first task
21 quite honestly was to fully fund foundation aid and
22 now that that is finally done, our attention turns
23 now to reformulating and updating the foundation aid
24 formula. But make no mistake, that foundation aid
25 formula from the get go was always included costs and

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2 funds to reduce class sizes specifically in New York
3 City, based on the Department of Educations own
4 numbers at the time and it will continue to be part
5 of foundation aid formula, no matter what kinds of
6 updates we have.

7 So, once again, reducing class sizes is provided
8 for in the foundation aid formula and we are going to
9 work very closely with the State Education Department
10 to update that as necessarily as possible.

11 CHAIRPERSON JOSEPH: But in the last budget when
12 the governor spoke, when they talked about the
13 formula that New York stand to lose a lot of money.
14 How are we going to fix that so we're making sure
15 that New York gets its full fair?

16 SENATOR JOHN LIU: That's a great point that you
17 bring up. The governor in her executive budget
18 proposed I guess two major changes. One is a change
19 from a decades old practice that does not reduce a
20 school districts budget from year to year based on
21 things such as enrollment changes and changes in the
22 make up of the student population. She is proposing
23 to do away with that and what that's going to do is,
24 it's going to actually cut in many cases
25 significantly the budgets of over half of the school

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2 districts, about 370 school districts throughout the
3 State of New York. It will have some impact on New
4 York City as well as I'm sure the Department of
5 Education can attest to.

6 The other major change is a change in the
7 definition of inflation. Schools in their the
8 foundation aid calculation, there is a reflection of
9 inflation, cost increases from one year to the next.
10 Well, the Governors Executive Budget redefines
11 inflation, not only from - it redefines the inflation
12 from the change in costs from last year to this year
13 to the average cost increases over the last ten
14 years, which really is arbitrary and has no basis in
15 the reality that school districts, whether it be the
16 New York City Department of Education or other school
17 districts around the state have experience.

18 So, I feel confident that Senator Jackson and I
19 and our State Senate colleagues and I think many in
20 the Assembly will look to reject those changes that
21 Governor Hochul has proposed.

22 SENATOR ROBERT JACKSON: And let me comment to
23 you on that the state budget is \$232 billion, and
24 what we've asked for in the budgetary process is \$1
25 million in order to fund the new process to determine

1
2 how much of the cost to provide every child an
3 opportunity for a sound basic education, \$1 million
4 and it has to be done or else all hell is going to
5 break loose. Let me just say that and knowing for
6 example that at the state joint budget hearings that
7 were held, both democrats and republicans was
8 extremely upset about the cuts in education. And
9 that's something that we're going to fight together
10 and if we stand united, then we should be successful.
11 As you know, you may have heard from the you know,
12 the Department of Education here in New York City,
13 the impact of those proposed cuts was about \$100 and
14 I think \$131 or \$132 million. And so, that's a lot
15 of money. It may not look like a whole lot of money
16 in a budget of \$35 billion but that's a lot of money.

17 In school districts for example, there was one
18 school district upstate New York, they only had
19 about, I'll round it off, 525 students and they got
20 cut in the budget 42.5 percent. It's outrageous.
21 Let me just say that. And so, standing united, we
22 should overcome that overall. But we need
23 everybody's help, everyone's help in making that
24 change.

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2 CHAIRPERSON JOSEPH: Absolutely. I'm just going
3 to bring something back real quick. When we did FSF
4 funding in New York we added waits. Is there any
5 consideration when you do the foundational aid
6 formula to add waits?

7 SENATOR JOHN LIU: Yes. I think with your
8 leadership Madam Chair and the efforts of the
9 Department of Education, New York City did well in
10 updating the Fair Student Funding Formula. The
11 Foundation Aid Formula is in many respects similar to
12 the Fair Student Funding Formula. I think a major
13 difference is that the Foundation Aid Formula also
14 reflects the ability of a local school district and
15 the local government to pay its fair share. That's
16 certainly going to be a point of contention among our
17 colleagues in the state legislature.

18 CHAIRPERSON JOSEPH: And what does maintenance of
19 effort play into this part as well?

20 SENATOR JOHN LIU: Maintenance of effort is
21 something that we take very seriously in the State
22 Legislation and in fact, quite honestly, we have been
23 in discussions with some of our colleagues even
24 fellow democrats who have hesitated to provide
25 additional state funding for school districts

1 including New York City under the apprehension that
2 the local school district such as DOE would cut the
3 amount of money that the local government was
4 providing even as we increased state funding. And
5 that has unfortunately become a reality where it does
6 seem like the City of New York has reduced their
7 share of funding to schools, even as every single
8 year we continue to substantially increase the amount
9 of state funding for New York City schools. So,
10 mainly this effort means that as we increase state
11 funding, the city's proportion of the overall city
12 budget geared towards education should not be
13 reduced. In other words, should not be simply
14 replaced by state funding. A common term that is
15 used is, we want to make sure state funding is
16 supplementing not supplanting city money for
17 education.
18

19 CHAIRPERSON JOSEPH: Thank you Senator Liu. I'm
20 going to now pass it on to Council Member Stevens.

21 COUNCIL MEMBER STEVENS: Well, good afternoon and
22 I just want to start off by saying thank you guys for
23 continuously being strong advocates and fighters for
24 our young people and you know I know I'm biased, but
25 my Senator Robert Jackson, thank you for all your

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2 work and just wanting to say just thank you because I
3 think that sometimes it does get lost in some of
4 these conversations about like the dedication and the
5 efforts that you guys have been making for a number
6 of years and just kind of setting a foundation. But
7 I do have a couple of questions even in relation to
8 the foundation formula and knowing that this formula
9 is outdated and I know you stated uhm, that Senator
10 Liu that the foundation formula you guys are working
11 for to be updated. How many years was the foundation
12 formula not fully funded?

13 SENATOR JOHN LIU: It was not fully funded until
14 this year and it was put in place in 2007, so we're
15 talking about do the math, it's about 16 or 17 years
16 before it became fully funded. We had actually put
17 in a three-year plan two years prior, so that we
18 would phase in the full funding of foundation aid
19 over three years and this is the final year.

20 COUNCIL MEMBER STEVENS: Yeah, and so and I say
21 that because I think in 2017 to now, which is 2024,
22 that is a lot of years where it wasn't funded. So,
23 don't - wouldn't we say that even if we're saying now
24 that it's fully funded and to say that this is not an
25 unfunded mandate. That because we have so many years

1
2 where there was a deficit that we were already now
3 having to play catchup now right.

4 So, I think that's why for me sometimes it's like
5 I hear you. You all gave us more money this year but
6 for over you know at this point, what is that like
7 17, 16 years we were not funded and we would have to
8 catch up. And so, what does that look like and let's
9 be clear, I understand the importance of class size.
10 I am on the same page. I don't care figure it out
11 all the things but I do like to kind of just have a
12 basis of like, there is - we do have to play some
13 catch up and what does this look like and even when
14 we pass this, why didn't we think about that with the
15 implementation of like, it's not being fully funded.
16 So, to say like, and I know that there has been
17 working groups in all the things but I do think that
18 if we had such a deficit for so many years, we also
19 need to take that in consideration because we
20 literally had a broke leg, now we got two working
21 legs, we might go run a marathon. Where's the rehab
22 in this? So, I would love for us to kind of like
23 talk about that a little bit.

24 SENATOR ROBERT JACKSON: Yes, you haven't had the
25 full foundation aid formula but we have it now and

1
2 the bottom line is you're dealing with New York City.
3 I tell people and I not only represent New York City
4 specifically and part of your district and part of
5 the Bronx and Northern Manhattan but we represent all
6 of the children of New York State and the bottom line
7 is that with respect to you know New York City, New
8 York City has so much money, it has to juggle and
9 make what the priorities are. And the two highest
10 priorities for funding in the State of New York is
11 healthcare and education. But New York City is not
12 in the same situation at that little schools that I
13 was making reference to where they're losing 42 ½
14 percent of the budget in education. Where people
15 around the state are saying, "oh my gosh, if these
16 cuts go through that the governor is proposing,
17 people are already determining where they're going to
18 look for a job in order to make sure that they
19 continue to feed their family.

20 I don't think that that's the same situation in
21 New York City but losing \$131 \$132 million it's
22 extremely a lot of money. And that's why I said to
23 you that in my opinion, even in the joint budget
24 hearing, democrats and republican were united in
25

1
2 trying to fight these things as we indicated. We
3 expect that to happen but we need your help also.

4 SENATOR JOHN LIU: Council Member Stevens, your
5 question is a very insightful question and it's a
6 question that you know, it is somewhat perplexing for
7 many New Yorkers. I think it's important to
8 understand from the outset that foundation aid, when
9 we say foundation aid, it is not a total amount that
10 we're trying to get to. It is an annual amount. It
11 is an annual amount. It's an annual amount that
12 we're talking about. Annual amount of state funding
13 for public schools. Now, for many years, foundation
14 aid was not fully funded and so for many years, class
15 sizes in New York City remained accessibly large.
16 But now that we have fully funded foundation aid on
17 an annual basis, it is now time for the City of New
18 York to fulfill the constitutional mandate as
19 interpreted by the highest court of this state to
20 reduce class sizes. And you know with all due
21 respect to my great colleague who I served in the
22 Education Committee as well, when we were both in the
23 City Council and he was the Chairperson, as soon as
24 he got to the State Senate, he wanted to push through
25 a law that would mandate the City of New York to

1
2 comply with its constitutional mandate and reduce
3 class sizes. And while I supported the goal of
4 reducing class sizes, I did not support the mandate
5 for the simple reason that we, meaning the state
6 budget still owed New York City money. So, it would
7 be unfair for the state to mandate the reduction of
8 class sizes.

9 But once we fully found the foundation aid, we
10 went back to the city and said, "hey, we did it.
11 You're going to get all your money. Now, what is the
12 plan to reduce class sizes?" And there was no plan
13 and that is why we had to pass the legislation to
14 make clear that that constitutional responsibility
15 laid at the hands of the Department of Education and
16 City Hall. Now, part of the problem is that at the
17 same time this was all happening, we had a change of
18 administration. And so I, you know, I don't begrudge
19 the Mayor and the Chancellor saying this is going to
20 be hard stuff to deal with but the reality is that
21 they are in control of the public schools and even
22 though they did not make this problem, it's a problem
23 they inherited, it is their responsibility to fix it.

24 And in fact, we had many discussions in private
25 as well as in public hearings with the previous

1
2 administration and the previous Chancellor who said
3 point blank, we want to reduce class sizes but you
4 still owe us money. So, now the money is paid up and
5 now it's time and we are not even saying right away,
6 we're saying six years later, five years from now, we
7 need a plan to reduce the class sizes.

8 COUNCIL MEMBER STEVENS: Absolutely and I think
9 we're all on the same page like, class sizes need to
10 be reduced. We should not have students in classes
11 with you know, 30, 40 kids but what can we do and
12 what would it look like for us to work together to
13 get a formula that's more updated? Because I think
14 that that is also really important of like, you guys
15 were fighting for it for years and you guys have been
16 doing a lot of work and so, just thinking about how
17 can we work together at city and state to kind of
18 make this a big push to get an updated formula?
19 Because I think that will also be helpful for all of
20 us as well.

21 SENATOR RICHARD JACKSON: I would say as a body,
22 communicate to the executive branch, the Governor
23 that this is extremely important for you as members
24 of the City Council to ensure that the formula is
25 updated and so, that's \$1 million supposedly and so

1
2 to communicate how important this is, not only for
3 the children of New York City, but the entire State
4 of New York that in the budgetary process, there is
5 at least \$1 million for the State Education
6 Department to do the analysis and come up with a new
7 formula.

8 SENATOR JOHN LIU: Yes and Council Member
9 Stevens, we're once again, we're working closely with
10 the State Education Department for them to get the
11 update finally done.

12 I would however at this point caution that an
13 update in the State Foundation Aid Formula could have
14 different impacts on different parts of the state. I
15 would say that it's very clear that in many parts
16 upstate New York, that a Foundation Aid Formula
17 update would be beneficial to them. It's not clear
18 exactly what the impact would be downstate. So, you
19 know we just want to make sure we get it done right
20 but that does not necessarily mean that suddenly
21 there's going to be a significant increase in State
22 Foundation Aid.

23 State Foundation Aid you know has at the very
24 minimum been updated every year for inflation, except
25 for the fact had the Governor now wants to change the

1
2 definition of inflation but it has gone up with the
3 costs overall. So, it's just going to be a question
4 of exactly how it's updated and I'm sure city members
5 of the State Legislature will be looking very closely
6 at how that kind of Foundation Aid Formula update
7 could impact New York Schools.

8 COUNCIL MEMBER STEVENS: Well, thank you guys for
9 all the work that you do and also just thinking about
10 as you guys are going through this, please see us as
11 partners and remember that we want to work in this
12 relationship and even when we're thinking about the
13 impacts and those things as being, you know
14 remembering that we're here to be support and be an
15 ally in this work. Thank you.

16 SENATOR JOHN LIU: Thank you.

17 CHAIRPERSON JOSEPH: Thank you Council Member
18 Stevens and I'd like to recognize Council Member
19 Gennaro on Zoom, Council Member Sanchez, Council
20 Member Lee, Council Member Krishnan. And now I will
21 pass it on to Council Member Brewer.

22 COUNCIL MEMBER BREWER: Nice to see former
23 colleagues very much. Two quick question. One is,
24 there is uh, you know it filters down from the DOE
25 that if you have a classroom and it has x-number of

1
2 students 20 and then there's 21, then you have to get
3 another teacher. And so, I just want to understand
4 from you, how you respond to that because even
5 talking to Community Board Members last night, they
6 were repeating that as why they were not supportive.

7 Number two, Regent Rosa is very supportive. It
8 seems she has been saying that, so I wanted to know
9 what role does she play in terms of being supportive
10 at any way shape or form? Thank you.

11 SENATOR JOHN LIU: Good to see you Council Member
12 Brewer. You mean Chancellor Rosa or I'm sorry,
13 Commissioner Rosa.

14 COUNCIL MEMBER BREWER: Yeah.

15 SENATOR JOHN LIU: Okay, Commissioner Rosa is
16 very supportive. She has long since believed in
17 reduced class sizes ever since her days as a
18 principal and teacher in New York City. So, she's
19 been very supportive and continues to be. And in
20 fact, as part of the enforcement mechanism by which
21 we keep an eye on the New York City Department of
22 Education to see that, in fact they comply with State
23 Law.

24 On the issue of 20 versus 21, I mean, right now,
25 there are class sizes. There are class size

1 limitations. For example, in high school, it's 34.
2 So what do you do with the 35th student? I mean,
3 that's always going to be an issue, the question is
4 what is really the right size? Is it 34 in high
5 school or is it 25 like this legislation requires?
6 Is it 28 or is it 20 for the lower grades? So,
7 whenever you exceed by one, that's always going to be
8 an issue and in fact, in practice, there are some
9 mitigation measures that schools are able to utilize
10 but I will say that you know the issue of 20, 23, and
11 25, which is what the legislation calls for, those
12 class sizes again now, just to be clear, 20 would be
13 the class size limitation for grades kindergarten
14 through 3rd grade. 23, grades four through eight,
15 and 25 for high school classes.
16

17 Those are not numbers that the legislature made
18 up. Those numbers came from a report submitted by
19 the Department of Education to the State Education
20 Department nearly 20 years ago, as the Foundation Aid
21 Formula was being crafted. And so, the Foundation
22 Aid Formula as it currently exists already
23 contemplates and provides funding for New York City
24 to reduce class sizes to 20, 23, and 25. Once again,
25 why those class size thresholds? Because it was the

1 Department of Education at that time, their opinion
2 that those class sizes would in fact fulfill their
3 obligation of providing a sound basic education.
4

5 SENATOR RICHARD JACKSON: And also Gale as you
6 know, there's union contracts and union contracts are
7 negotiated and what happened in 2007, we have to
8 basically, we're talking about 24, 25 and so,
9 obviously, when you talk about one additional student
10 in a classroom, come on. That's where discussion,
11 that's why you have discussions at every level in
12 order to make sure that the children are receiving a
13 sound basic education. If most of the children are
14 progressing, who is it bothering? Who is it
15 affecting? So, all of these have to be considered.
16 We just can't go blindly into saying, 25 that's it.
17 26, if it worked for 26 it worked for 26, if it
18 doesn't, if it doesn't work with 25, then from a
19 leadership point of view, looking at that classroom,
20 looking at the students needs, are they being met?
21 How many students have IEPs versus you know non-IEPs
22 and all of those factors are considered but that's
23 why we need this update in formula in order to truly
24 know what it's going to cost.

25 COUNCIL MEMBER BREWER: Thank you.

1
2 CHAIRPERSON JOSEPH: I have a very uhm, question.
3 In thinking about updating the Foundation Formula,
4 are you considering including students in temporary
5 housing? As you may know we have the largest in the
6 state and I think it's at 119,000 currently and
7 growing.

8 SENATOR JOHN LIU: I thought that was a very
9 important thoughtful update that you and the
10 Department of Education considered in updating the
11 Fair Student Funding Formula. We are not going to be
12 charged with updating the Foundation Aid Formula.
13 That is a responsibility of the State Education
14 Department and we certainly will be overseeing their
15 fulfillment of that responsibility and I would
16 imagine that students in transitional housing, the
17 additional cost of providing a sound basic education
18 for them as well would be included in any kind of
19 update of Foundation Aid calculation.

20 CHAIRPERSON JOSEPH: Yeah, absolutely. Do you
21 know – do you have an estimated cost about capital?
22 How much it would cost us in capital? How much it
23 would cost us in capital?

24 SENATOR JOHN LIU: Yes, it's going to cost a lot
25 of money because schools are overcrowded as well as

1
2 classrooms. And you know it's very telling, I'm so
3 happy that you asked that question. The city's
4 capital plan doesn't seem like they're building
5 enough schools to actually fulfill their
6 responsibility and even as the Mayor came up to the
7 legislature just weeks ago to ask for authorization
8 for the city to borrow more money. I asked the
9 point-blank question. "Are you going to use the
10 money to build more schools?" And the answer was
11 well, we need to build a lot of things. We need to
12 build jails, we need to build schools, we need to
13 build other things and I asked, "well, what's going
14 to come first, schools or jails?" And there wasn't a
15 clear answer.

16 CHAIRPERSON JOSEPH: I hope it was schools.

17 SENATOR JOHN LIU: I hope so too and I thought
18 that was a soft ball question but it was a strike
19 out.

20 CHAIRPERSON JOSEPH: Interesting.

21 COMMITTEE COUNSEL: Thank you so much Senators
22 Liu and Senator Jackson. We will now turn to the
23 Administration for testimony.

24 SENATOR JOHN LIU: Thanks so much for having us.

25 CHAIRPERSON JOSEPH: Thank you so much.

1
2 COMMITTEE COUNSEL: I'll call on each of you
3 individually for a response. Please raise your right
4 hand. All, please raise your right hand. Do you
5 affirm to tell the truth, the whole truth and nothing
6 but the truth before this Committee and to respond
7 honestly to Council Member questions? Emma Vadehra?

8 EMMA VADEHRA: I do.

9 COMMITTEE COUNSEL: Dan Weisberg?

10 DAN WEISBERG: I do.

11 COMMITTEE COUNSEL: Samuel Daunt?

12 SAMUEL DAUNT: I do.

13 COMMITTEE COUNSEL: Travonda Kelly?

14 TRAVONDA KELLY: I do.

15 COMMITTEE COUNSEL: Khalek Kirkland?

16 KHALEK KIRKLAND: I do.

17 COMMITTEE COUNSEL: Nina Kubota?

18 NINA KUBOTA: I do.

19 COMMITTEE COUNSEL: And you may begin your
20 testimony. Thank you.

21 EMMA VADEHRA: Good afternoon Chair Joseph and
22 all the members of the City Council Committee on
23 Education here today. My name is Emma Vadehra, and I
24 am the COO and Deputy Chancellor for Operations and
25 Finance at New York New York City Public Schools. I

1
2 am joined here by Superintendent Khalek Kirkland
3 representing District 23 in Brooklyn, First Deputy
4 Chancellor Dan Weisberg, and School Construction
5 Authority President and CEO Nina Kubota. Thank you
6 for the opportunity to update the Committee on New
7 York City public schools and SCAs work to comply with
8 the State's law establishing new caps on class sizes
9 in New York City.

10 This administration supports the goal of lower-
11 class sizes for all of our students. We know we have
12 communities where this is a real challenge for our
13 educators, our students and our families. We also
14 know that lower class sizes are high priorities for
15 our parents and our teachers.

16 In brief, we are currently fully in compliance
17 with the class size legislation. Specifically, this
18 year, the law mandates that 20 percent of our classes
19 are at or below the newly mandated class size caps.
20 We are at 40 percent of our classes. In the coming
21 years however, we do have work to do. We'll face
22 some difficult choices that will be required to
23 maintain compliance as the laws requirements scale
24 up.

1
2 Today, I am going to outline some of the work
3 we're doing to stay in compliance with the law, as
4 well as how we're thinking about tackling some of the
5 challenges ahead, as well as the work we've done to
6 engage stakeholders through the class size working
7 group. We look forward to continuing to work with
8 you as we implement the law and I want to thank you
9 for the support and leadership today.

10 In September of 2022, Governor Hochul signed
11 legislation that established legislative caps on
12 class size in New York City for the first time.
13 These caps are set at 20 for grades K-3, 23 for
14 grades 4-8, 25 for the high school grades.
15 Additionally, the caps are set at 40 for performing
16 groups and physical education classes in all grades.
17 The caps do not apply to special education classes.
18 Under the law, these requirements phase in over five
19 years. As I said, this year 20 percent of classes
20 required to be under those newly mandated caps, 40
21 percent next year and so on, reaching 100 percent
22 compliance in 2028. The law requires that New York
23 City Public Schools submit a class size reduction
24 plan annually through the life of the phase in, which
25 must be approved by the presidents of the United

1
2 Federation of Teachers and the Council School of
3 Supervisors and Administrators. If the State
4 Education Department determines that we are not
5 demonstrating sufficient compliance, New York City
6 Public Schools must submit a corrective action plan.
7 State funding is contingent on demonstration of
8 sufficient class size reduction, as well as full
9 implementation of any corrective action plan.

10 Our current compliance rates, as you can see on
11 this map, very widely across the city, which is
12 context for how we're thinking about implementation.
13 The districts with the greatest percentage of classes
14 at or below these newly mandated caps are District 23
15 in Brooklyn, 7 in the Bronx and 16 in Brooklyn.
16 Those districts have 73 percent of their classes, 68
17 percent and 67 percent of their classes respectively
18 under the newly mandated caps. By contrast, the
19 districts with the fewest classes under the caps
20 currently are 26 in Queens, 28 in Queens and 31 in
21 Staten Island with 20 percent of their classes, 23
22 percent of their classes and 24 percent respectively
23 at or below the caps.

24 As I said, we're currently only in year one of
25 the implementation phase of the law, and I'm happy to

1
2 report on the work done so far, and the planning we
3 are doing. We can be in the class size working group
4 to guide our implementation of the work and ground it
5 in community engagement and diverse perspectives.
6 The working group members brought diverse
7 perspectives. The working group members brought
8 diverse perspectives to implement in this law
9 included parents, advocates, union representatives,
10 principals, teachers, panel members, elected
11 officials, thank you very much for your participation
12 and others. The group provided over 50
13 recommendations late last year that have been and
14 will continue to be invaluable.

15 I want to thank you Chair Joseph for your service
16 once again on this working group, along with Council
17 Staff and everyone who participated. For everyone
18 involved as well as our communities around the city,
19 we'll continue to engage on this topic. The
20 Chancellor believes it's critical to get community
21 input as we implement the law.

22 Since then, we've been able to complete our needs
23 assessment to determine what resources will be
24 necessary to implement the law, as has the School
25 Construction Authority. As directly recommended by

1
2 the working group, we've also completed an
3 individualized survey of every principal across our
4 system to test our assumption around our needs,
5 including the space, the staffing and the associated
6 funding that our principals need to implement the
7 law. We also worked closely with UFT and CSA as
8 required to develop our first-class reduction plan
9 for this year. The New York State Education
10 Department accepted the class size reduction plan
11 this fall. In November, we submitted our first-class
12 size implementation report, a separate documentation
13 showing that 40 percent of our classes were at or
14 below the caps, twice the level required. The State
15 and Department approved this as well and have
16 received all of the funding contingent on compliance
17 with the law. We're currently in the process of
18 developing and financializing policies for next
19 school year, which we can discuss to ensure we remain
20 in compliance, even with some of the challenges
21 ahead. This includes teacher recruitment, school-
22 based budgeting and staffing policies and capital
23 planning.

24 As we work to implement the law, we're thinking
25 about four key components, space, staffing, cost and

1 equity. With fewer students in each classroom, most
2 schools will need to utilize more classrooms to
3 accommodate to accommodate their current enrollment.
4 We've surveyed principals as I've said on what they
5 think their needs are to try and nail down how to
6 address those needs and we've reviewed our own data.
7 Many schools may be able to find space within their
8 current buildings by reducing administrative space or
9 reprogramming.
10

11 We estimate there are roughly 500 schools that
12 even with those types of changes will need more
13 classrooms than they currently have. Some of these
14 schools just need a few classrooms. Some of those
15 schools need 78 additional classrooms at their
16 current enrollment. A lot of those schools that need
17 just a few classrooms, we think and President Kubota
18 can talk about this more, can make minor adjustments
19 to do this without substantial changes. Some will
20 not be able to and as I said, some have larger needs.

21 One way to address this that we are moving
22 forward on is to embark on a substantial capital
23 construction program. More space is absolutely
24 required for our students across the system.
25

1
2 As President Kubota can share, this comes with
3 not just a price tag but there are also only so many
4 sites available which both meet our qualifications at
5 the scale required to meet the need for more space
6 and are also located in close proximity to the
7 schools that will need additional classrooms in order
8 to comply without reducing their enrollment. Another
9 way to address space is to reduce enrollment at some
10 of these schools, which was recommended by the Class
11 Size Working Group. We're looking very carefully at
12 this recommendation as we want to ensure we can
13 continue to consider the preferences of families.

14 We know many families take zone schools into
15 account when choosing where to live and we know that
16 when students don't get into their schools of choice,
17 they're more likely to leave the system.
18 Additionally, the working group recommended
19 relocating 3K and PreK classrooms out of our school
20 buildings and into local community-based
21 organizations with empty seats and establishing
22 multisession models or staggered schedules at more
23 schools, both to help with space. These are other
24 recommendations we're looking at but they also of
25 course have tradeoffs for our families.

1
2 evaluating the impact of the law on ongoing efforts
3 to recruit more teachers who reflect our student
4 body, which continues to be a priority for us.

5 We already hire 4,000 to 4,500 teachers per year
6 just to keep up with attrition. And both nationally
7 and locally, fewer teachers are entering the
8 profession. In certain teacher license areas, such
9 as stem, bilingual, foreign language, CTE and special
10 education where we know only a number of teachers,
11 particularly in the secondary grades, the hiring pool
12 is small, limiting our overall choices at this time.

13 We will need to continue to strengthen our
14 pipeline in these licensed areas to meet the mandate,
15 especially in the later years of the plan. In terms
16 of cost, New York City Public Schools estimates the
17 cost of hiring these additional teachers at somewhere
18 between \$1.4 and \$1.9 billion in new expense costs
19 annually depending on how the funding is distributed.
20 The IBO also did an estimate of this, about \$1.6 to
21 \$1.9 billion annually. These costs will of course
22 vary based on some of the policy decisions we make,
23 such as around enrollment and we look forward to
24 working with our communities to make those policy
25 decisions.

1
2 To address some of the costs, the working group
3 recommended directing some of our existing state
4 funding, state contracts for excellence dollars, to
5 class size reduction alone, rather than other
6 purposes as is currently allowed by the state, as
7 well as advocating for new dollars for New York
8 State. Earlier this month, the Chancellor, First
9 Deputy and I were in Albany advocating for additional
10 resources for our schools to help meet this mandate
11 and for other purposes.

12 I want to be very clear, given what we just
13 heard, this additional funding is not yet in our
14 budget and we have not identified a new funding
15 source. New York State absolutely has provided
16 additional foundation aid to us in the past three
17 years finalizing in this year. That funding is
18 already in our schools and our systems. So, when we
19 talk about the additional cost, it's on top of those
20 dollars. Many of which are going to our schools. We
21 use this funding in a lot of ways, some of which I
22 know will be near and dear here. We use this to,
23 that additional state funding we've received, already
24 used to raise the Fair Student Funding floor for all
25 schools to 100 percent. We use that money to add our

1
2 additional new waits that the Fair Student Funding
3 Group recommended and that we put in place this year
4 for some of our neediest communities. We use that
5 funding to distribute this year over \$215 million in
6 state funding to school budgets consistent with the
7 state contracts for excellence legislation. Without
8 this funding, fewer of our classes would be below the
9 newly mandated caps today. It's been critical to get
10 us here and we would have more work to do.

11 Finally, on equity, I am proud to say, I know
12 many of you are too, New York City is a national
13 leader in terms of equitable funding for our schools.
14 Our existing funding formula, Fair Student Funding,
15 directs the most resources to our highest needs
16 schools and students. This year, with the help of
17 many of you and others, we made our formula even more
18 equitable. Adding funding for students in temporary
19 housing and schools with high concentrations of
20 students in need.

21 Our data shows that 62 percent of classes in our
22 schools with the highest rates of economic need are
23 already below the newly mandated cap compared with 25
24 percent of classes in schools with the lowest rate of
25 need. A variety of independent organizations

1 including IBO, the National Urban Institute and the
2 news organization Chalkbeat have found similar trends
3 in terms of equity.
4

5 This means that our lowest need schools will
6 require the most resources under the law, additional
7 dollars, additional teachers, and additional space.
8 Overall, under the law, and there's a map over there
9 of where funding would flow, expense dollars to
10 comply with the law. Overall, those lower need
11 schools within our system will receive roughly twice
12 the amount of new dollars per student under this law
13 as our highest need schools within our system.

14 This compares to our fair student funding model,
15 where our highest need schools receive more, 30
16 percent more dollars per student. We see similar
17 trends on the capital side, in terms of which
18 communities will see new investments.

19 We're also and we can talk more about this,
20 concerned about equity as we think about teacher
21 distribution across our system. Our data shows that
22 already teaching positions in lower poverty schools
23 are often filled by teachers transferring in from
24 higher poverty schools and given where the additional
25

1
2 jobs will be needed, we expect that could be a
3 continuing challenge.

4 Finally, the working group recommended staff paid
5 differentials and early application window for higher
6 need schools. We are looking at both of these. We
7 are really dedicated to finding a way to implement
8 this law to ensure that equity remains at the center,
9 and to make sure we're not setting up a transfer of
10 experienced talent away from high poverty schools.
11 We're working with UFT and CSA closely on how to make
12 sure we can prioritize equity while implementing the
13 mandated class size caps.

14 I will now briefly talk about the Council's
15 proposed legislation. Intro. 45 amends current local
16 laws related to the existing class size report and
17 the report on the demographics of students in
18 programs. For the class size report, the law aligns
19 the requirements more closely to the states reporting
20 requirements. It also updates the requirements of
21 the diversity report.

22 We want to continue to provide a preliminary
23 report of a given school year on November 15th with
24 an opportunity to refresh that data on February 15th.

1
2 We support this bill. We appreciate efforts to align
3 reporting between the city and the state.

4 Finally, we are planning for next year as
5 required by the law, we are collaborating with the
6 UFT and CSA on the next iteration of our annual Class
7 Size Reduction Plan, which we expect to be delivered
8 to the State Education Department sometime this
9 summer, consistent with the law. I want to thank our
10 union partners for conversations on some of the
11 questions left open by the law and their work with us
12 in planning for the future. We do expect some policy
13 shifts will be required to maintain compliance with
14 the law for next year. We are considering as
15 recommended by the class-size working group, placing
16 new restrictions on the use of contracts for
17 excellence funding. We are considering asking
18 schools to prioritize hiring teachers over other
19 positions where they have vacancies and considering
20 asking Superintendents to work with Principals on an
21 individualized level to ensure our compliance levels
22 improve by looking within schools budgets and at
23 current teaching staff, as the law required. All of
24 these final decisions will be made with UFT and CSA
25 as the law requires. Our goal is to communicate any

1
2 policy changes to schools this spring, so our system
3 can be on the same page as schools start thinking
4 about budgeting and staffing for the fall.

5 The task before us is substantial, and the
6 considerations and tradeoffs ahead are many. We're
7 committed to continuing to comply with this law in
8 the current years. I want to thank you all again for
9 your advocacy on behalf of New York City Public
10 Schools and on behalf of all your communities.
11 Together, I know we can meet the needs of all our
12 students. We look forward to answering any questions
13 you may have. Thank you.

14 NINA KUBOTA: Good afternoon Chair Joseph and
15 members of the City Council Committee on Education.
16 Thank you for the opportunity to testify before you
17 today on this very important issue. I would like to
18 give an overview of what we've done on the capital
19 side related to class size and go into a little more
20 detail on what the Deputy Chancellor touched upon in
21 her testimony regarding how we are planning for
22 compliance via the five-year capital plan.

23 Since the passage of the legislation, we have
24 been working to analyze the schools in our system,
25 working with our partners at New York City Public

1
2 Schools and the Class Size Working Group, and taking
3 in other data points to determine how many schools
4 would be impacted, the best method to reduce class
5 size in order to stay in compliance, and as most
6 people want to know, determining how much it will
7 cost.

8 In addition to the Class Size Working Group, New
9 York City Public Schools and the SCA have put
10 together across departmental team to develop a range
11 of capital strategies that target schools based on
12 each schools level of need. This team includes
13 representatives from New York City Public Schools
14 Deputy Chancellor of Operations, Office of District
15 Planning, Office of Space Planning, Office of Student
16 Enrollment and the capacity and real estate units at
17 the SCA.

18 The team meets regularly to review data, discuss
19 potential options and identify appropriate strategies
20 for individual schools. This includes evaluating
21 perspective sites for new construction. As mentioned
22 previously, we currently estimate that over 500
23 schools are impacted and roughly 3,400 classrooms or
24 about 85,000 seats will be needed. Through this team
25 and the work over many months, we have developed four

1
2 main strategies that can be implemented on the
3 capital side to comply with class size requirements.
4 Let's talk about the first method which is to
5 repurpose existing space in schools. It is important
6 to understand that this exercise will inevitably
7 involve tradeoffs.

8 With the results of the principal survey that was
9 conducted by New York City Public Schools, we are
10 identifying a subset of schools where principals and
11 our data agree that additional instructional rooms
12 can be created within buildings to support
13 compliance. Our next step is to survey each of these
14 school buildings and confirm that space can be
15 repurposed to create additional classrooms without
16 significantly compromising school programming. Upon
17 confirmation, we will initiate capital projects to
18 create the additional needed classrooms. These
19 projects are less capital intensive and time
20 consuming than constructing new facilities and we
21 will continue leveraging room conversion projects
22 when feasible.

23 The second strategy is actually already underway.
24 Dozens of capital projects were in process prior to
25 this law that will bring roughly 27,000 additional

1
2 seats online to help with school overcrowding. We're
3 working with our partners at New York City Public
4 Schools to make programming decisions that will allow
5 us to extend the impact of these projects on
6 surrounding schools to the maximum.

7 As an example, in district 20, we have three new
8 buildings slated to open this September to alleviate
9 preexisting over utilization in the surrounding
10 schools. The third, while potentially limited, can
11 be beneficial to a number of schools that need only
12 an additional classroom in order to comply but don't
13 have the space in their building. This limited
14 capital investment intervention will support the cost
15 of administrative programming or operational changes.
16 To be clear, this approach is not proposing an
17 extensive change on admission or programming policy.
18 For instance, perhaps an alternative could be adding
19 a particularly specialty program at school B to draw
20 more students to that school to alleviate the
21 overcrowding from school A. In order to facilitate
22 that program perhaps a new science lab or other type
23 of space needs to be constructed at School B. That
24 is the type of capital investment that could occur in
25 this scenario. The last strategy is the one everyone

1
2 most readily associates with a solution to class
3 size, building new schools.

4 While we all recognize that there will be a need
5 for new construction, this represents the most time
6 intensive, challenging and expensive path to
7 compliance. This strategy has two obstacles, funding
8 and real estate. We recognize both our funding
9 limitations and that appropriate properties at the
10 right location are even harder to combine. This is
11 why we cannot rely solely on new construction. It
12 must be coupled with other strategies to maximize its
13 affect. This is why the capital construction is just
14 one piece to solving for class size compliance.

15 However this doesn't mean that work isn't happening
16 in this area. We know that many of the districts
17 that will have a large number of schools out of
18 compliance have also been the same districts that
19 historically have had high level of seat need. We
20 will continue our work to identify available
21 properties in those districts. As potentially
22 feasible sites are identified from our brokers or
23 from suggestions from Council Members or community
24 members. They will then be brought to the cross-

1
2 departmental team to assess how they can potentially
3 support the surrounding schools.

4 We have identified several sites for further
5 evaluation and due diligence. Furthermore, while
6 some sites might not be located in areas of
7 traditional need, we are looking at everything from
8 the lens of class size compliance. We review sites
9 to see if they can help a nearby school or schools
10 that can only comply through new construction. These
11 solutions are not easy and will come with tradeoffs.
12 Our current estimates range between \$22 to \$27
13 billion. I know that we've seen that number
14 fluctuate and to be honest, as we refine our data and
15 assign a particular solution to specific school,
16 these estimates will likely change again especially
17 with dynamic enrollment patterns. We fully recognize
18 that our current capital plan is not funded at that
19 level but the current \$4.1 billion in new capacity
20 funding represents a downpayment towards this
21 mandate.

22 This also represents about one quarter of our
23 fiscal year 2025-2029 capital plan which will total
24 \$17 billion. We have a portfolio of more than 130
25 million square feet of space, with the average age of

1
2 our buildings exceeding 70 years. The need to keep
3 our facilities not only in a state of good repair but
4 also modernize always surpasses the resources
5 available. We strive to allocate and utilize the
6 limited resources optimally to maximize the impact on
7 our facilities, school children and communities.
8 Allocating funding to other programs is critical to
9 our mission of providing successful and well-balanced
10 education to all of our students, such as athletic
11 fields and pool upgrades, accessibility program and
12 technology improvements as well as supporting our
13 sustainability and greenhouse gas reduction efforts
14 through electrification.

15 We continue to work with our city and state
16 partners to seek additional funding sources to allow
17 us to implement the four strategies I outlined for
18 you today. We welcome your partnership in this
19 effort and thank you as always for your collaboration
20 and support of our schools. I thank you again for
21 allowing me to testify and would be happy to answer
22 any questions you may have.

23 KHALEK KIRKLAND: Council woman Joseph, in
24 Brownsville we have this thing called the Triple PPP,
25 Positive, Public, Praise because we deal with a lot

1
2 of emails and phone calls. I want to publicly tell
3 you how much respect that I have for you. I've grown
4 to know you and you are definitely the woman for the
5 job.

6 Good afternoon Chair Joseph and all the members
7 of the City Council Committee on Education here
8 today. My name is Khalek Kirkland and I am the proud
9 Superintendent for District 23 located in
10 Brownsville, the section of Brooklyn. I want to
11 thank Chair Joseph and the Council for your continued
12 advocacy for the scholars of New York City.

13 I want to first start by telling you a little bit
14 about myself and the path that led me to stand before
15 you today. I started as a middle school math teacher
16 in Middle School 113 in District 13. I still
17 consider myself a math teacher. Before becoming an
18 assistant principal and ultimately, a principal at
19 the same school, I served as a principal in the Bronx
20 before coming to serve the community of District 23.
21 I strongly believe in the benefits of smaller class
22 sizes. When scholars are in smaller classes, they
23 can receive personalized instruction unique to that
24 scholar and approach not always conducive in larger
25 classrooms. That attention to detail for scholars is

1 key to academic success for our young scholars.

2 Well, I believe that the law has some worthy goals,
3 there will be some implementation challenges for
4 schools. I say this as a superintendent whose
5 district is not only complying with the law but as
6 you heard our Deputy Chancellor mention in her
7 testimony, we have 73 percent of our classes already
8 under the newly mandated caps.
9

10 However, in the coming years, as we continue to
11 comply with these caps, our principals will be forced
12 to make some difficult decisions when it comes to how
13 they will utilize their budgets. I worked
14 extensively with our district budget director
15 reviewing spending regularly. I understand why our
16 principals make the choices they make in our district
17 to ultimately provide an enriching experience for our
18 scholars and school community. Many of the decisions
19 that our proud principals make today as they look at
20 their respective budgets will need to take a back
21 seat to ensure 100 percent compliance with the law.

22 Our principals will have a tough choice. How do
23 we continue to comply with the law while ensuring
24 robust coursework for our scholars? If building
25 expansion is not a current option, principals will

1
2 have to rethink space and how they schedule classes
3 based on room availability, ultimately causing an
4 impact on how classrooms are utilized. In our
5 schools, we create a welcoming environment the moment
6 our young scholars step foot into the buildings. Our
7 teachers are creating spaces that are literacy rich
8 utilizing visual aids, progress trackers, and class
9 room libraries. And you've helped us a lot with the
10 classroom libraries.

11 As we continue to meet the class size law, my
12 schools will need to develop alternatives to maintain
13 these vital tools across multiple classrooms.
14 Students moving through different rooms during the
15 school day will introduce new challenges for our
16 young scholars, who would lose out on the welcoming
17 spaces that their teachers have created. Movement
18 between classrooms will also result in a loss of
19 instructional time, particularly for co-located
20 schools vying to use additional space. Very few
21 buildings in my district host solely one school,
22 meaning many of our scholars will be impacted and
23 lose vital time in the classroom.

24 We have talented teachers in my district and I'm
25 deeply proud of the work that they do every day.

1
2 However, the current reality is we still face
3 challenges with hiring teachers to come to teach at
4 our schools and down the line, this law may
5 exacerbate the issue. Our district is the most
6 compliant in the city. That means, as the New York
7 City Public Schools work to direct resources to
8 reduce these class sizes in place that have higher
9 class sizes, those resources will not be coming to
10 Brownsville.

11 Instead, they will be going to place with much
12 lower compliance rates than ours. We already face
13 challenges in recruiting teachers to teach in our
14 district. I like to jokingly say that Brownsville is
15 not close to the two to three to four to five, the J
16 and the M-Train.

17 As schools in lower poverty districts open up
18 more teacher positions, we anticipate that teachers
19 will be more likely to move to those districts and
20 potentially away from Brownsville. New York City
21 Public School data shows that teachers tend to move
22 from higher poverty schools to lower poverty schools
23 as they move within the schools in the system. This
24 law and the need to hire more teachers in our less
25

1
2 compliant districts, while well-intentioned only
3 hurts our scholars even more.

4 There will be no small class sizes if we do not
5 have high quality teachers in front of the class. I
6 look forward to engaging with you and the Council on
7 developing pathways to incentivize teachers to teach
8 in communities like mine in Brownsville.

9 Under the current way that the city funds
10 schools, Fair Student Funding, schools in my
11 community get additional dollars for serving high
12 need scholars. With these changes that may come as
13 we comply with the class size law with the
14 requirements which will drive resources, are the same
15 across the city, I'm concerned about how my district
16 may lose out with resources instead of going to other
17 districts, which have many fewer classes under the
18 newly mandated caps. I hope that the scholars of
19 District 23 who have already begun to see positive
20 impact of this funding model. I'm sure by now you've
21 seen that Brownsville has had the highest gains in
22 mathematics and the third highest gains in ELA. I'm
23 hoping that they do not lose the money, the teachers
24 and the investments that they deserve. The city and
25 the state must ensure schools in communities like

1
2 mine continue to keep and in fact grow their
3 resources in the face of this law. The scholars in
4 my district require the support.

5 Finally, we are committed to ensuring that New
6 York City Students have access to high quality
7 education while complying with the states class size
8 law. We will continue to prepare for the upcoming
9 challenges facing our schools in the coming years and
10 will actively look towards creative ways to lessen
11 the impact when student academic excellence in an
12 approach that is equitable and thoughtful.

13 When we lift all small boats, all students can
14 achieve. We greatly appreciate our partnership with
15 the City Council and I want to give a special
16 shoutout to my City Council woman Darlene Mealy and
17 look forward to continued collaboration to enhance
18 the education experience of our scholars. Thank you
19 so much for your time.

20 CHAIRPERSON JOSEPH: Thank you. I would like to
21 recognize Council Member Narcisse. Before I start
22 with my questioning, I'm looking is Mark Treyger
23 here? When he comes back, I want to shout him out
24 because he's leaving New York City Public School.
25 What a champion he was. I sit in his seat now.

1 [APPLAUSE] New York City Public Schools, that's a
2 great loss. I don't know what you all did but
3 anyway, I'm just saying. I have a question and it's
4 going to be yes or no. Do you in any from help shape
5 decisions with New York City Public Schools including
6 implementing the Class Size Law? Yes or no.
7

8 DAN WEISBERG: Yes.

9 CHAIRPERSON JOSEPH: Yeah, the whole panel?

10 PANEL: Yes.

11 CHAIRPERSON JOSEPH: You do? These are all yes
12 or no questions. Do you believe class size play a
13 role in the delivery of quality instruction?

14 KHALEK KIRKLAND: Emphatically, yes.

15 DAN WEISBERG: Yes.

16 EMMA VADEHRA: Yes.

17 NINA KUBOTA: Yes.

18 CHAIRPERSON JOSEPH: Do you hold the teachers or
19 school administrators license? Have you ever taught
20 as a New York City Public Schools in New York City
21 Schools?

22 KHALEK KIRKLAND: Probably, yes.

23 DAN WEISBERG: No.

24 EMMA VADEHRA: No.

25 NINA KUBOTA: No.

1
2 CHAIRPERSON JOSEPH: So, here's my share. The
3 people that are making the decisions have never
4 taught in New York City Public Schools. For two
5 decades, I taught for New York City Schools. One of
6 the biggest drivers for our educators was the class
7 size. So, class size does matter. It matters to me
8 and it matters to all of my educators across the
9 city. So, know the first to get it right. We also
10 need people at the table and that's why we have the
11 working group. So, that's why I'm a little bothered
12 that some of the recommendations were not applied to
13 New York City Schools.

14 We see report after report. Smaller classes
15 provide better support emotionally, academically,
16 individualized as well. And I want to correct
17 something, underenrolled schools does not mean
18 there's less classrooms. Actually kids are bunched
19 up more in classrooms because of FSF funding. So,
20 let's get that right. I'm going to make sure that's
21 on the record and that's right. See, that's one
22 thing I always tell everybody before you come before
23 me, do your homework. We know that for a fact.
24 Enrollment is tied to students. There's no way
25 you're going to have smaller classes because you got

1
2 a bunch of kids in there, 35 kids and not enough
3 teachers to teach. So, that's why we must apply the
4 law and this is not because somebody told me, it's
5 because I lived it. I worked it for 22 years, so I
6 want to make sure we get it right.

7 So, have you consulted with programmers and other
8 school-based staff on how effectively reduced class
9 size with current staff and students? If so, how are
10 you using these recommendations to prepare for the
11 upcoming years? Are you in compliance now? What
12 does the out years look like?

13 DAN WEISBERG: So, we have consulted formally as
14 part of the Class Size Working Group with
15 practitioners, current practitioners including
16 principals, including teachers, including
17 representatives and informally, in numerable
18 conversations with people at all levels, educators at
19 all levels in all parts of the city and some of this
20 was initiated by us Chair. Some of it, much of it is
21 initiated by the people in the field who care about
22 this issue and care about the goals.

23 Let me say right at the top, we share this goal.
24 The goal that is imbedded in this legislation and
25 this statute. I shouldn't say legislation in this

1 statute because it is the law of the state, is the
2 right goal. The specific numerical caps are the
3 right goals. No question, share it. The Chancellor
4 talked about it all the time. Who would be against
5 smaller class sizes? As a parent, I will say, you go
6 into a school that you're looking at for your child,
7 one of the first things you're going to look at and
8 it's not just me, this is parents across the city.
9 The first thing you're going to look at is, are the
10 classes sizes too big, so my child is going to get
11 lost in the sauce. He's going to fall through the
12 cracks. So, this is a legitimate, absolutely
13 meritorious concern. We share the goal 100 percent.
14 You heard that from Dr. Kirkland. You heard that
15 from Deputy Chancellor Vadehra. You heard that
16 President Kubota. The question is you know, what we
17 are doing is just making sure that there are no
18 unintended consequences. That we drive towards this
19 goal and that we're very honest and transparent.
20 What we don't want to have happen is implement this
21 law, which gets much more difficult and yet three,
22 four and five have all kinds of ramifications of the
23 kind that Dr. Kirkland was talking about and parents
24 saying to us, why didn't you talk to us about this?
25

1
2 Why didn't you tell us this was coming? The law
3 didn't mandate us to set up the Class Size Working
4 Group. That was something the Chancellor wanted to
5 do in order to get -

6 CHAIRPERSON JOSEPH: And adding the kids at the
7 table to make sure that it's done. We want to make
8 sure you get it right as well.

9 DAN WEISBERG: So, I want to be clear. Share the
10 goal. We want to get there. We also want to be very
11 clear and transparent about what it's going to take
12 to get there and that's not just financially. That's
13 the kind of decisions that have to be made by
14 educators in the field in order to get to compliance.

15 CHAIRPERSON JOSEPH: Why must there be tradeoffs
16 in order - because I heard that we're used
17 interchangeably across the board. Why must there be
18 tradeoffs?

19 DAN WEISBERG: That's a really good question
20 Chair and I want to say, I should also say, I want to
21 echo Dr. Kirkland, I have great respect and
22 admiration for you and you are absolutely the right
23 person for the job and in part, only in part, in part
24 because of your many years of services and educator
25 in the field. So, let me tell you something that I

1 know you already know and the Council Members know,
2 there are three ways to reduce class size. This is
3 not complex. You can do three things. You can if
4 you have extra classroom space, hire more teachers
5 and open new classes. That's a cost factor but that
6 is one way to lower class sizes. You can, if you
7 don't have more space, you can build more classrooms
8 and that is something – that's another strategy that
9 we want to pursue. Also costly on the capital side
10 and there's all the issues that Nina raised about
11 finding space and acquiring space. Or you can reduce
12 the number of students who come into the building.
13 That is another way to comply with – that is one of
14 the recommendations as you know from the Class Size
15 Working Group.

17 All of those things require tradeoffs. Why do I
18 say that? If you're going to hire 10,000 to 12,000
19 new teachers at a cost of you know up to \$1.9
20 billion. The money has to come from somewhere, so
21 it's going to be less spending elsewhere in order to
22 support. That might be the right decision but it is
23 a tradeoff. If you are going to use repurpose
24 existing space in a school, as you're saying you know
25 whether it is an under-enrolled school, over-enrolled

1 school, there's very few schools you go into and you
2 see a classroom that's just sitting empty. It's
3 being used for something. It's being used for the
4 guidance counselors, the CBO in the community school.
5 It's being used for a mental health program etc..

6 So again, tradeoffs, if you going to repurpose
7 that space for classrooms, you're going to be taking
8 away space from other things that you are doing. All
9 of these things require tradeoffs and you know what
10 we are trying to make sure is that we're getting
11 input from the people who are going to be affected by
12 this. The educators, the students, and the families
13 and not just be making top-down decisions.

14 I'm going to say Chair, it would not be hard to
15 put together an implementation document, which by
16 law, we have to do in collaboration with our partners
17 at UFT and CSA and we will continue to do that that
18 says, here's the math. We're going to cap enrollment
19 at Forest Hills High School and Stuyvesant and
20 Brooklyn Tech and so forth. Over here, we're going
21 to take away repurposed space at this school appears
22 107 in Brooklyn and we're going to use it for this.
23 We're going to take money from this pot and put it
24 towards hiring more teachers. It's just math. I'm
25

1
2 an ops guy, we can do that. It's the question of how
3 does that affect students, families, educators, that
4 we want to make sure we're talking about.

5 CHAIRPERSON JOSEPH: So, we want to – you want to
6 cap, we want to cap which is one of the
7 recommendations but we also talked about even when
8 the Chancellor went up to testify the other day in
9 Albany, the exiting program including Pre-K at risk
10 of being cut because of the class size but you guys
11 are already cutting Pre-K and 3-K already at \$170
12 million, so I don't see the correlation between class
13 size and what you're talking about now.

14 DAN WEISBERG: I'm glad you asked that question
15 because it gives –

16 CHAIRPERSON JOSEPH: Hmm, hmm, you know I'm going
17 to ask questions.

18 DAN WEISBERG: To uhm, clarify. As you know, one
19 of the recommendations for the Class Size Working
20 Group was to again, repurpose space, which is one of
21 the things you can do and right now, we have 3-K and
22 Pre-K classrooms in our public-school buildings. You
23 could make the decision because they are not mandated
24 by law to move them out and to direct families to
25 CBOs that may be close by, may not be close by and

1
2 use that space for K-5 or K-8 depending on the
3 building.

4 CHAIRPERSON JOSEPH: So, you're going to tell New
5 York City parents that. Not me. You are going to be
6 the one to send out those messages for New York City
7 families. I'm going to yield back. I'm going to
8 come back for you but I'm going to pass it on to
9 Council Member Stevens.

10 COUNCIL MEMBER STEVENS: Hello, good afternoon
11 everyone. Uhm, I think I want to start with I guess
12 the similar question to what I asked the first panel.
13 The senators who were here earlier, just thinking
14 about uhm, we had a formula that wasn't funded for so
15 long and although it is fully funded now, I think
16 that there is still obviously going to be challenges
17 and I think in the testimony it was stated that even
18 with the additional funding, that that has already
19 been allocated. So, could you guys talk a little bit
20 about what that looks like because I think that it is
21 important for us to make sure that we are all at the
22 same level of like just a basic understanding of even
23 what that looks like and even thinking about how do
24 we get to a place where we get a formula that is up
25

1
2 to date and that will be able to support students in
3 a real way is going to be really helpful.

4 EMMA VADEHRA: Yes of course, thank you for the
5 question Council Member. So, I think there's two
6 pieces to what you just asked about and one is about
7 the dollars we have already received and one is about
8 how should the money be distributed going forward,
9 the states dollars could also be a question about our
10 dollars actually.

11 So, in terms of the foundation aid we've already
12 received, we have the - New York State has fully
13 funded foundation aid and over the past few years
14 we've seen those increases and those increases have
15 been critical for our schools and communities just to
16 be clear. Those increases are already out in our
17 budget, out in school communities. They allowed us
18 to fully fund FSF, they allowed us to put additional
19 dollars towards our highest need communities. They
20 allowed for class size reduction and other efforts
21 and they're built in to our baseline at this point,
22 right. And so, when we say we need another 10,000 to
23 12,000 teachers, another 1.4 to 1.9 IBO in the same
24 range, that's on top of what we have. Without those
25 dollars, we would need more money to get into full

1
2 compliance. And happy to talk more about where those
3 dollars have gone but the vast majority have gone
4 into school budgets. Some have actually gone to meet
5 some of our other mandated requirements from the
6 state, such as Special Education mandates or Charter
7 School payments. So, that's where those dollars have
8 gone and the money is on top of that.

9 And as you heard earlier, while the Governor has
10 proposed to continue fully funding foundation aid for
11 this year, because of a change in how she's proposing
12 to calculate inflation, even that increase is going
13 to be less than we expected to see for this coming
14 year. As Senator Jackson said, about \$130 million
15 less in New York City.

16 COUNCIL MEMBER STEVENS: Yeah, and I think that's
17 just important to highlight right and you know I'm
18 usually not this nice to you all, so everybody has to
19 take note of that but and I thank you. And I'm going
20 to say because I feel sometimes it's like a
21 disconnect in the conversation that we're having
22 because I don't think anyone doesn't want us to be at
23 a place to be able to support this but I think
24 especially with the powers of the state and in
25 education, thinking about when these things are

1
2 happening. Implementation is what I like to talk
3 about all the time and I know you guys hear that all
4 the time because that's all you guys, is about
5 thinking about what the implementation is going to
6 look like and for me, I'm thinking about when I know
7 what I legislate, I think about how is this going to
8 be implemented? How am I working with agencies to
9 get these implemented? And with this it does not
10 feel that way. It's like, well, the form is fully
11 funded so figure it out on a formula that was from
12 2007 and that's a long time. And so, even thinking
13 about, we were already at a disadvantage. I gave the
14 analogy of, I had a broke leg for what like 17 years
15 and now, you gave me a cast and I'm healing but your
16 like, go run a marathon. That doesn't work and so,
17 could you talk about some of the deficits that we
18 were already in even before it was fully funded
19 because I think that's also important to highlight in
20 this conversation.

21 EMMA VADEHRA: Yes, absolutely. I mean I would
22 just say our Fair Student Funding Formula, which is a
23 formula determined based on our take on student needs
24 with input from others wasn't fully funded. That
25 base formula of the city's-based formula, a good

1
2 formula wasn't fully funded until we got those
3 additional state dollars. The new waits we added, we
4 were able to do because of those additional state
5 dollars as well and then there's a series of other
6 pieces. So, that sort of helped us get to where we
7 are including with an additional focus on need. The
8 other thing I would just say and I do want to talk
9 about the states formula going forward as well and
10 what some improvements might be. The other thing I
11 just want to say as we step back and think big
12 picture. The city's contribution to our own budget
13 is actually a higher percentage now than it was back
14 in 2007 compared to the state.

15 So, while we are very grateful for the states
16 increases in foundation aid, the city's own
17 contributions has been large proportionally and in
18 absolute terms in that same timeframe, which is, I
19 work in education. I want all the money to go to
20 education. That as we step back and look big picture
21 at the city's contributions in the states, I do think
22 that's important to keep an eye on.

23 The last thing I just want to say because I
24 really appreciated the questions and the back and
25 forth on foundation aid. We would love for the state

1
2 to take a step back and look at how foundation aid
3 functions. Appreciated the suggestion around
4 students in temporary housing in particular, I think
5 there's other ways. I would say, one of the things
6 we would be looking for them to focus on and this
7 gets a little bit to the tradeoff question right
8 because \$1.00 is \$1.00 and you either spend \$1.00 on
9 students in temporary housing or you spend \$1.00
10 treating all students equally as the Class Size Law
11 says. All students should be in classes of the same
12 size. And so, both when we look at our formula,
13 that's one of the tradeoffs. We put in \$100 million
14 this year for our highest need students in
15 particular. That could have been spent in a
16 different way that wouldn't have been as targeted and
17 we would want the state to be looking at some of the
18 same pieces.

19 COUNCIL MEMBER STEVENS: Sorry, just really quick
20 and I don't know if I'm clear about this. Does this
21 class size mandate also affect Charter Schools or is
22 it just in the public schools?

23 EMMA VADEHRA: It does not affect Charter
24 schools.

25 COUNCIL MEMBER STEVENS: Oh, that's interesting.

1
2 CHAIRPERSON JOSEPH: You done Council Member
3 Stevens? Oh, Council Member Lee.

4 COUNCIL MEMBER LEE: Hello, good afternoon.

5 DAN WEISBERG: Good afternoon.

6 COUNCIL MEMBER LEE: Thanks so much for your
7 testimony and sharing all of this. I just want to
8 echo what Council Member Stevens said because you
9 know, coming from the nonprofit sector, I think one
10 of the things that we were always frustrated with is
11 that the intentions of some of these, the legislation
12 is great but there is always unfunded mandates. And
13 so, I just, you know I think all of us can agree that
14 smaller class sizes is a good thing and the question
15 is really, my same question is around implementation
16 and how this is going to role out. And so, I just
17 wanted to ask two rounds of questions. One around
18 the hiring piece and the other around the breakdown
19 of the different types of needs of the teachers and
20 what that like, what that could look like.

21 So, the first question I have is, in terms of the
22 recruitment and hiring of teachers, because I just
23 know for a fact from the nonprofit sector, like
24 hiring these days is very, very difficult and finding
25 the staffing is very difficult and you know according

1
2 to the testimony, you know it seems like there are
3 nationally and locally fewer teachers than ever
4 entering the profession as you said.

5 So, my question is, are there any thoughts about
6 incentive programs or ways to sort of you know get
7 folks into the pipeline and what does that look like
8 and what do you think the needs of that are going to
9 be? Above and beyond potentially just the regular
10 hires?

11 DAN WEISBERG: It's a really important question
12 Council Member Lee. I appreciate that because it's
13 one of the things that doesn't probably get as much
14 attention about this law but it's really important.
15 You know our estimates are - each year, it varies
16 some but we, just through attrition and thankfully,
17 you know we have by far in a way, the greatest
18 education workforce in the country. You know, we
19 have to backfill about 4,500 teacher, teacher
20 vacancies a year and we're able to do that through
21 you know various sources which I'll talk about in a
22 minute because it gets to your question.

23 Here, we have to increase that by 10,000 or
24 12,000. So, we're talking about several times, our
25 typical hiring need. Uhm, how would we do that? We

1
2 have great incentive programs right now. They really
3 work and they work on multiple levels. So, for
4 example, our Teaching Fellows Program, which I think
5 was put in place maybe in 2001 but you know, early
6 after the turn of century, is very effective and it's
7 effective in recruiting teachers who are career
8 changers, who have different levels of expertise.
9 It's far more racially and ethnically diverse
10 pipeline than what comes from higher education, which
11 as Emma said, this is also a big challenge for us to
12 making sure that we are increasing our numbers of
13 Latino, Latina teachers, Asian teachers, African
14 American teachers. We have deficits there and our
15 alternative certification programs tend to be much
16 more effective at doing that.

17 So, here's the catch Council Member Lee. One of
18 the reasons it's effective is because we subsidize
19 tuition costs as part of it. One of our major, major
20 problems, not just in New York City, although it is
21 in New York City is it's very expensive to become a
22 teacher and so, then we're surprised when it's mostly
23 people who come from middle class backgrounds who
24 have the means, can afford to become a teacher.
25 While one of the things we do to counteract that in

1
2 our alternative certification programs is we will pay
3 as the New York City Public Schools. We will pay
4 part of your tuition. So, we could ramp that up.
5 Again, what does that come down to? We need the
6 funding to do that. And so, one of the strategies
7 that we would employ to comply with this law is to
8 expand our alternative certification programs.
9 Again, we would work in partnership with you and our
10 friends from the state to figure out how to find the
11 funding to pay for that. And that's not, to be
12 clear, that's not part of the \$1.6 billion to 1.9
13 billion estimate the IBO came up with. That's just
14 the cost for salary and benefits for the additional
15 teachers. There are additional recruitment costs.
16 There are costs of hiring the administrators around
17 it that are not figured into that.

18 COUNCIL MEMBER LEE: Okay and just on another
19 related topic, which was my second part of the
20 question around the workforce also is, has there been
21 a breakdown in terms of the needs of hiring for
22 elementary versus middle schools versus high school?
23 And the reason why I say that is because obviously
24 for high school for example, you may need teachers
25

1
2 that have other special certifications, different
3 types of AP classes, different types -

4 So, I guess my question then is, for those
5 teachers because I've been going to a bunch of
6 legislative breakfasts with the high school
7 principals as well as the parents and the CECs and
8 talking to just a bunch of folks about this and I
9 guess one of the concerns that has been brought up to
10 me, and if you could speak to maybe some of the
11 challenges around if a school has such a say to like
12 one AP class that now has to be - if they want to
13 offer that same class to the same number of students,
14 they have to now split it into two but that means
15 that they would have to find another instructor for
16 that class, right?

17 What happens to those students if an instructor
18 is not there and then does it mean that uhm, you know
19 those students could take different types of classes
20 or different offerings? And also, speaking to the
21 equity piece, I want to make sure that we also
22 recognize that the schools that need it the most
23 shouldn't have that sacrificed right? For in terms
24 of equity, so we should make sure that you know
25 whether no matter what the socioeconomic status is,

1
2 you know the needs are really, especially on the
3 lower, you know the schools that, in the areas that
4 have a higher poverty rate, we should make sure that
5 those teachers that are qualified don't get pulled,
6 right uhm, to go to other areas? And so, I'm just
7 trying to wonder, like it's like a puzzle piece that
8 you have to figure out, so I'm just wondering what
9 some of the challenges are around that.

10 DAN WEISBERG: There's a lot embedded in that
11 question Council Member Lee and so, we would love to
12 sit down with you because that's great that you've
13 been spending time with our high school principals
14 and yes, they're among the groups that have questions
15 you know about implementation of this law. So, I'll
16 just say a couple of things. They are of course 100
17 percent correct that there are national shortages at
18 the secondary level, particularly in stem subjects.
19 So, it is very difficult. We get proportionally much
20 fewer applications, many fewer applications for say a
21 high school science vacancy that as we do for an
22 elementary vacancy and we can see that. Like it's
23 much harder to fill those slots. So, yes, if we have
24 an AP bio class and now, and there's uhm, you know 32
25 kids in it and now we're going to have to have two

1
2 classes, we need to find another AP, another bio,
3 high school biology licensed teacher. Very difficult
4 to find and as my colleague Dr. Kirkland said, we a
5 have major you know concern about what's going to
6 happen is, maybe in another part of the city we'll go
7 to Brownsville and try to recruit some of Dr.
8 Kirkland's AP teachers and bring them to another part
9 of the city where maybe they're looking to go to
10 anyway.

11 So, we have to make sure that doesn't happen but
12 yes, there are national shortages that are going to
13 be exacerbated. Same is true with Special Education.
14 We have increased the number of Special Education
15 Teachers in our city tremendously over the last ten
16 years. It's still not enough. There's a national
17 shortage. If you have an ICT class or a team-
18 teaching class that includes students with IEPs and
19 students without, and now it's over the cap, you're
20 going to have to find another general education
21 teacher and another special education teacher. So,
22 these are just the implementation challenges that we
23 will have to overcome.

24 COUNCIL MEMBER LEE: Yes and thank you sir for
25 the Special Education piece because yes, yes. I just

1
2 wanted to just mention as Chair of the Mental Health
3 Disabilities Addictions Committee, that's always
4 something that we're talking to the schools about
5 that is very challenging already. So, thank you.

6 CHAIRPERSON JOSEPH: Thank you Council Member. I
7 have a question for you Deputy Chancellor. We have
8 had historically always had shortages in New York
9 City Public Schools. That's not a secret and I know
10 that first hand because I had to leave my classroom
11 on December 23, 2021 to join the Council January 1,
12 2022 because why? I was an ESL teacher and there was
13 no one to take my position.

14 So, it's not only this class size law that's
15 causing the shortage, we've historically, I want to
16 make sure that's on the record correctly for Council
17 Member Lee to know, historically we've always had
18 shortage areas. Special Education, science, math,
19 all of these areas were already short. So, let's not
20 make it sure that this is the class size law that's
21 causing that. What we should do is retain, create
22 that pipeline and every time you come here, I say the
23 same thing. Start recruiting in college, recruit
24 your paraprofessionals. You have bilingual pupil
25 services. You have all of these resources, use them,

1
2 subsidized tuition and all of that in order to
3 retain. And also, class size is one deterrent. In
4 recent studies that says this is one of the reasons
5 why teachers leave classrooms. It's not because of
6 the class size law. It's because historically, 35
7 students in front of you is not a great thing. It's
8 not.

9 So, I just want to make sure -

10 DAN WEISBERG: We're in total agreement here.
11 We're in total agreement with everything you just
12 said.

13 CHAIRPERSON JOSEPH: Correct, I just want to make
14 sure Council Member Lee understand that. It's
15 already there, so now they need to address it. They
16 said that we lost 4,000 teachers already. How do we
17 retain them as well? Lower your class sizes. That's
18 one of the things. Who is the next person? Council
19 Member Dinowitz.

20 COUNCIL MEMBER DINOWITZ: Thank you Chair. I do
21 want to point out first, you mentioned the New York
22 City Teaching Fellows. I happen to think it's a
23 great program. I was in it. It was great.

24 DAN WEISBERG: Exhibit A Council Member, Exhibit
25 A.

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2 COUNCIL MEMBER DINOWITZ: No, don't put me high
3 up on the list but you know part of the program was
4 specifically, was specifically to recruit high need
5 areas, high need subjects. So, the notion of where
6 are we going to find these teachers? You have a
7 program in place and I would just add that it really
8 does follow a lot of the protocols of good education
9 where we had advisors. We had the subsidies and we
10 were able to get into those very places that needed
11 the teachers the most. I, myself, did special
12 education but they have any subject you mention, you
13 can do recruitment and that's the deal of the
14 Teaching Fellows. Say, you know we need, we'll
15 subsidize your masters. We'll give you the support
16 you need but you got to teach in these high need
17 areas. My questions are specifically about high
18 school. We have how many high schools in New York
19 City?

20 DAN WEISBERG: I don't want to give you the wrong
21 number. We'll get it for you.

22 COUNCIL MEMBER DINOWITZ: So, we have hundreds of
23 high schools in New York City and having taught in
24 one, very often we had overcrowded classrooms. I had
25 34, 35, kids in the classroom and sometimes I had

1
2 classes with 20, 24 kids. Those were my ICT or
3 general education classes and the classes with the
4 smaller population in them had a higher percentage of
5 students who had passed and move on to the next
6 grade. Have you done analysis in the DOE, which is
7 full of data to indicate how many – what the
8 percentage is compared you know how they compare
9 teachers who teach high numbers of students in
10 classes? What the pass rate is compared to lower?
11 And the reason I'm asking that is this, high schools
12 create sections specifically for students who fail.
13 They fail one year. They fail the Regents. They
14 fail the class. They have to repeat that course
15 again and teachers take time away from things like
16 electives, AP classes so that they could teach
17 repeaters. And when class sizes are smaller, it is
18 less likely that students will fail.

19 So, what analysis has the DOE done to indicate
20 the benefits and the cost savings that might actually
21 come out of reducing class sizes specifically in the
22 high schools?

23 DAN WEISBERG: We have not – I mean it's a great
24 question. It's good to see you Council Member
25 Dinowitz. It's a great question. To my knowledge,

1
2 we have not done that specific analysis. It's kind
3 of as you heard from Dr. Kirkland, baked into our
4 belief system is it's going to be a positive thing to
5 have smaller classes in high school in every other
6 level. We have not that analysis about whether there
7 could be some mitigation of the costs for the reasons
8 you say because the outcomes are better. You have
9 fewer remediation classes etc., but we can absolutely
10 take a look at that.

11 COUNCIL MEMBER DINOWITZ: Well, you are citing
12 costs as one of your huge concerns. And what I'm
13 saying to you today is that the costs may not be so
14 much of a concern if you take into account the number
15 of students who are passed, not to mention the
16 benefits to them. To ask how many fewer students
17 would be taking remedial courses or corequisite
18 courses in college as a result of doing better. How
19 many more students would be getting into their top
20 college choice as a result of smaller class sizes?
21 How many more students would be engaged and even want
22 to take those AP classes that we all want our
23 students to have access to? Who from the Department
24 of Education would be conducting those analysis?

25

1
2 DAN WEISBERG: Our Office of Policy and
3 Evaluation.

4 COUNCIL MEMBER DINOWITZ: So, I would point out
5 when you come to a hearing, only cite in costs.
6 Without citing the benefits of a particular law or
7 particular policy, it becomes very challenging to
8 have honest conversations about what budget and
9 implementation looks like. So, I am looking forward
10 to seeing what that looks like so we can have a more
11 robust conversation about the Class Size Law.

12 DAN WEISBERG: I just want to respectfully push
13 back. I think each one of us and particularly Dr.
14 Kirkland talked I think quite passionately about the
15 benefits of smaller classes. So, we are in no way
16 giving that short shrift but we do have to talk about
17 how to implement.

18 KHALEK KIRKLAND: Yeah, Councilman let me, I
19 think that everyone here would be willing to spend
20 whatever it cost to reduce class size. So, let's be
21 very clear. We all love a reduced class size and we
22 would all rather invest money in education in jails,
23 like Council woman Joseph said but we also ask the
24 very important question about what would be the
25 implications of putting this forth. So, one major

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2 implication that I was discussing was you have one of
3 the greatest schools with low incidence that needs an
4 additional 45 teachers. What's going to happen?
5 Those teachers are going to – those first-year
6 teachers that are now in Brownsville, have a year
7 under their belt of educating scholars and where are
8 they going to go? They're going to go to that high
9 functioning school and it's going to leave schools
10 like Brownsville with a bigger deficit. That's a
11 problem and you're right, as an educator, the AP
12 classes are always the classes that teachers don't
13 mind having a large class size because those children
14 are very orderly, very studious and you could teach
15 bigger classes but if the law is enacted, like
16 Council woman Lee said, you're going to have to
17 legally find a second teacher for that class and
18 there's no policy or mandate that says children must
19 get an AP bio class. There's no law that says that.
20 So, what's going to happen is that if you don't have
21 a teacher with a license to teach that AP bio class,
22 those scholars are going to go without having that AP
23 bio subject and that's unfortunate.

24 COUNCIL MEMBER DINOWITZ: Yeah, I want to thank
25 you and thank the Chair. I don't doubt anyone's

1
2 commitment to our children or to smaller classes but
3 the question is not what we believe, it's what we do.

4 KHALEK KIRKLAND: Yeah.

5 COUNCIL MEMBER DINOWITZ: And all the examples I
6 always hear aren't, it sounds like in these specific
7 examples, there may be problems or concerns which may
8 be very real but in those specific examples, aren't
9 reasons to not go fully forward with the law in
10 things we know benefit most students. So, I thank
11 you for your time and thank you Chair Joseph.

12 CHAIRPERSON JOSEPH: Thank you. Council Member
13 Brewer.

14 COUNCIL MEMBER BREWER: Thank you very much. So,
15 my question is, uhm, when you need 500 schools that
16 will need more classrooms, how are you approaching
17 that? I know you talked about it a little bit. I
18 would like to hear more. And then on the teachers, I
19 teach at Hunter but I have not taught locally and so
20 my question is always doing sort of channeling Tony
21 Alvarado. May he rest in peace. Can we do something
22 for biology computer, what else, out of license in
23 order to get the biology course started? I don't
24 know how the UFT feels about that but there are a
25 whole bunch of people in the city who could do this

1
2 kind of work. So, what are we doing? This is an
3 opportunity perhaps to look out of the box in order
4 to address some of these issues. More space, I mean
5 I am dealing right now as you know with a big mess on
6 space. I'm very aware of space issues but what else
7 can we do on these two topics for getting the money?
8 I know that's what's been talked about.

9 Also, I must admit, I'm one of the people who
10 doesn't want to reduce enrollment at some of the
11 schools because I have the high performing schools
12 and everybody wants to go to them. So, I need space
13 and we all need teachers. So, how can we be out of
14 the box? These are not new problems. We always
15 needed space and we always needed teachers, math,
16 science in particular.

17 DAN WEISBERG: Well, I can take the second
18 question. Nina may want to talk about the first one
19 but it's - that's again, exactly the right question
20 Council Member Brewer. You know, how do we think out
21 of the box? The state dictates the qualification of
22 teachers that were allowed to hire an employee. In
23 order to be a certified teacher -

24 COUNCIL MEMBER BREWER: How did Tony Alvarado get
25 around it?

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2 DAN WEISBERG: That's a good question. I'm sure
3 somebody's written a book about that.

4 CHAIRPERSON JOSEPH: There was an article in the
5 Chalkbeat and I said, New York City and the State are
6 working to find ways to make sure we address the
7 shortage area. It just came out this week.

8 COUNCIL MEMBER BREWER: He did not hire the way
9 that you were supposed to and he just did it.

10 DAN WEISBERG: Well, I would love to research
11 that and find out but that was a different time.

12 COUNCIL MEMBER BREWER: Yeah, I know, I was
13 there.

14 CHAIRPERSON JOSEPH: She was there.

15 DAN WEISBERG: I will say Council Member Brewer,
16 uhm, you should not, so you were teaching college
17 students or graduate students.

18 COUNCIL MEMBER BREWER: Every day.

19 DAN WEISBERG: Every day. You should not need to
20 go back to school and forgive me, I don't know your
21 educational background. To get another degree, if
22 you have the expertise to teach at the college level,
23 if you want to come in and teach our kids and by the
24 way, maybe you want to come in and teach our kids by
25 the way as a UFT represented teacher, I'm not talking

1
2 about anything else. You might just want to teach
3 one class.

4 COUNCIL MEMBER BREWER: I know but then are we
5 doing that kind of outreach or is it only the more
6 traditional? I don't know but I'm saying you got
7 major, you got problems because the folks are not
8 going to come for the salary. I'm a big believer in
9 teaching and paying teachers more. That's not on the
10 agenda necessarily right now and I'm a big believer
11 in trying to be as creative out of the box as
12 possible and these hard to teach courses, I don't
13 know if you're going to find them with the salary you
14 got.

15 DAN WEISBERG: So, yes and we would love your
16 support as we work with our partners at the state to
17 maybe allow us to pilot some programs. To not just
18 put anybody. We don't want to - no parent wants to
19 put anybody in front of our kids but if you know
20 somebody who has that expertise that's in short
21 supply, we would love to be able to work with you to
22 make sure you had the skills you need to teach at a
23 K-12 level and put you right in the classroom.

24 COUNCIL MEMBER BREWER: You call it the Tony
25 Alvarado program.

1
2 DAN WEISBERG: Happy to, that would be a fitting
3 memorial.

4 COUNCIL MEMBER BREWER: What about the classroom,
5 how are you going to find more space?

6 NINA KUBOTA: Right, thank you for that question.
7 I think in my testimony I talked about four different
8 strategies and I will say that as you can hear this
9 afternoon, this is very complicated and building is
10 just one of the solutions.

11 So, I think what we've started to do is do the
12 tier one, the sort of low hanging fruit. We're
13 looking at where and remember there was a survey that
14 was sent out to principals that say, do you have
15 space in your school and where our data aligns, we
16 have a few dozen schools that we immediately have to
17 look at that say, we have space. We agree that they
18 have space, let's get to those schools and if there's
19 a renovation project that needs to happen, we can
20 bang that out pretty quickly and that's only if they
21 need one classroom. We're looking across the system
22 and there are probably about 100 schools that on
23 paper had sufficient space to kind of absorb. So,
24 that for the School Construction Authority is the
25 easiest and fastest and least costly method. So,

1
2 that's what we're doing now as we're finishing
3 analyzing these principal surveys but those couple
4 dozen, we can get to pretty quickly and we've already
5 started to do that.

6 I think the other strategy is, what do we do with
7 the 27,000 seats that are in process? And we talked
8 about that again in our testimony to say, we have
9 three schools coming online in District 20. That's
10 an area of need without class size but uh compliance.
11 So, we are working with District Planning and other
12 offices at New York City Public Schools so that we
13 can use those seats that are in process to address.
14 The biggest thing is obviously how many new schools
15 and where. And as I mentioned, that is the most
16 costly and also, the toughest right. Where do we
17 build these schools and I think that's the process
18 that we're going through right now to analyze where
19 it's most impactful.

20 COUNCIL MEMBER BREWER: Okay, don't forget on 66th
21 Street, you have a school that you didn't know about,
22 right. The school that you were like, I told you
23 about. It's a brand-new school that you're building
24 that you didn't know anything about. So, you could
25

1
2 use that school to be one of your extra spaces. Are
3 you aware of that school?

4 NINA KUBOTA: Yes and Deputy Chancellor also
5 mentioned, you know we are also looking at where we
6 can expand existing schools.

7 COUNCIL MEMBER BREWER: Well, that will be a good
8 place. I'm just letting you know.

9 NINA KUBOTA: Agreed, thank you.

10 EMMA VADEHRA: Can I just, can I speak to the
11 expansion piece though because -

12 COUNCIL MEMBER BREWER: In my school or in
13 general? To the school on 66th Street.

14 EMMA VADEHRA: I'm worried to try and speak about
15 that, so I'm going in general. I just think one of
16 the other things just Nina flagged is and this gets
17 to your enrollment point. It's not just building new
18 schools anywhere and it's not just building new
19 schools in the most overcrowded districts, which is
20 how obviously SCA has done it's work. It's building
21 new classrooms close enough to those schools that are
22 currently over-enrolled, right? It's just building
23 out that same building which is an additional level
24 of that last category.

1
2 COUNCIL MEMBER BREWER: I'm afraid to mention
3 parochial schools because I know what I'm up against
4 but they are all empty. Thank you.

5 CHAIRPERSON JOSEPH: Thank you Council Member.
6 Superintendent Kirkland, in your testimony you
7 mentioned a fear of teachers shifting from high
8 poverty schools to lower poverty schools, right.
9 Since the law prioritizes students in higher need
10 schools, do you think a policy that offers pay
11 incentives for teachers in high poverty school, like
12 schools in your district can combat this?

13 KHALEK KIRKLAND: Maybe. However, let me give
14 you a real-life scenario. You know that I'm a part
15 of the 73rd Precinct and the 73rd Precinct is doing
16 everything they can to combat crime.

17 CHAIRPERSON JOSEPH: Right.

18 KHALEK KIRKLAND: However, there's not a week
19 that goes by that one of my schools does not have a
20 drill because of an activity that's happened outside
21 of the building. And we call that -

22 CHAIRPERSON JOSEPH: Project Pivot. Dan loves
23 Project Pivot. Where's Project Pivot in this
24 situation? Talk to me.

1
2 KHALEK KIRKLAND: No, no, no, remember Project
3 Pivot is – first of all, Project Pivot is doing an
4 amazing job. I congratulate our Chancellor for that
5 initiative. It's been doing amazing things. So, you
6 brought up Project Pivot, let me tell you how Project
7 Pivot has helped us. Project Pivot has helped us
8 dramatically by decreasing absenteeism and chronic
9 absenteeism because they are actually going in and
10 knocking on project doors and saying, I need you to
11 get up and you're coming to school. So, they've done
12 an amazing job. I'm not talking about problems
13 inside of the building. I'm talking about problems
14 outside of the building.

15 So, approximately at 1:30, the principal gets on
16 the PA system and says, "we have a shelter in drill
17 because of activity that's happened outside of the
18 school building." And everybody knows what that
19 means. That means that crime is going on somewhere
20 and no one can get in and no one can get out. So, if
21 I'm a teacher, I'm 25-years-old. I'm a single woman
22 and I'm thinking wow, I drove to school. My car is
23 outside. Is it safe for me to go outside or is the
24 73rd Precinct still outside?

25

1
2 So, now I'm starting to make decisions about
3 where I'm going to go to work everyday based on - I
4 love my school. I love my children. I love my
5 families but wow, wouldn't I probably prefer to go to
6 a school that I don't have to deal with that, that
7 neighborhood? That's what I'm afraid of, where we
8 lose people and lose quality teachers from
9 Brownsville. In addition to what you said, no one
10 like high class size but we also want to make sure
11 that we're working in districts and we work very
12 hard, very hard at pleasing our teachers and doing
13 whatever we can but that's a reality that is beyond
14 control of the principal Project Pivot or even the
15 Superintendent when something is happening outside.

16 CHAIRPERSON JOSEPH: Is there a safe passage plan
17 in place for these students?

18 KHALEK KIRKLAND: Definitely and Project Pivot is
19 helping with just that.

20 CHAIRPERSON JOSEPH: Yay, Project Pivot.

21 KHALEK KIRKLAND: Yeah, Project Pivot; I know
22 that you're an advocate.

23 CHAIRPERSON JOSEPH: I'm also a big advocate of
24 restorative justice, which Dan doesn't like. I love
25

1
2 community schools; Dan doesn't like them and they
3 work.

4 KHALEK KIRKLAND: I'll talk to Dan about that
5 because -

6 CHAIRPERSON JOSEPH: Yeah, have a conversation
7 with Dan. Please talk to Dan. Have a conversation
8 with Dan because some of the data say these things
9 work but Dan don't believe in them.

10 KHALEK KIRKLAND: Well, listen we all want to
11 make sure - listen, you know this as an educator.
12 You've only been working one less year because you
13 look five years younger than I am. So, let me
14 explain something to you.

15 CHAIRPERSON JOSEPH: Shout out to my age too.

16 KHALEK KIRKLAND: You and I both know that there
17 are three things that families are looking forward to
18 when they send their child off to school. The third
19 thing is that they want their child to learn
20 something every day.

21 CHAIRPERSON JOSEPH: Correct.

22 KHALEK KIRKLAND: The second thing is they want
23 someone to care for their child. You got a boo boo;
24 you lost your pet snake whatever. Is somebody going
25 to care for them? But you know the first thing that

1
2 a parent wants when they send their child off to
3 school and you send your son off to school, is that
4 he's safe.

5 CHAIRPERSON JOSEPH: Absolutely, he just texted
6 me.

7 KHALEK KIRKLAND: So, the Project Pivot has been
8 helping with that in ways that I'm just in love with
9 our Chancellor for coming up with that idea.

10 CHAIRPERSON JOSEPH: Shout out to the Chancellor.
11 So, I have a question for Dan. Is DOE considering
12 this working group recommendation for pay incentive
13 in high poverty schools to meet the caps?

14 DAN WEISBERG: Yes.

15 CHAIRPERSON JOSEPH: I know uhm to recruit Black
16 men, I know you had an initiative. Is this
17 initiative still ongoing?

18 DAN WEISBERG: It is. New York City Men Teach,
19 yes.

20 CHAIRPERSON JOSEPH: It's still ongoing and is
21 there still a program to make sure that students who
22 enroll and want to teach in New York City Public
23 Schools some of their student loans are also
24 forgiven? It was a program.

1
2 DAN WEISBERG: Yeah, I'll have to check on loan
3 forgiveness but we certainly do subsidize tuition but
4 I'll have to look at what we are specifically doing
5 on loan forgiveness.

6 CHAIRPERSON JOSEPH: You said uhm, how many New
7 York City schools are in the New York City, they have
8 500 of B schools lack of space currently implemented
9 by the law. Where are these schools located? Rough,
10 what boroughs do you know?

11 DAN WEISBERG: Yeah, will you put up that map?

12 CHAIRPERSON JOSEPH: Oh, you all teaching today,
13 okay, alright Daniel.

14 DAN WEISBERG: We came prepared.

15 CHAIRPERSON JOSEPH: I see. Who's teaching?
16 Alright, okay. You can present it, let me know.
17 Okay, how many high need schools have the space today
18 to do this?

19 NINA KUBOTA: Sorry, there was confusion here.
20 Thank you for that question. So, I think maybe
21 what's not clear on that chart is uhm, by district.
22 So, the number of -

23 CHAIRPERSON JOSEPH: You can go and point to us
24 whatever you need to show us, we're here for.

1
2 NINA KUBOTA: It's on my chart. No, I'm kidding.
3 I don't think it has the chart that I'm looking at
4 here. There is another one.

5 EMMA VADEHRA: Show the district. We don't
6 usually do charts.

7 NINA KUBOTA: As you can see.

8 CHAIRPERSON JOSEPH: I like team effort. Go
9 ahead.

10 NINA KUBOTA: Thank you. So, the darker shading
11 shows districts 2, 20, 24, 25, 26, 28, and 31. So,
12 this is the number of classrooms needed by district
13 that that is the darkest red here needing 200 to 371
14 classrooms and then as the shades get lighter, it
15 goes 100 to 199, 50 to 99, 10 to 49 and then 1 to 9.
16 And so, those districts and I think Emma mentioned it
17 in her testimony, uh the districts that are most in
18 compliance and need the fewest are 7, 16, 18, and 23.
19 So, I think this chart tries to reflect it as well.
20 I think also on this chart, what's important to note
21 are the schools that need the most number of
22 classrooms and you can see that it's sort of Fort
23 Hamilton High School, Francis Lewis, James Madison,
24 Midwood High School and so, we've analyzed this and
25 of the top 50 schools needing the most classrooms, I

1
2 will say that there are only ten that are in the
3 highest need index and only three in the highest need
4 index. So, I think that that's sort of the analysis
5 that we're putting together as reflected in this
6 chart.

7 CHAIRPERSON JOSEPH: No, that's the area you're
8 also going to build out or repurpose. That's what
9 you were saying you want to repurpose some of the
10 space because those are high need performing schools
11 as well that's going to need more seats. And how
12 come Charter schools don't fall into this? Talk to
13 me.

14 DAN WEISBERG: That Chair would have been a good
15 question I think for your last panel. I don't know
16 why the law is -

17 CHAIRPERSON JOSEPH: Because you have a lot of
18 colocations going on.

19 DAN WEISBERG: We certainly do. We have a lot of
20 Charter colocations and we have you know district
21 school colocations. That's correct and while I
22 briefly have the floor, I just want to respectfully
23 push back Dan is a huge, long time, decades long
24 supporter of community schools.

1
2 CHAIRPERSON JOSEPH: Alright, that's on the
3 record.

4 DAN WEISBERG: That is on the record and Dan also
5 is a huge supporter of quality, restorative justice
6 programs that I've seen in many cities, the good work
7 there. So, I want to make sure there's not you know
8 any misrepresentations.

9 CHAIRPERSON JOSEPH: Thank you for clearing the
10 air. Council Member Shekar.

11 COUNCIL MEMBER KRISHNAN: Thank you so much
12 Chair. Thank you all for your testimony today too.
13 I just have a few questions to follow up and
14 apologize if I repeat it. Something that was asked
15 before only because I was at another hearing earlier.
16 But just before starting, I just want to say, and
17 Council Member Dinowitz made this point I think very
18 effectively too. Appreciate and understand that you
19 all know that this is a mandate and a statutory
20 obligation and that you have to comply with it. One
21 of the things that I am frustrated by is that a lot
22 of the — you know there will be of course challenges
23 with funding and otherwise but it's also choices of
24 how the agency invests its dollars. And the reason
25 why there's this mismatch between the stated intent

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2 and the impact on the ground is because you look at -
3 it's not a budget hearing, I'll save that for budget
4 stuff later but you do look at this in the context of
5 other cuts right. Cuts to 3-K, cuts you know to
6 school lunches for example, which we'll revisit
7 later. This is not a school lunch hearing but that's
8 really you know deeply upsetting to me too or you
9 look at the lack of investment in bilingual education
10 and resources given the number of asylum seekers who
11 are coming here. So, in the context of all of those
12 things to also hear that while we recognize the
13 mandate, but we don't have the money but we need the
14 money to do. It falls flat because it is in line
15 with other policy choices being made by the agency
16 that are not in line with the fundamental values,
17 right? Whether it is class sizes, whether it's
18 school lunches, whether it's bilingual education,
19 whether it's 3-K, these are all foundational things
20 that I think the Department has to find a way to
21 really invest in.

22 So, with all of that being said, I think that's
23 why we also, you know it's important to see our
24 perspective on why the stated you know intent isn't
25 aligning with what we're seeing on this side of

1 things, given this larger picture of where we are
2 with DOE spending in the budget right now. With that
3 all being said, one thing I want to say, so how much
4 does the DOE intend to spend on lowering class sizes
5 next year and in years 3-5 to be able to hire enough
6 teachers to staff these classes. What is the actual
7 dollar amount?
8

9 EMMA VADEHRA: So, thank you. I just want to
10 clarify one thing about the beginning of what you
11 said because I actually do want to be very clear that
12 over the past few rounds of budget decisions the city
13 has made, we have actually not just protected but
14 increased funding in school budgets in particular,
15 which would be the most direct place to put money to
16 decrease class size. So, just over the course of
17 this year alone, we have added \$100 million to our
18 highest need schools and communities for our FSF new
19 waits. We've added an additional \$215 million thanks
20 to the state for contracts for excellence dollars.
21 Class size is one of the uses there. FSS funding
22 greatest uses for teachers obviously, that's what we
23 spend most of our money on in school buildings.

24 Over the course of our mid-year adjustments, we
25 have increases more money to schools by another \$100

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2 million across the system and then we have proudly
3 invested in our new collective bargaining agreements
4 with our teachers and principals giving them the
5 extremely well deserved raises they received, which
6 is another \$700 million. So, I just want to be clear
7 that we've actually worked very hard this year to
8 protect and increase funding for school budgets,
9 which is actually where we would put the money to
10 continue to increase our class size compliance.

11 We will continue, we don't know what our final
12 budget will be next year. We look forward to
13 learning. We were up at the state, we need more
14 money not just for class size reduction for next
15 year. As you all know and I appreciate, have been
16 vocal advocates on. We also have expiring stimulus
17 dollars that are supporting 3-K, community schools,
18 restorative justice programming and many other
19 things.

20 So, as we get the dollars for our final budget,
21 we will have a series of decisions we need to make
22 for next year. We don't have that final budget. All
23 of those are things we're going to look to try and
24 continue to fund where we can in addition to class
25 size. For class size in particular, we are actually

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2 hopefully, fairly close to compliance for next year.
3 Not the years after that but we're fairly close for
4 next year.

5 So, depending on what dollars we get in, we will
6 be looking to protect some of those stimulus funded
7 programs. That is a key priority. I think a lot of
8 those are shared priorities for us and all of you.
9 While we also look at our class size needs for next
10 year but realistically, we're also going to ask
11 schools to be looking within their existing budgets
12 for next year to make sure we stay in compliance.

13 COUNCIL MEMBER KRISHNAN: And sorry, I didn't get
14 the answer to that one question. How much do you
15 intend to spend over the next year and the next three
16 to five years?

17 EMMA VADEHRA: So, the cost over the next three
18 to five years is \$1.6 to \$1.9 billion. Final year,
19 IBO has \$1.6 to \$1.9 billion. In terms of next year,
20 it's too early to say. We don't have our budget yet.
21 We don't have our state budget yet. We don't have
22 our city funding yet.

23 COUNCIL MEMBER KRISHNAN: Well, I expect to see
24 movement on all these things. On class size
25 investments, school lunches, 3-K. I understand

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2 there's a whole bunch of process here but you know to
3 really know that we're working towards achieving
4 these goals, we need to see it reflected in the
5 budgetary decisions made by DOE. And we'll revisit
6 that during budget time but there are a lot of
7 concerning things now coming up you know that provide
8 a larger context on this issue.

9 Now, in terms of the city's financial plan, Chair
10 if you don't mind I just have a few more questions.
11 Uhm, in terms of the city's financial plan, I think
12 you all, are you all projecting a loss of 2,708 more
13 full time teachers over the next two years? And how
14 is that going to work if what we've talked about
15 today so far is the need for more teachers?

16 DAN WEISBERG: Yeah, I'm not - we'd have to
17 check. I'm not sure Council Member. By the way,
18 good to see you Council Member.

19 COUNCIL MEMBER KRISHNAN: Good to see you to Dan.

20 DAN WEISBERG: I don't want to totally dispense
21 with the human link to this but I'm not sure exactly.
22 I'm sure that number is reflected in the financial
23 plan. That's not our HR projection necessarily, so
24 we'd have to analyze that and see where that number
25 comes from.

1
2 COUNCIL MEMBER KRISHNAN: Okay because there is
3 that tension, obviously if you protecting and you
4 know the need for more teachers. Now, what about
5 just dogmatically like, if the law where you wait to
6 hire teachers, isn't it going to get harder and
7 harder to get the thousands of teachers that are
8 needed? I mean the longer we wait to rule this, the
9 more difficult it will be.

10 DAN WEISBERG: So, absolutely. It's always good
11 policy to hire sooner rather than later and to hire
12 early in the year, early in the spring, versus in the
13 summer and so forth. So, yes, the premise of your
14 question is absolutely correct. You want to hire
15 early. Let me be clear because I want to address
16 this. You're raising something which I think is
17 important. We're hearing a lot of from various
18 stakeholders, you know why aren't you guys, we hear
19 you that you're 20 percent this year. You'll be at
20 about 40 percent next year. Why aren't you rushing
21 to just implement anyway you know ahead of schedule
22 essentially? Why can't you get to 60 percent next
23 year for example? The issue is, I go back to how you
24 can reduce class size. You can hire more teachers if
25 you have the space. You can build more classrooms if

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2 you have the funding to do that or you can limit.

3 You can reduce the number of kids in a school that is
4 above the cap.

5 All of those things are going to be difficult and
6 painful to do in different ways, particularly if we
7 don't have additional funding from the state in order
8 to support this. So, the reason we wouldn't rush
9 headlong to hire, why not hire 5,000 extra teachers
10 next year? That would be great. It would be. If we
11 had 5,000 extra teachers, Dr. Kirkland could do
12 amazing things with that. The question is, we would
13 have to be moving that money from somewhere else.

14 Let me give you a very tangible example, which
15 Council Member I know you'll appreciate. Among the
16 things that Emma and her team are looking at and she
17 mentioned this in her testimony for next year,

18 there's a certain category of funding that goes to
19 school, of course contracts for excellence funding.

20 It is relatively flexible funding and principals use
21 that for various purposes. They use it for you know
22 PD to increase teacher quality. They use it for
23 other programming, multi-lingual learners is one of
24 the sources of funding, which we agree is not enough
25 but it's one of the measures we could do even for

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2 next year when we're going to be relatively close to
3 the 40 percent, is to say to principals and
4 superintendents, "you're no longer able to spend that
5 money on other things. You must spend that money on
6 hiring additional teachers for class size reduction."

7 Now again, is that a bad thing? Maybe not in a
8 particular school but what it means is we're saying
9 to principals, "you may think that the best use of
10 that money is for a multi-lingual learner program."
11 You can't do that anymore. We're telling you from
12 Tweed, top down that you must spend this money in a
13 particular way. Why are we rushing headlong to do
14 that? Because we know that's going to produce some
15 unintended consequences. It will get us the 40
16 percent but it's going to override the judgement of
17 the people we want making those judgements, which is
18 Dr. Kirkland and his principals and their teams, the
19 SLT's and so forth.

20 COUNCIL MEMBER KRISHNAN: So, I understand that
21 too and I appreciate that context. So, then what is
22 the communication with principals? Are they
23 permitted to ask for you know going under the cap
24 next year in terms of enrollment? Are you all
25 encouraging them or discouraging them from doing

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2 that? Or what's the communication like with
3 principals who want to institute a cap?

4 EMMA VADEHRA: Yes, tell me if I'm not answering
5 the question. So, I'll say a couple of things. As
6 we shared a few times, enrollment caps at a series of
7 schools might be a thing we need to do going forward.
8 That is not a thing we thought we needed to do for
9 next year and as we said, that is something we are
10 not eager to do from a family choice perspective.

11 COUNCIL MEMBER KRISHNAN: Right, right.

12 EMMA VADEHRA: So, we chose to make no systemwide
13 decisions about that. Where principals came in and
14 we have a bunch of enrollment people here who can
15 speak more but where principals came in and wanted to
16 change their enrollment for whatever reasons, as we
17 always do, our enrollment team went back and forth
18 with them and worked through each of those as they
19 came in in that way. And I'd also say where schools
20 want to make different decisions within their - what
21 Dan just said is one thing one might do to constrain
22 schools decisions within our existing budget.

23 COUNCIL MEMBER KRISHNAN: Right but if they
24 actively want to -

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2 EMMA VADEHRA: But if they want to do that, their
3 budget is – I mean that's one of the things about our
4 budget right? Their budget is theirs, so if they
5 want to start repurposing their dollars themselves,
6 that is absolutely something they can do for next
7 year and something we know some of them are doing.
8 What we need to figure out is whether and we're
9 working with our superintendents and principals on
10 this, whether we also need to tell them there's some
11 things they have to do for next year. But the
12 options are all on the table.

13 DAN WEISBERG: And real world, Emma is alluding
14 to this, real world, I mean you could speak to this.
15 A former principal, current superintendent, you know
16 we get principals who will say hmm, can we reduce by
17 you know a couple of dozen kids because there are
18 various factors. There's very few if any principals
19 are going to say, we want you to cut enrollment by 20
20 percent, 40 percent. In part because, in part
21 because they care about the parents who want their
22 kids to go to the school, but in part because that
23 means a commensurate reduction in their budget. They
24 can't offer the same number of AP classes and so
25 forth. So, just to say real world, there's not going

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2 to be a lot of principals moving forward. We are not
3 prohibiting them from doing that.

4 COUNCIL MEMBER KRISHNAN: It's just this, this,
5 oh sorry, go ahead.

6 KHALEK KIRKLAND: I was going to say, let me say,
7 no principal in their right mind is going to say
8 that.

9 COUNCIL MEMBER KRISHNAN: Yeah.

10 KHALEK KIRKLAND: So, let's be very clear about --
11 I'm a former principal. I think that being a
12 principal was probably one of the hardest jobs that
13 there is in the DOE. Okay, I think that we have this
14 misnomer that there's this millions of dollars that
15 is in every schools budget. An overwhelming
16 percentage of a school budget is staffing. Okay, so
17 that's a huge chunk. It's like a glacier, 70 to 80
18 percent is your school budget, is your staff. Then
19 you have supplies, is another huge chunk. You know
20 what the last chunk is? The things that make that
21 school special, whether or not it be the arts,
22 whether or not it be culinary, whether or not it be
23 the sciences. So, what you're doing is when you ask
24 that or mandate as Dan is saying, that principal to
25 do something else with that money, invariably what

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2 you're doing is you're saying take away what makes
3 that school special or unique that parents want that
4 child, their child to go to that school for.

5 COUNCIL MEMBER KRISHNAN: Right and I agree and
6 we don't want principals making those choices. I
7 just, I'm frustrated by it is becoming a zero-sum
8 game where schools have to really decide between
9 class sizes or the other programs. Where really, I
10 encourage you all to think of other ways to support
11 the schools in this because it can't be that the
12 mandate for class sizes, which we all agree is a very
13 good and important thing and foundational for
14 learning, it's pitted against these other priorities
15 of the school. And that's a cost being passed on to
16 the individual schools and the individual school
17 districts. And on that point, my other question
18 talking about conflicts here, right I'm seeing some
19 conflicts as I mentioned with a zero-sum game with
20 schools. I'm seeing confidence with the DOEs
21 projections of teacher hiring or retention for the
22 future and then the need for more teachers.

23 Another conflict I was seeing, which you talked
24 about that before to, is with Charter schools and
25 collocating of Charter schools and public schools,

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2 which I'm very opposed to and I think it really harms
3 our public schools. But if we need more space and
4 you have colocation, expanded collocated schools, new
5 collocated schools, that's going to run directly in
6 conflict with the new classrooms space that you need
7 to comply with the class size mandate.

8 It seems to me that that's something whether it's
9 in the educational impact statements or otherwise,
10 that that should be analyzed more; I know the class
11 size working group focused on this to say without
12 that analysis, there should be no more expanded
13 colocations. So, I'd like to know what DOE's position
14 is on that because that seems a real conflict and
15 problem here.

16 DAN WEISBERG: So, yeah I mean this is New York
17 City, space is at a premium. Sometimes I go to a
18 suburban district or rural district and see they have
19 space galore and wouldn't that be something,
20 colocation they think is like a term from mars. But
21 this is the situation we're in. Again, it's not just
22 Charter schools, it's district schools as well who
23 share space.

24 On the charter school specifically as you know
25 Council Member, this is driven by state law, which

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2 tells us you know it's a mandate on us that says, you
3 either have to provide space in your school buildings
4 or you have to pay for private space with lease
5 assistance. That number of lease assistance is
6 increasing pretty significantly year over year. So,
7 if we were to say we're not going to for any charge
8 to come forward to ask for space, we're not going to
9 look for colocations. We're going to say to them,
10 you have to go get private space. Well, that's going
11 to be one of those zero somethings. Where that
12 number is going to go up which leaves fewer dollars
13 for our schools. So, you know that's just the
14 reality of where the law is right now.

15 EMMA VADEHRA: And I would just say our team is
16 looking at that; the exact analysis you're talking
17 about, not just for Charter colocations but for any
18 merger or collocations. I was just checking because
19 I was surprised to hear you say it. So, we are doing
20 that. We are including it where we believe there
21 could be compliance issues. We just put one out a
22 couple weeks ago for a far distant one and did raise
23 that in the IS.

24 COUNCIL MEMBER KRISHNAN: Okay and that may be
25 also helpful to express as an agency DOE's position to

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2 the state as well because I mean it's coming from
3 state law but still it's creating a big conflict or
4 again it's raising concerns for me of unintended
5 consequences or a zero-sum game or the passing on the
6 cost to schools. And we can't be in that world where
7 we're talking about a state law mandate. That's a
8 good thing that we want to have. Thank you.

9 CHAIRPERSON JOSEPH: Thank you Council Member.

10 COUNCIL MEMBER KRISHNAN: Thank you Chair as
11 always.

12 CHAIRPERSON JOSEPH: So, you heard it. We don't
13 want any tradeoff in terms of we're losing one for
14 the other. We want to make sure that our students
15 get a full experience when they walk into New York
16 City Public Schools, and that's always been my thing.
17 We can't short change New York City kids one for the
18 other. So, we talked about uhm Emma in your
19 testimony, you said, you mentioned that DOE has not
20 identified a funding source for class size reduction.
21 Has DOE had a conversation with OMB about the city
22 funding? Some of these costs and what has OMBs
23 response been?

24 EMMA VADEHRA: We are in a constant series of
25 conversations with OMB about our many needs. As you

1
2 know for next while this is important, we have many
3 other things that are also important where that
4 funding is disappearing and that's known and we
5 appreciate your advocacy for those programs. So,
6 this is one of the things as we discuss our overall
7 budget situation.

8 CHAIRPERSON JOSEPH: What is the office doing
9 also to as we advocate for those programs that are
10 disappearing with the federal dollars, what are you
11 guys doing to also sustain those programs as well?

12 EMMA VADEHRA: So, as you know we do not set our
13 overall budget at New York City Public Schools. We
14 eagerly wait additional funding from our various
15 funding sources. We have been working hard to figure
16 out where we in the city can fund some of these
17 things. As you know we were really glad to be able
18 to announce that Summer Rising will be funded this
19 summer with city dollars, and those are ongoing
20 conversations. Within our own budget, we are always
21 looking at our tradeoffs as well but as we know, as
22 we continue to protect schools and the programs we
23 know are critical across the budget, it's not easy
24 just to find money to continue each of these programs
25 within our existing budget.

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2 CHAIRPERSON JOSEPH: My state colleagues know
3 that I have also reached out to them to make sure
4 they can help us carry that bucket.

5 EMMA VADEHRA: Thank you.

6 CHAIRPERSON JOSEPH: I've been to Albany and we
7 got to do this work. So, how did DOE calculate the
8 need of 10,000 to 12,000 teachers to comply with the
9 class size law and why does the number differ from
10 IBOs assessment of 17,700?

11 I actually cannot speak to IBOs assessments. I'm
12 sure they could speak to that and ditto for the
13 costs, although they are all in the same range. So,
14 we basically you know any cost assumptions and Nina
15 talked about this in a more nuanced way on the
16 capital side. What do you need to do? What are the
17 major policy choices you could make? What are the
18 minor policy choices you could make and what are you
19 looking at?

20 So, when we looked at our assumptions, uhm, some
21 of the bigger policy choices we looked at to get to
22 those numbers. Do we want to look at the numbers
23 that would come out of this if we capped enrollment
24 in a number of schools because that is one of the big
25 cost drivers on both sides? We determined we wanted

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2 to come up with a cost without including that in
3 there. We then on the more minor side, our numbers
4 do assume some self-funding within our schools. Not
5 entirely, not every single dollar but they do assume
6 our schools are going to have to repurpose some money
7 towards teachers away from other things. And that is
8 a sort of more minor decision we made in that. We
9 looked at how many classes we think we need with our
10 current enrollment at our current schools, figured
11 out how many teachers, assumed some self-funding and
12 that's where those numbers come from. The range
13 actually has to do with how much we focus on equity
14 when we fund this, as opposed to just directly
15 funding class size reduction.

16 CHAIRPERSON JOSEPH: And other than fighting for
17 funding class size, I think I've talked about that
18 but I want to touch it. What are some of your other
19 funding priorities? We have a lot.

20 DAN WEISBERG: Uhm, yes, a long list. I mean,
21 you know Emma mentioned and it's critically
22 important, the programs that are supported by
23 disappearing federal stimulus dollars. So, that is
24 certainly very high in the Chancellor's list as he is
25 talking to the Mayor and the Budget Director. Again,

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2 as Emma said, we were pleased that the city was able
3 to replace the federal stimulus dollars for summer
4 rising, which is as you know Council Member and
5 Chair, it's a very popular program, very important.

6 CHAIRPERSON JOSEPH: What's the plan for the
7 outyears?

8 DAN WEISBERG: We don't have that plan yet but at
9 least we've taken a first step for next year, so
10 we're happy about that. So, the stimulus programs
11 but you know the other priority is just to make sure
12 I fully answer your question, New York City Reads,
13 the Chancellor has made very, very clear is top
14 priority. We got to make sure that all kids become
15 strong readers by the end of 3rd grade, so that will
16 continue to be a priority as well as our Pathways
17 Program to make sure that all students are set up to
18 get a good job, have a good, rewarding career and
19 have long term economic security. So, those are some
20 of the programmatic elements that are core to the
21 Chancellors vision that we will uhm, we will do
22 everything we can to make sure that we're able to
23 carry them through.

24 EMMA VADEHRA: And if I can just add and I know
25 you know this but just sort of more broadly, as you

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2 know a lot of those stimulus programs are both really
3 critically important but also legally required,
4 right? And so, when we think about some of our
5 nurses who are supported, when we think about special
6 education, pre-K seats and those are dollars that are
7 on that list as well. Programs that are on that list
8 as well.

9 CHAIRPERSON JOSEPH: Yeah, STH coordinators as we
10 continue to see New Yorkers come into New York,
11 that's critical. Social workers, our mental health
12 continuum, three prong, that's the first time that we
13 have three agencies supporting our students with
14 mental health, so you know these things are important
15 to me. I can't tell you how important we know that
16 they are.

17 So, is DOE's calculation based on current budgeted
18 for teachers headcount in the outyears or budgeted
19 for teachers headcount? How are we looking at that?

20 EMMA VADEHRA: It is based on our budgeted
21 headcount, the people we have money to pay each year.

22 CHAIRPERSON JOSEPH: But we're not looking in the
23 outyears yet, right? Is that what you're saying?

24 EMMA VADEHRA: No, the same thing it's still what
25 we look at is what does our budget actually allow us

1
2 to support and then what is needed on top of that
3 budget?

4 CHAIRPERSON JOSEPH: Okay, so we need a lot of
5 money. I hope you all go to Albany every week. Uhm,
6 so which of any of the proposal of the class size
7 working group report does the DOE plan to adopt and
8 when? Can I get a timeline?

9 EMMA VADEHRA: Yes, when we adopt them will vary
10 a bit based on what they are and I just want to say
11 one thing because I said it in my testimony but
12 haven't said it again since. As noted, our sort of
13 annual timeline is we need to give the state a plan
14 once a year. That plan must be signed off on by CSA
15 and UFT. So, just to be clear, even this policy
16 change as Dan and I talked about, whether we restrict
17 use for e-funds or anything like that, that would
18 need to be in that plan. That would need to be
19 signed off on by our labor partners. From a timeline
20 perspective, as you said, our last plan was last
21 summer, as we plan for next year, that plan as well
22 as when we need to inform schools of anything for
23 next year is driving the most urgent set of things.
24 And so, that is some of these questions, which the
25 Class Size Working Group recommended in terms of how

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2 do we look at C for E funds, how do we look at hiring
3 windows for teachers in our highest need schools with
4 class size issues.

5 CHAIRPERSON JOSEPH: Space? Capital planning?
6 That's where SCA come in. Hi SCA.

7 EMMA VADEHRA: Yes exactly but that space is a
8 great example because some of the space things were
9 survey your principals to make sure you have the
10 information you need to plan. We did that survey
11 actually in December right? We've already done that.
12 We acted on that. It's now informing the next five
13 plus years of space decisions that were also based on
14 the class size working groups recommendations.

15 CHAIRPERSON JOSEPH: Nina, how come some of the
16 capital plan in the 2025, 2029 does not include where
17 these schools are going to be built? Can you tell me
18 as to why that didn't happen?

19 NINA KUBOTA: Uhm, so, I think because of the
20 timing, right? I mean if you think about over time
21 our enrollment has fluctuated and where are we
22 building these seats? We don't know. We don't know
23 exactly what locations as I mentioned earlier, if
24 there's a need to build a school next to a currently
25 overutilized or projected overutilized school, is

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2 there space? Is there available real estate? We
3 don't know that, so I think while we further refine
4 the data is when we'll see those recommendations come
5 out. I mentioned the four different strategies.
6 We're not going to put in the sort of capacity
7 section of the plan, we're going to do one room
8 conversion at PS1, 2, 3. So, I think it's really a
9 question of timing of all the different strategies,
10 all the different data and what the full
11 recommendations and how they will be implemented
12 before we can actually say in x, y, z area, we'll be
13 able to build.

14 CHAIRPERSON JOSEPH: Is there any collaboration
15 with uhm, New York Department of City Planning on
16 where schools should be built? For example,
17 reviewing consideration for the proposals? Is there
18 any conversation with City Planning?

19 NINA KUBOTA: Uhm, I don't think I mean,
20 certainly we collaborate with City Planning in terms
21 of any kind of rezonings and things like that. We
22 work with them also on sort of the housing multiplier
23 and updating that with the latest census data. But
24 in terms and of course we get all sources of data
25

1
2 from them as well as other agencies but specifically,
3 where to build, no in that context.

4 CHAIRPERSON JOSEPH: Okay, uhm, so the DOE plan
5 on adopting the working group proposal, the cap
6 enrollment at a lower level over crowded schools
7 right? If they're underutilized nearby. So, let's
8 say there's a school that's underutilized nearby, is
9 there any plan to use some of the recommendations
10 from the working group?

11 DAN WEISBERG: Yeah, I mean that is one of the
12 things that we would have to do to comply. So, when
13 we have schools that don't meet the caps and we're
14 not going to be able to build at least quickly enough
15 in order to meet the mandate, we would have to cap
16 enrollment. That would be pretty much the only thing
17 we could do unless there was an exemption but we
18 can't count on an exemption.

19 So, we would at that point do everything we could
20 and I don't have to tell anybody here, certainly
21 Chair including you, that would be a very significant
22 decisions for parents to be able to say that you
23 know, there used to be 500 incoming students. Now,
24 there's only going to be 300, so you really had your
25 heart set on your child going to school, you may not

1
2 be able to go now but if we did have to take that
3 step, we would have our enrollment team work with
4 parents to try to find good alternatives that are
5 close by.

6 CHAIRPERSON JOSEPH: But if we recreate that same
7 program in another building that has the space?
8 Let's just, just like Council Member Brewer said,
9 let's think outside the box, right. Okay, we don't
10 have the space, why don't we duplicate the same
11 program in a nearby school?

12 DAN WEISBERG: Yes, so these are the kind of
13 things that maybe Dr. Kirkland can talk about. These
14 are the kind of things that actually Superintendents
15 are doing now and we talked about this some Chair
16 Joseph. You know we do have some underenrolled
17 schools and these are the kind of things that
18 superintendents are leaning into now, how do we
19 attract the families right now into these schools?
20 But just again to talk about real life. As you know,
21 there are certain schools that are just very, very
22 popular. Have a very powerful brand and even if you
23 open up a good program in another location, a lot of
24 parents are still going to say I really, really want
25 my child to go to this particular school and that's

1
2 going to be difficult but certainly, you're 100
3 percent right. That's exactly the kind of thing that
4 we would do in collaboration with our
5 superintendents.

6 KHALEK KIRKLAND: And the Chancellors been doing
7 a [INAUDIBLE 02:33:31] -

8 CHAIRPERSON JOSEPH: Did they hire a PR person
9 for the Chancellor today? Nathaniel, somebody is
10 trying to take your job.

11 KHALEK KIRKLAND: Uhm, Nathaniel does a great job
12 but the Chancellor has been doing a great job of
13 highlighting the other schools that are doing great
14 things beyond the Stuyvesant School of Science
15 Brooklyn Tech. So, yes, he's working behind the
16 scenes to be able to highlight all of the social
17 media going into these schools that have amazing
18 programs, so that if in fact, we do need to do that,
19 those parents will feel comfortable going to those
20 schools.

21 CHAIRPERSON JOSEPH: And that's something the
22 Council has been pushing very hard on and Deputy
23 Chancellor Weisberg knows that. We have for example—
24 you have the performing arts La Guardia in Brooklyn.
25 You have a performing arts where students have to on

1
2 Dean Street, they have to audition as well to get
3 into that school. And I told the Chancellor, I'm not
4 hearing about it. It's like a big secret in Brooklyn
5 but there's a performing arts school and they do
6 very, very well. I was over there in District 15 and
7 they're amazing. I visited this school, they put on
8 uhm [INAUDIBLE 02:34:37]. I felt I was on Broadway.
9 So, those are the programs; I keep saying all these
10 little secrets inside of New York City public schools
11 sell the public school system.

12 KHALEK KIRKLAND: But remember the comment that I
13 said at the beginning of the positive public praise?
14 You're doing a great job by going to these schools
15 and you have them all over your social media where
16 you're highlighting them as well. So, thank you for
17 doing that.

18 CHAIRPERSON JOSEPH: I just have a new PR person.
19 How many schools could lower class size to mandate
20 level if DOE adopts it?

21 DAN WEISBERG: Do you mean Chair; how many
22 schools have the space right now?

23 CHAIRPERSON JOSEPH: Hmm, hmm.
24
25

1
2 DAN WEISBERG: Yeah, I think we have that. We
3 have that number. How many schools have the space to
4 meet the mandate?

5 CHAIRPERSON JOSEPH: If the cap enrollment.

6 DAN WEISBERG: Oh, if we cap enrollment.

7 EMMA VADEHRA: I mean, it would depend how you
8 capped enrollment right? It would depend on what
9 policy decision you made, how widespread it was,
10 whether it applied to zoned as well as nonzoned
11 students, selective, nonselective schools.

12 DAN WEISBERG: So, it's about 1,000 schools Chair
13 that have the space to meet the cap. It doesn't mean
14 they have the budget; they don't have the budget yet
15 to hire the teachers but they have the space.

16 CHAIRPERSON JOSEPH: Oh, I know Council Member
17 Shekar talked about this but I want to go back on it.
18 There are about 2,708 full time teachers budgeted
19 under federal stimulus dollars as well as 547
20 associated civilian positions that will expire in
21 2024. New York City Public Schools has reported a
22 need of 9,000 in addition to supervisory titles. How
23 does New York City Public School working with OMB
24 plan to retain the staff and how could it be carried
25 over to meet the class size mandate?

1
2 EMMA VADEHRA: Uhm, so I think this goes back to
3 the conversation we were just having. We have a lot
4 of things currently supported by stimulus dollars.
5 That includes funding directly in school budgets.
6 That includes special education pre-K. That includes
7 community schools, about 100 of them and are ongoing
8 conversations and those are not things we can support
9 within our current budget and so are looking forward
10 to additional dollars from the city and state to
11 ensure we can continue as much of that as possible
12 going forward.

13 CHAIRPERSON JOSEPH: And the social workers, you
14 have about 453 social workers that will no longer and
15 we need more than ever mental health support for our
16 New York City Students, is important. Uhm, New York
17 City Public Schools in November 15 Implementation
18 Report states that approximately \$296 million of your
19 C for E funding is projected to be used in schools to
20 support class size reduction this year. In addition
21 to the school to the SAM, 12 indicates that \$36.36
22 million in Title I, Title 2A were allocated to
23 schools to reduce class size across elementary in FY
24 24 as well as \$206.3 million for the same purpose
25 from school support supplement funds.

1
2 According to SAM 12, that adds up to \$538.9
3 million for class size reduction this year. Will
4 this funding used solely to maintain the class size
5 in 40 percent currently in compliance with the caps?
6 Or this amount sufficient to bring additional classes
7 into compliance? If so, how many more classes can we
8 expect to meet the compliance?

9 EMMA VADEHRA: So, the dollars that are already
10 being used for class size reduction, if they are
11 maintained constant, we would not expect that they
12 would increase our compliance with the class size
13 caps. And most of our dollars in school budgets
14 well, well, beyond those funding streams you named,
15 of course go to teachers which are a part of how we
16 will both meet and eventually you know continue to
17 comply.

18 CHAIRPERSON JOSEPH: And that will not impact
19 hiring teachers versus bringing down the class size
20 right?

21 EMMA VADEHRA: I'm sorry, can you repeat the
22 question.

23 CHAIRPERSON JOSEPH: In terms of hiring
24 educators, we won't have a short— we already have a
25 shortage right?

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EMMA VADEHRA: Yes.

CHAIRPERSON JOSEPH: We have a huge shortage in New York City and that's been going on forever but this would not impact it if you start implementing more, as Shekar had, I mean Council Member Lee had talked about earlier.

EMMA VADEHRA: So, one of the things we are looking at doing is asking schools to direct more of their school budgets toward hiring teachers. So, that would – one of the reasons we would be aiming to do that again in our plan with UFT and CSA would be to increase compliance with the law. Does that answer?

CHAIRPERSON JOSEPH: Right, okay. Uhm, there are currently \$4.1 billion funding for new capacity class size compliance in SCAs fiscal 2025 plan right. SCA stated that it's not enough and to comply with the state's law which would be fully in place by 2027 to 2028 school year. How does New York City Public School, SCA plan to meet the class size bench marks given in the FY25 to FY29 capital plan, it has \$2 billion less for new capacity in class size compliance than FY20 to FY24 capital plan.

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2 NINA KUBOTA: So, uhm, that's a good question and
3 I think I've stated this a number of times. So, we
4 do have about 27,000 seats that are in process right
5 now, so that's what's funded in the current capital
6 plan and in the next capital plan, we have about \$4.1
7 billion which we estimate could build about 23,000
8 seats. So, again, for full compliance with no other
9 solutions other than to build new seats to be in
10 compliance, we probably need about 80,000 seats.

11 So, it's funded at about one quarter of what we
12 need. Again, but that's based on just building seats
13 for every seat that's needed and I think you're
14 hearing today that there are many things that are
15 under consideration. There are many things that I
16 think could be solutions, that construction is not
17 the only solution to class size compliance. With
18 that said, we are in constant communication with OMB
19 and we've stated to them, we consider this a down
20 payment. We will come back to you more. We talked
21 to the budget director as late as last week and he
22 said, come back to me, yes we have a funding. We
23 have a sealing, a debt sealing limitation but come
24 back to us. You know, let's talk regularly about
25 what the real need is. And I did want to say, which

1
2 I neglected to say before, while we're doing these
3 smaller sort of low hanging fruit, we're also looking
4 at you know as many districts as we can. Not just
5 the ones that need hundreds of classrooms but all
6 districts where we can, we do have our brokers out
7 looking for and when we do find sites and we do sort
8 of our due diligence, we're bringing back to the
9 working group you know with the New York Public
10 School Working Group where it says, would this site
11 be useful? That is underway right now. We meet
12 weekly, actually two times a week to discuss these
13 issues. So, we're not waiting. We're going full
14 steam ahead.

15 DAN WEISBERG: Chair if I just say one thing
16 about the capital side because you know I know you
17 don't necessarily want to emphasize tradeoffs but
18 this is something that you know I'm very passionate
19 about. The Chancellor's very passionate about. If
20 you're using these dollars that President Kubota was
21 talking about to address class size and again, we
22 agree that we do need to direct dollars towards that.
23 I definitely don't have to tell you, there are
24 buildings that need upgrades. Not in additional
25 classrooms and so, one of the things that we did and

1
2 I've very proud of under the Chancellor's leadership,
3 is we invested \$10 million in District 23 because
4 this was a traditionally underserved district that
5 had issues in buildings. Again, as Nina says, our
6 average building is 70 plus years old. The kids in
7 Brownsville deserve top quality environments when
8 they go to school. And so, we found the money to
9 invest in Dr. Kirkland's District to take care of a
10 list of community driven projects to make sure that
11 the kids were getting a good gym floor. The kids
12 were getting a good outdoor play space with benches
13 and so forth. The things that say to kids and
14 families, we see you, we care about you. And one of
15 my concerns is, if we're directing too much of
16 capital funding into class size reduction, again we
17 need to make a major investment there. But too much,
18 then we're not going to have as many dollars to make
19 sure that kids who go in buildings that don't need
20 class size reduction but they need the bathrooms to
21 be overhauled. They need the play space to be
22 overhauled. There will be less dollars for that.

23 So, that's one of the things again, we're going
24 to have work through together to make sure we're not
25 going too far in one direction.

1
2 CHAIRPERSON JOSEPH: Those investments should
3 have been ongoing a long time ago, so I don't
4 understand why Brownsville was left behind in these
5 dilapidated buildings. I visit your school buildings
6 and they know I yelled a lot but one of the things
7 you said earlier I want to talk back real quick. I
8 know reading is a priority for the Chancellor. It's
9 a priority for everyone across the city but also
10 making sure students are in the building and having
11 those safety nets that I talked about that those
12 dollars, the community schools are also very
13 important because I can have the best reading program
14 but if they're not showing up in District 23, in Mr.
15 Parkland School, the reading program is going to sit
16 here and collect dust. So, we got to make sure that
17 we keep those safety net programs around to make sure
18 students are coming to school. And we know community
19 schools serve the whole family, not just the child
20 but always my approach is the whole child. We're
21 educating the whole child and that includes families.
22 So, we got to continue to make those historic
23 investments into young people and my Council Member
24 Stevens, she would agree. We fight every day for

1 young people, every day, all day, so it's about
2 investing in them as well.

3
4 Capital plan, what's the specific capacity funded
5 in current plan that are being rolled over from the
6 2024 to 2025 to 2029? What projects are being rolled
7 over into that new capital plan?

8 NINA KUBOTA: So, I think we do have a list of
9 them but I will say, you know we're trying to site
10 and get into construction in as many schools as
11 possible. I think right now and it was for various
12 reasons, Medgar Evers High School Annex is one. IS
13 at 45th Avenue, Western Rail Yard and Hudson Square
14 are the four that I know that we will roll over and I
15 think we will cite that and have cited that in the
16 '25-'29 capital plan.

17 CHAIRPERSON JOSEPH: If you have a list, we would
18 love for you to share it with us. Any capacity
19 project funded in the current plan that are not yet
20 finished and not being funded in the FY25 to FY29
21 Capital Plan. If you can, please provide a list of
22 those projects.

23 NINA KUBOTA: Yes, thank you.

24 CHAIRPERSON JOSEPH: Thank you. Does SCA believe
25 that the proposed FY25 Capital Plan is in compliance

1
2 with the state and city law despite the lack of
3 transparency in the plan?

4 NINA KUBOTA: We do. We do because remember and
5 I think it is pretty explicitly stated that where the
6 extent ascertainable to site those locations, we do.
7 As soon as they are sited, we publish them with the
8 address, you know not to compromise any negotiations
9 but once we fully site it and we do go through public
10 process as well where we talk to the CEC's, community
11 boards. So, I think we are transparent in the sense
12 of you know when we are pursuing a site, as soon as
13 it is sited, we do share it in the capital plan and
14 all of the public review process leading up to that.

15 CHAIRPERSON JOSEPH: And that includes electives,
16 parents, CC's. How about students? Have students
17 ever been invited to participate in that since they
18 have to live and go into those schools every single
19 day?

20 NINA KUBOTA: Uh, I don't know. Do we invite
21 students?

22 KHALEK KIRKLAND: Yeah, well legally we have to
23 have student represent—

24 CHAIRPERSON JOSEPH: Students voice matters to
25 me.

1
2 KHALEK KIRKLAND: Oh, no, no. It also matters to
3 me as well. Legally and ethically, we have students
4 represented on our CEC. We have two proud members
5 who attend Eagle Academy and they attend our meetings
6 regularly and their input is phenomenal.

7 I also want to go back very quickly, so I do feel
8 like I'm the Chancellor's height man but I think that
9 you would be super proud, no you would be proud of
10 the project that Dan talked about of the millions of
11 dollars -

12 CHAIRPERSON JOSEPH: Describe it. Tell me what
13 they are.

14 KHALEK KIRKLAND: I'm talking about everything
15 from water fountains, bathrooms, gymnasiums,
16 cafeterias, hallway paint. You know when you know
17 that its worked? When a parent who sees me coming in
18 the building and says Dr. Kirkland, wow, this hallway
19 is phenomenally different. And you're right,
20 Brownsville has deserved that for years and now we
21 have a Chancellor who understands that. And not only
22 do we have it in Brownsville but we've expanded that
23 now to four other high deserving districts.

24 In addition to what you said around attendance.
25 You're right, the Chancellor has been head strong

1 about making sure that all of our children can read
2 We all learned how to read when we were in school and
3 he's making sure that our classrooms and our teachers
4 are equipped to make sure that our children are
5 reading. And you're right, they have to first be in
6 school. I can have this amazing curriculum but if
7 the children are not in school, then that's an issue
8 and you're right for our lower grade scholars, it
9 really does involve parents because the kindergarten,
10 the first and the second-grade child cannot bring
11 themselves to school. So, we've been doing things
12 like our parent coordinators are taking pictures and
13 videos of what it is that the children are doing in
14 school and then sending that out to the parents to
15 say, see what your child did in school today.

16 Because the average kindergarten child, you know when
17 their parent picks them up and say, how was school
18 today? They can only tell them two things. What I
19 ate for lunch and what I played at recess.

20 So, now we have a window into the classroom so
21 that parents can see, this is what your child is
22 doing. Your child is not just playing, but they are
23 learning through play.
24

25

1
2 CHAIRPERSON JOSEPH: So, that's why my Council
3 Member Shekar talked about the importance of us not
4 cutting school lunch that was cut earlier this year.
5 I'm hoping to see a restoration because the kids call
6 me all the time, Chair Joseph, they cut my school
7 lunch. They cut out the things they like. So I hope
8 somebody go back, Emma and Dan and fix it.

9 KHALEK KIRKLAND: Sure, I'll definitely talk to
10 them about that but you got to remember, your son,
11 what's your name again, him.

12 CHAIRPERSON JOSEPH: Yeah that guy.

13 KHALEK KIRKLAND: You know what your son loves,
14 your food and so, it's really hard to please every
15 child. We have you know almost one million children
16 in school, so to try to figure out what every child
17 loves you know is going to be challenging.

18 CHAIRPERSON JOSEPH: Again, some students,
19 especially our new New Yorkers depend on those two
20 meals.

21 KHALEK KIRKLAND: Oh definitely.

22 CHAIRPERSON JOSEPH: Delicious and nutritious.
23 When I visit schools, depending on where again
24 there's inequities in school lunch, kids are like,
25 Council Member I love my lunch. I'll visit other

1 schools. I'm like Council Member, there could be
2 other areas. So, one of the things I know Chris and
3 I'm going to give him credit for that was doing was
4 bringing the kids down to Long Island to test out the
5 food. But if you cut the budget, how they going to
6 come down and test the food, there's nothing to test.
7 Get my drift.

8
9 Alright, so, New York City Schools have lost -
10 no, we talked about that but I want to quickly ask,
11 what is the plan to hire, retain teachers, related
12 staff to ensure compliance with smaller class size
13 mandate? Because we also know that we have about
14 1,000 preschool students with disabilities right now
15 that are not in schools. And we know those are the
16 same children that will become our Carter cases and
17 our carter cases are currently ballooned at \$2.2
18 billion. So, how do we plan to do that to make sure
19 that we are retaining teachers, hiring related
20 services staff to ensure compliance with the smaller
21 class size mandate?

22 DAN WEISBERG: So, a couple of things. I want to
23 mention Chair you know one programmatic initiative,
24 which the Chancellor talked about recently coming out
25 of the Special Education Working Group and that is to

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2 create more quality programming close to home for
3 students with disabilities and we're talking about
4 inclusive programming, mainstream programming as
5 opposed to segregated programming in many respects.
6 So, that's one answer. That's you know back to
7 Council Member Krishnan, you know that's an area
8 where if we are able to invest in quality
9 programming, it should at least the cost will be
10 mitigated because you're right. Charter cases are
11 extremely expensive. If we have a family that needs
12 to send their child to private school with high
13 tuition and you know give the cost to us, that's very
14 costly as opposed to having that child come to our
15 school with a quality program that's going to serve
16 the needs of the children. So, that's one of things
17 we are looking to do much more of and that will help
18 with the shortages that we have right now.

19 Beyond that, we have the same issue with special
20 education teachers, with related service providers.
21 There is a shortage coming out of higher education
22 and that's true for related service providers, OTs,
23 PTs, speech improvement teachers as it is for
24 secondary stem teachers. There's just not enough
25 supply coming out of higher ed and that's an issue

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2 not just for us, for the state, etc.. So, we have to
3 work on that to try to scale up successful programs
4 on the higher ed space but in the meantime we can't
5 wait for that. And so, we have to have alternative
6 certification programs, which we do for related
7 service providers as well. This again is a national
8 shortage and the demand continues to expand. So,
9 it's not as if we got fewer speech teachers, fewer
10 social workers than we did ten years ago. We got
11 many, many more than we used to but it still is not
12 meeting the demand. So, that's the challenge we
13 have. You're 100 percent right, we're going to have
14 to think outside of the box and be creative about
15 that.

16 CHAIRPERSON JOSEPH: When we did the reimaging
17 special education, start bringing them AIMS program
18 into the school district. I visited a great program
19 in Queens and I travel over the city to go see great
20 programs and to highlight them. Bring the AIMS
21 program into the community school where students
22 don't have to travel outside to go to another
23 District 75 when they can have it in their home
24 schools. They get to travel with their sibling and
25 we know, I don't even want to start talking about

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2 transportation. That's a whole other animal. \$2
3 billion and some of my kids are still not getting
4 into schools. They're not traveling. They're not
5 making it to school on time and when they do, they're
6 late. They took more time to stay on the bus than to
7 get home. So, I have so many issues with these other
8 things.

9 DAN WEISBERG: And that's exactly, we couldn't
10 agree more Chair, so rather than getting on a bus to
11 go to a program in Queens, maybe if you live in
12 Brooklyn and you might be on the bus for an hour and
13 a half, even when things work well, why can't we
14 provide that in every district close to home? That's
15 the goal. That's what we want to do.

16 CHAIRPERSON JOSEPH: That's the goal and also to
17 make schools accessible. We have still have too many
18 schools that are not accessible where these kids have
19 to travel so far and SCA this year, and I'm calling
20 on the Administration as well to invest more money
21 into making schools accessible. If I had a mobility
22 issue, I'd like to go around the corner to my school.
23 I can't because it's not accessible. So, we're also
24 violating all kinds of laws.

1
2 So, how many high schools currently offer
3 programs to students who are interested in becoming
4 teachers?

5 DAN WEISBERG: I will get you that number Chair.
6 One thing I am glad you raised that because as you
7 know, we have instituted our pathways program. I'm
8 on brand here, Future Ready New York City is what it
9 says on my water bottle. One of the pathways along
10 with healthcare, along with technology, along with
11 finance and business is education.

12 So, whatever number there is now, we'll get you
13 that number. We are ramping that up. So, our
14 greatest resource is our own students. So, we got to
15 get them not just interested because a lot of them
16 are interested in teaching, you know that. Uhm, even
17 the little ones will tell you that they want to
18 become a teacher when they get older but are they
19 prepared? Do they have the course work? Do they
20 have the early college course work? Do they have the
21 internships? So, how many of our high schools kids
22 should be tutoring and teaching the younger kids?
23 There are some happening now but we want to expand
24 that. That's one of our main pathways that we're
25 focused on.

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2 CHAIRPERSON JOSEPH: And we also have to let
3 teachers teach. We boggle them down with so many
4 things, so let teachers teach. Does the DOE try
5 graduates of such program to see how many become
6 teachers? Does DOE plan on expanding the number of
7 such programs to increase the pool of teacher
8 candidates?

9 DAN WEISBERG: Yes, yes and yes. Yes, we do
10 track that now and yes, we will be looking to
11 increase that. That's the ultimate goal and this is
12 a real change for us. You know our job doesn't stop
13 when a child walks across with a cap and gown or
14 walks across the stage and gets a diploma. Our job
15 is to make sure that young person is successful,
16 whether they go to college, they go into the
17 workforce, they're going to become a teacher. So,
18 one of the things we are doing is tracking post-
19 secondary the success of our graduates and that will
20 be true for the education program. We don't just
21 want them to become teachers, we want them to become
22 teachers in New York City. We want them to come back
23 to the neighborhoods they grew up in to now create
24 the leaders of tomorrow.

1
2 CHAIRPERSON JOSEPH: Since CUNY has a partnership
3 with New York City Public School, is there going to
4 be a design program to make sure we recruit teachers?
5 There's a teacher program throughout CUNY. We're
6 giving acceptance letters to our high school
7 students. There should be a pipeline where we create
8 pilot programs to track and retain and again let
9 teachers teach.

10 DAN WEISBERG: Yes and so, CUNY as you know is
11 our main partner, not only higher ed partner but our
12 main partner and so, we are for as an example, we are
13 working very closely with them. We don't just want
14 our students who want to become teachers have a
15 chance to take college courses. We want to make sure
16 they're taking college courses, which will get them
17 towards the education degree and certification. So,
18 that's something we're working very hard with CUNY on
19 to make sure that the opportunities that or kids are
20 getting are very strategic. And so, they can go to
21 Brooklyn College. They can go to Queens College,
22 education programs seamlessly and be ahead of the
23 game when they graduate.

24 CHAIRPERSON JOSEPH: How many students are
25 currently enrolled in bilingual pupil service program

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2 and what effort if any has DOE made to promote the
3 program to create a multilingual teacher pipeline,
4 special education, speech pathologist?

5 DAN WEISBERG: I think it's currently about 50
6 students in that program. But we'll get you that
7 number.

8 CHAIRPERSON JOSEPH: I'll send over the
9 questions.

10 DAN WEISBERG: Yes.

11 CHAIRPERSON JOSEPH: The following report uhm,
12 how do we plan on recruiting teachers outside? I
13 remember we had a controversy with the Dominican
14 Teachers. How do we plan on moving forward from that
15 and recruit outside?

16 DAN WEISBERG: I mean, this is one of the things
17 that we, thinking outside the box, again I'll use
18 that cliché, so yes, we had an attempt that didn't
19 turn out to work out around teachers from the
20 Dominican Republic. We aren't currently doing a lot
21 of international recruiting but we are looking at
22 that. That's one of things we have to look at. We
23 have a shortage of bilingual teachers, not just
24 Spanish bilingual teachers but many, many other
25 languages. So, it's something we continue to look at

1
2 to see — we don't want to do it just to do it and we
3 don't want to do it just because if it's going to
4 produce a very small number of teachers for a big
5 investment but where we can create a robust pipeline.

6 You mentioned, I'll talk about something closer
7 to home Chair that you just mentioned and I'm very
8 passionate about, we have 25,000 or so
9 paraprofessionals and a tiny number of those
10 educators who are working with our kids every day,
11 love kids, love schools, a tiny number become
12 teachers, that's a problem. So, we're looking at
13 that. That could be a very robust pipeline of
14 special education teachers, bilingual teachers, the
15 NL teachers, secondary stem teachers. That's a very
16 diverse group. That's a group that most often still
17 lives in our communities, so we want to work with the
18 state to tap into that talent. So, we couldn't agree
19 with you more.

20 CHAIRPERSON JOSEPH: That's a great pool. When I
21 was teaching, my paraprofessional was my co-teacher
22 in the classroom. What dollar amount does New York
23 City Public Schools hope to receive from the state in
24 order to be in compliance without terminating any
25 existing programs?

1
2 DAN WEISBERG: I mean again, the cost of just on
3 the expense side and again, just for teachers, our
4 estimation is \$1.4 billion to \$1.9 billion and so,
5 that's what we would need to get away from the zero
6 sum on the expense side, on the capital side as you
7 heard from President Kubota, we're talking about a
8 total of \$22 billion to \$27 billion. That's what
9 we're talking about.

10 CHAIRPERSON JOSEPH: In a statement to the class
11 size working group, SCA had said they now only
12 received 25 percent reimbursement for new school
13 construction from the state because of cost cap.
14 While receiving about 50 percent from other capital
15 expenses. Could you explain the following at what
16 level is this cost cap set and when did the city
17 exceed it, begin to exceed it?

18 NINA KUBOTA: Uhm, so I think we're referring to
19 building aid and I think right now, the maximum, the
20 New York City costs are capped at about \$40,000 per
21 elementary general education seats. \$63,000 for
22 middle and high school general education seat and
23 \$125,000 for special education seat. So, it is a
24 complicated formula. I don't know the last time
25 those caps were changed. I think it's been some time

1
2 now. So, the way it ends up working out is for new
3 construction, and again, it's received back,
4 amortized over 30 years. So, it's not like we'll get
5 it right back right, and so, it's about 29 percent,
6 28 percent for new buildings and for renovations to
7 existing facilities, it's about 57 percent.

8 CHAIRPERSON JOSEPH: When did the city begin to
9 exceed it? Do you know?

10 NINA KUBOTA: I don't know, I mean with those
11 numbers, I would say it's been quite some time.

12 CHAIRPERSON JOSEPH: You said the formula is old.
13 Has anyone asked for the formula to be recalculated?

14 NINA KUBOTA: I think we've been in discussion
15 about how to better receive you know funding back
16 from building aid and you know, I think we would love
17 to talk to you and others about the best way to
18 approach it but yes, we are supportive and would love
19 your support in increasing receipt of more building
20 aid.

21 CHAIRPERSON JOSEPH: Uhm, why hasn't the
22 multiplier that you use to estimate how many new
23 seats is the projected public school ratio base -
24 it's based on the 2010 Census data along with housing
25 units built in October 31 of 2016. Why hasn't the

1 multiplier been updated in the most recent census and
2 housing data?

3
4 NINA KUBOTA: And actually we didn't receive 2020
5 census data until this past summer and so, we've been
6 working with and I think I mentioned it a little bit
7 earlier, city planning who actually took over the
8 calculations of housing multipliers a few years back,
9 I think at about 2019. So we've been talking to them
10 about okay you've had it for a few months now, how
11 quickly can you turn it around. So, we're working
12 very closely with them to make sure that we get the
13 latest housing multipliers. Again, we just received
14 the 2020 or they, also just received the 2020 Census
15 data just a few months ago.

16 CHAIRPERSON JOSEPH: So, when will we be seeing
17 the updated information? What's the timeline on
18 that?

19 NINA KUBOTA: I don't know that we received any
20 timeframe from City Planning? Oh, yes, May.

21 CHAIRPERSON JOSEPH: In May?

22 NINA KUBOTA: Yes.

23 CHAIRPERSON JOSEPH: May of 2024?

24 NINA KUBOTA: Yes.
25

1
2 CHAIRPERSON JOSEPH: Thank you. Uhm, we are
3 good. Any other questions, I'll email it over.

4 DAN WEISBERG: Thank you very much Chair as
5 always.

6 CHAIRPERSON JOSEPH: Thank you so much.

7 PANEL: Thank you.

8 CHAIRPERSON JOSEPH: Thank you.

9 COMMITTEE COUNSEL: Thank you so much to the
10 Administration for your testimony. We will now turn
11 to public testimony. We will be limiting public
12 testimony today to three minutes each. For in person
13 panelists, please come up to the table once your name
14 has been called. For virtual panelists, once your
15 name is called, a member of our staff will unmute you
16 and the Sergeant at Arms will set a timer and give
17 you the go ahead to begin. Please wait for the
18 Sergeant to announce that you may begin before
19 delivering your testimony.

20 For our first in person panel, Michael Sill, Dr.
21 Terrain Chambers Reeves, Fernando Alvarez, Dale
22 Kelly. Please make your way to the front table.

23 CHAIRPERSON JOSEPH: And Mark Treyger never came
24 back so I can tell him thank you for his service to
25 New York City. He will be missed but we'll see him

1
2 on the other side. He's a great guy. I'm now
3 sitting in his seat and I brought my heels to the
4 seat. They told me they were big shoes to fill but I
5 brought my heels. I'm good. Give him my love and
6 tell him I said thank you for all that he does.

7 Michael Sill, you may begin your testimony.

8 COMMITTEE COUNSEL: Hi, can you just turn - yeah.

9 MICHAEL SILL: They just told me to do that. My
10 name is Michael Sill and I proudly serve as the
11 Assistant Secretary of the United Federation of
12 Teachers. On behalf of the more than 190,000
13 members, I want to thank the New York City Council's
14 Education Committee, especially you Chair Joseph for
15 holding today's public hearing on implementing the
16 state class size law in New York City.

17 You know lowering class sizes in New York City is
18 not an experiment. It's not an unfunded mandate.
19 It's not a wish list. It's the law. Now, since the
20 passage of this law, I have served as the UFT's point
21 person in discussions with the DOE about
22 implementation and I regret to say I have very little
23 to show for it.

24 Unfortunately, the DOE and City Hall are doing
25 everything they can to sabotage these changes and to

1
2 avoid implementing this law. As an English Teacher,
3 I would teach my students to start with their
4 hypothesis and then provide evidence, provide reasons
5 for why the hypothesis was true. What we continually
6 hear from the Department of Education is the
7 hypothesis that yes, this is a great idea. Now, here
8 are all the reasons why it can't work. That was true
9 today and is true in our work them.

10 You know Chair Joseph that one of the most
11 powerful things you can say to a young person is that
12 I see you. I see you as an individual on your
13 individual journey of self-fulfillment, of self-
14 discovery, of self-actualization and every teacher in
15 New York City would like to be able to say that to
16 each of their students, and the Class Size Law gives
17 them the opportunity to do so. Unfortunately, since
18 coming into office, Mayor Adams has repeatedly cut
19 school budgets despite more than \$1.6 billion in
20 additional recurring state aid to the New York City
21 Schools and in public, the DOE has been using an
22 alleged lack of funding as a reason for insisting and
23 implementing the Class Size Law will require
24 unacceptable tradeoffs in our schools.

1
2 The tradeoffs should be happening when the DOE is
3 deciding how they're going to spend their money. The
4 tradeoffs should not be happening in the schools.
5 Here's my question. If the foundation aid is
6 increasing, why hasn't the Fair Student Funding
7 Formula changed?

8 They're continually using scare tactics,
9 including the inflation of the costs associated with
10 this law. Today, we heard the number \$20 billion to
11 \$27 billion in capital costs. That's the first time
12 I've heard that number. The number I had heard
13 previously was \$30 billion to \$35 billion.

14 I know my time is short but I hope you'll let me
15 relay this story. When we were working with the DOE
16 and CSA over last summer, talking about the plan that
17 ultimately got submitted to the state, it included
18 that number, \$30 billion to \$35 billion in capital
19 costs. And we started to dig into that number and we
20 asked them, "what is your methodology for arriving at
21 this number?" And you know what we found out?
22 Number one, so they're using enrollment data from
23 2021, which is fine. Whatever, like that was the
24 most recent that they had. And they said, like say
25 you have a school that has a maximum capacity of 400

1
2 students. If that school had 401 students back in
3 2021, the SCA said that there's a new school needed
4 to be built for one student. I asked them like four
5 times, I couldn't believe it. That doesn't mean that
6 a new school has to be built twice if you have 402
7 students but what we also found out is you have co-
8 located schools, two schools in the same building and
9 both of them are over by one student, guess what?
10 Two schools needed to be built. That's how they got
11 to the \$30 million to \$35 million number. And so, I
12 expected the revised number to be in order of
13 magnitude different than that \$30 billion to \$35
14 billion, \$20 billion to \$27 billion is obviously an
15 improvement over that but it's not in an order of
16 magnitude different. And so, I really encourage
17 anyone who has the ability and the authority to look
18 into the methodology of all their cost estimates,
19 because I don't believe it, alright.

20 I'm going to jump ahead in respect for your time.
21 You are definitely going over your four in a row here
22 today, right so uhm, that's an inside joke. But in
23 particular, this is what we are hoping that the City
24 Council can help us with in urging the DOE and Mayor
25 Adams to immediately take the following steps, right?

1
2 One, they need to identify the high need schools
3 that currently have the space to offer students small
4 class sizes. Right, we know that they exist and they
5 need to prioritize those schools for implementation.

6 They need to provide additional funding from the
7 City surplus revenue and reserves to ensure the
8 schools do not experience program cuts, the like for
9 which they were talking about during the vast
10 majority of their testimony a moment ago, right?

11 They need to act on the recommendation of the Class
12 Size Working Group, especially around capital
13 planning for new schools and this has to include
14 restoring and increasing the funding for new seats in
15 the capital plan.

16 And in the release of information regarding where
17 those seats are going to be, right? And they need to
18 dedicate the additional funding to recruiting and
19 retaining a pipeline of new teachers. I was
20 heartened to hear the conversation about finding
21 pipelines for students who graduate from New York
22 City Public Schools and giving them the opportunity
23 to become teachers here, right? That would be great
24 and having the teach force reflect the student body.

1
2 I have concerns about that. I'm happy to work
3 with them. You know right now, like mostly their
4 initiatives for alternative pathways really focus on
5 a master's degree, which as everybody knows, that
6 means you've already gotten to the bachelor's. And
7 so, what kind of support are they giving them there?
8 We heard that the DOE say in their testimony that
9 two-thirds of the schools in the system have the
10 space right now to meet the requirement.

11 And they talk about, you know you have one school
12 right here that has the space or that is over
13 enrolled and you have another school that was under
14 enrolled and you asked the right question I thought
15 when you said or not the question but in your
16 statement that just because a school is under
17 enrolled, doesn't mean it has small class sizes,
18 right? You need both. You need the space and you
19 need the budget and the way that they work right now
20 is the fewer student you have, the less money you
21 have and that makes some logical sense but it doesn't
22 induce any parent to take their student from the over
23 enrolled school to the under enrolled school.

24 If they would fund those schools that are under
25 enrolled in a way where they could actually have the

1
2 lower-class sizes, then I bet you'd see a lot of
3 parents leaving those over enrolled schools and going
4 to the under enrolled schools, before you even talk
5 about caps, right?

6 And one other thing and I know I'm way over time.
7 I appreciate your indulgence, I just want to say that
8 they talk a lot about equity, right? And just like
9 we talked about the \$30 billion to \$35 billion
10 number, you can use statistics to prove anything
11 right? When they talk about equity and they say that
12 the highest earning cortile - the highest cortile of
13 schools by median income in those schools would
14 benefit the most because there's so much economic
15 need in this city, when you talk about the highest
16 cortile of affluence, you're talking about schools
17 where they have up to 70 percent of students living
18 in poverty, right? It's a shell game. That is a
19 talking point that they continually tried out. Once
20 again, an example of reason that does not support the
21 hypothesis that they're trying to implement this law.
22 Thank you.

23 CHAIRPERSON JOSEPH: Here.

24 COMMITTEE COUNSEL: Thank you so much. Dr.
25 Terrain Chambers Reeves.

1
2 DR. TERRAIN CHAMBERS REEVES: Thank you. Good
3 afternoon. So, I'll start with a story of my
4 daughter who attended one of the New York City Public
5 Schools in Manhattan. She worked very hard to get
6 into that school. She tested in. She was able to
7 sit in classrooms with five to ten students, which
8 led me to believe as an educator who was in the
9 school where my classes had 34 students that it was
10 actually possible to fund schools so that we could
11 have smaller class sizes.

12 So many are calling to smaller classes sizes,
13 have always given the same excuse because they
14 realize that it drivers their fear in the minds of
15 the taxpayers and the policy makers alike. They use
16 money to limit these decisions. They continue to
17 say, "we don't have enough money in our budgets to do
18 this." Or "we don't have enough teachers to
19 successfully achieve this." However, I'm an
20 optimist. As an educator who loves what I do and
21 continue to love my students to acquire and utilize
22 knowledge in a meaningful and impactful way, I say
23 nothing should limit or prevent us from truly giving
24 our children and future leaders of this country the
25

1
2 very best education that having smaller class sizes
3 can achieve.

4 In 1985, the student, teacher achievement ratio
5 project was launched in Tennessee where they
6 performed an experiment where 7,000 kindergarten
7 students in 79 schools were assigned to classes of
8 varying sizes. They followed the progress of these
9 students for four years and found that the students
10 who had been placed in smaller classes were between
11 two to five months ahead of their peers who were in
12 larger class sizes. Even after those students who
13 started out in the smaller classes were returned to
14 full size classrooms. They continue to show the
15 benefit of starting out in the smaller classes. By
16 the time they got to 8th grade, they were still ahead
17 of their peers. Wisconsin conducted a similar
18 experiment in 1996 targeting schools where the
19 population was of low-income students. They compare
20 classrooms with 12 to 15 students with classrooms
21 that had 21 to 25 students. Where at the end of this
22 experiment, they found that the students in the
23 smaller classes achieved higher test scores.

24 From 2009 to 2013, a study of class size
25 reduction by Michael Gilleran found that there was

1
2 substantial improvement in student achievement in
3 classes that were substantially lower. By the way,
4 this study offers meaningful advice and strategies as
5 to how we can achieve smaller class sizes in New York
6 City.

7 I can go on and on and show different studies
8 that have been done in New York City Public Schools
9 and strategies that have been suggested, however, I
10 think Council woman you know that these strategies
11 can overall improve the impact in our students even
12 today.

13 In reducing class sizes, we know that there needs
14 to be an investment in our schools. We need to
15 invest in priority programs and impactful,
16 professional development for our teachers. We have
17 heard the Chancellors announcement that they plan to
18 open a \$30 billion magnet school. Imagine that. We
19 have \$30 billion to open a new school but not to
20 invest in the ones that currently exist in order to
21 achieve smaller class sizes.

22 We need to stop the wasteful spending of creating
23 new things while allowing the old things to go by the
24 wayside. We don't need a new magnet school program.
25 We need an evaluation of the programs we currently

1
2 have, the class sizes that currently exist and invest
3 that \$30 million in making those programs better and
4 reducing class sizes. It is up to us, everyone on
5 this panel, all stakeholders including the Chancellor
6 and the Mayor to realize that the importance of
7 giving each individual child in this city, the
8 individualized attention and educating them that they
9 need and deserve will only be successful in our city.
10 Let's stop crying poverty. Let's ensure that we
11 provide the most critical and important expenditure
12 with the greatest return to the education of our
13 children. We know better, so let's do better.

14 COMMITTEE COUNSEL: Thank you so much. Dale
15 Kelly.

16 DALE KELLY: Good afternoon. Good afternoon
17 Chair Joseph and before I begin, I'd just like to
18 thank you for your unwavering support in New York
19 City Public Schools and our students and our school
20 leaders. Your partnership has been invaluable and
21 greatly appreciated.

22 My name is Dale Kelly, First Vice President of
23 the Council of School Supervisors and Administrators.
24 Thank you for the opportunity to speak today at this
25

1
2 incredibly important hearing on the implementation of
3 the states new class size law.

4 Firstly, let me be clear, CSA believes in smaller
5 class sizes. School leaders know first hand the
6 positive effects that smaller class sizes will
7 ultimately have on student learning. With that being
8 said, from the inception of the class law
9 legislation, we have been steadfast that the law must
10 be implemented in a fully transparent and responsible
11 manner. Despite best intentions, there are critical
12 challenges that we must address together. The
13 majority of our school leaders have expressed serious
14 concerns related to the lack of adequate funding for
15 additional teachers, additional paraprofessionals
16 and/or space needed to comply with the law.

17 I was very happy to hear today that tradeoff
18 seems to be a nonstarter for many people because we
19 know that if additional funding is not provided to
20 help schools meet class size limits, many schools
21 will be forced to eliminate existing afterschool
22 programs that support the arts, music, sports, stem,
23 tutoring, robotics, and other areas.

24 Schools may have to also reduce their enrollment
25 and/or alter how to utilize spaces to support

1 existing classes for their schools. The DOE has been
2 transparent that there are many schools that have no
3 capacity to expand and no additional space to allow
4 for additional classrooms resulting in a need for new
5 school construction. As of now, there is no
6 indication that the city has the ability to absorb
7 these additional costs and the law will become an
8 unfunded mandated in this regard.

9
10 To Mike Sill's point a second ago, today was the
11 first day we heard that \$22 billion to \$27 billion
12 price tag attached to the school construction
13 previously they had estimated those costs at
14 somewhere between \$30 billion to \$35 billion, which
15 we requested in our tripartite committee work and
16 that's been an ongoing conversation.

17 Additionally, there is already an existing
18 teacher shortage in subject areas such as special
19 education, science, mathematics, bilingual education
20 and others. Given the already high level of need for
21 teachers in these and other licensed areas, our
22 school leaders have no confidence that this system
23 will be yet to recruit a satisfactory pool of
24 applicants for school leaders to hire the appropriate
25 number of teachers needed to meet this class size

1
2 mandate. And please remember, that for any
3 substantial increase in the number of teachers will
4 require that we all advocate for a proportional
5 increase in the additional school administrators to
6 support the development of new teachers to ensure
7 that the smaller class sizes have the desired impact
8 that we're looking for. Otherwise, that academic
9 gains from smaller class sizes may be eroded since
10 new teachers naturally require more professional
11 development and support. In both these areas, we
12 stand willing and ready to provide our colleagues
13 with the support that they need and they deserve.

14 Finally, we must be transparent with families
15 that class size reduction can possibly pose a risk of
16 displacement for both current as well as incoming
17 students. We must ensure that no family is forced to
18 accept classroom seats outside their intended zone or
19 unwillingly have to travel to a less congested school
20 outside their district.

21 Again, we fully support the idea of reducing
22 class size, however, we continue to call out the
23 truth that under current circumstances, school
24 leaders will be left without adequate resources to
25 ensure a safe and high-quality education for all

1
2 students and the schools might be forced to abandon
3 the programming, the families have come to rely on us
4 for.

5 We are committed at SCA to working from a
6 solution-based lens. We fully believe that the
7 lowering of class sizes would ultimately benefit our
8 students, our families, and our school system as a
9 whole and we want to partner to get this right.

10 Thank you for your time.

11 COMMITTEE COUNSEL: Thank you for your testimony.
12 Fernando Alvarez.

13 FERNANDO ALVAREZ: Good evening. My name is
14 Fernando Alvarez. I'm a 4th grade teacher in East
15 Harlem. Also, a product of the bilingual pupil
16 services that was mentioned earlier. I am here just
17 to offer anecdotal data.

18 You've heard a lot of numbers, a lot of
19 calculations. I'm just here talking about an
20 experience I had recently. Uhm, I taught 3rd Grade
21 both synchronously and hybrid the year following the
22 lockdown, so 2020 to 2021 school year and don't ask
23 me how I was able to pull it off but I did. I know
24 it sounds cliché but I really could not have done it

1
2 without the well-established relationships I was able
3 to develop with my students and their families.

4 I was going to their houses, fixing iPads,
5 delivering styluses, helping students do homework in
6 the courtyard of project buildings. So much so that
7 uh, I was asked by the parents to loop with those
8 kids to teach them 4th grade and it happened. We
9 kept our relationship going but 12 students were
10 added to the class. 12 students that I was going to
11 welcome with open arms and I really thought I could
12 keep what I had going in the year prior. I was able
13 to keep going and keep doing it but it was very
14 difficult. It was very, very difficult. I was
15 limited, I was stifled, my time was spread out more
16 obviously to the point where I would apologize at
17 dismissal to the kids for not being able to speak to
18 them. For not being able to work one on one with
19 them. For not being able to have lunch with them to
20 help them do their homework.

21 Those small groups to make what was mentioned
22 earlier, the strong readers. Those strong readers
23 that would make the uh help make what was it? Uhm,
24 the popular brand of my school. That would make my
25 school be a place where parents want to bring their

1
2 kids and keep their kids in my school. It wasn't
3 happening and I just want to end with a student of
4 mine who lived in a shelter. She told me one time,
5 "I wanted to be a teacher but now that I see
6 everything you have to do, I don't think so. I have
7 to find something else."

8 So, that's it. I just wanted to offer my
9 experience and what I went through and I really
10 appreciate everything you've done for us and standing
11 with us and letting teachers teach. Thank you.

12 CHAIRPERSON JOSEPH: That's been my mantra for
13 the new year, let teachers teach. Stop micromanaging
14 us. Just let us be. We'll do the testing and all
15 that but let teachers teach. So, it's important, I
16 left the classroom two years ago to represent, to be
17 a champion for my kids, all of them across New York
18 City. So, this work is personal to me and I'm a
19 parent of a public-school student as well. So, what
20 are the real numbers then? If we disagree with the
21 numbers we're hearing, what are the real numbers?

22 MICHAEL SILL: I don't know. You know when they
23 \$30 billion to \$35 billion, that's when we started to
24 dig into that and so that is a crazy number. We know
25 that there are neighbors that need more seats. I

1 think what we really need in order to be able to know
2 if we're on track to meet the number of seats and
3 have a cost associated with that is a capital plan
4 that has the same kind of transparency that it's had
5 in the past, if not more.

6
7 CHAIRPERSON JOSEPH: It doesn't have it this time
8 and I asked that question.

9 MICHAEL SILL: Exactly right and so, uhm, I don't
10 know why that decision was made at this time but I
11 know that a further lack of transparency on the part
12 of SCA while we're trying to implement this law is
13 detrimental and I would love to be able to say what
14 the number actually is but it's impossible with the
15 way that they're doing business at the moment.

16 CHAIRPERSON JOSEPH: Mr. Kelly, you want to add
17 on something?

18 DALE KELLY: Definitely. Ultimately we have to
19 rely on the department to provide us those numbers
20 because we have no way of getting to that bottom line
21 number. But what we do know is that you know some of
22 what has been shared to this point, has left more
23 questions than answers. You know one of the things
24 the Department spoke about several times today was
25 the principal survey. That principal survey that

1 something that CSA suggested and we suggested that
2 because all of the information that the Department
3 has been sharing with us to day is based on
4 assumptions. It's based on past. It's based on
5 outdated information and we said to them, in order to
6 land on information that's reliable, you have to
7 speak to the building leaders and the people on the
8 ground floor to get accurate information.
9

10 So, to that end, they began this survey process
11 and what they've learned based on some of the
12 feedback they've given us is that some of our school
13 leaders don't agree with those initial estimates that
14 have been provided by the department.

15 So, when you ask this afternoon, as of today, how
16 many schools would be prepared with the adequate
17 space? The fact that that number isn't on the tip of
18 everyone's tongue is a bit troubling to me because I
19 would imagine that that number is driving all of the
20 other numbers and we've been given information like
21 how many schools are going to require space. You
22 know what are – and again, please know I kind of have
23 to give this context. The Department shared with us
24 there's about 500 plus schools that are going to
25 require space. They said of those 500 plus schools,

1
2 there is three buckets within that 500 plus. They
3 said some of those schools, they don't have any
4 space. However, there may be space located within
5 the confines of their build and which can be
6 repurposed to meet the class law mandates.

7 The second bucket of schools they said, is that
8 there's no space available, however they are
9 collocated with another school or there's another
10 building in close proximity that might allow for them
11 to meet the class size mandate and the last bucket or
12 schools that under no circumstances can meet the
13 class size mandate and that school construction is
14 going to be necessary.

15 When we heard today, when the question was asked
16 today, are Charters going to have to adhere to this
17 same expectation that our public schools are going to
18 have to adhere to and the answer was no. Again, for
19 me, that's very troubling because can you imagine,
20 one of the things that President Rubio has been very
21 clear with this Chancellor is that we have to do a
22 better job at marketing our New York City public
23 school system and all the good things we do. And can
24 you imagine if New York City Public Schools are
25 limiting the caps on our students, they are

1
2 collocated with potential school that does not follow
3 those same caps, we're simply driving New York City
4 Public School Students into the arms of another
5 system. That's not going to help the success of our
6 system and it's something that we must address and
7 correct because there can't be two sets of rules.
8 So, that's, while we're not here to discuss that, I
9 think it's something that presents another sort of
10 layer to this conversation that we must take into
11 consideration because we don't want to put our school
12 systems at a disadvantage through a law that's
13 clearly not intended to do that.

14 CHAIRPERSON JOSEPH: Absolutely and that's why I
15 asked that question and I also asked them since I got
16 here two years ago that they don't do a good job on
17 marketing the amazing programs that are going around
18 in New York City Public Schools. As I mentioned,
19 there's an amazing performing arts school in
20 Brooklyn. I'm not sure many New Yorkers even know
21 there's a performing arts. The only one in Brooklyn.
22 You also have to audition to get into that school.
23 Yeah, it's located at 341 Dean Street because I
24 visited and I know students who go there. Yes, go
25 ahead.

1
2 DR. TERRAIN CHAMBERS REEVES: So, I'm the Chapter
3 Leader at Editor Merle High School.

4 CHAIRPERSON JOSEPH: My son used to go there.

5 DR. TERRAIN CHAMBERS REEVES: And we had
6 [INAUDIBLE 03:31:23] at our schools. So, our school
7 has an amazing performing arts program that most New
8 York City Public Schools don't know about. As a
9 matter of fact, we have the More House College Glee
10 Club coming there on the 18th and I would like for
11 you to be in attendance. We have amazing programs.
12 We continue to hear every year that our budget is
13 getting cut but there's no real investment in keeping
14 those programs. We continuously have to go to donors
15 and other funding sources to provide for supplies in
16 our school. But yet we still hear about budget cuts,
17 right? So, when we're talking about smaller class
18 sizes, I believe that the city thinks that because as
19 educators, we always make it work. They don't really
20 have to rush to get it done and that's the problem.
21 Because we as educators always get it done. They
22 feel we just don't have to do this.

23 CHAIRPERSON JOSEPH: Well, they'll figure it out.

24 DR. TERRAIN CHAMBERS REEVES: And that's why we
25 don't have that retention number that we need to have

1
2 because over time, teachers who have made it happen
3 and gotten it done, just get tired of doing it
4 without the support from the city. It is high time
5 we get that support with these smaller class sizes.

6 CHAIRPERSON JOSEPH: Mr. Elstein is the other
7 teacher. This is an awarding performance and Tony
8 award winning performance and I visited the school
9 and I saw them practice Lemus(SP?), so I'm aware of
10 that they do.

11 DR. TERRAIN CHAMBERS REEVES: Yes, thank you.

12 FERNANDO ALVAREZ: A few years ago, I volunteered
13 because of cuts to teach drama in my school and I
14 taught it one year only because I didn't want the
15 program to go away. And, uh but I had to go back to
16 the classroom as a general teacher under that
17 license. So, I saw it go away and in my school we
18 currently don't have a music teacher or a drama
19 teacher because of budget cuts. So, thank you for
20 bringing that up. The arts, a lot of times is what
21 makes parents think that's the school I want my kids
22 to go to and unfortunately my school is not offering
23 that. Not because we're not good, it's because of
24 budget cuts. That's at least the explanation I was
25 given.

1
2 Also, another thing that was mentioned, well,
3 that wasn't mentioned, has there ever been a Charter
4 school that gets a public school collocated in one of
5 their buildings? Because across the street from
6 where I live in East Harlem is PS 38, which is
7 located inside the projects of Washington projects in
8 East Harlem and right on the outskirts of that
9 project is Dream Academy with their shiny building,
10 brand new building. Their cafeteria is all glass
11 walls, full length windows and the kids that have to
12 go PS 38 have to walk by that every day and I was
13 just wondering, has anyone ever mentioned, I know
14 Gale Brewer offered it in a meeting about Twills,
15 about how there could be colocations but that's the
16 only time I've ever heard of it.

17 CHAIRPERSON JOSEPH: Well, you need to follow me
18 a little bit more. That was one of the things I
19 brought up hanging of the shiny, one shiny coin
20 versus the other one and what kind of message are we
21 sending to our students that's even segregated. I
22 talked about that.

23 MICHAEL SILL: Just real quick since we're on the
24 topic of Charters. You know uhm, I rather enjoyed
25 the moment where you invited folks to teach from the

1
2 Department of Ed with the charts up there and they
3 kind of looked at one another to try and find
4 somebody who was capable. Uhm, but the chart that
5 they were showing was one that reflected the percents
6 of classrooms that are currently in compliance,
7 right? And you now, to say the part out loud that
8 they left unsaid, they're saying that the more
9 affluent districts have uhm, are going to have more
10 challenges and are going to so therefore benefit
11 disproportionately from the class size law.

12 I would really like to see that chart overlaid
13 with a chart of charter density in the city, right?
14 Because those districts that have the lowest
15 enrollment, I am certain are the districts that have
16 the highest charter density. That is a self-
17 fulfilling prophecy. They drain DOE students off
18 from public schools in the neighborhoods that need
19 the public schools the most. Then they underfund
20 them to the benefit of Charter Schools. So, I'm not
21 surprised that that's the case but that's the case
22 because of decisions that they have made.

23 CHAIRPERSON JOSEPH: Thank you.

24 COMMITTEE COUNSEL: Thank you so much to everyone
25 on the panel. We'll now hear from our next panel

1
2 Leonie Haimson, Michael Rance, Naveed Hasan. Please
3 make your way to the front.

4 LEONIE HAIMSON: My name is Leonie Haimson, I'm
5 the Executive Director of Class Size Maters. I am
6 here with my Associate, Michael Rance. I'm going to
7 not read my testimony, which is very long. I want to
8 respond to some of the things that DOE said today.

9 They keep on making this point that the law
10 somehow inequitable because the highest need schools
11 already have smaller classes. There are two reasons
12 why that's a ridiculous assumption. Number one, the
13 highest need students benefit the most from smaller
14 classes as shown by research and number two, when you
15 use the state formula, which looks at both the
16 percentage and the number of high need schools in
17 students in schools, the highest need schools have
18 the largest classes.

19 So, and this is a formula, the State Education
20 Department devised in order to determine which
21 schools should get the Contract for Excellence funds.
22 Class sizes have gone up for the last two years on
23 average in elementary and middle schools, in high
24 schools as well. And so, the notion that they've
25 provided more money to schools this year is simply

1
2 untrue. They keep on increasing class sizes and we
3 expect that to continue into the future, especially
4 as their plan, the financial plan says \$700 million
5 in cuts to DOE over every year for the next four
6 years. Simply cannot lower class size with this
7 level of cuts and the financial plan also says that
8 they intend to shrink the teaching course by another
9 3,000 over the next two years. And the idea that DOE
10 doesn't know that the plan is completely
11 unbelievable.

12 Secondly, the capital plan is an outrage. They
13 have cut the number of seats by 50 percent since the
14 law was passed and the amount of funding for new
15 seats by \$2.5 billion. It's simply impossible that
16 that will not create more overcrowding in our schools
17 in the years to come and the transparency, the lack
18 of transparency does clearly violate two state laws
19 as well as an MOU with the City Council because it's
20 not just that they haven't quite figured out where to
21 build the schools, the plan specifically says they
22 will never divulge from now on where they intend to
23 build schools until they've already acquired the
24 space and the plan is in the process of design.

25

1
2 And there are two laws which specifically say
3 they have to specify where these schools are going to
4 be built, the class size law says they have to
5 specify where it should be built in order to be able
6 to reduce class size.

7 I was a member of the Class Size Working Group
8 and they today said, could not make a commitment on a
9 single proposal that we made or even a simple single
10 step that they're prepared to make in order to reduce
11 class sizes next year and in the years beyond. And I
12 just wanted to make another point which is the longer
13 they wait, the more disruption is going to happen in
14 our schools and the more chance that the State
15 Education Department will have to hold back funding.
16 And we do not want that. They have had almost two
17 years now to start planning and they've done nothing
18 except go in the reverse direction, make it more
19 difficult for schools to lower class size and I
20 really feel for principals because they are being
21 given an impossible task. It is not a zero-sum game.
22 It's only a zero-sum game if the DOE refuses to spend
23 an extra penny on our schools. And of course they
24 have the funding to do that. They have a city
25 surplus that's projected of more than \$3 billion next

1
2 year aside from the additional funding that we've
3 gotten through the Foundation Aid.

4 So, I'm going to turn it over to Michael and he's
5 going to make a few other points about where we are
6 now but it is simply unacceptable that they are
7 dragging their feet and they have not made a single,
8 taken a single step to move in the direction that we
9 know that we have to move.

10 MICHAEL RANCE: Thank you so much. My name is
11 Michael Rance and I am here with Class Size Matters
12 and Leonie Haimson. Leonie got to a lot of the good
13 background here but I'm just going to add some data
14 to what she's saying. As Leonie said, actually the
15 highest need schools according to this calculation
16 that the state actually came up with, the highest
17 need schools are actually having some of the lowest
18 compliance relative to other schools.

19 So, we actually in our analysis broke down all of
20 these schools by cortiles, just from quarters and the
21 quarter of schools with the highest need actually
22 only complied roughly 27 percent of the time. And
23 the DOE said earlier that citywide compliance is
24 around 39 percent and next year compliance is
25 supposed be around 40 percent. But we actually know

1 that even two years ago, compliance was at above 42
2 percent. So, the trend there is just decreasing as
3 well even though DOE is trying to spin it as
4 something positive that's clearly not the case. And
5 when we looked at these schools and whether or not
6 they were complying with all of their classes, out of
7 1,500 schools citywide, only 46 schools fully
8 complied with the caps. I mean that's a meniscal
9 percentage of the schools actually fully complying
10 with the caps.
11

12 LEONIE HAIMSON: And most all of them were the
13 highest need schools.

14 MICHAEL RANCE: Yes.

15 LEONIE HAIMSON: I mean the lowest need schools.

16 MICHAEL RANCE: Not a single one of the highest
17 need schools in that cortile fully complied with the
18 caps. And so, this is the trend that we're seeing
19 everywhere. And yeah, to sort of piggyback on what
20 Leonie was saying about the Class Size Working Group,
21 I mean these are some of the things that were
22 recommended in the report released in December. Stop
23 collocating schools without any analysis to the
24 educational impact statements. Adjusting enrollment
25 in nearby schools that have the same grade levels to

1
2 better ensure that all schools have enough space for
3 smaller classes, accelerate in building more schools
4 in overcrowded communities including annexes and
5 acquiring empty parochial and Charter school
6 buildings, strengthening the teacher pipeline has
7 been talked about throughout this entire session,
8 providing incentives to teachers who work especially
9 in the highest need schools. And then, also
10 considering adding a separate budget line for class
11 size reduction and keeping the Fair Student Funding
12 allocation for other critical school and classroom
13 needs.

14 Again, none of these have been accepted as of yet
15 by the DOE, instead they are doing all the opposite
16 of these. They continue to collocate schools without
17 any analysis of whether this will prevent existing
18 schools from being able to lower class size. They're
19 preparing to slash the DOE budget by over \$700
20 million each year for the next four years and they're
21 cutting funding for new school construction in half
22 and of that new school construction and the new seats
23 in the capital plan, 77 percent of those seats are
24 not sited whatsoever to school, to district, to
25 borough. And so, the lack of transparency there as

1
2 Leonie was mentioning before is deeply, deeply
3 concerning. And I yield my time, thank you.

4 COMMITTEE COUNSEL: Thank you so much. Naveed.

5 NAVEED HASAN: Thank you. Thank you Chair Rita
6 Joseph and City Council members for holding this very
7 critical hearing for the welfare and education of our
8 public-school students.

9 My name is Naveed Hasan and I am a parent of two
10 kids at an uptown Title I public school. I also
11 served on the NYC Public Schools Class Size Working
12 Group as Co-Chair of the Budget Subcommittee. We
13 spent nine months with dozens of colleagues working
14 on a comprehensive report, detailing proposals to
15 help reduce class sizes across the system leading to
16 full implementation by fall 2028.

17 I want to highlight a few aspects of class size
18 and its impact on the ability for the system to work
19 and teachers to do their jobs well. One, it is often
20 pointed out that many high need schools already have
21 small classes. The law is therefore somewhat
22 redundant. I don't agree. However, what isn't
23 captured in this simplistic view is that many of
24 these high need schools that are only incidentally in
25 compliance, whether due to under enrollment or lack

1
2 of demand due to parent choice. It is unclear how
3 these school budget survival in the long term with
4 their schools too low overall enrollment and the
5 inability to attract more students under Fair Student
6 Funding, per student funding determines overall
7 school budgets to the greatest extent. We have to
8 look at how to support the smaller classes and not
9 just say that they're small right now.

10 Two, we hear a lot of coverage on this issue that
11 many high need schools already have smaller classes
12 and that in complying with this law, we will be very
13 inequitable because a small minority of slightly
14 wealthier schools that are overcrowded benefit the
15 most. I want to point out that as a public school
16 system in comparison to non-public education, the
17 public system is much poorer overall. Almost 90
18 percent of our public schools that are federal Title
19 I high poverty schools.

20 This is a systemwide economic impoverishment. We
21 need many, many more of our schools to be in greater
22 demand, reducing socioeconomic, segregation across
23 the city schools, reduce class sizes as known to the
24 public will create more attractive school choices for
25 parents when they think about where they want to send

1
2 their children. Longitudinal studies on economic
3 mobility all show that early socioeconomic
4 integration is the most impactful factor in
5 accelerating upward movement for children in later
6 life.

7 Three, there are well more than 115,000 students
8 in temporary housing, including approximately 35,000
9 newly arrived immigrant students. Almost every one
10 of these children are highly traumatized and there's
11 absolutely no way to appropriately serve these
12 students under the old maximum class sizes. I want
13 to stress here how much more of a difficult time our
14 public schools have presented to them as opposed to
15 local private schools where they have luxuriously
16 small classes of 8 to 12 students.

17 We must make sure to properly and completely fund
18 the limitation of this Class Size Reduction Law to
19 allow public schools to offer effective and more
20 attractive school choices for all families. Thank
21 you.

22 COMMITTEE COUNSEL: Thank you so much.

23 CHAIRPERSON JOSEPH: So, it's a nine - the
24 numbers from IBO for the amount of teachers that will
25 be needed, what is your take on that?

1
2 LEONIE HAIMSON: Yeah, I asked the IBO why their
3 estimate differed so much from DOEs and the IBO said
4 they reached out to DOE but DOE wouldn't talk to them
5 about it. What's interesting is the cost estimate
6 that DOE is putting forward is much higher than the
7 IBOs cost estimate, which in their recent release of
8 the plan said that they needed \$214 million in '26,
9 \$427 million in '27 and \$427 million in 2028. So,
10 the sum of that is lower than what the DOE is now
11 estimating for the cost of staffing.

12 What I really think is disingenuous on the part
13 of the DOE is the fact that they are planning to
14 shrink the teaching force at the same time as they
15 are claiming to comply with the law. It is very
16 obvious, if you look at the financial plan of the
17 city and the way they've already shrunk the teaching
18 course for K-12 by over 4,000 teachers since 2019,
19 and these numbers come right out of the DOEs
20 submission to the City Council that this is a plan
21 shrinkage.

22 They're doing it to save money. They continue to
23 shrink the teaching force. They want to continue
24 into the future and they are making it so much more
25 difficult than to ramp up the staffing that will be

1
2 needed starting in years 3-5. And it is so
3 disheartening to hear how they have not made a single
4 decision about strengthening the teacher pipeline or
5 even allowing schools that have the space now to
6 lower class size to have the budgets that would be
7 necessary for them to do so.

8 So, I think that it is confusing the way the IBO
9 has very different numbers from the DOE. Usually the
10 IBO has lower numbers in terms of staffing but it at
11 any case, this is part of the problem that we face.
12 There's so little transparency with the DOE in the
13 way they do things and the way they calculate things
14 and even on the Class Size Working Group, they did
15 not divulge all the information that we were really
16 asking for. For example, how many new schools would
17 have to be built if you did adjust enrollment between
18 nearby schools. One of the things that I think was
19 very important in our report, is it showed that the
20 kids in overcrowded schools really suffer from this
21 system because not only do they have very large
22 classes, sometimes they have to eat early in the
23 morning or late in the afternoon. Often in
24 elementary school, the kids can't even have time in
25 the playground. The kids in the underutilized

1
2 schools, as you know well also suffer because they
3 simply do not have the budget for a full program art
4 clubs and all the rest. And so, it is simply an
5 irrational system. Now the DOE claims that somehow
6 it would be antifamily to lower enrollment in
7 overcrowded schools. I think it's anti-family and
8 anti-student not to do that. Not to give all kids
9 both the full services, the wrap around services, the
10 arts, music, and the smaller classes that kids in the
11 suburbs get by right every single day.

12 And it's an inherently and irrational system that
13 was created by Michael Bloomberg and Joe Klien and
14 continues to this day. It makes no sense and it also
15 costs a lot more money. We would get cost savings if
16 they would just consider making a more rational
17 enrollment system.

18 CHAIRPERSON JOSEPH: That's exactly what my
19 colleagues were saying. Thank you so much.

20 COMMITTEE COUNSEL: Thank you so much to the
21 panel. Our next panel Renee Freeman, Dwayne Murreld,
22 April Blanding, Arlene Rosada, Shelevya Pearson.
23 Please make your way to the front. Renee Freeman,
24 no. DeWayne Murreld. Yes, you may begin, you just
25 press the button.

1
2 DEWAYNE MURRELD: Good evening Madam Chair,
3 Committee Council, everyone in attendance. I'm going
4 to actually read this because my memory is not what
5 it used to be.

6 Good afternoon. My name is DeWayne Murreld and I
7 am the proud father of three children. Now, my
8 oldest has already graduated high school and is
9 currently almost ready to graduate college, and my
10 two little ones, ten and eight years old, both attend
11 a district traditional public-school PS 105, the Bay
12 School out in Far Rockaway. Now, I personally have
13 been an activist, a champion for quality education
14 for well over a decade, several decades actually, so
15 I have been in this fight for quite some time in New
16 York City and I have no plans on giving it up, even
17 after my children have already gone through the
18 system. In my children's school, the Bay School in
19 Far Rockaway, it lies within district 27. Now in
20 District 27 in Queens, it is a high poverty, high
21 need public school serving low-income families in
22 Queens. 94 percent of the students are eligible for
23 free or reduced-price lunch and it serves mainly
24 students and families of color with 95 percent of the
25

1
2 student population being either Black, Hispanic, or
3 other.

4 As an educational activist, I've spent years
5 fighting for a more equitable public school system
6 given the education gap that exists between high-
7 poverty, high-need school districts versus districts
8 that serve more affluent students and families. This
9 is why I was absolutely stunned to find out, after
10 doing my research on the bill, that it would actually
11 make the schools in the districts such as district
12 27, even less appealing than they are today, further
13 widening the achievement gap between high poverty
14 districts and more affluent ones.

15 The reason why I believe is because this class
16 size bill is well intentioned. It definitely is and
17 I agree with the mandate to not have our kids sitting
18 in classes of 36 students. I personally, when I was
19 in public school, was in a class that had 42 students
20 at that time. However, that's not the case in all
21 districts across the city. And as it's written now,
22 the blunt implementation of this law across all
23 school communities would exacerbate inequities within
24 our school system.

1
2 Furthermore, I am extremely concerned that the
3 class size mandate may have a negative impact on
4 teacher quality in schools like PS 105. This law
5 could lead to advantaged schools poaching teachers
6 from the schools that are in my kids neighborhood,
7 basically they'll come through and they'll say, hey,
8 it's easier and more you know better to work over
9 here and if you're already in a high needs area
10 working in those types of schools, I mean if you want
11 an easier work day, it would pretty much be a no
12 brainer to go over that way. So, in closing, I'm
13 just going to say, I urge the Council and the Mayor
14 to make sure that this law is implemented differently
15 than what I've heard so far and it needs to take into
16 account the nuance circumstances and needs of
17 different districts and schools. Because our
18 students have way to much to lose.

19 COMMITTEE COUNSEL: Thank you so much for your
20 testimony. April Blanding.

21 DEWAYNE MURRELD: Thank you.

22 COMMITTEE COUNSEL: You may begin.

23 APRIL BLANDING: Good afternoon everyone. My
24 name is April Blanding. I was born and raised in
25 Harlem and grew up attending New York City public

1
2 schools. My family and I currently reside in Bed-
3 Stuy, Brooklyn and have lived in Bed-Stuy for the
4 last 16 years. I am here today to voice my concerns
5 over New York City law to reduce class sizes.

6 When I first heard about the Class Size Bill
7 being passed, I was initially overjoyed, because
8 smaller class sizes sound great in theory. However,
9 after I doing some research, I was disheartened by
10 the potential drawbacks of the bill. In particular,
11 how capping class sizes could potentially lead to
12 devastating effects on struggling, high-need schools
13 like many of the schools in my neighborhood in Bed-
14 Stuy. I knew right away I had to bring this issue to
15 someone's attention. But first, a little bit about
16 myself. I'm a proud mother of two children, two
17 little girls, attending New York City public schools
18 in Brooklyn. My youngest daughter is enrolled in
19 charter school and my oldest daughter attends a
20 district public high school. A brand new one in
21 District 13.

22 Finding the right schools for my daughters has
23 not been easy, especially in Bed-Stuy neighborhood
24 where I'm located in Brooklyn in District 16. In
25 District 16 where we live, the vast majority of the

1
2 students come from low-income families and many of
3 its public schools are low-performing, high-need
4 schools. For this reason, it has been a constant
5 struggle to find schools in my neighborhood that work
6 for my daughters, which led me to seek alternative
7 options such as a district public high school outside
8 of my neighborhood for my oldest daughter and a
9 charter school for my youngest daughter.

10 I would love to see our local Bed-Stuy schools
11 improve and better public-school options become
12 available in District 16, so I could send both of my
13 daughters to a high-quality public school closer to
14 home. But, after doing my research on the new class
15 size law, I was disheartened to find that it would
16 actually make the schools near me a little less
17 appealing. Capping class sizes could potentially
18 have all kind of negative side effects in schools
19 like those in Bed-Stuy. This new law has the
20 potential to contribute to further neglect of
21 struggling high need schools in districts that need
22 the most help like District 16 while benefiting
23 schools in wealthier districts that already are
24 succeeding.

1
2
3 According to a Chalkbeat analysis, at the city's
4 highest poverty schools, only 38 percent of
5 classrooms are larger than the caps allow. In
6 contrast, at low to mid-poverty schools, 69 percent
7 of classrooms are above the caps. If the new class
8 size law prioritizes funding and resources for lower-
9 poverty schools with a larger share of classrooms
10 above the caps, what will this mean for high-poverty,
11 high-need schools in neighborhoods like mine, that
12 may not qualify because they already have small class
13 sizes? Are there any funds earmarked or special
14 provisions that specifically target the schools that
15 need extra resources and support because they are in
16 economically disadvantaged neighborhoods? Why are we
17 making policy changes to further benefit schools that
18 are already succeeding the most? Shouldn't we focus
19 on the schools that need the most help? It saddens
20 me when lawmakers create bills that sound great in
21 theory but can potentially cause more harm than good
22 once implemented.

23 I urge the Council and the Mayor to ensure before
24 the bill is implemented, that it benefits schools in
25 neighborhoods with the highest needs. This is the

1
2 kind of policy that New York City deserve. Thank
3 you.

4 COMMITTEE COUNSEL: Thank you so much. Shelevya
5 Pearson.

6 SHELEVYA PEARSON: Yes.

7 COMMITTEE COUNSEL: You may begin.

8 SHELEVYA PEARSON: Hello, yes. Good evening
9 everyone. Good afternoon, I think, right? So, uhm,
10 I come across some new information while I was
11 sitting down kind of listening to the arguments of
12 the Department of Education in regards to cap and how
13 many students. You know it wasn't just about uhm,
14 you know capping the students to a school, not just
15 to a classroom. Like that was very surprising to me
16 to even hear that argument, especially coming from an
17 area like mine in Brownsville where we're the largest
18 concentrated area of public housing and low-income
19 people in New York City period, right? And that's
20 District 23, we're the 73 precinct so that was like
21 very surprising to me. I'm actually the Co-Chairman
22 of Resident Association and Youth Civic Engagement
23 Committee and I've been doing it ten plus years,
24 working with the kids in the city, right? And I'm
25 into construction management. I'm an Assistant

1
2 Project Manager, so building is something I like to
3 do.

4 So, just to read from my notes and try to stay
5 focused, so my daughter, her name is Saki. She is an
6 11th grader in the Urban Assembly School for Music
7 and of Arts. She is always been into that. She was
8 in a junior high school, which is also the only
9 gifted and talented school in Brownsville and she had
10 to test among thousands of kids just to get in there.
11 I had to get two recommendations from prior teachers,
12 3rd grade. You know, I had to write an essay. She
13 had to write an essay. She had to take an exam.
14 There was an interview. It was really difficult to
15 get into one of the only schools in that under
16 privileged area for her you know to even have an
17 opportunity. And even that school that has funding
18 come into it has a lot of challenges as far as
19 keeping a lot of extra curriculum activities into it.
20 I needed to say that, right?

21 So now, I've learned the important ingredient in
22 fair school system is teacher quality, right? A good
23 teacher can make all the difference for a student,
24 especially when in high need districts like
25 Brownsville and an inexperienced ineffective teacher

1
2 can hold students back from achieving their full
3 potential. Today, there aren't enough great teachers
4 to go around. Instead of solving the problem, the
5 bill makes it worse. By decreasing class sizes
6 across the board, it will encourage wealthy, low need
7 schools to be poached upon the best teachers away
8 from the schools in the under privileged areas like
9 Brownsville. It will leave those schools less
10 equipped to close the achievement gap, especially
11 considering how COVID-19 caused students to be behind
12 even more than before the pandemic, right?

13 It's true, large class sizes are a problem,
14 right? But this bill tries to solve it by creating
15 an even worse problem. Like, exacerbating the
16 problem, right? For instance, the data from the New
17 York State Educational Department clearly indicates
18 the disadvantages of underprivileged schools compared
19 to privileged schools, right? So, we're talking
20 about teachers, right? Teachers teaching out of
21 their subject or field of certification. This
22 information comes from 2022 and 2023, which isn't
23 indicated on that thing. The under privileged
24 district is number 17 in which I'm really trying to

25

1
2 reference. I'm using as a reference which is the
3 Brownsville Academy High School.

4 So, they have 1,362 teachers out of
5 certification, teaching out of their certification.
6 Out of that, 222 of them are out of cert period,
7 right? New York Statewide, they have 200,000, almost
8 204,000 teachers that are teaching out of
9 certification. 18,302 of them are out of cert.
10 Statewide, high poverty schools have 43,397 teachers
11 teaching out of certification. 8,936 of them are out
12 of cert, that's 21 percent. Statewide low poverty
13 schools have 60,417 teachers teaching out of cert.
14 1,216 of those teachers are out of cert, that's 2
15 percent.

16 Not only does the high poverty schools have about
17 20,000 less teachers, but they also have 19 percent
18 more teachers without certification, right? Math
19 don't lie. We don't have enough teaching power right
20 to make our classrooms smaller, right? They don't
21 have enough programming already. If this law comes
22 to New York City, I just urge the Council and the
23 Mayor to work together to make sure it benefits high
24 poverty schools in neighborhoods like Brownsville

1
2 because in its current form, I worry that the cure is
3 worse than the disease. Thank you.

4 CHAIRPERSON JOSEPH: Well, thank you for that.
5 It's a state law and it's already implemented. A
6 matter of fact, they delayed the law last year and
7 this is the first year it's in phases, not all at
8 once. So, this is all at once and in the law, high
9 need poverty schools are also incorporated in that
10 need. And one of the things we did as the Council
11 and New York City Public Schools, we also changed the
12 formula on FSF, which is the Fair Student Funding,
13 where we put high need students with high poverty
14 level, and also students living in temporary housing.
15 We included those to wait. That has never been done
16 before and this was the first time they recalculated
17 the FSF formula since 2007. So, there's been work
18 being done here under my leadership, so there's work.
19 So, we'll just continue. I just got here two years
20 but there's work that's being done on that level as
21 we continue to build this out. So, this is just the
22 first phase of the law, continue to follow it out.
23 Continue to fight for equity and access for your
24 students, for your children and for the future
25 generation.

1
2 So, uhm I was a teacher for two decades before I
3 became the Chair of the Education Committee, so I
4 know. I get it. You got the right person.

5 SHELEVYA PEARSON: Right, I don't want to like,
6 you know I figured if I just throw the map out there
7 that it can give you a clearer picture of what the
8 real argument is. We're not afraid of the change.
9 We're just afraid that we can't meet the needs of the
10 students changing quickly right without putting other
11 measures in place, like qualified teachers.

12 CHAIRPERSON JOSEPH: And that was one of my
13 questions. What was the pipeline of educators coming
14 from? How do we create it nationally? We already
15 have a teacher shortage. How do we maintain talent?
16 Retaining them is the biggest thing right?

17 SHELEVYA PEARSON: Hmm, hmm.

18 CHAIRPERSON JOSEPH: Underpaid teachers across
19 the city, they will tell you underpaid, overworked,
20 unappreciated. Educators are my heroes. They did
21 magic, including myself during the pandemic and we
22 want to continue to not clap for them after COVID but
23 continue to cut for them, make sure that they don't
24 have to do two, three jobs in order for them to
25 survive. They should be able to thrive. So, that's

1
2 one of the other things, teacher pay is one of the
3 things and the second thing I said, let teachers
4 teach.

5 SHELEVYA PEARSON: Right.

6 CHAIRPERSON JOSEPH: Thank you.

7 COMMITTEE COUNSEL: Thank you so much to everyone
8 on the panel. Thank you. Our next in person panel
9 Anyta Brown, Stephen Stowe, Lupe Hernandez. Anyta
10 Brown, you may begin your testimony. Sorry for
11 pronouncing it wrong.

12 ANYTA BROWN: It's Anyta Brown. It's pronounced
13 just like if it was an I. Given honor to you Ms.
14 Joseph, to the Committee Council, to all those that's
15 present. My name is Antya Brown and I am a resident
16 of the East New York section of Brooklyn. I am proud
17 to say that I am a grandparent of seven, great
18 grandmother of five that attended public schools.
19 Some that have graduated already and some that are
20 just starting their journey and truly, I am happy to
21 be here to voice my opinion on this class cap. But I
22 just noticed that I heard you say that the bill has
23 already been implemented and it's sad because to me,
24 where did it derive from? Did it derive from
25 statistics? Was there a survey done? Were the

1
2 caretakers about scholars could have put in their
3 opinion as to what their priorities they wanted for
4 their children? I didn't hear anything about that
5 but I'm glad to feel your spirit because I see that
6 you're an advocate of education just as well as I am.

7 In my years as an educational advocate, I have
8 become all too familiar with how public schools in
9 Brooklyn have been consistently shortchanged. I have
10 seen the dark contrast in qualities between the
11 schools. In neighborhood districts like East New
12 York and Brownsville, versus those in more affluent
13 high performing school districts. I am concerned
14 that this new class size bill will make that contrast
15 worse, not better. This bill does not provide more
16 resources to schools that need it the most, instead
17 we'll fund the best teachers and even more resources
18 toward schools that are already well off in high
19 performing.

20 I have been around long enough to know that
21 resources for our public school system are plentiful
22 but not infinite. The fact of the matter is that
23 there will have been to be a reshuffling of resources
24 to make this policy work. So, I'm here to demand
25 answers? Why couldn't we implement a law that forces

1 teachers in East New York to choose which programs to
2 cut? Just like it should have been offered to the
3 parents after the priority of what they would like
4 for their children. To make room for change in class
5 sizes and we don't need, why we'll high performing
6 schools to poach the best teachers from low
7 performing ones. And most importantly, why weren't
8 we asked that our priorities were for our schools?
9 Because if you ask me, smaller class sizes will
10 certainly not be it. Schools in East New York need
11 more resources, more extracurricular activities and
12 better facilities. But that's not what this bill
13 provides. It's risk making low performing schools
14 worse and high performing schools better. I have
15 served on two PTAs and I have first hand knowledge of
16 what the schools was lacking. And some of those
17 schools in East New York are run down. They are
18 being cohabitated with two and three schools and that
19 serving on the PTA, I was able to experience what our
20 children was not getting. And it's a sad thing but
21 now that my kids, my grandkids have grown up and went
22 onto higher education, that I'm not able to be in the
23 schools to see what came to fruition. But as far as
24 I know and far as what my neighbors have told me,
25

1
2 they had to transfer their kids to other schools or
3 high-performance schools due to the lack of in our
4 schools and our neighborhood. And before I go, I
5 would just like to say that even though my name isn't
6 - my government name is Anyta Brown. I feel I can be
7 AKA, also known as Peter. Peter that all I know, all
8 my friends who feel they are Peters because you're
9 robbing Peter to pay Paul and that's a sad situation.

10 And things have to change. There has to be some
11 equality. Just like they wanted Charter Schools and
12 Public School to cohabitate, there has to be some
13 qualities in the high performing schools as well as
14 in the low performing schools. We need to be treated
15 just as equal. Thank you for your time.

16 COMMITTEE COUNSEL: Thank you for your testimony.
17 Stephen Stowe.

18 STEPHEN STOWE: Good afternoon Chair Joseph and
19 other members. My name is Stephen Stowe. I am
20 President of the Community Education Council in
21 District 20 and I served on the Class Size Working
22 group as well.

23 After hearing a lot of opposing comments here
24 today, it's no secret that this is a controversial
25 issue. I'm very proud of a possible compromise from

1
2 our CEC that I feel could bring many of the groups
3 here today together. In January our CEC approved a
4 Resolution by a vote of 8-1 calling on the State
5 Legislature to amend the Class Size Law. We are
6 asking for implementation to be extended to 10 years
7 from 5 years. To only implement the law in grades K-
8 3, in line with the actual research that has been
9 conducted. And finally in line with many of the
10 comments that have just been made, recommend only
11 implementing the law in schools which need it most,
12 those that are both low income and low academic
13 performance.

14 That's our CECs position. The remaining comments
15 are my own. I've spoken to many Principals about
16 this. They have the data. They know the impact the
17 Law will have on their school. Painful tradeoffs are
18 about to occur. The first casualty, many principals
19 tell me, will be the specialty classrooms, art
20 rooms, dance rooms, music rooms, maker labs,
21 greenhouses, those will all be repurposed into
22 general education classes. But this doesn't solve
23 the problem at many schools in my district. For
24 these schools, it will be time to tell many families
25 zoned for their school that they can no longer

1
2 attend. In comparison to the very powerful United
3 Federation of Teachers, I want to uplift the voices
4 of parent stakeholder groups, especially Parents of
5 kids not yet in the system but who have moved to a
6 school zone they like.

7 In the next few years, Many of these parents are
8 going to be informed they cannot attend their local
9 school but instead must go to another school. And It
10 is not as simple as simply opening new programs in
11 nearby underutilized schools. In districts like
12 mine, over 75 percent of schools are over the cap.
13 In many cases the closest underutilized school is
14 miles away. This will be especially difficult for
15 many working immigrant families whose children are
16 brought to school by grandparents.

17 Another group of stakeholders that gets hurt very
18 badly by this law are students in schools which have
19 lower academic performance. Many of these schools are
20 also under-enrolled. It couldn't be more simple, if
21 these schools are under-enrolled, they will see very
22 little benefit from a law designed to send more
23 teachers and build more schools in the over-enrolled
24 areas. Teachers throughout the city will transfer to
25 Districts in Northeast Queens, South Brooklyn and

1
2 Staten Island. Left behind will be Central Brooklyn
3 and the Bronx.

4 If you care about educational equity and if you
5 care about focusing our resources on students with
6 the highest academic needs, you should be very
7 concerned about this law. California tried class
8 size reduction years ago. They later gave it up. A
9 consortium of policy think tanks evaluated the
10 program and wrote the following: "Implementation of
11 CSR occurred rapidly, although it lagged in schools
12 serving minority and low-income students..." due to
13 lack of space. They also said, "Our analyses of the
14 relationship of class size to student achievement
15 were inconclusive" They also said, "Class Size
16 Reduction is associated with declines in teacher
17 qualifications and a more inequitable distribution of
18 credentialed teachers."

19 They also wrote "Classroom space and dollars were
20 taken from other programs to support CSR." The
21 Public Policy Institute of California writes that
22 learning gains are wiped out by the decline in
23 teacher quality. They recommend, "A better approach
24 to class size reduction would have been to reduce
25 class sizes in a subset of schools each year,

1
2 starting with low-performing schools serving high-
3 poverty populations. This would have limited the
4 departure of teachers for newly created jobs in
5 suburban schools, lessened the overall competition,
6 and reduced inequality in academic performance.”

7 This is exactly what we recommend in the CEC 20
8 Resolution. A careful phased approach. I'll skip to
9 the end. Thank you. I just want to put out some of
10 the political context. This law was passed very
11 quickly in 2022, with no hearings or deliberations
12 like we're having now. I believe previous speakers
13 have mentioned that. It relies on a very popular
14 policy but was written with no consideration of the
15 practical impact on New York City Schools. With the
16 evidence strongly mixed on class size impact and
17 significant financial and operational complexities.
18 The only responsible course of action is to reform
19 the law, take a phased approach.

20 I ask for your support to lobby Albany to reform
21 the law. Thank you.

22 COMMITTEE COUNSEL: Thank you so much for your
23 testimony. Lupe Hernandez.

24 LUPE HERNANDEZ: Good evening. Thank you Chair
25 Joseph and long time, no see. My name is Lupe

1
2 Hernandez and I am a New York City parent. I am here
3 speaking in my own capacity but I do sit on the
4 citywide Council for Special Education and I come
5 here today after hearing from many parents that even
6 spoke about their experience in EI. My son started
7 in Early Intervention where we experienced reduced
8 size classrooms that we're able to provide supports.
9 Much needed for many of our students with
10 disabilities. However, like many families going
11 through the Turning Five process, you realize quickly
12 how limited these programs are within a district,
13 sometimes even boroughs. I think what I was touring
14 was a lot of out of boroughs and we know what
15 transportation looks like but I won't get into that.
16 But my advocacy in this work started ten years ago
17 and I will say in those ten years, reducing our class
18 sizes has been the number one parent concern on many
19 surveys year after year after year. In fact, New
20 York City Public Schools put out a survey every
21 single year and City Council had in uhm Committee and
22 had several hearings and we were waiting for the
23 Speaker at the time to bring that class size
24 reduction bill to a vote and it never happened. And
25 I'm glad and I'm thankful for the state for passing

1
2 this bill and there is a phase in process and the
3 recommendations provided by the working group kind of
4 goes over that.

5 I want to give some of my own personal
6 experience. When I went into kindergarten, my son
7 was in a classroom, ICT. It was what was
8 recommended. He probably would have been better off
9 in a 12 to one to one but there was nothing available
10 and our local school offered an ICT with a full-time
11 paraprofessional, one to one 100 percent of the time.
12 However, when we got there that first day, not only
13 were there 26 kids in that classroom, which was one
14 student over the actual current mandate and they
15 didn't create another ICT classroom. It was the one
16 and only ICT of the three kindergarten classrooms in
17 a school that actually is more affluent like many of
18 these folks are saying in a very privileged district
19 that had PTA funds. But even with that, our
20 principal was limited to use that budget because my
21 son's IEP stating he needed an ICT classroom and that
22 one-to-one para was not finalized until after that
23 principal had already received their budget. So,
24 therefore, we spent a year; there was also more kids
25 in that class that needed IEPs.

1
2 We are currently – he's in 5th grade now. All
3 three of the 5th grade classrooms are ICT and we're
4 lucky we were able to do that but the way Fair
5 Student Funding is allotted, the way we're allocating
6 our budgets, principals have been incentivized
7 regardless of enrollment in their schools to hire the
8 classroom sizes in order to use their budget for all
9 of these amazing things that everyone has spoken
10 about today. But some of the key things I just want
11 to touch on before I let you go is that uhm,
12 principals had money through Contracts for
13 Excellence. They weren't able to do it and the fact
14 that my son made the most progress when we went
15 hybrid and classroom sizes were slashed in half
16 during the pandemic, and I just want to point out to
17 the DOE that you know we did add additional waits for
18 our students in temporary housing. We also for the
19 first time, right?

20 And then we also added additional waits to our
21 students with disabilities but our schools currently
22 were never functioning with that money. If you
23 remember, the Comptrollers Office testified that
24 schools are missing \$11 million this year, just based
25 on the students in temporary housing because they

1
2 give the budgets to our principals off a very grossly
3 inaccurate projections but it was from December 31st
4 of 2022. There were 20,000 more students in
5 temporary housing in our school buildings when we
6 opened this fall in September and the principals are
7 just now getting that money. Do you think that they
8 can purposefully use these funds for what they were
9 intended when this is the way that we're giving
10 schools our money?

11 So, when we say it's this or, it shouldn't be.
12 These are mandates and if principals actually got the
13 money they really needed in June, they wouldn't be
14 playing like Tetris in February and March because
15 they have to use these budgets in the next couple
16 weeks and they just got them. We're not hiring
17 teachers. Where my son got that paraprofessional in
18 February. He's supposed to have it from September
19 and five of the kids in my class, we were called to
20 be given fully funded specialized education but by
21 that time, those seats were filled. Turning 5 had
22 already exhausted that. The four other children from
23 my sons class went Carter.

24 My district has the highest Carter rates. If the
25 principal could have expanded that ICT into two or

1
2 have done more, she would have. It was impossible.
3 So, thank you.

4 CHAIRPERSON JOSEPH: Thank you and I've always
5 talked about how schools are funded so inadequate and
6 that was also from a hearing we did here calling on
7 them to finally pay the schools the funding that they
8 were owed. I have a question for you, for CC. I
9 noticed in the SCA report, there's an example that
10 District 20 is about to get slated for three new
11 buildings to open in September because you have an
12 over utilization of surrounding schools but yet, you
13 think the law should not be implemented. Talk me
14 through that.

15 STEPHEN STOWE: Yeah, absolutely. I think what
16 really should have gotten more focus was reform of
17 the SCA itself and the processes and procedures that
18 use this. It's almost sort of a totally separate
19 conversation but I would love to see legislators and
20 City Council focus on that because ultimately, that's
21 the best solution to this issue. The problem is we
22 know there's no way within five years, four years
23 now, we're going to get all these schools built.
24 It's just not going to happen. And so, that's really
25 where sort of that - yeah, of course I support new

1
2 schools opening in my district. It's not going to
3 address the gap as we saw in the data provided by the
4 DOE and just from my experiences going to all these
5 schools. But yeah so I would love to see the SCA and
6 all the regulations it has to go through just to get
7 you know to get site selection done and building
8 process and procedure, what they can and can't do. I
9 think that's right for overall but anyway if Nina was
10 still here, I would love to chat with her about it.

11 CHAIRPERSON JOSEPH: Okay, thank you and grandma,
12 keep fighting, keep fighting and an equitable funding
13 for schools is what we fight for. I know I fight for
14 that hard. No matter what the zip code, the
15 background, every New York City children deserve a
16 quality public education. Non-negotiable, that's why
17 I talked about the tradeoffs. There should be no
18 tradeoffs. It's nonnegotiable. Smaller class size,
19 I should still have music, drama, theater, and all of
20 the great things that go with being a child you know,
21 so thank you for testifying.

22 ANYTA BROWN: Yeah, it makes them well-rounded.

23 CHAIRPERSON JOSEPH: That's right.

24 ANYTA BROWN: It ain't just about books and books
25 but they need that extracurricular activity, them

1
2 after school programs. They even have tutors that
3 come in the afternoon to help these kids. So, you
4 know it's definitely needed and on top of that, you
5 know parents can't just rely on the educational
6 system to teach their kids. They have to become a
7 part of that community.

8 CHAIRPERSON JOSEPH: Absolutely. We've always
9 said that parents need to be part of this educational
10 journey in order for us to succeed. So, one of the
11 things they did have right is during the pandemic,
12 they had a parent university where they engaged.
13 They need to bring that back and make it even
14 stronger so that parents are part of that
15 conversation.

16 ANYTA BROWN: Exactly. Thank you for your time.

17 CHAIRPERSON JOSEPH: You're very welcome. Thank
18 you.

19 COMMITTEE COUNSEL: Thank you so much for our
20 panel. That concludes our in-person testimony. If
21 there's anybody else in the room who wishes to
22 testify in person, please make your way to the
23 Sergeant at Arms in the back.

24 We will now move on to virtual testimony. Again,
25 for all virtual panelists, please wait for the

1
2 Sergeant to announce that you may begin before
3 delivering your testimony. Our first panel Johanna
4 Garcia, Amy Tsai, Venus Sze-Tsang, and Paullete
5 Healy. Followed by Panel 2, Tanesha Grant, Maggie
6 Sanchez, Adriana Alicea and Johanna Bjorcken. Johanna
7 Garcia, you may begin your testimony.

8 JOHANNA GARCIA: Thank you. Good afternoon and
9 thank you so much Chair Joseph for your leadership
10 and for holding this important hearing. My name is
11 Johanna Garcia and I had the privilege of serving as
12 the Co-Chair of the Class Size Working Group convened
13 by Chancellor Banks.

14 I come before you not only in my capacity as Co-
15 Chair but as a parent deeply invested in the
16 educational justice and equity that smaller class
17 sizes can provide to the students of New York City.

18 In April 2023, under the Chancellors directive,
19 we embarked on a mission with the class size working
20 group, comprising 48 members. This diverse group
21 represented the multifaceted nature of our city's
22 educational ecosystem, tasked with a monumental goal,
23 deliver actionable, thoughtful recommendations for
24 implementing the new state class size law. This
25 initiative was not merely administrator but a

1 continuation of the historic fight for educational
2 equity, a cost championed by the landmark efforts of
3 the Campaign for Fiscal Equity. Their victory laid
4 the ground work for our current undertaking,
5 highlighting the undeniable link between class size
6 and the quality of education. Our groups efforts
7 spent nine months exceeding our initial timeline due
8 to the depths of our commitment and the challenges
9 encountered concluding in December.
10

11 Working to balance the different perspectives
12 within our group, we aim to create recommendations
13 that can navigate the integrate realities of New York
14 City's educational landscape. We know it's
15 incredibly complex.

16 Despite encountering resistance from a small
17 minority within the group, we stayed committed to our
18 central mission, that every young person in our city
19 deserves the chance to be seen and supported as an
20 individual. This belief was mirrored in our
21 methodical approach, underscored by frequent
22 meetings, more than the one month that was initially
23 asked of us, work through the summer and in-depth
24 discussions. Our 55-page report, it capsulates this
25 journey based on a phased plan, it's phased in. It's

1
2 not overnight. Phased plan for reducing class sizes
3 that calls and I really want to underscore this part.
4 That calls for extensive consultation with local
5 school communities and a realistic assessment of
6 space, programming, and implementation options. In
7 fact, our [INAUDIBLE 04:31:04] to say that we asked
8 for a survey of principals and teachers early in our
9 journey of coming to recommendations because we
10 wanted to have that feedback inform our final
11 recommendations but we got resistance from the
12 Department of Education to do that.

13 This fight for smaller classes is at its core a
14 fight for an educational system where every student
15 has access to the front of the class. Where there
16 needs are not just recognized but addressed with the
17 urgency they deserve. It is with a very heavy heart.

18 SERGEANT AT ARMS: I'm sorry, your time has
19 expired.

20 COMMITTEE COUNSEL: You may continue.

21 JOHANNA GARCIA: I know the DOE's current stance.
22 Suggesting that the implementation of smaller classes
23 across New York City is unfeasible. This perspective
24 not only undermines the comprehensive work and
25 dedication of the group but also ignores the clear

1
2 roadmap we've provided. Our recommendations are not
3 wishful thinking but a testament to what is possible
4 with commitment and collaboration. So, in closing, I
5 urge this Committee, City Council, Chairperson to
6 consider the weight of history, the evidence of our
7 efforts, and the undeniable benefits that smaller
8 class sizes can bring. This is more than a policy
9 debate; it is about delivering on a promise of
10 educational justice to the students of New York City
11 who have waited too long. Our recommendations
12 provide a viable path forward, informed by the
13 collective wisdom of educators, parents and advocates
14 but not parachute in. Let us honor the legacy of
15 those who fought for a sound, basic education for all
16 students by taking the bold steps necessary to make
17 smaller class sizes a reality in New York City.
18 Thank you for your time and consideration.

19 COMMITTEE COUNSEL: Thank you so much for your
20 testimony. Amy Tsai.

21 SERGEANT AT ARMS: You may begin.

22 AMY TSAI: Can you hear me?

23 SERGEANT AT ARMS: Yes.

24 AMY TSAI: Thank you so much Chair Joseph and
25 members of the Committee on Education. My name is

1
2 Amy Tsai. I am first and foremost a parent of the
3 Bronx Northwest Community School District 10. I am a
4 member on the Community Education Council District 10
5 and also a mom of five who are all currently in the
6 New York City public school system. They all range
7 from elementary, middle school and high school in the
8 Bronx and Manhattan. I have three children with a
9 disability in several different school settings. I
10 would like to just express first, as my role and my
11 responsibility as a member of the CEC, I come from a
12 district that has 63 schools. On top of that,
13 Department of Education has added more Charter
14 colocations in this district. There is more public
15 housing that is not for the community members in
16 District 10 but more for the other districts to come
17 in and move into my district. Therefore, there is no
18 empty lots to build or extend schools to really
19 provide the overcrowding in my district in the
20 Northwest Bronx.

21 The borough of the Bronx is the most vulnerable
22 community. We don't have the funds in our school.
23 Our parent associations are struggling. Our
24 principals are struggling through Fair Student
25 Funding. You know this is a struggle we have been

1
2 talking about to reduce class size for more than a
3 decade. We know that we are witnesses to smaller
4 classrooms really work for our students and for our
5 communities. Personally, for my five children, I
6 have seen classrooms where I volunteered where there
7 was 32 to 35 kids in the class with one teacher or
8 two teachers for ICT. It's still not enough because
9 we are the highest district in the Bronx with IEPs
10 and students with English Language Learners.
11 Therefore, for a teacher to teach academic needs to
12 all those students on top of managing emotions,
13 behaviors, making sure students are eating, having a
14 physical activity for 30 minutes a day in school is
15 still not enough. It just sounds exhausting and it's
16 just insane for me to imagine that we continue to
17 increase the amount of students in the classroom and
18 yet don't address overcrowding in districts like
19 mine.

20 I want to mention that social, emotional and
21 physically conditions of our students is really
22 important and we've seen that. One to one attention
23 from a teacher or small groups really benefit both
24 teachers and faculty and students, and then the
25

1
2 results of parents being able to take care of their
3 children while they're at work or other.

4 I really want to ask the City Council to make
5 sure that the laws are passed by our state
6 legislators. We are very thankful for that but it is
7 the responsibility now with the City Hall and
8 Department of Education, to implement what is in
9 place for the law. Again, I have children with
10 special needs and they are complying, the DOE is not
11 complying to their services right now and therefore
12 we know that it is really something that the DOE need
13 to do in the next four years of class size law to
14 make sure that there is a class reduction.
15 Therefore, thank you for the accountability and hope
16 that the Mayor is doing what it does since he echoes,
17 get stuff done. So, therefore, this priority needs
18 to get done. Thank you so much.

19 COMMITTEE COUNSEL: Thank you for your testimony.
20 Next panelist Venus Sze-Tsang.

21 SERGEANT AT ARMS: You may begin.

22 VENUS SZE-TSANG: Hi, my name is Venus Sze-Tsang,
23 Staten Island elected parent pep member and class
24 size working group member, one of the supporters of
25 the Class Size minority report. I've spent a lot of

1
2 my time in CEC meetings listening in on feedback
3 about the class size law. I want to remind the public
4 that supporting the class size minority report does
5 not mean that we are anti-teacher or anti-student.
6 We want lower class size too but not at the expense
7 of more learning loss for our pandemic era students.

8 There is natural cause such as the pandemic, such
9 as flooding, housing migrants in schools that cause
10 learning disruption. How do we knowingly cause
11 learning disruption to our students? Many policy is
12 written in a way that leaves things up for
13 interpretation. I am not comfortable with the class
14 size working group's recommendation of capping
15 enrollment because that says out loud and clear that
16 we will disrupt our families, starting from
17 kindergarten we will have waitlists. For example in
18 District 20 and in District 31, we are getting new
19 schools. We are all excited, we are all relieving
20 the crowded schools right? This is how it should be,
21 build then move the students not move the students to
22 the next underenrolled school which could be nowhere
23 in District 20 and District 31, every school is
24 crowded.

1
2 A parent/teacher in District 22 voiced that she
3 was worried that her child's ICT class will be
4 affected. She was worried that once implemented,
5 many ICT students would be declassified because there
6 won't be enough special Ed teachers. Special Ed
7 teachers are very hard to hire so her concern is
8 valid. It's not right for community members to
9 demoralize her for being concerned and not wanting
10 smaller class size in place of her children's
11 education needs not being met.

12 This needs to be done strategically as outlined
13 in the Class Size working group minority report. We
14 need to show that it's something worth the investment
15 to do starting with the group of youngest students
16 that will benefit the most, building a strong
17 foundation. If you don't know what kindergarten
18 waitlists look like, can you imagine getting a call
19 at the end of kindergarten that you can return to
20 your zone school in first grade. If we support
21 capping enrollment, many, many families will be shut
22 out of their zoned schools and the long-term effect
23 can stretch out to low income and middle-class
24 working families losing the opportunity to take AP
25

1
2 classes, and electives that pave the way out of
3 poverty for many.

4 For me, I have three kids that I have to pay for
5 college for. I was really looking forward to saving
6 a year of college tuition from my children taking AP
7 courses in High School. Implementing the law in a
8 forceful manner will interrupt learning for the same
9 students who suffered the most during this pandemic.
10 New York City students will really get as Senator
11 John Liu calls it, a BASIC, in fact, a very BASIC
12 sound education. Someone mentioned in a CEC meeting
13 chat, that their child is in a class of 32 seats, if
14 classes get cut to 20 seats, where are the other 12
15 children going? We need more capacity and more
16 teachers. We don't have the money, the capacity or
17 the teachers. Please have DOE and Senator Liu show us
18 where the funds are if Senator Liu insist that it
19 exists.

20 Even if we have the money to hire teachers -

21 SERGEANT AT ARMS: I'm sorry, your time is
22 expired.

23 VENUS SZE-TSANG: We need to first build - sure.

24 COMMITTEE COUNSEL: You can continue.
25

1
2 VENUS SZE-TSANG: Okay, thanks. Uhm, so even if
3 we have the money to hire teachers, we need to first
4 build capacity, it's not going to happen in five
5 years because we can't even build a building in five
6 years.

7 The answer isn't simply fully funding the
8 schools. We are going to lose funding per the law if
9 we don't get it done within five years. Now, are you
10 willing to lose funds for D75 students to support
11 lowering class size for all? Or are you willing to
12 volunteer your child to attend an underenrolled
13 school maybe a mile away? These are the tradeoffs we
14 all have to think about. Please review the Class
15 Size Working group minority report and urge for there
16 to be amendments made to the law, how to approach
17 this law in a better way. Thank you.

18 COMMITTEE COUNSEL: Thank you so much for your
19 testimony. Paullette Healy.

20 SERGEANT AT ARMS: You may begin.

21 PAULLETTE HEALY: Hi Chair Joseph. Thank you so
22 much for holding this hearing. I will be submitting
23 written testimony that will have my opinions about
24 the class size mandate and how it effects citywide.
25 And as many people know, I'm a District 75 parent and

1
2 I'm not trying to go back and forth but just ,
3 listening to some of the previous speakers about
4 District 20, that's my District, that's where I live.
5 Uhm, and for people to say we can't build these
6 schools in five years, we have three schools coming
7 online in September.

8 So, I don't want to perpetuate this
9 misinformation, in order to allow fear and distrust
10 to affect people's opinions about whether the class
11 size, smaller classes are necessary or not. Uhm,
12 when we came back fully in person after the pandemic,
13 in District 20, the most populated middle school in
14 District 20, which my child attended had to cap their
15 class sizes. Uhm, they just didn't have the capacity
16 to take the over register students that were coming
17 in asking for a seat. And we did send them to a
18 school that had a bit more capacity. And when the
19 opportunity opened up for the children to come back
20 the following year, they stayed at the other school
21 and do you know why? Because when they were sent to
22 a slightly lower enrolled school, they discovered
23 they had comprehensive stem programs there. They had
24 a robotics program there. They had a student
25 leadership led social, emotional team there, which

1
2 nobody talks about because there's only you know a
3 handful of schools in District 20 that people have
4 deemed high performing schools or you know high
5 quality schools and they get the most attention.

6 And just like you're referencing, the Brooklyn
7 Academy of Music High School down in District 13,
8 that's a hidden gym. There's tons of hidden gyms in
9 District 20 as well as other over populated districts
10 and if we don't start capping you know class sizes
11 and making parents aware that there are other quality
12 schools in their district, they will remain hidden
13 gyms.

14 So, I think that you know when we're talking
15 about this class size mandate, it's necessary. You
16 know the evidence has proven post you know COVID that
17 with the smaller class sizes that were implemented in
18 the hybrid model, there were more children being
19 serviced. There were more children getting their
20 social and emotional learning needs addressed. There
21 were more students who were given trauma supports
22 because of the smaller class sizes.

23 So, I think that's the kind of lens that we need
24 to take to this. So, we have to recognize that with
25 the challenges that the DOE had put out, we also have

1
2 to hold them accountable for the fact that they
3 created it. You know, the fact that we have lost
4 over -

5 SERGEANT AT ARMS: Your time has expired.

6 PAULLETTE HEALY: Sorry, can I just finish my
7 thought?

8 COMMITTEE COUNSEL: You can continue.

9 PAULLETTE HEALY: Thank you. The fact that we
10 have lost 4,000 teachers, uhm starting from Fiscal
11 Year 2019 till now and we're at the risk of losing
12 3,000 more teachers, this was created by the
13 austerity budget and this was how the DOE decided to
14 implement those austerity cuts. So, to say that
15 there's going to be a challenge hiring the necessary
16 teachers in order to comply with the class size law,
17 yeah because they manifested this. It's their fault
18 that we're going to have trouble hiring these
19 teachers.

20 The only ask that I have in terms of you know
21 what is being presented and thank you Johanna Garcia
22 for doing an incredible job leading the Class Size
23 Working Group and their recommendations. My only ask
24 in addition to what they're asking for, is that we
25 recalculate the existing utilization formula because

1
2 as of right now, it doesn't really reflect things
3 like radiators and support beams in the classroom in
4 terms of like, you know how many students can fit
5 into that particular classroom. It also doesn't have
6 a component to recognize that there needs to be
7 appropriate spaces for therapy sessions. Because of
8 that, we are having speech OT and PT being
9 implemented in staircases, in hallways, in storage
10 closets. Meanwhile, schools are using spaces for
11 photo labs instead of therapy rooms. So, I think
12 that's something that we can definitely do and then
13 also, if we can make sure that there's protections to
14 protect uhm D75 collocated programs that are already
15 in buildings right now. The promise was that the
16 class size mandate would not affect existing D75
17 programs but unfortunately at the start of this year,
18 the proposals that have been presented at the PEP,
19 have harmed District 75 programs and if it wasn't for
20 robust organization and advocacy -

21 SERGEANT AT ARMS: Your time is expired. Please
22 wrap up your testimony.

23 PAULLETTE HEALY: Yes, that was my last comment.
24 So, please, I know that you are a D75 parent as well
25 and invested in our community, so if we can just make

1
2 sure there's better protections, that would go along
3 way. Thank you.

4 COMMITTEE COUNSEL: Thank you so much for your
5 testimony and thank you to everybody on the panel.
6 We will now move on to our second panel Tanesha
7 Grant, Maggie Sanchez, Adriana Alicia, Johanna
8 Bjorken followed by our third panel Olympia Kazi
9 Deborah Alexander and Debbie Kross. Tanesha Grant,
10 you may begin your testimony.

11 TANESHA GRANT: Hello. I can't see myself.
12 Hello, my name is Tanesha Grant and I am the
13 Executive Director of Parent Support and Parents New
14 York.

15 Today, I speak to you as a parent of an 11th grade
16 student. I have been a parent advocate for 10 years
17 plus. I want to talk about what it looks like when
18 there are classes, when there are large classes or
19 small classes with not enough administration. My son
20 goes to Eagle Academy in Harlem. This camera thing
21 is really messing with me. I'm not understanding
22 what's going on.

23 Okay, my son goes to Eagle Academy in Harlem. He
24 has been a student at Eagle Academy since 5th grade.
25 He is now in the 11th grade. For the last two years,

1
2 I have been advocating at Eagle Academy for more
3 communication with parents. This year, because my
4 son is a good student, Eagle Academy took it upon
5 themselves to put my son in an online college class.
6 There was just a teacher in a class but the professor
7 was online. Six months later, I found out my son got
8 F's in this class. There was no communication to me.
9 Even when it was parent teacher conference, I had to
10 reach out to the school. I never talked to the
11 teacher that was overseeing this class, this college
12 class.

13 When I confronted the school, they acknowledged I
14 was right but implied that they are trained to uplift
15 my son. Chair, I ask you, if my son has an F on his
16 transcript how are they trying to uplift him? Mind
17 you, my son has four Regents passed and is on his way
18 to a fifth to get a Regents diploma. I feel that if
19 there was more administrators in the school and
20 lower-class size, maybe this would not have happened.

21 If my son was receiving the individual attention,
22 maybe the teacher would have reached out. It's a
23 shame the Department of Education has parents
24 believing that smaller class sizes is a bad thing
25 because of the lack of resources. The truth is, all

1
2 of our public schools should be fully funded with
3 small class sizes so each child can get the
4 education, the high quality, full funded, cultural
5 responsive education each of our children deserve.
6 The education that parents like me have been fighting
7 for.

8 I want everybody to understand that it is because
9 of the parents that we even have something called
10 culturally responsive education and no one talked
11 about that. All teachers should be great teachers to
12 our children. All school administrators should have
13 a partnership with parents. This isn't happening in
14 our schools, especially in Harlem. I felt so
15 helpless today when my son's principal told me that
16 he was trying to uplift my son who is already an
17 amazing student. It is not lifting a child up when
18 you allowed them to fail and not get in touch with
19 their family. We need small class sizes and we need
20 administrators. We need principals that are not
21 going to put our children on a path to fail.

22 As a parent, I will fight this F to get off of my
23 son's transcript and I will continue to fight that
24 small class sizes are implemented. Thank you for
25

1
2 having this hearing and thank you for listening to my
3 testimony.

4 COMMITTEE COUNSEL: Thank you so much for your
5 testimony. Maggie Sanchez.

6 MAGGIE SANCHEZ: Esteemed Committee on Education.
7 My name is Maggie Sanchez. I am a Public Advocate
8 Appointee to the Citywide Council on Special
9 Education and I am speaking on my personal capacity.

10 As a parent of a student with Autism. I'm here
11 to speak on the Class Size Law passed in 2022 and how
12 not abiding by this law negatively impacts students
13 like my child and others. As a former public-school
14 student myself, I know how large class sizes can
15 impede students' learning. Now imagine how the
16 experience is for students with disabilities who have
17 Auditory Processing Disorder or other diagnoses, who
18 already have a difficult time navigating crowded
19 spaces.

20 How can those students be expected to
21 meaningfully learn in classrooms of over 30-40
22 students? It's just too overwhelming. It is for my
23 child and for many others as well. I keep seeing
24 that in PEP meetings, schools with low enrollment
25 move to collocations, taking space that could be used

1
2 to lower class sizes. Right now, there are students
3 in classrooms of 40 students or more. Having to sit
4 on the floor due to lack of available desks for them
5 to learn. Many of them are Multilingual Learners.
6 For example, in District 6. That is why the Class
7 Size Law is so important. That is why measures like
8 not implementing cuts to the capital plan and the
9 utilization of \$3.3 surplus and \$2 billion in rainy
10 day funds are critically important and need to be
11 taken by the Department of Education to abide by the
12 Class Size Law. I sincerely in treed that this
13 Committee and the Council as a whole continue to hold
14 the Mayor and the Department of Education accountable
15 on this issue and on the cuts to education that have
16 been implemented. These cuts as well as planned
17 upcoming cuts to education are making it extremely
18 difficult for students and schools across New York
19 City. Thank you Chair Joseph for being the voice of
20 families like me. Thank you all of the Committee
21 members as well. Thank you so much.

22 COMMITTEE COUNSEL: Thank you for your testimony.
23 Adriana Alicea.

24 ADRIANA ALICEA: Good afternoon. Can you hear
25 me?

1
2 COMMITTEE COUNSEL: Yes.

3 ADRIANA ALICEA: Fabulous, thank you. Thank you
4 Council Members and many thanks to you Chair Joseph
5 for your leadership and your candor during this
6 meeting. It's greatly appreciated and I'm going to
7 submit my full testimony in writing. My name is
8 Adriana Alicea. I'm a New York City Public School
9 Parent and I am a CEC member in Community School
10 District 28 in Queens.

11 I am testifying here today in my capacity as a
12 parent who remains deeply committed to advocating for
13 an equitable and quality education for all New York
14 City School students. Unfortunately, as you know and
15 as the public heard today, District 28 is one of the
16 districts that continues to be deeply affected by the
17 DOE's negligence leading to the current de facto
18 segregation in our district.

19 Transparency and accountability are crucial in
20 ensuring that every child receives the quality
21 education they deserve. By reporting actual class
22 sizes and student demographics, we can better
23 understand the needs of our students and allocate
24 resources more effectively. This data will also help
25 us identify areas where additional support is needed

1
2 and that will ensure that our students have an equal
3 opportunity to succeed or as close to equal as we can
4 get. Having said that, I want to echo statements
5 made earlier today by Michael Sill and by the folks
6 from the Class Size Matters project as well as many
7 of the parents who testified after that.

8 I'm not going to restate those in the interest of
9 time. Instead, I want to take the opportunity to
10 encourage the public to fact check the statements
11 made by members of the Chancellors cabinet and the
12 School Construction Authority. You can email them
13 directly with any questions. Their contact
14 information is posted on the DOE and SCA websites
15 respectively and I encourage you to email them until
16 you get an answer that you are satisfied with.

17 The last thing I want to say is this. I've lived
18 in this city my entire life. I grew up here. My
19 partner grew up here and we have chosen to raise our
20 child here. I love this city. I have never
21 considered living anywhere else. Brooklyn is in my
22 blood like it literally wouldn't even be possible for
23 me. But recently between the DOE selection of
24 mandated curriculum; I know you can't see but
25 curriculum is in comments there for folks at home.

1
2 The rubber stamp to squandered resource pipeline that
3 is the PEP and the lack of true oversight and levers
4 of accountability and so on. I also just want to
5 say, we're not in California. My child deserves
6 better. Your child deserves better. Our children
7 deserves better and frankly, this is the greatest
8 city in the world, right, that's what everybody says.
9 It's well past time that we demand the DOE act like
10 it. Thank you again Chair Joseph and please extend
11 my thanks to all of the sponsors of this incredibly
12 important bill.

13 COMMITTEE COUNSEL: Thank you for your testimony.
14 Our next panelist Johanna Bjorken.

15 JOHANNA BJORKEN: Hi there. My name is Johanna
16 Bjorken. I am, I live in Sunset Park Brooklyn and I
17 parent a 9th grade public student. A student who is
18 sitting distance from you all in the Murry Bergtraum
19 Building. I was also a member of the Class Size
20 Working Group and Co-Chaired its budget and finance
21 subcommittee. I served on the Working Group as a
22 school business manager steeped in school-based
23 budgeting but I am speaking today in a personal
24 capacity.

25

1
2 Of course the Bloomberg area policy makers who
3 created the incentives to pack classrooms, just wish
4 this law would go away and you must hold their feet
5 to the fire.

6 One important factor is how will the DOE support
7 and build upon compliance? The approximately 40
8 percent of classrooms that currently meet the
9 mandate. The path to broad compliance centers these
10 schools, the ones that today have the space and the
11 teachers. They enroll our most vulnerable students
12 but too often, compliance is an accident of
13 enrollment. School funding methodology and I'm
14 talking about Fair Student Funding currently requires
15 that at least some classes be large to pay for the
16 ones that are small. It requires a school to use
17 funds they get because of its needy students to
18 subsidize the direct teaching class in classrooms
19 meeting the mandate, even when the needy students are
20 in other overcrowded classrooms.

21 This model has to change to make compliance
22 universal and as it does, our students that are
23 currently starved to meet cost will also benefit.
24 That is not an equity transfer and especially not
25 when the least needy cortile includes students where

1
2 65 percent of students are in poverty. Our working
3 group subcommittee recommended that the DOEs models
4 do not just consider overall expense but the ability
5 of a wide range of schools to meet cost and that's
6 where equity lives. How schools meet cost is
7 something that I'm watching very carefully as this
8 years Fair Student Funding comes up for review and I
9 hope you will too.

10 Looking at the 30 percent of schools that don't
11 have space now to comply in a city as big as ours,
12 the obstacles to compliance differ neighborhood by
13 neighborhood. Solutions towards implementation will
14 be best when they come from and with those
15 neighborhoods and communities. Mindful the center of
16 those who have historically been most marginalized
17 and left out of the conversation. And it is clear
18 that some superintendents are already thinking about
19 their trickiest corners.

20 At Tuesday's PEP, there were already votes on
21 split siding overcrowded in popular schools and
22 consolidating others. Nobody loves a rezoning but
23 they aren't new and the class size law isn't the only
24 thing to make them happen. I've seen five just in my
25 own District since my child started kindergarten.

1
2 The equity must stay top of mind. How did the
3 decisions about getting to compliance center our
4 students who are most vulnerable?

5 And as we are talking about money, I have to say,
6 I am so glad that you and this Council are starring
7 down our Mayor and his fake budget crisis. As we
8 fight to maintain the essential programs that should
9 never have been funded with expiring stimulus
10 dollars, we must also keep our eye on the long game
11 and make sure that we move forward to implement the
12 historic class size law decades of parents have
13 fought so hard to have.

14 New York City students deserve the relationships
15 with their teachers, simply impossible and –

16 SERGEANT AT ARMS: Your time has expired.

17 JOHANNA BJORKEN: Finishing up. This is our new
18 normal and we need to get to our new normal.

19 COMMITTEE COUNSEL: Thank you for your testimony.
20 Moving on to our next panel Olympia Kazi followed by
21 Debbie Kross. Olympia, you may begin.

22 OLYMPIA KAZI: Thank you. So, my name is Olympia
23 Kazi and I have a 1st grader and a 3rd grader in
24 Manhattan school District 6 in Washington Heights and
25 I was there earlier, then I had to come and pick up

1
2 my kids and listening to the hearing, I just want to
3 thank again Chair Joseph for hosting it, for asking
4 the questions that you did at DOE and all the
5 thoughtful questions that you asked of the other
6 council members and of course, the work of Leonie,
7 Johanna, all the people who serve there. I feel
8 better as a parent knowing that you guys exist,
9 right? However, I am also very upset about what I
10 heard today from DOE and I feel that their attitude
11 was very defeated. They kept back. They didn't give
12 us concrete plans. They didn't mention really any
13 constructive to address the challenges. You know I
14 thought this were the time in which a challenge is
15 also an opportunity and even those are given the
16 funds to do something good. They're not doing it and
17 I was particularly upset because of the fear
18 mongering they did with constantly saying tradeoffs
19 and caps. And I was sad to hear some parents here
20 today you know drinking the Kool aid and believing
21 that this is really the situation. That we have to
22 accept this mentality. We are the richest city in
23 the world and we can have a great education for every
24 kid. We should have integrated schools and all the

1
2 kids should have services that they need and great
3 education.

4 So, I want to take one minute to talk about these
5 great schools that people are so scared they're going
6 to be capped so their kids cannot go to these great
7 schools. Have we looked how many there are and what
8 is the issue? How many kids will need to be sent
9 away? Have they thought of you know constructive
10 ways? Creative ways of you know [INAUDIBLE 05:01:25]
11 had amazing containers that were stuck there within
12 six months and they created public education for kids
13 in an amazing project that now is being located
14 [INAUDIBLE 05:01:36] in Astoria.

15 So, the DOE is not doing anything creative. Have
16 they thought of having you know stark schedules?
17 Some kids will be going in the morning and in the
18 afternoon. If that's the problem, we have just a few
19 great schools that people are so sad about. But this
20 is not really the problem. The problem is that they
21 accepted that they should have two schools. I think
22 it was set in stone. You know there are few public
23 schools that are good. All public schools should be
24 great and if we don't give them the resources, they
25 will never be great, right? Our kids are worthy of

1
2 great public schools and I want to thank you again
3 because I know you're working to get it done and DOE
4 should start doing their job. Thank you.

5 COMMITTEE COUNSEL: Thank you for your testimony.
6 Debbie Kross.

7 DEBBIE KROSS: Yes. Hi, can you hear me?

8 COMMITTEE COUNSEL: Yes.

9 DEBBIE KROSS: Okay, hi. So, my name is Debbie
10 Kross. I'm a parent of three students in New York
11 City Public Schools. I'm also the President of the
12 Citywide Council in the high school, which represents
13 over 300,000 students and their family in high
14 schools that are located across the five boroughs.
15 And as such, this makes us the largest community
16 education council in New York City.

17 We heard about children being children and how
18 they need to have art. They need to have music. I'd
19 like to talk to you about teenagers, since that's
20 what my Council focuses on. On February 14, the
21 Citywide Council and high school passed a Resolution
22 calling on the state legislature to urgently amend
23 the class size law to focus the implementation of the
24 law on lower grades and later phase in high schools.

1
2 The impetus for this Resolution was the CCHS
3 careful analysis of data pertaining to enrollment and
4 occupancy in high schools, as well as an ongoing
5 dialogue that we maintain with families, with school
6 administrators and with the Office of Student
7 Enrollment. I would like to give you the key take
8 aways, two of them, of this Resolution.

9 First, forcing small class sizes on high school
10 in New York City will have devastating consequences
11 for these high schools, which principals are
12 assessing right now by redirecting funds from special
13 programs, electives, advancement placement classes to
14 core classes.

15 These programs that are going to be defunded are
16 the programs why the schools are popular in the first
17 place and they are the programs why students are
18 motivated and challenged. We have 400 high schools
19 in New York City with 700 different programs. The
20 mandate to implement small class sizes in high
21 schools is going to destroy the unique character of
22 each of these high schools.

23 Second, there are also devastating consequences
24 in terms of educational choices and quality of life
25 that are looming for families and students. Why?

1
2 Well, in highly sought after programs, such as
3 specialized high schools, performing arts programs,
4 academically accelerated schools, zoned schools,
5 enrollment will need to be capped. We heard that
6 from multiple people tonight.

7 It will need to be capped and the number of seats
8 that are going to be cut are somewhere between 30, 20
9 and 40 percent depending on the schools in order to
10 comply with the mandate. Because of school
11 overcrowding, particularly in Queens, this means
12 increased travel time for students. Teenagers need
13 sleep. I have three of them at home, I can tell you,
14 they need sleep. The cost associated with
15 implementing the mandate for high schools is enormous
16 and what is very troublesome is that the mandate will
17 result in a transfer of money towards schools and
18 students who are already generally wealthier and show
19 higher performance from schools and students with
20 higher needs.

21 We heard that today. The money is going to come
22 out. It's going to come out of Bronxville.

23 SERGEANT AT ARMS: Your time has expired.

24 DEBBIE KROSS: It's going to come out of Bed Stuy
25 and East New York. Thank you. I'll just wrap up.

1
2 So, I urge City Council to look beyond the catch
3 phrase that small class size is good and to focus on
4 data. I urge you to speak to us at CCHS to the DOE,
5 NYCPS and also to talk to school administrators with
6 boots on the ground because they know what's
7 happening. Talk to Dr. Marmer who was Co-Chair of
8 the Class Sizes Working Group. He is there every
9 day. He knows what is going on in his school. I
10 urge you to work with the State Legislature to amend
11 the law before we cause irreversible damages to
12 public high schools and to their communities in New
13 York City. Thank you.

14 COMMITTEE COUNSEL: Thank you so much for your
15 testimony and thank you to everyone on the panel. If
16 the following registrants are logged on to the Zoom
17 and would like to testify, please use the raise hand
18 feature. Dan Chen, Johanna Dominguez, Ayishah Irvin,
19 Ellen Mc Hugh, Patrick Sprinkle, David Marmor, Taylor
20 Hom, Luis Camillo, Deborah Alexander.

21 No hands. That concludes our virtual testimony.

22 CHAIRPERSON JOSEPH: Thank you for a great
23 hearing and we're going to close it out. Class Size
24 [GAVEL] Alright, great job.

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date March 21, 2024