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Testimony to the New York City Council

Joint Hearing of the Committee on Education and Subcommittee on Landmarks, Public Siting and Maritime Uses

Regarding: School Overcrowding

October 3, 2008

Good morning. My name is Brian Kavanagh and I represent the 74th Assembly District, which includes the Lower East Side, Union Square, Gramercy, Stuyvesant Town, Peter Cooper Village, Waterside Plaza, Kips Bay, Murray Hill, and Tudor City. These areas cover parts of both Manhattan School Districts 1 and 2, and are the home to more than 20 public schools. I want to thank Chairs Robert Jackson and Jessica Lappin and the members of the committees for the opportunity to testify today on the issue of school overcrowding.

All of New York City's children deserve the opportunity to attend excellent schools. Unfortunately, school overcrowding dramatically decreases that opportunity in many schools across the city. Excellent schools should be able to maintain reasonable class sizes. The schools should also provide adequate space and opportunities for well-rounded education, including the arts, physical education, foreign language, and science. Excellent schools should have the space to enable them to maintain schedules that benefit their students, rather than hinder their learning experiences.

The method for calculating overcrowded schools is undoubtedly complicated. In a system that serves over 1.1 million children, there is a wide variety of building configurations, interests, and needs. For this reason, the determination of whether a school is overcrowded must be based on more than a simple mathematical formula. The current formula does not account for the families who leave schools as they see them becoming overcrowded. It does not account for the loss of gifted and talented programs, arts programs, and physical education programs. It does not consider the fact that children must share crowded common spaces such as cafeterias and school yards during lunch and recess.

With that caveat in mind, there are several schools that serve large numbers of students from the 74th Assembly District that are classified as overcrowded according to the target capacity outlined by the Department of Education in the Blue Book.

PS 110 is located on Delancey Street on the Lower East Side just outside the 74th Assembly District but serves many families from the District. The school is operating at 104% capacity and

this overcrowding produces some significant adverse effects. While the Gifted and Talented kindergarten class has only 16 children, the two remaining kindergarten classes hold 28 and 26 students. The school has no visual arts classrooms. Class sizes throughout the building are high and there is little to no room for growth in coming years. On the whole, however, the school appears to be managing reasonably well with the current space—at least this year. They have two dedicated science rooms, a music room and a computer lab.

Just 15 blocks from PS 110 is PS 61 on East 12th Street. PS 61 is the name of the building that houses three public schools: PS 361, PS 315, and PS 94, a District 75 school. According to the 2006-07 Blue Book, PS 361 and PS 315 are both operating overcapacity, at 106% and 108% respectively. The schools housed within PS 61 have done their best to deal with the lack of space. They have converted 2 bathrooms and 3 closets into office space for their related service providers such as speech therapists, social workers, and guidance counselors. PS 361 and PS 315 have no access to a gymnasium. The teachers have no staff room, and eat lunch either in their classrooms or outside the building. The school has only one art room, which is used for several purposes throughout the day. Within one building, there are three schools with different needs trying to make use of the same space.

Finally, there is PS 116 located on East 33rd Street in Murray Hill, again just outside the 74th Assembly District but largely serving families from within the district. PS 116's parents and students have been particularly vocal about the overcrowding within their school. They operate at 105% capacity. Students begin the first of six lunch rotations at 10:30 in the morning because of limited cafeteria space and finish after 1:00 p.m. The Department of Education has chosen to phase out both the Gifted and Talented Program and the Pre-K program at PS 116 due to space constraints. The school houses seven kindergarten classes of 25 students each—5 students more than recommended by the State. Approximately 50 families left PS 116 after the 2007-2008 school year, many citing overcrowding as a reason. There are over 3,000 approved new residential units under construction and zoned for PS116, but so far there seem to be no adequate explanations as to where those new neighborhood residents will send their children to school. I am pleased the DOE has agreed to join federal, state, and city elected officials in a taskforce to attempt to find solutions to overcrowding in PS 116 and other schools in District 2.

For the 2006-07 school year, the New York State Legislature provided \$613 million of state aid for New York City school construction. As the Department of Education and the School Construction Authority develop their next five year Capital Plan using these funds, there are several issues which must be considered.

First, the allocation of this funding must realistically address not only the present student population at our schools, but also the future needs of New York City's public school families. The plan must account for planned residential construction across the entire city and must be proactive. Space issues must be addressed *before* they affect the quality of education we are providing our students.

Second, we must give parents, community members and educators a voice in shaping the Capital Plan—they are the ones who know how overcrowding is affecting the children of New York City. These plans must be transparent and must take into account the opinions of the public. As you know, many of these issues must be dealt with on a case-by-case basis, and our parents and community members have their eyes and ears on the needs and opportunities in their specific

neighborhoods There is neither a one-size-fits-all method of measuring the effect of overcrowding, nor a universal solution. By making plans transparent and open to negotiation, we offer the best opportunity for future success.

Lastly, as we look toward the future capital projects of the Department of Education, we must ensure that students are being offered a wide variety of opportunities in these facilities. Art, music, science, and physical education require specific types of spaces, not just empty rooms. These spaces must be included in any future plans and their presence must be an important measure of whether a school is adequately equipped to provide students with a well-rounded education.

Overcrowding issues are affecting schools throughout the city and in many schools there are conditions far worse than the ones I have mentioned today. I intend to continue to take an active role in working with the Department of Education, the School Construction Authority, my fellow elected officials, local school officials, parents, and students to address these issues. All the children of New York City deserve the best opportunities we can offer them. I am confident that with proactive and knowledgeable planning, we can provide our children with an excellent public education.

Thank you again for the opportunity to testify today.



THE CENTER FOR ARTS EDUCATION

Testimony to the New York City Council

Joint Hearing of the Committee on Education and Subcommittee on Landmarks, Public Siting and Maritime Uses

Delivered by Doug Israel, Director of Research and Policy, The Center for Arts Education

Re: Oversight – Addressing School Overcrowding, Part 1

October 3, 2008

Good Morning. Thank you Chairs Jackson and Lappin and members of the Committee on Education and Subcommittee on Landmarks, Public Siting and Maritime Uses for the opportunity to testify today. I am Doug Israel, Director of Research and Policy for The Center for Arts Education.

As you are aware, the New York City Department of Education (DOE) and the School Construction Authority (SCA) are developing the next five year plan for new school construction. CAE is here today because we believe that as the city tackles overcrowding issues in public schools it is critical that due attention be paid to the maintenance, expansion and reclamation of spaces dedicated to arts learning in public schools.

According to the DOE's 2006-2007 "Annual Arts in Schools Report" the lack of available in-school arts space was one of the top three challenges to implementing arts education reported by all schools. Regrettably, there is evidence that dedicated space is decreasing.

According to a recent survey conducted by Class Size Matters, in conjunction with the New York City Council, 25% of principals reported losing their art, music, dance, drama, or foreign language spaces to general education classrooms during their tenure. We are hearing additional reports of this being the case from parents and teachers as well. Music rooms, dance spaces, black box theaters and art studios have been divided, walled, and turned into academic classrooms or commandeered for other purposes. It's disheartening, and somewhat ironic, that in New York, the cultural capital of the world—renowned for its Broadway theaters, world class museums, and thriving music and art scene—that our schools are failing to provide the infrastructure, and even instructional time, to provide students with a world class education in and through the arts.

The loss of dedicated spaces for arts learning, which are invaluable to teaching and learning, are denying New York City schoolchildren the opportunity to the well-rounded education that they deserve. The value of these spaces is well-established and recognized publicly on numerous occasions by both the New York City and the U.S. Departments of Education. According to the U.S. Department of Education "The spaces and facilities available in schools to teach the arts are important indicators of the level of commitment to arts education." This was shared in their report on the findings of the National Assessment of Education Progress (NAEP) that was released after the administration of tests in music, theater and visual arts in 1997. The report found that visual arts and music students scored higher on either "creating" and/or "performing" on the NAEP test when they were taught in appropriately equipped facilities.

The value of these spaces was also affirmed by the New York City DOE in the "2006-2007 Annual Arts in Schools Report." I quote: *"The ideal physical environment for arts learning is one that is dedicated to the arts discipline and appropriately and comfortably equipped with the specific equipment and supplies needed to optimize students' experience."*

Without question easing overcrowding and providing adequate classroom space for our students should be a top priority of the city. However, this should not be done at the expense of providing students with the facilities necessary to support learning in the arts and other subject areas that require specialized facilities, such as science and physical education. These needs must be addressed in a coordinated fashion.

In order to ensure that New York City public schools are appropriately equipped with dedicated spaces for arts learning, and that all of New York City's public school students are receiving the well-rounded education they deserve, we have called on the Department of Education and the School Construction Authority to:

- Ensure that arts spaces are incorporated into the design and construction of all new school facilities;
- Create a citywide plan to inventory and then reclaim lost arts spaces in public schools;
- Ensure that the formula used to determine capacity at the school level reflects the loss of arts and other cluster spaces and the need to reclaim and improve access of students to these and other common areas, such as auditoriums and gymnasiums.

We ask for your support in urging the DOE and SCA to make the considerations a key component in the development of the next five year school construction plan and in raising awareness around the need to protect critical arts spaces in our public schools.

Thank you for your consideration and the opportunity to present testimony today.

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TESTIMONY OF CONGRESSWOMAN CAROLYN MALONEY
The New York City Council Landmarks, Public Siting & Maritime Uses and Education
Committees
Oversight Hearing on School Overcrowding
October 3, 2008

Thank you for giving me the opportunity to offer testimony expressing my serious concern about the problem of school overcrowding. This is a growing problem. In my district there has been a sharp increase in the number of families moving in and a significant increase in the number of children who are attending public school. Additionally, there has been an explosion in the number of new residential buildings in our neighborhoods, many of which are sized to attract families. District 2 is one of the few areas of the city which is expecting an increase in the number of public school children. Despite the fact that Manhattan has 13% of the city's student population and a significant number of its overcrowded schools, we received only 5% of capital funds in the current budget. Our schools are experiencing a real crisis that will inevitably harm achievement. We are told that class size matters. Schools throughout my district are finding it impossible to meet the goals of an average of 20 students per class in grades K-3 and 23 students per class in grades 4-12. Most of our classrooms are extended far beyond that, and many schools are being forced to drop cluster rooms, pre-K, G&T and other programs to accommodate the soaring population.

A recent survey of New York City principals conducted by Professor Emily Horowitz of St. Francis College and Leonie Haimson of Class Size Matters revealed that 86% believe that class sizes at their schools are too large. The survey also revealed that 25% of our schools have lost art, music, or dance rooms to compensate for the lack of class room space. Moreover, 20% of computer rooms, 14% of reading enrichment rooms, and 10% of libraries have also been converted to class rooms. Shamefully, at 16% of our schools, students have no regular access to the school's library.

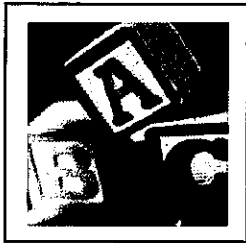
I am seriously concerned by the way the DOE calculates capacity. More than 2/3 of the schools in Community School District 2 are already over-capacity. What's more, new development does not seem to figure in DOE's estimates for the future. Children are eating lunch at breakfast time - 29% of our schools start serving lunch at or before 10:30am.

We know that dollars spent on early education have a greater impact than dollars spent in high school, or college, or graduate school. Yet, many of our schools have already lost their Pre-K programs. P.S. 59 for example, which currently operates out of the MEETH building recently lost its Pre-K program, and even without Pre-K, enrollment has increased. As a result of the overcrowding, P.S. 59 has had to convert its technology room into a classroom. P.S. 59 will have a new school, but in the meantime students are being shortchanged.

P.S. 116 has lost its Pre-K program and its G&T program. Fifty families in the PS 116 zone chose not to send their children to public schools this year as a result of the overcrowding. Families in the PS 151 zone have no zoned school. They are faced with the stress and uncertainty of a lottery. Ten families still had no school for their children after the school year began. In every school surrounding the P.S. 151 zone, the schools are over-crowded in large part due to the influx of PS 151 children. Previously the families had a choice of six schools. This year over-crowding from zoned children reduced the options to four. At P.S. 290 on the Upper East Side, science and music classes are held in the auditorium and three closet sized bathrooms have been turned into offices for support staff.

DOE has promised a plan in the near future, but we still have heard no specifics as to whether DOE proposes to build a new school in the PS 151 zone or to make available one of the existing school buildings currently used for other purposes such as Richard Green High School. We need a plan now. We also need proposals for long term planning that account for growth in construction. This situation, like the new high-rises in our neighborhoods, did not arise overnight but rather accumulated overtime. This problem will not simply pass, and it is likely to get worse. We need concrete plans and adequate funding to put them into effect so that our neighborhood schools can accommodate our students today, and in the future.

All the elected officials on the East Side of Manhattan have been trying to get DOE's attention, and it may be working. After several reports, press conferences, joint letters, meetings, etc. DOE has begun to meet with us to try to work out a solution. I personally have organized several press conferences, a joint letter signed by 16 elected officials, and two meetings of district 2 representatives at the Tweed building. I look forward to working with the DOE in the future.



ABC – The Campaign for A Better Capital Plan

October 3, 2008

Mayor Michael R. Bloomberg
City Hall
New York, NY 10007

Chancellor Joel I. Klein
New York City Department of Education
52 Chambers Street
New York, NY 10007

Dear Mayor Bloomberg and Chancellor Klein:

A critical ingredient to improving our schools is eliminating overcrowding and providing our children with the class sizes they need to learn and grow. Unfortunately, official city statistics show that 38 percent of New York City public school students attend schools in buildings that are overcrowded. In addition, 60-63% of K-3rd graders were in classrooms that exceeded the class size targets in the City's own state-mandated class size reduction plan, as well as 59% of 4th graders, 66% of 5th graders, 76% of 6th graders, 82% of 7th graders, 84% of 8th graders, and approximately 81% of high school students – more than half a million students overall.

Meanwhile, the City has seen an explosion of new residential development which, in most neighborhoods, has not been matched by a corresponding increase in public school capacity. Recent reports by the City Comptroller, the Manhattan Borough President, the United Federation of Teachers, and Class Size Matters have demonstrated the problems with this failure to plan proactively for growth before it occurs.

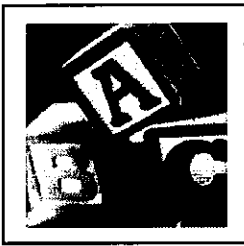
This November, the Department of Education (DOE) and the School Construction Authority (SCA) will have the opportunity to change this, when they propose the new five-year capital plan for new school construction. If we want the future course of the City's public school system to be bright, and if we want parents – and their employers – to continue investing their futures in New York City, this new capital plan must propose enough new school seats to serve our City's schoolchildren well into the future.

Parents, educators, advocates and elected officials are uniting to call for a capital plan that meets the needs of our City's growing population by making three fundamental, but far-reaching, reforms: the ABC's of A Better Capital Plan.

A. Address existing overcrowding and reduce class size.

The new capital plan should specifically aim to relieve existing overcrowding and reduce class sizes to the City's target levels. First, the Capital Plan should propose enough new seats to ensure that all public schools will operate at or below their actual capacity. Second, the Plan should propose enough new seats to reduce class sizes to the levels set out by the City in its own state-mandated class size reduction plan -- 20 students in grades K-3, and 23 in all other grades while providing adequate "cluster room" space for the arts, sciences and other subject areas. DOE and SCA should explain, in detail, how a fully funded capital plan would be able to achieve both of these basic objectives.

The Campaign for A Better Capital Plan
c/o Class Size Matters 124 Waverly Place, New York, NY 10011
abccampaign.wordpress.com



ABC – The Campaign for A Better Capital Plan

B. Be ready for growth, and plan at the neighborhood level.

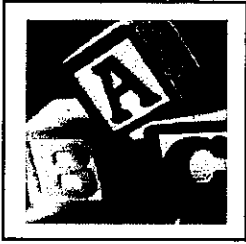
A Five-Year Capital Plan must go further than compensating for existing overcrowding; it must also meet the anticipated demands of the new schoolchildren who will be come to our city over the next five years. It is time to begin looking at school planning from the perspective of urban planners and development analysts. DOE and SCA should work directly with independent planning experts, and with parent and community leaders, to establish a clear, transparent procedure for projecting and estimating the amount and location of future residential growth, and the number of school seats needed to accompany it. Projected new residential development must become a prominent part of the methodology underlying the next Capital Plan, rather than a marginal factor. In addition, the new Capital Plan should plan at the neighborhood level, and even at the level of individual school catchment areas, rather than solely through the lens of Community School Districts. When DOE describes the overall capacity of a School District, it can obscure the fact that certain neighborhoods constitute pockets of significant overcrowding or residential growth. New Yorkers have a reasonable expectation that they won't have to send their elementary-age children miles away to find space in a school.

C. Correct the faulty capacity estimates.

The Capital Plan's assumptions about the current state of school overcrowding are based on the City's current capacity statistics, as reported in DOE's "Blue Book." But according to principals, teachers, parents – and even the State's highest court, in the *Campaign for Fiscal Equity* decision – these official estimates overstate the true capacity of neighborhood schools. In many cases, they fail to adequately reflect the conversion of "cluster rooms" -- spaces that should be used for art and music rooms, science laboratories, special education services, libraries, and even auditoriums and gymnasiums – into academic classrooms. These spaces are invaluable to teaching and learning and should be reclaimed in order to provide New York City schoolchildren the well-rounded education they deserve. The official statistics also fail to account for the cumulative impact on a school when multiple schools, or independent charter schools, are sited within one facility. DOE and SCA should work closely with educators, parents, arts experts and others to revise these official capacity estimates, and base the Capital Plan on a more accurate picture of our schools' needs.

We recognize that, in difficult fiscal times, it will be a challenge to provide enough funding to meet all of these priorities. But the city will never be able to provide the level of support necessary for its public school students if the Capital Plan does not fairly and forthrightly spell out the amount of new construction required to meet these basic educational goals.

With more families choosing to raise children in New York City, and City Planning projecting that the city's population will increase by nearly a million people in the coming decades, this is a problem that can't wait for a solution. We urge you to propose a Capital Plan this November that incorporates basic elements of progressive planning, and that brings us closer to validating the State Constitution's guarantee of a quality education for every child.



ABC – The Campaign for A Better Capital Plan

Sincerely,

Scott M. Stringer
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Adolfo Carrión, Jr.
Bronx Borough President

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New York City Public Advocate

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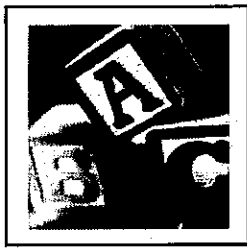
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New York City Council

Tony Avella
New York City Council

Gale A. Brewer
New York City Council

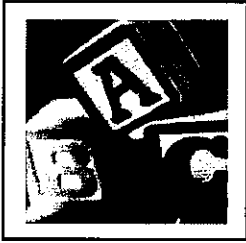
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THE CENTER FOR ARTS EDUCATION

Testimony to the New York City Council

Joint Hearing of the Committee on Education and Subcommittee on Landmarks, Public Siting and Maritime Uses

Delivered by Doug Israel, Director of Research and Policy, The Center for Arts Education

Re: Oversight – Addressing School Overcrowding, Part 1

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We ask for your support in urging the DOE and SCA to make the considerations a key component in the development of the next five year school construction plan and in raising awareness around the need to protect critical arts spaces in our public schools.

Thank you for your consideration and the opportunity to present testimony today.



class size matters

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email: leonie@att.net

Testimony of Leonie Haimson, Executive Director of Class Size Matters
Before the NYC Council Education Committee and Public Siting Committee
October 3, 2008

Thank you, Chair Jackson and Chair Lappin, for holding these important hearings today. My name is Leonie Haimson and I'm the Executive Director of Class Size Matters, a citywide parent group dedicated towards providing our children with the smaller classes they need and deserve for a better chance to learn and succeed in life.

The problem of school overcrowding in NYC has been chronic throughout its history. It remains the most severe obstacle we have in improving our schools today.

In the principal survey sponsored by the City Council, 86% of principals said that their class sizes were too large to provide a quality education. The two most important factors that prevented them from reducing class size to appropriate levels was the lack of control over enrollment (45%) and the lack of space (44%)

The current capital plan at its inception had three important goals:

- To eliminate overcrowding so that no school would remain at over 100% utilization and no school would be forced to hold double and triple shifts;
- To remove all trailers and temporary classroom units (TCUs);
- To create enough space so that class sizes in grades K-3 could be reduced to twenty or less in every elementary school.

At this point, it is inconceivable that by the end of the current school year, any one of these goals will come close to having been achieved.

More than 30,000 students are still housed in TCUs or trailers; and thirty eight percent of New York City public school students still attend schools in buildings that are officially overcrowded – that is, at more than 100 percent utilization. Moreover, according to the most recent class size data from 2007-8, more than 160,000 children, or more than sixty percent of K-3rd graders remain in classes of 21 or more – that is, classes that exceed the class size goals of the current capital plan.

The failure of the administration to take any affirmative steps to reduce class size in the early grades – despite six years of promises and hundreds of millions of dollars in state and federal funds is a special disappointment to me, and a tragedy for the millions of children who have passed through those grades without a better chance to learn.

According to an audit from the State Comptroller's office in 2006, the city had been misusing these funds in order to supplant their own spending on staffing – and yet the DOE refused to take one single suggestion of the Comptroller to improve their compliance. I have no doubt that the city is now offering far fewer classes in these grades than before the State and federal class size reduction programs began in the fall of 1999.

The city now has committed additionally to reducing class size in all grades according to its state-mandated class size reduction plan. The state law requires that the city's class size reduction plan and its capital plan be aligned, but this has yet to occur.

A recent monitoring report from the state showed that the DOE had not complied with their first year class size targets, and must do better in the future – and that more than half the schools in NYC had increased in class size and/or student/teacher ratio last year. One would have to seriously doubt whether this administration is serious about achieving its class size goals of 20 per class in K-3 and 23 in all other grades – which will require a far more ambitious capital plan than the last.

Though in the past, the DOE have relied on enrollment decline to alleviate overcrowding and reduce class size, this has not occurred, and indeed, in many neighborhoods throughout the city are seeing worse overcrowding not less, due presumably to rising birth rates and an explosion of residential development. In fact, the DOE's own budget documents show no projected enrollment decline over the next four years in Kindergarten, using a formula based on current birth rates, compared to past registers (*See chart A*).

The city is supposed to grow by a million residents by 2030 – and the PlaNYC focused on all areas of infrastructure development that will be necessary, including more housing, parks, sewage, police etc.-- with one exception, the need for more schools.

Indeed, the only mention of schools in the PlaNYC report was a recommendation that school buildings could be renovated into more housing! The Mayor's office specifically advised members of the PlaNYC Commission to ignore the need for more schools in their analysis and recommendations. What does this show about the sort of priority the administration places on education?

Now, in preparation for this testimony, I asked for specific information on the current state of school facilities, as regards a law that was passed in 2005 and signed by the Mayor, requiring the DOE to report annually on the use of substandard and temporary classroom spaces.¹ Yet according to the education staff of the City Council, they do not

¹ . Here is the full text of the relevant section of chapter 20, § 522 of the City Charter:
The department of education shall report to the council annually, on or before October fifteenth of each year, the number of non-standard classrooms within the public school system. Such report shall provide the number of non-standard classrooms, disaggregated by: school; zip code; school district; instructional region; community district; council district; and borough, and for each non-standard classroom, the number of children who attend classes in each such non-standard classroom. For purposes of this section, the term "non-standard classrooms" shall mean any of the following spaces that are used for subject-matter instruction where students are intended to be seated at desks: a transportable classroom unit; a classroom located in a structure that was not built or renovated with the intention that such structure be a permanent educational facility; a classroom located in a multi-purpose room, also called a cluster room, and not used for the specialized instructional, administrative or other purposes for which such room was designed or

recall the DOE ever submitting such a report; though Michael Best, the general counsel, sent an email to me last night claims that the DOE did submit one report, for the 2006-7 school year, and then informed the Council saying that because of the law's ambiguities, they would not submit another until those ambiguities were cleared up.² If the law was so unclear, I don't know how they could submit a report one year, but then cease the following year. It is my hope that you follow up on this question, and let us know what you discover.

But profound problems with the Blue Book are demonstrably clear. Just as the DOE is obligated to align its capital plan with its class size reduction plan, it must also revise "the Blue Book" so it is pegged to the goals of its class size plan, 23 students per class in grades 4-12, instead of 28 students in 4-8 grade and 34 students in high school. Also, schools that currently house thousands of students in TCUs and trailers are not counted as overcrowded, because the formula only counts the students in the main building.

As one principal observed in our survey: "My school occupies two buildings due to overcrowding in the main building. We have an annex which is one mile away from the main building and students are bussed there by yellow shuttle buses. There are 4 portable classrooms in the schoolyard, however due to the way that the DOE calculates space utilization, it does not deem my building as overcrowded."

Certain DOE policies have actually made the problem worse. According to our survey, more than a quarter of all principals said that overcrowding had exacerbated by the new schools and programs inserted into their buildings. Think of it, each new school needs its own office space, cluster rooms, etc. Yet the DOE did not take into account when creating all the new small schools and charter schools – and then inserting them into existing buildings, which makes it much harder to reduce class size, and also led in many cases to special Ed children being given intervention services in hallways and closets.

In April of 2006, the state offered an additional \$8 billion in financing to the city for school facilities, including a \$1.8 billion in cash, an agreement to pay half of the payments for \$9.4 billion in building aid bonds, and the state also raised their reimbursement rate to 50% for all school construction – that is, for every dollar the city now spends to build schools, the state pays back fifty cents. Yet all that happened following this agreement is the city cut the number of new seats in the capital plan by 3,000 seats.

intended; a classroom located in a space that was not designed for classroom use when built or when last fully renovated; and a classroom the use of which violates any New York city or state law pertaining to classroom design, location or amenity or the type of interior space that may lawfully be used as classroom space.

² Here is the message regarding this matter from Michael Best, dated Oct. 2, 2008: "In regard to the second question you asked, DOE provided the Council a report for 2006/2007. Since then, DOE staff met with representatives of the Council, and Deputy Chancellor Grimm wrote to Speaker Quinn and Chairman Jackson, about ambiguities and a lack of clarity in certain portions of the law's wording. Resolving the statute's lack of clarity is necessary in order for DOE to provide a report that would address the Council's concerns, and we are hopeful that, working with the Council, we will be able to do so. We will then issue the next report."

The administration has often claimed that the current capital plan is the most ambitious in our history. See this from Mayor Bloomberg's "community column":

"Tuesday was the first day of class for public school students across our city. It was also the very first day of class in 18 brand-new school buildings with more than 11,000 new classroom seats. This is the biggest one-year gain yet in the largest school construction effort in our history."³

But 63,000 seats ---only about half of which will be completed by the end of the plan -- pales in comparison to past efforts in the city's history. For example, 100,000 NYC school seats were added from 1902-5; and nearly half a million seats during the 1920's. Even in more recent history, this administration's record has been disappointing in this regard.

According to figures from Mayor's Management reports as far back as FY 1997, which is when these reports were first issued, ***the data shows that there was an average of 15,440 seats created per year for the Giuliani administration compared to 10,895 during the Bloomberg administration. (chart B)***

Even then, a large number of new seats each year under this administration has been the result of "classroom conversions" rather than from building or leasing new schools -- conversions that in many cases, have been created at the cost, art rooms, computer rooms, or other specialty spaces being lost to academic classroom space. ***(chart C)***

As for city spending on capital projects, the portion devoted to schools under this administration has also been declining -- ranging from 30% in 2005 to 7.6% in 2008. ***(chart D)*** The question is this: **don't our children deserve better?** If our top priority is providing them with a quality education, why cannot we who live in one of the richest cities in the world, do a better job?

Eliminating overcrowding and reducing class size will have substantial economic benefits in terms of the revenue generated by future employment, higher income and lower health care costs. ⁴ It will also ensure a stronger middle class tax base, in that families will no longer be forced to move to the suburbs for the sake of a better education for their children. Rather than simply being viewed as an expense to the city, school construction should be conceived as a critical economic development strategy to attract more families to the city and retain them over time. Thank you for the opportunity to speak to you today.

³ Mayor Bloomberg's Community Column Week of September 3-10, 2008, dated Sept. 3 2008.

⁴ For a cost-benefit analysis in the early grades, see Alan B. Krueger, "Understanding the Magnitude and Effect of Class Size on Student Achievement," in: Lawrence Mishel & Richard Rothstein, eds., The Class Size Debate, Economic Policy Institute, 2002. See also Debra Viadero, "Study Links Smaller Classes To Higher Earnings," Education Week, October 25, 2000. For the economic benefits of smaller classes in upper grades, see Thomas Dee and Martin West, "The non-cognitive returns to Class Size, NBER Working Paper, April 2008; <http://www.nber.org/papers/w13994> . For the health benefits, Peter Muennig and Steven H. Woolf, "Health and Economic Benefits of Reducing the Number of Students per Classroom in US Primary Schools," American Journal of Public Health, September 27, 2007.

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Emily Horowitz Testimony before the NYC Council Hearings on Public School Overcrowding
October 3, 2008

In October 2007, I launched a survey of public school principals with support from the Office of Council Member Robert Jackson. With help and advisement from Leonie Haimson of Class Size Matters as well as an advisory board composed of members of UFT, CSA, CEC members, parents, community groups and education advocates, we received responses for almost 40% of principals representing 41% of public school students. Although there has been long-standing anecdotal evidence put forth by parents, students, and school advocates that school overcrowding underestimated by DOE data, this survey represents the first effort to quantify the true extent of overcrowding in our schools, by asking principals throughout the city about their schools' actual capacity and needs.

Our data shows that the problem is far worse and more pervasive than we initially thought. Nearly half (49%) of our respondents said that the official utilization rate for *their own school* as reported in the Blue Book was *inaccurate*. 86% of principals said that their class sizes *were too large* to provide a quality education. Principals reported many other problems resulting from overcrowding, including unsafe conditions for students or staff, difficulty in providing the credits that students need to graduate on time, and intervention and special services being given in hallways and closets. One fifth of principals reported that their schools have *classrooms with no windows*.

According to the most recent DOE data, 38% of New York City public school students attend schools in buildings that are above 100% utilization. 47% of elementary grade students are in schools that are overutilized, 19% of middle school students, and 51% of high school students.¹ While the DOE's official figures for the number of schools that are overcrowded are discouraging enough, the results of our survey reveal that *these figures significantly understate the actual level of overcrowding in the NYC school system*, for reasons explained below. Nearly half (49%) of our respondents -- believe that the official utilization rate for *their own school* as reported in the Blue Book is *inaccurate*.

For principals of schools whose official utilization rates are reported as under 100%, slightly *more than half (51%)* said that the DOE utilization rate was *incorrect*, and understated the actual level of overcrowding at their own school. Over half of all principals said that the enrollment at their own school *was not capped* at a level to prevent overcrowding. Slightly more than half of all principals said that overcrowding sometimes leads to *unsafe conditions* for students or staff; nearly half said that overcrowding makes it difficult for students and/or staff to get to class on time and that their schools were too crowded to be able to provide important after-school programs or services, such as tutoring, sports, clubs and the like.

¹ We are using target utilization rates, as reported in an Excel version (2006-7) of the Blue Book provided to us by the DOE.

The DOE capacity formula does not reflect the fact that many schools over time have lost cluster rooms (dedicated to art, music, science etc.) to regular academic classrooms, and that in fact, this process is ongoing. One quarter of all principals (25%) reported losing their art, music or dance rooms to academic classroom space; 20% said they had lost their computer rooms; 18% had lost their science rooms; 14% had lost their reading enrichment rooms, and 10% had lost their library space.

The official capacity estimates do not consider whether the level of overcrowding prevents students from having regular access to the cafeteria, the auditorium, the library, and/or the gymnasium. *In fact at 17% of schools, students have no regular access to the school's library; and at 29% of schools, lunch starts at 10:30 AM or earlier.* Almost half of all schools have less than one hour of gym per week. In eleven percent of schools, students have no access to an auditorium at all. Many schools have no science labs. Many principals reported using inadequate space for remediation or special education services.

Many schools have been forced to use non-standard space for classrooms, preventing their true capacity from being properly assessed by the standard DOE formula. For example, some principals said their schools had especially small rooms that cannot hold more than 25 students; others described classrooms with columns that obstruct the student's view of the teacher or blackboard. In addition, 20% of principals reported that their schools have *classrooms with no windows*. Several principals said that the DOE inaccurately describes their schools as underutilized – despite the fact that they rely on annexes and/or transportables to accommodate their students. Over ¼ of all principals responded that overcrowding in their schools had resulted from new schools or programs having been moved into their buildings in recent years. In addition, several principals reported that the situation had worsened because of DOE's decision to add new grade levels to their schools, with the goal of creating more K-5, K-8, and 6-12 schools. Other pervasive problems with facilities were also commonly reported – in particular, 59% of principals said their schools lacked sufficient electrical power.

According to the results of this survey, current capacity and utilization figures are highly flawed and underestimate the actual level of overcrowding at many NYC public schools. We recommend that the formula used by the Department of Education to determine the actual level of school overcrowding should be significantly revised to take into account the need to ensure student and staff safety, reduce class size, provide necessary special education and intervention services, and improve access of students to gymnasiums, libraries, cafeterias, and auditoriums. The formula should also be adjusted to reflect the ongoing loss of cluster space, including art, music, and science rooms, and the existence of substandard and temporary spaces such as annexes, trailers and TCUs at many schools.



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Assemblymember 67th District

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TESTIMONY OF ASSEMBLYMEMBER LINDA B. ROSENTHAL, 67TH AD
BEFORE THE NEW YORK CITY COUNCIL
OCTOBER 3, 2008

I am Assemblymember Linda B. Rosenthal, and I represent the Upper West Side of Manhattan and parts of Hell's Kitchen/Clinton. I want to thank Councilmembers Robert Jackson and Jessica Lappin for highlighting the urgent issue of school overcrowding by holding this important hearing.

I'd like to address the Council on behalf of the parents, educators, and children in my district. Like other neighborhoods across New York City, the Upper West Side is experiencing an acute crisis in the classroom. Fully thirty-eight percent of students attend schools in overcrowded buildings. The vast majority of the schools in my district, which encompasses School District 3 and parts of School District 2, are exceeding their capacity at a time when the population of New York continues to expand. The schools in my district facing serious problems with overcrowding include but are not limited to PS 9, PS 199, PS 87, PS 9, PS 75, PS 334, and PS 51—PS 199, whose plight has been well-documented in the media, is in dire straits, with the number of kindergarten classes doubling since 2000.

Just because you can jam 50 kids into every square foot of a classroom, it doesn't mean every kid has a proper seat. Art rooms, teachers' lounges, and PT rooms are not proper classrooms, and counting them as such gives an inaccurate picture of the problem and takes away space from other important activities. I am calling on the City to stop counting seats improperly and stop looking at this problem as a district-wide issue, instead of engaging in much more accurate neighborhood-by-neighborhood analyses. I have had many conversations with parents in my district who tell me that their children's classrooms are simply crowded with too many students. This is not fair to kids, who, studies indicate, learn much better in smaller classes, and it's not fair to teachers, whose ability to give individual attention to each child is compromised. Our children are being shortchanged, and our teachers are being overwhelmed and overworked. In an environment where kids are constantly being tested, and now teachers are also being subject to performance reviews based on their students' test scores, this overcrowding is especially noteworthy.

New residential development is exploding across the City, but there has been no corresponding increase in the building of public schools. The Manhattan Borough President released a report, "Crowded Out: School Construction Fails to Keep Up With Manhattan Building Boom," which demonstrates that residential development is far outpacing increases in school capacity. When I expressed concern about this issue to a Department of Education (DOE) official, I was told that the problem is that developers don't want to share their residential buildings with schools. I'm not sure how the DOE knows this, since they refuse to sit down with any developers who might be amenable to turning their buildings into schools. I have personally met with developers in my district who have displayed no antipathy towards such an idea. One example is Riverside South, a large development in my district. In order to obtain the sizable area Riverside South now controls, the developers agreed to dedicate a certain amount of that space to community use. What better use for

this space than desperately needed public schools, which the developers of Riverside South have assured me they'd be happy to consider? Why won't the DOE sit down with people who are in a position to help us out of this crisis?

We'll be considering re-authorization of mayoral control in Albany this legislative session. My colleagues and I in the Assembly will certainly be taking into consideration whether or not the City steps up to the plate and demonstrates some much-needed leadership on this vital issue. I have some serious reservations about how the City has handled this problem thus far; the DOE has publicly stated that one of its goals is to reduce class size to 28 children per class. This is simply not acceptable, particularly since the settlement that came out of the Contracts for Excellence lawsuit explicitly stipulates that class size must be reduced to 23 children per class for all grades above the third grade. For the sake of the City's schoolchildren, it is imperative that the Mayor and the Chancellor do the right thing and implement both the changes they are legally required to make with respect to reducing class size and these suggestions for a better capital plan.

A key component to addressing this crisis is ensuring that the necessary funds are available to build all the schools needed. We can reduce school overcrowding and class sizes by implementing suggestions contained in "A Better Capital Plan," as outlined in the Manhattan Borough President's report on school overcrowding. Adopting this plan will multiply the funds necessary for new school construction.

Proposed Res. No. 1573-A, the very important resolution under consideration at today's hearing, calls on the Department of Education and the School Construction Authority (SCA) to implement changes to reform city school planning to better address the problem of overcrowding. The City Council would be wise to adopt this resolution, which would hold the DOE and the SCA accountable for addressing the growing problem of school overcrowding.

Mayor Bloomberg, the Department of Education, and the School Construction Authority will be proposing the next five-year capital plan on November 3. This document will lay out the City's plans for new school construction over the next five years. In order for parents to be able to stay and raise their children in the City, and for schools to provide the best possible education, the DOE must use this new proposal to plan effectively for generations of New York City schoolchildren to come. That is why I am joining with parents, educators, advocates and other elected officials across the City to call on the Mayor and Chancellor to propose a capital plan that includes three basic but crucial reforms. First, the City must address the existing problem of overcrowding and reduce class size, by providing the space necessary to abide by its own state-mandated class-size reduction plan: 20 students per class in K-3 and 23 in all other grades. The City must be proactive and plan ahead to add more schools as our neighborhoods continue to expand. Finally, the City must correct the way school capacity is calculated.

I am calling on the Administration not to ignore the pressing need for more schools. The State has done its share—we have given over \$11 billion in financing and cash to New York City to build more schools, as well as increasing the reimbursement rate for school construction to 50% so that the City would have ample funding to create more seats. It is imperative for the City to adopt a better capital plan that will meet our schools' growing needs by incorporating the reforms I outlined earlier.

New York City's population is forecast to increase by 1 million people by 2030. PlaNYC focused on all areas of infrastructure development that will be necessary to meet this huge new need *except* for more schools; we are planning for greater needs in terms of housing, parks, sewage, and police, but our children's education is being outrageously neglected. More than one quarter of all middle and high school principals say that overcrowding makes it difficult for their students to receive the credits and/or courses needed to graduate on time. In a world class city, this crisis situation is untenable. The City needs to do its part to fix it, for the sake of our children and for the future of New York.

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Testimony to the New York City Council

Joint Hearing of the Committee on Education and Subcommittee on Landmarks, Public Siting and Maritime Uses

Regarding: School Overcrowding

October 3, 2008

Good morning. My name is Brian Kavanagh and I represent the 74th Assembly District, which includes the Lower East Side, Union Square, Gramercy, Stuyvesant Town, Peter Cooper Village, Waterside Plaza, Kips Bay, Murray Hill, and Tudor City. These areas cover parts of both Manhattan School Districts 1 and 2, and are the home to more than 20 public schools. I want to thank Chairs Robert Jackson and Jessica Lappin and the members of the committees for the opportunity to testify today on the issue of school overcrowding.

All of New York City's children deserve the opportunity to attend excellent schools. Unfortunately, school overcrowding dramatically decreases that opportunity in many schools across the city. Excellent schools should be able to maintain reasonable class sizes. The schools should also provide adequate space and opportunities for well-rounded education, including the arts, physical education, foreign language, and science. Excellent schools should have the space to enable them to maintain schedules that benefit their students, rather than hinder their learning experiences.

The method for calculating overcrowded schools is undoubtedly complicated. In a system that serves over 1.1 million children, there is a wide variety of building configurations, interests, and needs. For this reason, the determination of whether a school is overcrowded must be based on more than a simple mathematical formula. The current formula does not account for the families who leave schools as they see them becoming overcrowded. It does not account for the loss of gifted and talented programs, arts programs, and physical education programs. It does not consider the fact that children must share crowded common spaces such as cafeterias and school yards during lunch and recess.

With that caveat in mind, there are several schools that serve large numbers of students from the 74th Assembly District that are classified as overcrowded according to the target capacity outlined by the Department of Education in the Blue Book.

PS 110 is located on Delancey Street on the Lower East Side just outside the 74th Assembly District but serves many families from the District. The school is operating at 104% capacity and

this overcrowding produces some significant adverse effects. While the Gifted and Talented kindergarten class has only 16 children, the two remaining kindergarten classes hold 28 and 26 students. The school has no visual arts classrooms. Class sizes throughout the building are high and there is little to no room for growth in coming years. On the whole, however, the school appears to be managing reasonably well with the current space—at least this year. They have two dedicated science rooms, a music room and a computer lab.

Just 15 blocks from PS 110 is PS 61 on East 12th Street. PS 61 is the name of the building that houses three public schools: PS 361, PS 315, and PS 94, a District 75 school. According to the 2006-07 Blue Book, PS 361 and PS 315 are both operating overcapacity, at 106% and 108% respectively. The schools housed within PS 61 have done their best to deal with the lack of space. They have converted 2 bathrooms and 3 closets into office space for their related service providers such as speech therapists, social workers, and guidance counselors. PS 361 and PS 315 have no access to a gymnasium. The teachers have no staff room, and eat lunch either in their classrooms or outside the building. The school has only one art room, which is used for several purposes throughout the day. Within one building, there are three schools with different needs trying to make use of the same space.

Finally, there is PS 116 located on East 33rd Street in Murray Hill, again just outside the 74th Assembly District but largely serving families from within the district. PS 116's parents and students have been particularly vocal about the overcrowding within their school. They operate at 105% capacity. Students begin the first of six lunch rotations at 10:30 in the morning because of limited cafeteria space and finish after 1:00 p.m. The Department of Education has chosen to phase out both the Gifted and Talented Program and the Pre-K program at PS 116 due to space constraints. The school houses seven kindergarten classes of 25 students each—5 students more than recommended by the State. Approximately 50 families left PS 116 after the 2007-2008 school year, many citing overcrowding as a reason. There are over 3,000 approved new residential units under construction and zoned for PS116, but so far there seem to be no adequate explanations as to where those new neighborhood residents will send their children to school. I am pleased the DOE has agreed to join federal, state, and city elected officials in a taskforce to attempt to find solutions to overcrowding in PS 116 and other schools in District 2.

For the 2006-07 school year, the New York State Legislature provided \$613 million of state aid for New York City school construction. As the Department of Education and the School Construction Authority develop their next five year Capital Plan using these funds, there are several issues which must be considered.

First, the allocation of this funding must realistically address not only the present student population at our schools, but also the future needs of New York City's public school families. The plan must account for planned residential construction across the entire city and must be proactive. Space issues must be addressed *before* they affect the quality of education we are providing our students.

Second, we must give parents, community members and educators a voice in shaping the Capital Plan—they are the ones who know how overcrowding is affecting the children of New York City. These plans must be transparent and must take into account the opinions of the public. As you know, many of these issues must be dealt with on a case-by-case basis, and our parents and community members have their eyes and ears on the needs and opportunities in their specific

neighborhoods There is neither a one-size-fits-all method of measuring the effect of overcrowding, nor a universal solution. By making plans transparent and open to negotiation, we offer the best opportunity for future success.

Lastly, as we look toward the future capital projects of the Department of Education, we must ensure that students are being offered a wide variety of opportunities in these facilities. Art, music, science, and physical education require specific types of spaces, not just empty rooms. These spaces must be included in any future plans and their presence must be an important measure of whether a school is adequately equipped to provide students with a well-rounded education.

Overcrowding issues are affecting schools throughout the city and in many schools there are conditions far worse than the ones I have mentioned today. I intend to continue to take an active role in working with the Department of Education, the School Construction Authority, my fellow elected officials, local school officials, parents, and students to address these issues. All the children of New York City deserve the best opportunities we can offer them. I am confident that with proactive and knowledgeable planning, we can provide our children with an excellent public education.

Thank you again for the opportunity to testify today.



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Overcrowding Hearing
Testimony of Kathleen Grimm
October 3, 2008

Good morning Chair Jackson, Chair Lappin, and members of the Committee on Education and the Subcommittee on Public Siting. My name is Kathleen Grimm, Deputy Chancellor for Finance and Administration. I am pleased to be here this morning to discuss the considerable steps we have taken to reduce overcrowding in recent years, and to engage in a conversation about the work that still certainly needs to be done.

Let's step back and take a closer look at the formal definition of overcrowding. Every year, the Department of Education releases an Enrollment - Capacity - Utilization Report—otherwise known as the “Blue Book”—that defines the number of students each classroom and each facility can serve. The method of calculating a classroom's capacity varies by grade level and by room size, and is outlined in detail in the Blue Book. After each classroom's capacity is calculated, classrooms are combined to determine the capacity of the entire school building, making assumptions about how schools will use

the classrooms. This calculation determines the level at which, according to the Blue Book, a school becomes overcrowded.

When the public imagines overcrowding, it often imagines too many students: sitting on radiators, overflowing from classrooms. In some cases, that happens—and one case of this is too many. But overcrowding is typically experienced by schools in other ways. Because of the assumptions we make about class size and how schools will use their classrooms, overcrowding can sometimes mean only that a school needs to schedule its classroom space more aggressively—with less downtime—than we assume that it does. In many cases, particularly at the elementary level, overcrowding means that schools don't have enough art or music rooms, and those disciplines must be offered in the homeroom. At the high school level, overcrowding often means that classes will be staggered over a longer school day.

Since 2002, the Department of Education has made changes to the Blue Book to better represent the actual utilization of our facilities—so that both we and the public can have a clearer sense of the capacity of our buildings. In 2003-04, a new method for calculating capacity was

introduced to reflect our target class sizes for grades K-3. Now, the Blue Book includes the historical capacity rate (which uses our standard methodology and allows for the comparison to past reports) as well as the target capacity rate (which reflects our goal to reduce maximum K-3 class size from 25 students to 20 students). In order to identify need for music and art room space, the Blue Book was also updated to include both the number of cluster rooms reported by each school and the number of these rooms each school should have based on the allocation formula used to formulate capacity. This way, when schools convert art rooms and science rooms into classrooms—as we know many did to deal with rising enrollments—they don't lose a claim on those rooms. As Deputy Mayor Walcott affirmed earlier, transparency is fundamental to our mission, and we have worked to make sure the most accurate and most useful information is widely available.

Even when a school is at 100% utilization or above, the principal can—and usually does—use his or her space in such a way that keeps class sizes below the maximum allowable in a particular space (numbers that are reflected in the Blue Book). For example, the Blue Book's target capacity assumes that standard high school

classrooms are used 87.5% of the time, and that specialized high school classrooms are used 67.5% of the time. While these measures are reasonable for the purpose of calculation, most schools schedule their rooms in such a way that uses this assumed “vacant time” to reduce class size. Class sizes can be low even in schools at 100% utilization, just as class sizes can be too high in schools that have capacity to spare.

On this point, it is important to note that average class sizes in the DOE are smaller at every school level than the maximums assumed by the Blue Book. We have reduced class size at all grades in every year of this administration. These class size reductions are the result of significant efforts undertaken by the Department—not only to construct buildings, but also to invest resources into schools and help educators program and plan for reduced class size. The DOE’s Five Year Class Size Plan pays particular attention to low performing schools that have high class sizes and are under-capacity. Last year, these schools saw class sizes drop by almost 5%.

How We’re Making Progress

The Department of Education has worked hard to reduce overcrowding across New York City. We have helped

reduce overcrowding by investing in capital construction, reconfiguring facilities to better use available space, and adjusting our enrollment practices. Let's talk about each of these efforts in detail.

First: capital investment. As you heard from the Deputy Mayor, the current administration has presided over an unprecedented investment in school construction. Thanks to the historic agreement between the Mayor and the State Legislature—and with generous contributions from the City Council—the Department of Education has invested \$13.1 billion in the 2005-2009 Capital Plan. Under this Plan, we are on track to create 63,000 new classroom seats across every borough by 2012. Of those seats, 55,000 have been completed or are in progress. This includes 3,000 seats in District 2, 1,700 seats in District 10, and more than 5,000 seats in District 24. This doesn't include seats that will be built under the next Capital Plan.

We are not just building prolifically; we are also building strategically. New building construction is approved only after careful consideration of demographic, immigration, and housing factors that influence enrollment trends. Our demographers assess where the need for seats will be

greatest, and we make every effort to concentrate construction to sites that will relieve existing overcrowding and accommodate projected enrollment growth.

However, construction takes time. Sites must be found—which, as parents across the City know, can be a real challenge in overcrowded neighborhoods—and designs must be submitted and approved before the first brick can be laid. As a result, we are just beginning to see the fruits of our capital investment. Some of you were with us on the first day of school when we visited the brand new Luperon High School building in Washington Heights, which houses nearly 500 students. The desire to build schools as quickly as possible is understandable, but quality should never be sacrificed due to rush. As I think few people question, our first responsibility is to create safe, well-designed, state-of-the-art schools like Luperon. Thanks to the great work of the School Construction Authority, we have done just that, and will continue to do so as we move forward.

Capital investment is one important step we can take to reduce overcrowding in those parts of the City where we don't have enough classrooms. But in addition to creating new space, it has been essential to think strategically and

creatively about how to put existing space to best use.

One effective measure is to reconfigure space within school buildings, to make sure we are maximizing the amount of classroom space. From September 2003 to September 2005, we refurbished underutilized administrative space and used it to create over 12,000 new seats. In some areas of the City, we have shifted the use of existing buildings from one grade level, where we have more space than we need, to another grade level, where the schools are overcrowded. In District 9, for example, we resituated PS 2 into the building occupied by PS 63. PS 2's old building was then used to house both a secondary school and a high school, to relieve the high school overcrowding in the Bronx. Similarly in the Bronx, the former 257 Elementary School building was redesigned to house a multiple pathway schools, serving overage and under-credited students.

Since 2002 we have opened 138 schools in buildings with mixed high school and middle school enrollment or mixed middle school and elementary school enrollment. In addition to being quality new options for the City's students and families, these new schools have enabled us to relieve overcrowding in nearby schools.

Finally, we have reduced overcrowding by adjusting enrollment policies. For example, policies have been implemented to restrict the number of students who are admitted from out of zone or to special programs in K-8 schools. Zoned schools are capped in selected grades when they can no longer accommodate eligible students. At the same time, we monitor the impact of these policies on neighboring schools to insure that they are not adversely affected. Finally, where appropriate and feasible, we are pursuing changes in school zone lines to reduce pockets of overcrowding by making use of classrooms in underutilized facilities.

As the Deputy Mayor noted, overcrowding is often the result of high demand for one specific school rather than a lack of available capacity. In District 3 for instance, demand for the Delta program at MS 54 significantly exceeds capacity, even though the nearby MS 44 cannot fill all of its classrooms. In District 2, East Side Middle School and Salk School of Science are both at peak enrollment while the larger zoned middle schools are in significantly less demand. In this sense, schools are victims of their own success. Parents want the best for their children, and have consistently chosen to send their

children to great overcrowded schools rather than to different schools with capacity to spare. By continuing to create better options for the City's schoolchildren, we'll help to ease the burden on overcrowded schools by creating demand elsewhere.

Next Steps

We look forward to continuing our work with communities and elected officials to combat overcrowding. Although the overall school population is declining, there are pockets where enrollment is growing rapidly. We will continue to be proactive in targeting construction to the places where new seats are most needed. The next Capital Plan will monitor trends not just by district, but by neighborhood, so that we have more specific information about where the population is growing.

We will also work to ensure that our zoning and admission policies keep pace with changing demographic patterns. We've begun to work on rezoning plans with the Community Education Councils from Districts 2 and 3, so that zoning lines align more closely to these districts' current populations.

Collaboration is fundamental to the work we do—from

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choosing sites for new construction to determining the best way for a school district to be rezoned. We have worked with many of you in the past on these difficult issues, and we are eager to build upon these efforts as we move forward.

Thank you.



**THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007**

TESTIMONY OF DENNIS M. WALCOTT
DEPUTY MAYOR FOR EDUCATION AND COMMUNITY DEVELOPMENT

OCTOBER 3, 2008

Good morning Chair Jackson, Chair Lappin, and members of the Education Committee and the Subcommittee on Public Siting. I am Dennis Walcott, Deputy Mayor for Education and Community Development. I am joined by Deputy Chancellor Kathleen Grimm and her colleagues from the Department of Education: Liz Sciabarra, Chief Executive of the Office of Student Enrollment and Garth Harries, Chief Executive for Portfolio Development. I'd like to acknowledge the elected officials who are here today: Congresswoman Maloney, Comptroller Thompson, Borough President Stringer, State Senator Kruger, Assemblymember Bing, etc...

I am pleased to be here today to testify on how we are addressing capacity and enrollment in our city's public schools, as these issues are critically important to this Administration. These steps build on all of our progress to date whether it's the bold initiatives to make each of our classrooms places where all of our children can achieve to their full potential or our commitment to reduce overcrowding and to improve the quality of existing facilities. Mayor Bloomberg's commitment is and has always been for every child to receive a first-class education and that includes providing a high-quality school building and good conditions for learning for every child. We are encouraged by the progress we have made in reducing overcrowding in our schools since Mayor Bloomberg assumed stewardship of the school system in 2002.

Upon coming into office the Mayor inherited a school system which was stifled by bureaucratic dysfunction, marked by widespread overcrowding, erratic management, and diffused responsibility. Two agencies serving overlapping purposes, the School Construction Authority

and the Division of School Facilities, had duplicative functions and different reporting structures, which created a culture of blame and that lacked accountability.

When the State legislature gave the Mayor authority over the New York City school system in 2002 the school governance law provided the Mayor the authority to appoint all three Trustees of the SCA, including the School's Chancellor who serves as the SCA Chair. As a result of the Mayor's control of the school system the management of the Department of Education's Capital Program was consolidated under one agency, the New York City School Construction Authority, combining, in some regard, the functions of two agencies—the SCA and the Division of School Facilities. Today, the SCA is solely accountable for planning, real estate, and budgeting, as well as the scoping, design and construction of new school buildings, additions and capital improvements to existing school buildings. While the Division of School Facilities is responsible for the maintenance, repair and safe operation of all facilities under the jurisdiction of the City's school system. The functions that were once divided between different organizations are now fully integrated eliminating duplicative roles and reducing the overall bureaucracy of these offices, who both report to Deputy Chancellor Grimm and where we now have a clear line of authority and accountability.

As you may remember, the Board of Education's 2000-2004 Capital Plan had incurred significant cost overruns within its first few years. As a result, nearly 20,000 of the 60,000 seats it set out to create were never built. And many school buildings were overcrowding, reflecting decades of neglect in keeping up with demographic changes. The Department of Education inherited this deficit, and has spent much of the time since compensating for it. Thanks to strong management as well as unprecedented investment in school construction, we have been able to significantly reduce overcrowding throughout the City despite this initial handicap. Deputy Chancellor Grimm will get into greater detail about the complex definition of overcrowding but in simple terms we see overcrowding as a building that has more children than its rated capacity.

The current overall citywide utilization rate for the 2006-2007 school year is 84.5% which is down from 93.9% in the 2002-2003 school year. For the 2006-2007 school year Brooklyn had a 79.3% utilization, the Bronx 85.5%, Staten Island 88.8%, Manhattan 78.9%, and Queens 93.7% utilization. This actually means we have room in our system. The challenge is ensuring that we

have room in the right places. We know that some of our buildings have been and are overcrowded. In the 2002-03 school year, 38.9% of elementary schools, 35.0% of middle schools, and 59.7% of high schools were overcrowded. By 2007-08, the number of overcrowded buildings had fallen by almost 12 percentage points for elementary schools, 23 percentage points for middle schools, and 21.7 percentage points for high schools. While some overcrowding does persist in certain communities—and deserves our strict attention—it is substantially less of a problem than when we first arrived...This is good news for the City's public school children.

This Administration has made an unprecedented commitment to school construction by proposing and implementing a school capital plan of \$13.1 billion. This is the largest capital plan in the Department's history, and with it we have been able to build thousands of sorely-needed new seats throughout the City. What we have been able to achieve is a result of our collective efforts, with the Mayor, the State Legislature and the City Council coming together to ensure that the funding for the Plan came through from both the City and the State. 55,285 of the 63,000 proposed seats in the 2005-2009 capital plan have either been built or are in process. Specifically, we opened 10,207 new seats this September; we are projecting an additional 11,890 in 2009; 15,921 in 2010; 10,002 in 2011; and 4,211 seats in 2012. Clearly, this will help further eliminate overcrowding in our school buildings.

The fruits of our investments are being realized. Among the new school buildings opened this year are the Family Court building in downtown Brooklyn, the Elmhurst Educational Campus in Queens (formerly known as the Art Leather building), IS/HS 362 in the Bronx, and IS/HS 43 on Staten Island. We also opened a new facility in upper Manhattan, Gregorio Luperon High School, to replace the old school building. These facilities are state-of-the-art, and are providing our children with the tools they need to be successful, with and including new science and computer labs.

This Administration has also been more transparent than any other in our capital planning process. We learned early on that the previous plan simply did not address the actual need. In neighborhoods where there was a clear, demonstrated need, seats were not built, and in other places schools were built in communities where there was little to no evidence of need. To avoid this pitfall, we committed together with the Speaker to amending the plan annually. We meet

with Community Education Councils (CECs) and elected officials each year, and we are guided by their prioritized suggestions. To ensure we are capturing current needs, we assess the condition of every school building each year, and we also do demographic projections every year so that we have the most accurate information on where there is growth or decline in enrollment. All of this information is posted on the DOE website and is readily available to the public.

In formulating the upcoming plan (and subsequent amendments), we will continue to analyze current population projections from our demographers, working with information from City Planning and other city agencies. We will also continue to fold in critical information on birth rates, immigration rates, migration data, and growth in the housing market. We will continue to analyze housing construction – that which is already in construction as well as that which is planned.

That said, I would like to highlight that our demographic projections show a continued decline in enrollment citywide. This is an important point to make because it demonstrates that overcrowding is not a problem in every school building or even in most districts (nor will it be in the future). Therefore, the discussion about overcrowding in schools cannot be overly broad and general. It must be tailored to the unique needs of specific communities throughout the City and include creative thinking about how we use our space.

In order to address some of the most severe overcrowding, we must take a multi-faceted approach. We must look at ways to maximize our existing assets. As Speaker Quinn and Chair Lappin know, we are exploring changes in zoning and enrollment practices to manage the capacity in our schools in parts of the city. Additionally, we must look at our portfolio and make decisions that may include moving school organizations or programs out of overcrowded facilities and into under-utilized ones.

We update our demographic information annually and we know that as housing markets continue to evolve enrollment projections will likely change. Both the Chancellor and I have met with the elected officials representing School District 2, and a “War Room” has since been convened to tackle the particular overcrowding issues on the east side and in lower Manhattan. Further, in District 3, the Community Education Council is considering a rezoning and portfolio plan that

was designed to provide relief in a few severely overcrowded buildings and re-populate other schools buildings that are nearly half-empty. And, the DOE is meeting with District Leadership Teams around the city to discuss the portfolio of schools in their district and their needs. Different districts will likely require a different approach, but we are committed to having that conversation. Our efforts thus far should be illustrative of our approach to engaging communities on this issue.

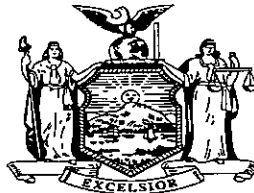
Let's be candid—the reason why some of our schools are so overcrowded is because they are great schools that parents want to send their children to. So in addition to new construction, rezoning proposals and revisions of enrollment policies, addressing overcrowding also means providing high-quality educational options in the buildings where for decades neglect has caused parents to vote with their feet fleeing neighborhood schools. We now have to re-create the demand in these buildings by creating desirable and rigorous schools for our students.

These kinds of proposals are not always going to be popular, so together, we will need to make some hard choices in order to do right by the children of this City. Our children deserve quality school options, they deserve to learn in classrooms that are not cramped, and they are entitled to classrooms for subjects, such as arts and science. Yet we must recognize that tough times demand tough decisions and we must know that all of us need to have the courage to do the right thing and make the tough calls when it is necessary. With that said, we look forward to making these decisions in consultation with all of you and our colleagues in elected offices.

Before I turn to Deputy Chancellor Grimm, who will elaborate more specifically on the Department's policies and plans for further reducing the pockets of overcrowding in our schools, I want to make one last point about the road ahead in our City. Our economic times demand that every single agency realize that they are going to have to do more with less. We are committed to not letting City services suffer especially for our children but we must be realistic in our options and decisions as we plan ahead. Thank you.

I look forward to your questions. Deputy Chancellor...

FOR THE RECORD



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Statement by Senator Eric T. Schneiderman Regarding School Overcrowding and the Department of Education's Upcoming 5-year Capital Plan

October 3, 2008

I am State Senator Eric Schneiderman and I represent the 31st Senatorial District in New York. My district includes parts of Manhattan's West Side, Washington Heights, Inwood, and the Northwest Bronx. I submit this testimony in order to urge the Department of Education to develop a capital plan that eliminates overcrowding and gives our schoolchildren the class sizes that they need to learn and succeed.

Overcrowding is an issue in almost every neighborhood that I represent. Despite significant school construction over the past 8 years, the schools in Washington Heights and Inwood are still home to the most overcrowded schools in Manhattan. To provide two egregious examples: PS 28, an elementary school on West 155th Street, is 308 students over capacity. PS 210, an elementary school and middle school on West 152nd Street, has a utilization rate of 215%, which means they have more than twice as many students as seats.

PS 75, an elementary school at 96th Street and West End Avenue, is 203 seats over capacity already and significant residential construction has been approved for the surrounding area. The Upper West Side has become one of Manhattan's fastest growing neighborhoods over the past decade, but the City has not added any new seats during this building boom or built any new schools.

In the Northwest Bronx, the demand for seats in the local schools has so exceeded supply that children are being shut out from their zoned schools. Much to the chagrin of local parents, the Department of Education has been forced to cap several grades at PS 81 and PS 24, two successful elementary schools in the Riverdale section of the Bronx.

We may disagree about charter schools, or high stakes testing, or teacher tenure, but the value of small class size is a fundamental principle of education that we can all agree on. We can all agree that reducing class size is critical to achieving our city's educational goals. We cannot improve our schools, raise test scores, and prepare students for higher education and a more competitive knowledge-based economy, unless our teachers can give them the individual attention that they need to learn. In order for our teachers to devote adequate time and energy to each individual student, they need fewer students in their classrooms.

The Capital Plan must propose enough new seats to ensure that no public schools are forced to operate above their capacity, and that school class sizes can be reduced to the levels the City agreed to in the state mandated class size reduction plan; that means 20 students in grades K-3, and 23 students in all other grades.

Second, the capital plan must account for the increases in the number of school age children that will result from projected residential growth. The Department of Education and the School Construction Authority must do more than consider generalized forecasts of anticipated growth; they need to analyze growth and development patterns at the neighborhood level, even the level of individual school catchment areas, and then plan accordingly.

Third, the Department of Education must correct the flawed capacity estimates. Currently, the DOE's "Blue Book" paints a misleading picture of the actual state of overcrowding in our schools because it fails to distinguish between actual classrooms and the cluster rooms – gyms, music and art rooms, libraries, auditoriums, etc – that have been converted to classrooms because of school overcrowding. Principals have converted these spaces to classrooms as a stop-gap measure; it was never intended to be a permanent solution and should not be treated as such. These spaces play a vital role in giving our schools the means to provide a well rounded and holistic education to our students and the DOE needs to present a capital plan that enables schools to reclaim these spaces for their intended use.

I recognize that in light of the ongoing difficulties in the financial services industry, the City's fiscal situation is likely to deteriorate. But we cannot let that hinder our goal of providing all of our children with the highest quality education. Two years ago, the State demonstrated its commitment to reducing class size by allocating an additional \$11.3 billion in financing for school construction and by raising the state reimbursement rate for school construction to 50%. I will continue to urge my colleagues in the State Legislature to uphold the State's commitment to class size reduction. We are ready and willing to partner with the City, particularly the Department of Education and the School Construction Authority, to make class size reduction a reality. I look forward to a Capital Plan that reflects the strongest commitment to achieving this goal.



JONATHAN L. BING
Member of Assembly
73RD District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIR
Subcommittee on
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FOR THE RECORD

**Testimony to the New York City Council
on School Overcrowding
By Assembly Member Jonathan Bing
October 3, 2008**

I am Assembly Member Jonathan Bing and I represent the 73rd Assembly District on Manhattan's Upper East Side and East Midtown. I appreciate the opportunity to testify today concerning school overcrowding. As a state representative for a portion of Community School District 2, I have experienced first-hand the effects of overcrowding on parents, students, and educators.

The school overcrowding issue requires immediate attention by the Department of Education and School Construction Authority in order to alleviate the existing overcrowding situation and to plan ahead for future growth. As the Department of Education and School Construction Authority will propose the five-year capital plan in November, these agencies must put forth a plan that creates enough school seats to address school capacity issues, reduces class sizes, including meeting the state-mandated class sizes in grades K-3, and anticipates the need for new school seats resulting from growth throughout New York City.

The existing overcrowding situation requires an aggressive approach from the Department of Education to ensure that our children have ample space to learn, including cluster space for art, science, and computers. On the Upper East Side, which I represent, five of the seven schools are currently overcrowded¹, including Manhattan's second most overcrowded school – PS 290, which is 238 students over capacity. This overcrowding situation leads to an increase in class sizes, the inability to accommodate children's learning needs, and an overall disruption in the education process.

The existing overcrowding situation is not the only problem. The capital plan must also address overcrowding based on the significant growth in areas such as East Midtown in Manhattan. One of the schools that has suffered due to this growth is PS 116, which serves the southern end of my district. In the past eight years, the City has approved 1,242 new residential units in the neighborhood surrounding PS 116, with hundreds more expected each year for the foreseeable future. We must address the expected growth at schools such as PS 116 immediately or face severe overcrowding for years to come.

The Department of Education must implement a plan that addresses the short-term and long-term space needs of schools such as PS 290 and PS 116. Currently, the Department evaluates overcrowding solely on the basis of

¹ (PS 6, 158, 183, 198, 290),

Community School Districts. This approach tends to underemphasize the needs of individual neighborhoods and places unique areas like the Upper East Side, Tribeca, and Lower Manhattan in the same category. These areas have significant differences in need, growth, and character and deserve individual, detailed attention. Rather than planning by Community School District, we should move towards a neighborhood planning approach. This will allow for a more substantive, in-depth conversation with the parents, teachers, and elected officials in the community about the long term educational needs of each neighborhood. Councilwoman Jessica Lappin has introduced Resolution 1573 that outlines the necessity for neighborhood planning. I urge the City Council to adopt this resolution.

School overcrowding is an issue that deserves top priority. As communities throughout New York City prepare for significant population growth in the coming years, we must put forth a plan that accommodates the educational needs associated with this growth and continue to work towards providing quality education to every child in New York City.



THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

SCOTT M. STRINGER
BOROUGH PRESIDENT

A Better Capital Plan for Schools
Testimony by Manhattan Borough President Scott M. Stringer
Before the City Council Committee on Education and
Subcommittee on Landmarks, Public Siting and Maritime Uses
Joint Oversight Hearing on School Overcrowding
October 3, 2008

Let me thank Council Speaker Christine Quinn, Education Committee Chair Robert Jackson, and Public Siting Subcommittee Chair Jessica Lappin, for holding this important hearing. For the past year, I've called for better coordination between the City's education policies and its land use and development policies. Today's hearing is an important step in beginning that coordinated planning. I also want to commend the Council for holding this oversight hearing *before* the City releases its five-year capital plan, instead of waiting until after.

I also want to thank and recognize Mayor Bloomberg, Chancellor Klein, and the staffs at the Department of Education and the School Construction Authority, for being here today to be a part of this conversation. They've shown a willingness to begin an open dialogue with parents and elected officials on school overcrowding, and they have been working very hard to tackle these critical issues.

As we all know, eliminating overcrowding is critical to providing a quality education for every child. Unfortunately, 38 percent of New York City public school students now attend schools in buildings that are overcrowded. Meanwhile, the City has seen an explosion of new residential development. In most neighborhoods, this has not been matched by new schools.

In April, my office issued "Crowded Out," the first report to compare residential growth to neighborhood school capacity. It showed that, in Manhattan neighborhoods at highest risk for overcrowding, the City approved enough new residential buildings over the past eight years to add up to 2,300 new students to neighborhood schools. Meanwhile, the City only added 143 seats of school capacity to those neighborhoods. This August, I released "Still Crowded Out," which showed that the pace of development has kept up so far in 2008.

In the report, I offered a number of reform proposals that would help fix this process. Manhattan Councilmembers have worked with me on these proposals as part of my Manhattan School Overcrowding Task Force, which is chaired by Leonie Haimson of Class Size Matters, and Patrick Sullivan, my appointee to the Panel for Educational Policy. And, because I know this is a Citywide issue, we've partnered with a broad coalition of parents, educators, advocates and elected officials from across the city as part of the "ABC Campaign" – the Campaign for A Better Capital Plan.

When the City proposes its new Five-Year Capital Plan for school construction this November, we propose three important reforms.

A. Address existing overcrowding and reduce class size.

The very least we can do is build enough seats to relieve current overcrowding. And the City should also describe what it would take to reduce class sizes to the levels set by the City in its class size reduction plan. These were the promises that were made in the CFE decision, and we should keep them.

B. Be ready for growth, and plan at the neighborhood level.

It is time to look at school planning from the perspective of urban planners and development analysts. DOE and SCA should work with planning experts and communities to establish a clear, transparent procedure for projecting future growth.

In addition, the new Capital Plan should plan at the neighborhood level, rather than solely through the lens of Community School Districts. The large size of many School Districts can obscure the overcrowding that occurs at the local level. And New Yorkers have a reasonable expectation that there will be a school *in their neighborhood* for their young children to attend.

On this point, I want to commend Chancellor Klein, who recently wrote to tell me that DOE is planning to implement this reform in the new capital plan. I look forward to working with him and the Council to learn more about how that process will work.

C. Correct the faulty capacity estimates.

As Chair Jackson knows well, there is widespread concern about the accuracy of the City's official capacity numbers. Students don't just need classrooms, they need art and music rooms, science laboratories, special education services, and libraries. These spaces are central to the well-rounded education our children deserve. DOE and SCA should work closely with educators, parents, arts experts and others to revise these official capacity numbers.

I certainly recognize that, in difficult fiscal times, it will be a challenge to provide enough funding to meet all of these priorities. But as the Mayor has said, we can't respond to an economic downturn by letting schools and other amenities go by the wayside – that only

makes the economy worse. We can't repeat the mistakes of the 70s, when we stopped supporting our infrastructure, and investment fled the city. And no matter what the economic situation, the proposed Capital Plan should aim to meet our children's needs. Setting priorities, and making the tough budget choices, should happen in the open, as part of the Mayor and Council's budget negotiations.

I urge the City Council to keep working to demand a Capital Plan for schools that meets our children's needs. I've partnered with Councilmember Lappin to introduce a Council resolution supporting these reforms, which I hope you will consider.

With more families choosing to raise children in New York City, and City Planning projecting that the city's population will increase by nearly a million people, this is a problem that can't wait for a solution. But if we plan wisely, and if we plan ahead, we can validate the State Constitution's guarantee of a quality education for every child.

Thank you again for the opportunity to testify.

The New York City Council
City Hall
New York, New York 10007

FOR THE RECORD

October 3, 2008

To the City Council, Mayor Bloomberg, and Chancellor Klein:

Congratulations are in order for PS89!!

As the 2008 school year begins, PS89 had the largest increase in kindergarteners in all of District 2! Not quite as many children as had been predicted, but six good size classes of 5 year olds. This in a school originally designed to hold 3 classes per grade.

Based on our predictions, looking at growth trends, and apartments coming on line this year, we will need more space for next year. Even if certain grades have fewer, much larger, classes, we will still need more room. There is no more space in our school that can be converted into additional classrooms. We have already taken the computer lab from IS89, which shares our facility. We have down sized our pre-k and various cluster rooms into spaces that cannot accommodate full size classes. There is not a music room, teacher lounge, PTA room, guidance suite, conference rooms, locker rooms or hallway alcoves that are not being used for classes or office space. Moreover, our fund raising efforts are not going to curriculum enhancement, but to build storage facilities in the cafeteria because of all the displacement.

The PS89 PTA, the overcrowding committee and PS89 administration have been working with our local officials to develop short and long term solutions. Manhattan Borough President Scott Stringer discussed, in detail, his Policy Report, "Crowded Out- School Construction Fails to keep up with Manhattan Building Boom" at a PTA meeting in June 2008. We are looking forward to his return visit in October to discuss his follow up report "Still Crowded Out". This report points out that which is already clear to us in Lower Manhattan. Nothing has changed. More buildings are coming on line and the new schools scheduled to open in the next few years will not provide enough seats to absorb the increased number of students.

We are grateful to the support given to us by Community Board 1 and its Chairperson Julie Menin. She truly understands our predicament, knows firsthand the rampant development in Lower Manhattan and works tirelessly to push for more schools.

Our Assemblyman Sheldon Silver has generously organized a School Overcrowding Taskforce Committee to help with our immediate needs. At our first Taskforce meeting in June, Assemblyman Silver recommended a building known as The Cove for additional classroom space. It is a wonderful space, filled with natural light, nestled within the parks of Battery Park City. In addition, it is only one block from the future Green School and would be perfect as a feeder for young children into the new school when it opens in 2010. Moreover, the space could then be used as a permanent annex for the new school.

The Department of Education understands and has acknowledged our predicament; however they have not come up with any solutions. They have in fact declined all suggestions we have brought to them, offer no solutions of their own and still ask for parental input. At the last Taskforce meeting at the end of September, the School Construction Authority proclaimed The Cove could not be used because

construction could not be completed by beginning of school 2009. By their estimate it would be ready three to four months later, exactly the amount of time it took the SCA to go and look at the site. The only solution offered by the School Construction Authority spokesperson was to bus kindergarteners to less crowded schools in District 2.

We hope the DOE will take into the consideration the findings in the September 5, report "Still Crowded Out", by Manhattan Borough President, Scott M. Stringer:

- "Plan for growth, by developing a clear, transparent procedure for projecting and estimating the amount and location of expected new housing development.
- Plan at the neighborhood level, rather than solely through the lens of overly large School Districts, in order to capture the pockets of significant growth and overcrowding that occurs in local neighborhoods.
- Propose a much more aggressive five-year capital plan this November than was adopted for the previous five years, with enough seats to relieve existing overcrowding, plan for future growth, and reduce class size."

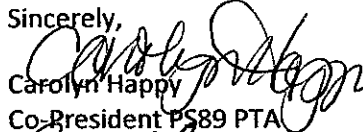
In Lower Manhattan, there are many new apartment buildings that are slated to open this year. In light of the economy, will people move out of Manhattan or will families downsize, take smaller apartments and assume their children can attend a great public school like PS89? What will happen to the families trying to send their children to a school that can't handle any more?

If you have an incoming kindergartener, or know of someone with a kindergartner in 2009, they should be aware that the DOE says their child might not go to their local school. Another solution may be to send an older grade somewhere else. Where? Ask the DOE. These are issues our local school administration should not have to grapple with. Their purpose is to give our children a great foundation in education and a love of learning. These are not vagaries families should have to deal with. It is the job of the DOE and the SCA to plan for growth and provide schools in our neighborhood.

The families of PS89 are celebrating the 10th anniversary of our treasured neighborhood jewel. Our local school has been the anchor that has helped revitalize the downtown Manhattan neighborhoods after 9/11. It is shocking to think that our school can be dismantled through overcrowding. **This is not acceptable to our Battery Park City families or to our community.**


We would like to thank the City Council, and all our elected officials including, Council Member Alan J. Gerson, Assemblyman Sheldon Silver, Assemblymember Deborah Glick, Manhattan Borough President Scott Stringer, Democrat for State Senate Candidate Daniel Squadron, Community Board 1 Chairperson Julie Menin, UFT President Randi Weingarten and parents and educators at various other schools and organizations for listening and joining together to address this crisis.

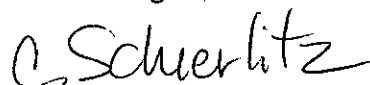
Sincerely,


Carolyn Happy
Co-President PS89 PTA


Sheila Schmidt
Co-President PS89 PTA


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Co-Chair
Overcrowding Committee


Chrissie Schierlitz
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HIGHER EDUCATION
RULES

**Testimony of State Senator Liz Krueger
Before the New York City Council Education & Landmarks, Public Siting &
Maritime Uses Committees on the Issue of
School Overcrowding
October 3, 2008**

My name is Liz Krueger and I am the Senator representing the 26th State Senate District, which includes Midtown, Murray Hill and the Yorkville, Carnegie Hill and Lenox Hill neighborhoods of the Upper East Side all of which comprise District 2 of the Community Education Council. Thank you Chairs Jackson and Lappin, and members of the committees, for the opportunity to present testimony on the very serious issue of overcrowding in New York City public schools and how it is affecting families, and in particular, students in CEC District 2 (my district) where schools are at 129% of capacity.

When the state Senate passed the New York City Education and Reform Accountability Act of 2002 we gave the Mayor greater control over management of the Department of Education ("DOE") and the School Construction Authority ("SCA"). This change afforded the Mayor an opportunity to demonstrate strong leadership in improving our schools and reaching the goal we all share of building the best school system in the country.

It was intended that this change would help eliminate the bureaucracy, improve failing schools, reduce the high dropout rates, correct the lack of a structure to provide meaningful participation for the school community and most importantly bring about a new era of construction to help combat overcrowding in aging and inadequate school buildings. While the Mayor and his Chancellor, Joel Klein have continually assured the legislature, City Council, parents, principals, teachers and CECs that all of these items are part of their agenda, in many areas the promise of mayoral control has come up short; and nowhere more so than the issue of school overcrowding.

In CEC District 2 the issue of overcrowding has not lessened, and in fact it has grown worse during Mayor Bloomberg's administration both because of inadequate coordination with the Departments of Building and City Planning and a demonstrated unwillingness to engage in serious conversations with the community about acquiring and retrofitting existing structures or identifying sites for building new schools.

The city Comptroller's Office released a report in May entitled "Growing Pains" which documents its review of the Department of City Planning's neighborhood population projections for 2000-2010, as well as DOE's elementary and primary school enrollment projections by Community School District and official DOE capacity utilization data by school and CSD in October 2006. Needless-to-say, the Department of City Planning and the DOE vary widely on their projections. While the DOE projects that public school enrollment will decline significantly between 2005 and 2015, the Comptroller's office identified where "new housing construction is leading to surging population, the demand for elementary and middle schools seats is growing and schools are operating near or above capacity." It appears that at least one important reason for this view of school capacity stems from DOE consultants Grier Partnership and the method they use to analyze where to site new construction; Grier relies on a confidential methodology for enrollment projection calculations which do not include information about neighborhoods or specific building permits for new residential construction.

P.S. 116 on East 33rd Street in Murray Hill is a perfect example of the Comptroller's findings and underscores this Administration's lapses in leadership. The school, well known to the DOE, has suffered with a serious overcrowding issue for years. P.S. 116 is also in a neighborhood experiencing a surge in development with some 33 new residential buildings under construction. School officials, the PTA and elected officials have held numerous meetings with representatives from the DOE and SCA where many intelligent and creative ideas were proposed by the PTA for ways to site a new school or how to add on to the existing structure. The school community's suggestions were met with a flurry of reasons from the DOE why they would not work or could not work and they seemed more interested in moving game pieces around a board by busing small children to schools far from their homes. PS 116 elementary students have had to start eating lunch at 10:00 a.m., a new pre-kindergarten program was forced to end in order to make room for increased enrollment and the gifted and talented program has stopped accepting students and current enrollees will be moved to other schools.

Whatever set of school capacity numbers are used and whatever data the formula is dependant upon, with already obvious overcrowding, Mayor Bloomberg and Chancellor Klein as advocates for school age children, must assume a more transparent and active role in alleviating school overcrowding. The severe current economic downturn will only increase enrollment in Fall 2009, as financially strapped parents of private school children will be unable to afford high tuitions and begin enrolling their children in public school.

I recommend improvements in planning in at least the following three areas:

- The DOE needs to insert itself into the planning process and coordinate with other agencies such as the Departments of Building and City Planning in order to better grasp and predict how a surge in development, birth rates and economic indicators in a neighborhood affects all of its community facilities.
- The DOE needs to partner with the city's developers in a manner that stays true to the Administration's vision, while also strengthening its infrastructure rather than weakening it. The Administration and

developers must come to some arrangement where tax incentives induce developers to include schools in their residential developments. This practice has already been very successfully applied, but in far too few instances.

- Finally, the DOE should take an aggressive lead role in amending the Zoning Resolution to expand city-wide certain provisions of the South Richmond Special District Plan that would require the DOE to certify that sufficient school space exists for new development or the developer must provide school space in order to be permitted to build their project.

Thank you for your consideration of my views.



class size matters

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Testimony of Leonie Haimson, Executive Director of Class Size Matters
Before the NYC Council Education Committee and Public Siting Committee
October 3, 2008

Thank you, Chair Jackson and Chair Lappin, for holding these important hearings today. My name is Leonie Haimson and I'm the Executive Director of Class Size Matters, a citywide parent group dedicated towards providing our children with the smaller classes they need and deserve for a better chance to learn and succeed in life.

The problem of school overcrowding in NYC has been chronic throughout its history. It remains the most severe obstacle we have in improving our schools today.

In the principal survey sponsored by the City Council, 86% of principals said that their class sizes were too large to provide a quality education. The two most important factors that prevented them from reducing class size to appropriate levels was the lack of control over enrollment (45%) and the lack of space (44%)

The current capital plan at its inception had three important goals:

- To eliminate overcrowding so that no school would remain at over 100% utilization and no school would be forced to hold double and triple shifts;
- To remove all trailers and temporary classroom units (TCUs);
- To create enough space so that class sizes in grades K-3 could be reduced to twenty or less in every elementary school.

At this point, it is inconceivable that by the end of the current school year, any one of these goals will come close to having been achieved.

More than 30,000 students are still housed in TCUs or trailers; and thirty eight percent of New York City public school students still attend schools in buildings that are officially overcrowded – that is, at more than 100 percent utilization. Moreover, according to the most recent class size data from 2007-8, more than 160,000 children, or more than sixty percent of K-3rd graders remain in classes of 21 or more – that is, classes that exceed the class size goals of the current capital plan.

The failure of the administration to take any affirmative steps to reduce class size in the early grades – despite six years of promises and hundreds of millions of dollars in state and federal funds is a special disappointment to me, and a tragedy for the millions of children who have passed through those grades without a better chance to learn.

recall the DOE ever submitting such a report; though Michael Best, the general counsel, sent an email to me last night claims that the DOE did submit one report, for the 2006-7 school year, and then informed the Council saying that because of the law's ambiguities, they would not submit another until those ambiguities were cleared up.² If the law was so unclear, I don't know how they could submit a report one year, but then cease the following year. It is my hope that you follow up on this question, and let us know what you discover.

But profound problems with the Blue Book are demonstrably clear. Just as the DOE is obligated to align its capital plan with its class size reduction plan, it must also revise "the Blue Book" so it is pegged to the goals of its class size plan, 23 students per class in grades 4-12, instead of 28 students in 4-8 grade and 34 students in high school. Also, schools that currently house thousands of students in TCUs and trailers are not counted as overcrowded, because the formula only counts the students in the main building.

As one principal observed in our survey: ***"My school occupies two buildings due to overcrowding in the main building. We have an annex which is one mile away from the main building and students are bussed there by yellow shuttle buses. There are 4 portable classrooms in the schoolyard, however due to the way that the DOE calculates space utilization, it does not deem my building as overcrowded."***

Certain DOE policies have actually made the problem worse. According to our survey, more than a quarter of all principals said that overcrowding had exacerbated by the new schools and programs inserted into their buildings. Think of it, each new school needs its own office space, cluster rooms, etc. Yet the DOE did not take into account when creating all the new small schools and charter schools – and then inserting them into existing buildings, which makes it much harder to reduce class size, and also led in many cases to special Ed children being given intervention services in hallways and closets.

In April of 2006, the state offered an additional \$8 billion in financing to the city for school facilities, including a \$1.8 billion in cash, an agreement to pay half of the payments for \$9.4 billion in building aid bonds, and the state also raised their reimbursement rate to 50% for all school construction – that is, for every dollar the city now spends to build schools, the state pays back fifty cents. Yet all that happened following this agreement is the city cut the number of new seats in the capital plan by 3,000 seats.

intended; a classroom located in a space that was not designed for classroom use when built or when last fully renovated; and a classroom the use of which violates any New York city or state law pertaining to classroom design, location or amenity or the type of interior space that may lawfully be used as classroom space.

² Here is the message regarding this matter from Michael Best, dated Oct. 2, 2008: "In regard to the second question you asked, DOE provided the Council a report for 2006/2007. Since then, DOE staff met with representatives of the Council, and Deputy Chancellor Grimm wrote to Speaker Quinn and Chairman Jackson, about ambiguities and a lack of clarity in certain portions of the law's wording. Resolving the statute's lack of clarity is necessary in order for DOE to provide a report that would address the Council's concerns, and we are hopeful that, working with the Council, we will be able to do so. We will then issue the next report."

The administration has often claimed that the current capital plan is the most ambitious in our history. See this from Mayor Bloomberg's "community column":

"Tuesday was the first day of class for public school students across our city. It was also the very first day of class in 18 brand-new school buildings with more than 11,000 new classroom seats. This is the biggest one-year gain yet in the largest school construction effort in our history."³

But 63,000 seats ---only about half of which will be completed by the end of the plan -- pales in comparison to past efforts in the city's history. For example, 100,000 NYC school seats were added from 1902-5; and nearly half a million seats during the 1920's. Even in more recent history, this administration's record has been disappointing in this regard.

According to figures from Mayor's Management reports as far back as FY 1997, which is when these reports were first issued, ***the data shows that there was an average of 15,440 seats created per year for the Giuliani administration compared to 10,895 during the Bloomberg administration. (chart B)***

Even then, a large number of new seats each year under this administration has been the result of "classroom conversions" rather than from building or leasing new schools -- conversions that in many cases, have been created at the cost, art rooms, computer rooms, or other specialty spaces being lost to academic classroom space. ***(chart C)***

As for city spending on capital projects, the portion devoted to schools under this administration has also been declining -- ranging from 30% in 2005 to 7.6% in 2008. ***(chart D)*** The question is this: **don't our children deserve better?** If our top priority is providing them with a quality education, why cannot we who live in one of the richest cities in the world, do a better job?

Eliminating overcrowding and reducing class size will have substantial economic benefits in terms of the revenue generated by future employment, higher income and lower health care costs. ⁴ It will also ensure a stronger middle class tax base, in that families will no longer be forced to move to the suburbs for the sake of a better education for their children. Rather than simply being viewed as an expense to the city, school construction should be conceived as a critical economic development strategy to attract more families to the city and retain them over time. Thank you for the opportunity to speak to you today.

³ Mayor Bloomberg's Community Column Week of September 3-10, 2008, dated Sept. 3 2008.

⁴ For a cost-benefit analysis in the early grades, see Alan B. Krueger, "Understanding the Magnitude and Effect of Class Size on Student Achievement," in: Lawrence Mishel & Richard Rothstein, eds., *The Class Size Debate*, Economic Policy Institute, 2002. See also Debra Viadero, "Study Links Smaller Classes To Higher Earnings," *Education Week*, October 25, 2000. For the economic benefits of smaller classes in upper grades, see Thomas Dee and Martin West, "The non-cognitive returns to Class Size, NBER Working Paper, April 2008; <http://www.nber.org/papers/w13994>. For the health benefits, Peter Muennig and Steven H. Woolf, "Health and Economic Benefits of Reducing the Number of Students per Classroom in US Primary Schools," *American Journal of Public Health*, September 27, 2007.



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Recommendations August 2008 for the 2010-2014 Capital Plan

The Bronx Needs:

The Bronx needs more schools in the next capital plan in order to end overcrowding, increase the graduation rate, decrease the dropout rate and help students in all grade perform better.

- A analysis must be done that includes housing starts, looks at pockets of overcrowding by neighborhood, plans for student success and uses an accurate assessment of the available space we already have.
- Restore the 1703 seats cut from the Bronx in the 2005-2009 Capital Plan
- Build 2,000 seats at Kingsbridge Armory
- A new school for the Leadership Institute High School

Because:

- Overcrowding and "planning for failure" are limiting our students achievement and graduation rates
- Our students' health is adversely impacted
- Students are not receiving the well rounded well resourced education they deserve

Our Vision for School Facilities:

There must be a seat for every year of a student's academic career, from pre-K through high school. These seats must be in classes with fewer students. NYC students deserve the same small class sizes as their counterparts in the rest of the state. Smaller class size cannot come at the expense of specialty rooms or physical fitness. We must also enhance our students' ability to get a well-rounded education; art & music rooms, science labs, libraries, cafeterias, gyms, outdoor play space and other specialized spaces must be used for their intended purposes and to support the educational program. These rooms must not be cannibalized because buildings are overcrowded. The reporting of overcrowding (capacity & utilization) must be corrected to *accurately* convey the way school buildings are used and what rooms are available to support the full curriculum so that resources can be directed to neighborhoods of greatest need first. (from NY SEATS principles of student success).

Findings:

According to the Department of Education, District 10 was at 99% of capacity, **the third highest utilization rate in the city.**

Elementary schools in nearly every District 10 neighborhood were over capacity:

- 112.9% in Norwood-Van Courtland
- 110.2% in Fordham
- 101.7% in Riverdale-Kingsbridge
- 105.3% in University Heights-Morris Heights
- 99% in Kingsbridge Heights
- 102.6% in Belmont and East Tremont
(comptroller)

Bronx High Schools are:

The Average Capacity of Bronx High Schools is 96%

- 88% in District 7
- 110% in District 8
- 80% in District 9
- 106% in District 10
- 100% in District 11
- 94% in District 12

This is based on the Department of Education's Enrollment, Capacity and Utilization Report. In many cases the overcrowding is worse than reflected here.

Overcrowding Impacts Student Health & Education:

Bronx Students Exhibit High Levels of Obesity

- 24% of Bronx students in kindergarten through fifth grade are obese.
- Another 18% of Bronx students in kindergarten through fifth grade are overweight

The DOE does not comply with New York State Physical Education Requirements

- Over 4,000 Bronx students, in at least ten schools, do not have any physical education programs.
- 70% of Bronx schools surveyed reported that physical education hours did not meet the class time required by New York State.
- 91% of the elementary schools surveyed reported that they did not provide enough physical education hours to meet New York State requirements.

Physical Education Facilities in Bronx Schools are Inadequate

- 23% of schools surveyed reported not having a gymnasium
- 22% of the schools surveyed reported that they did not have any outdoor physical education facilities.
- 82% of schools surveyed that share gyms reported having over 50 students in a gym for physical education class at one time.

We Need Enough Space for Students to Succeed:

In its capital planning process the DoE uses what is called a "cohort survival rate." Which is the rate at which students move from one grade to the next. New York City has a dropout crisis with 20,000 students dropping out every year. This Spring our graduation rate was ranked 46th out of the 50 biggest cities in the United States, meaning that we have close to the lowest graduation rate. We urge the city to count on the success

of its reforms and plan for student success. For New York City high schools, the DoE plans for about half of the students to make it from 9th grade to 12th grade in four years. For the Bronx the average is much lower, with space planned for little over a third of Bronx 9th graders to make it to 12th grade four years later.

Recommendations:

Our schools are currently so overcrowded, that the overcrowding will persist after the 2005-2009 Capital Plan is completed notwithstanding the Grier Projections. We are particularly concerned that DoE has not committed to locate new schools next to the Kingsbridge Armory. In the New York City Economic Development Corporation Request for Proposals for this project, issued in December 2006, it was stated that the, 'DoE is prepared to fund and construct one small primary school (441 seats) and one Primary/Intermediate School (630 seats) at this location. DoE and SCA will work with the Selected Developer to move the plan for school construction forward during the 2005-2009 Five-Year Capital Plan period.' Last summer the DoE and SCA said there was no longer a need for schools at the Armory. We need 2,000 seats constructed at the Kingsbridge Armory, elementary, intermediate and high school.

The construction of new buildings can reduce capacity in existing schools, allowing them to get rid of their transportables and there by freeing up more outdoor play space. Additionally schools will be able to have more gym time per student with fewer students. Class sizes must be reduced and specialty rooms returned to their intended purposes. The DoE must include adequate funds for science labs, libraries, gyms and computer rooms.

It is important that the City ask the state for any available land for new schools as well as work with developers and the community to find existing sites where schools could be built.

* Statistics and information in these recommendations are from:

“More Than Child’s Play: The Need for Improved Physical Education Policy and Infrastructure in Bronx Public Schools” by Bronx Borough President Adolfo Carrion Jr. released May 2008

“Growing Pains: Reforming Department of Educations Capital Planning to Keep Pace with New York City’s Residential Construction” by Comptroller William C. Thompson Jr. release May 2008

“Enrollment, Capacity and Utilization Report 2006-2007” by Department of Education
“Planning for Failure: How the Department of Education’s Capital Plan Undermines its Own Goals for Increasing Graduation Rates” by Public Advocate Betsy Gotbaum released March 2007

Oliver Koppell, Jose Rivera argue for aid to crowded Bronx schools

BY FRANK LOMBARDI
DAILY NEWS CITY HALL BUREAU

Sunday, August 10th 2008, 5:10 PM

Crowded schools in the Bronx should get the same priority treatment as crowded schools in Manhattan, according to two Bronx elected officials.

"We demand to be treated as well as people in Manhattan," said Councilman Oliver Koppell (D-Riverdale). "The Bronx should not be a stepchild."

Koppell has teamed up with Assemblyman Jose Rivera (D-Fordham, University Heights) to pressure city school officials to do more to alleviate school crowding in the borough, with special attention to the north Bronx.

In a letter to Deputy Mayor Dennis Walcott, Koppell took note of a published report that school officials are setting up a "war room" to deal with school crowding in Manhattan's Community School District 2, which includes parts of the upper East Side and stretches south to include much of lower Manhattan.

Koppell said that schools in District 10 in the north Bronx have the third worst crowding conditions in the city. He cited Public School 56 in Norwood, a K-5 school with 560 students, which he said is at 200% of capacity.

"The kids have no place to go," he said. "The auditorium is being used as offices for the administration as well as for classrooms. They're using closets. I don't know how they can survive."

Rivera, who also is the Bronx Democratic chairman, urged the Bloomberg administration to build several schools on properties adjacent to the vacant Kingsbridge Armory, which is being privately redeveloped into a shopping center.

"A basic simple demand from the community for over 10 years has been that if you're going to build in this armory, you should also build additional schools," said Rivera.

Marge Feinberg, a spokeswoman for the Department of Education, acknowledged that there is "serious overcrowding" in District 10, but added, "We are addressing this."

She said the department recently found a new location for the Jonas Bronck Academy, PS 228, in the renovated Sears building on Fordham Road.

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Reclaman más escuelas en El Bronx

Humberto García/EDLP | 2008-08-08

Nueva York

– Conociendo que el Departamento de Educación está diseñando actualmente su plan capital 2010-2014, un grupo de alumnos, padres de familia y funcionarios electos de El Bronx enviaron ayer un claro mensaje sobre la urgente necesidad de construir escuelas en ese condado.

La Coalición del Noroeste del Bronx exigió sobre las escalinatas de la alcaldía que se restituyeran 1,703 puestos en las aulas de todo El Bronx, los cuales estaban incluidos en los proyectos de construcción, pero se cortaron en la enmienda del año pasado del actual plan de construcción 2005-2009.

También pidieron que se abrieran 2,000 nuevas plazas en el Kingsbridge Armory y se encontraran instalaciones permanentes para el Leadership Institute con los recursos adecuados para garantizar el éxito de los estudiantes.

El Distrito 10 del Bronx es el tercero más sobrepoblado en el sistema de educación pública. Julia Ramírez, quien acaba de graduarse de Bronx International High School, relató los obstáculos que enfrentó a diario en su escuela el año pasado.

“Yo tenía clase de educación física una vez a la semana en la mañana, una hora antes de que empezaran las clases, porque compartimos el gimnasio con otras escuelas y no había espacio”, dijo Ramírez, agregando que en su ex escuela usan casas rodantes como salones de clase y algunos alumnos no tienen dónde sentarse.

Marge Feinberg, portavoz del Departamento de Educación, afirmó que están trabajando agresivamente para aliviar la sobrepoblación escolar en el Distrito 10, mencionando que ya encontraron un lugar para la Jonas Bronck Academy.

“Estamos evaluando las necesidades de capacidad en base a datos anuales de demografía y construcción de viviendas”, indicó Feingberg.

“En lugar de esperar a que la Guardia Nacional ceda el Kingsbridge Armory, estamos buscando activamente otros lugares (para construir escuelas) y en estos momentos hay 1,789 plazas en proceso para nivel primario e intermedio en El Bronx”, agregó.

Esa explicación no fue satisfactoria para el asambleísta José Rivera, quien ha venido luchando para que se construyan escuelas en ese gigantesco complejo militar.

“Estoy cansado de que utilicen a los de la Guardia Nacional como rehenes en este proceso. El estado dio el Armory a la ciudad bajo un acuerdo verbal de que ahí se hicieran escuelas”, señaló Rivera, quien teme que la ciudad busque realizar otra lujosa obra de desarrollo urbano en ese sitio.

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NORWOOD NEWS

Published in the August 21, 2008 Edition

More Schools Top Back-to-School Shopping List

by **CAREY DUNNE**
NORWOOD NEWS

The daily routine of many Bronx public high school students goes something like this: get to school an hour early to be herded through metal detectors, eat lunch at 10 a.m. in a crowded cafeteria, and go home without having had any art, music, or science classes.

Experiences like these brought more than 60 Bronx youth, educators and activists to a press conference and rally on the steps of City Hall on Aug. 7, demanding better funding for Bronx public education in the next five-year capital plan (2010-2014), which the Department of Education is drafting now.

The protesters, organized by the Northwest Bronx Community and Clergy Coalition and its youth arm, Sistas and Brothas United, presented a "Back to School Shopping List" to the DOE, Mayor Bloomberg and Deputy Mayor Walcott, speaking to cameras from major news channels about their experiences with overcrowded schools.

A large sign in the crowd ticked off the protesters' list of demands: "build more schools, restore the 1,703 seats cut from the Bronx midway through the current capital plan, build 2,000 seats at the Kingsbridge Armory, build a new school for the Leadership Institute [a fledgling local high school fast running out of space], build more libraries, computer labs, gym and recreation areas, art and music classes, and science labs."

In yellow shirts that said, "Say Yes to the Northwest Bronx" students chanted a familiar refrain: "What do we want? More schools! When do we want them? Now!" Last year, the Coalition organized a similarly themed protest. The DOE has acknowledged overcrowding problems in the northwest Bronx's District 10 and says it's taking steps to alleviate the problems in the next capital plan. There are no plans, however, the DOE says, to restore the 1,703 lost seats, which it says were cut based partially on diminished (and controversial) population projections in the area, as well as a low graduation rate.

"They're using closets as classrooms. I don't know how they survive," Councilman Oliver Koppell said at the podium. "I demand our schools be treated as well as those in Manhattan. The Bronx should not be a stepchild." (Assemblyman Jose Rivera also attended the rally.)

Koppell pointed out that Deputy Mayor Dennis Walcott convened an emergency task force for an overcrowded Manhattan district, but not District 10.

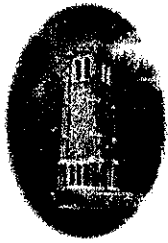
New York City's graduation rate ranks 46th out of 50 major city school systems. At an average of 99 percent capacity, District 10 schools are the third most overcrowded in the city, according to a report by city Comptroller William Thompson.

“In the next capital plan there should be new schools, because otherwise everyone’s going to drop out,” said Divisai Flow, 17, a student at Bronx Leadership Academy and Sistas and Brothas activist. “The DOE expects only 36 percent of kids to graduate. That’s disturbing. They should be able to say that 100 percent of kids can graduate.”

There is hope that students will effect change. Bronx Leadership International School student Natia Williams, 17, recently travelled with the Coalition to Albany and to a meeting with Walcott. After persistent pushing, they got \$66,000 for school computers, she said.

With computer labs turned into classrooms, they’re still looking for a place to put their new machines, Natia said. But, “by getting the computers, we’ve shown that change is possible, with a little pressure,” she said.

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Student lends voice to fight for more, better Bronx schools

August 21, 2008
Edition (rss)

By Kate Pastor

Angel Gonzalez, a soon-to-be high school sophomore at the Leadership Institute and a Kingsbridge resident, refuses to be just a number.

Being one hasn't gotten him anywhere with the city Department of Education, he says, except stuck in overcrowded classrooms.

His latest efforts to be both seen and heard came on Aug. 7, when he spoke at a City Hall press conference with the Northwest Bronx Community and Clergy Coalition to demand more funding in the 2010-2014 capital plan for Bronx schools.

It might sound like a complicated concern for a 15-year-old on summer vacation, but Angel doesn't see school funding as the stuff for wonks. Overcrowding is an everyday reality for him and one that he says encourages his peers to drop out of school.

"[My] whole school is overcrowded," he said. "We don't even have our own building. It's in an annexed part of a middle school and an elementary school." He said the condition of his Webster Avenue school, "makes it hard for us to concentrate and makes it hard for us to want to be there."

As a member of the Northwest Bronx Community and Clergy Coalition's youth group, Angel isn't confronting this issue alone. He traveled down to City Hall, he said, with about 50 young people and helped hold a press conference along with parents, community leaders and elected officials, including City Councilman Oliver Koppell, at which they presented a "back to school shopping list" for the Department of Ed and School Construction Authority.

"Usually adults say, 'Let us handle the problem,'" Angel said, "but the people in the Department of Education are adults and they're the ones that are causing the problem."

On the list he helped to present was the restoration of 1,703 seats planned for the Bronx that were cut from last year's capital budget amendment; 2,000 school seats to be added at the soon-to-be redeveloped Kingsbridge Armory; and a permanent home for the Leadership Institute, equipped with all the necessary resources.

The coalition pointed out that Community School District 10 is the third most overcrowded in the city, and Bronx high schools, on average, are at 94 percent capacity. According to the Department of Education's Enrollment, Capacity and Utilization Report, elementary schools in nearly every District 10 neighborhood are over capacity, including many Riverdale and Kingsbridge elementary schools, which are operating at 101.7 percent.

In March 2007, Public Advocate Betsy Gotbaum released a report, titled "Planning for Failure," that criticizes the method in which the Department of Ed arrived at its projected enrollment rates, which, in turn, determined funding.

According to the report, The Grier Partnership, the firm that performed enrollment surveys, estimated that in all of New York City only 46 percent of ninth-graders will make it to the 12th grade. In the Bronx, the firm estimated that only 36 percent will reach senior year — the lowest projection of all the boroughs.



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Detractors say those projections undermine the Department of Education's goal of graduating 70 percent of its high school students in four years — a goal that would require adding more than 26,000 additional seats in New York City overall and 10,835 seats in the Bronx.

"The next five-year capital plan needs to address the needs in the district," said Marvin Shelton, president of the District 10 Community Education Council and PS 24 parent. "I had a meeting with Councilmember Koppell last Thursday and we are in agreement that capacity is the number one issue," he said.

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Testimony of Megan Charlop
New York City Council Hearing on Overcrowding in NYC Public Schools
October 3, 2008

Hello and thank you for this opportunity to speak about Overcrowding in NYC Public Schools. I appreciate the fact that you have opened this issue for review and public comment since I have wondered how we have so flagrantly ignored the needs of our children for so many years.

My name is Megan Charlop. I am a long-time Bronx resident and I am Director of the Montefiore School Health Program's Division of Community Health. The Community Health Division complements the medical, mental health and dental services provided in our 16 school-based health centers by addressing student health concerns using a public health approach.

One of the first issues the Community Health Division focused upon was the pressing problem of obesity. Baseline BMI data that we collected from more than 4,000 elementary school students in six schools showed that, consistent with the DOHMH's findings, only slightly more than 50% of students are within the normal BMI range while greater than 25% are in or above the 95th percentile. The consequence of these obesity rates is that lives of today's children will be sicker and shorter than their parents' lives. And why, you may ask, am I be addressing the issue of childhood obesity at a Hearing on Overcrowding? That is answered simply this: overcrowding impacts health. It creates stress and pressure on students and staff and it impacts physical health as well. Obesity is partly a consequence of the choices we have made to build a city that neglects our children's need for recreational space. In the seven elementary schools where our Community Health team is currently active, none are in compliance with the NYS PE laws while 3 of the 7 have no gymnasium and all have "temporary" classrooms in what should be the schoolyard.

In Queens, we are building a second Shea stadium, in the Bronx we are building a second Yankee stadium, and not to be left out, Brooklyn is building a new stadium too but in contrast to the millions and millions of dollars going into new spectator sky boxes and surrounding parking lots, we are attempting to educate our children in overcrowded schools, lacking in common spaces such as libraries, computer rooms and gyms. This is not just the old schools. In the Bathgate section of the Bronx, a new school was recently constructed with no gymnasium or adequate outdoor spaces. Although not the topic for this Hearing, I'd like to mention that this and other new schools are being built without cooking cafeterias as well. With these inadequate facilities, we can be assured that students do not receive the proper number of PE minutes and are denied after-school sports opportunities as well.

Overcrowding impacts academic performance as well. In the Bronx, with a shameful graduation rate of 50%, there are not enough seats for incoming freshmen to raise the graduation rate to 70% in four years. City wide the Department of Education intends to create enough space to accommodate only 46% of the system's 9th graders: those who they estimate will make it to 12th grade four years later. For the Bronx this number is even lower, our construction plans are based on a 36% survival rate.

Many schools are at greater than 100% capacity forcing administrators to convert common

spaces, such as libraries and gymnasiums, into classroom spaces. And, then there is the persistent problem of the "portable, temporary, classrooms" which were established decades ago to address overcrowding and subsequently became part of the infrastructure that eats up schoolyard space. PS 28 and PS 163, for example, have no gymnasiums, no PE teachers and both yards are encumbered with "temporary" classroom buildings that have been in place for decades. Students at PS 163, have 0 minutes of PE time and they never go outside to play because the yard is physically unsafe. The students spend recess sitting in rows of chairs with their jackets on everyday after lunch, no matter how beautiful the weather.

But even in schools with gymnasiums and great PE teachers, overcrowding is still placing a barrier upon students reaching the required number of PE minutes. Typically, students get one period of PE once a week or once every two weeks. At PS 95 some students do not get gym during a certain school grade due to overcrowding. At PS 8, which has a gym and two PE teachers, the overcrowding combined with the portable classroom building that takes up much of the schoolyard, makes it impossible to find space for students in grades K, 1, and 2 to get the required 30 minutes a day. At PS 105, which also has a gym and a PE teacher, but is extremely overcrowded, the situation is even worse. Many students get PE once a week but because of the overcrowding and portable classrooms only half of the students in each lunch room period to go out, because they simply do not fit in the yard. On a non-PE day then, more than 800 students have 0 minutes of fitness.

Space is an issue for the high school and middle school students as well. While these schools have gyms more consistently than the elementary schools, PE is taught in certain semesters only and use of the gym after-school is only for those students who make the VJ and varsity teams. The main place for students to actually exercise after-school is limited to the most elite athletes. Principals who have tried to connect with local ball fields have often run up against obstacles that have discouraged their efforts.

And yet, where there are opportunities, the DOE is not grabbing them. In the Bronx, where students are bussed from their neighborhood schools because of overcrowding, we have the opportunity to build schools in the vacated Armory. Originally there were to be 4 schools, then the DOE dropped the number to 2 schools and now we are being told that overcrowding is not a problem and that no schools will be built there. This is unacceptable. Let us consider a short list of things that NYC might do to solve this problem:

1. **Make an accurate assessment of overcrowding and its impact on successful school completion.** The DOE uses a most illogical system for calculating occupancy. They must use a formula that includes square footage for gyms, science labs, libraries, schoolyards and other essential learning spaces as part of their formula. Calculating occupancy solely on classroom space cheats our children of the space they need to grow and learn. However bad the news, it is imperative to understand the scope of the problem in order to address it.

2. **Build 2,000 seats in the Kingsbridge Armory.** This is a unique opportunity to build schools in property already in city control and with the backing of the local community and politicians. Additional seats in that building can alleviate overcrowding in surrounding schools. Right now, at nearby PS/MS 95, a new school is being built in 95's recently renovated Kindergarten

playground. In accepting those plans, the DOE demonstrated its willingness to sacrifice fitness time while undercutting their own argument for the need for school construction at the Armory

3. Eliminate all "temporary portable classrooms and build enough seat to support 100% graduation rates. Use this moment to commit capital dollars to the most precious economic commodity we have, our children. To date the total number of completed seats in the capital plan is a mere 28%, 4946 seats out of 17,772 seats, and there are only two years left. Use this moment to save dollars later by ensuring an educated, population that can support itself, maintain better health outcomes, and contribute to the city's diverse needs.

4. Seek additional funding from the Yankees, Mets and other teams that profit from NYC largess to ensure that all students have adequate gymnasium and outdoor playspace so that today's children can grow up to be tomorrow's athletes. Recent reports have made it clear that these franchises did not pick up the tab as promised but were subsidized by taxpayers to the tune of \$800 million at the expense of their own children. Those dollars must be recouped and then applied to the capital investment in school infrastructure.

5. Leverage housing development dollars to contribute to school construction, in much the same way that low-income housing units are leveraged. PS 105, near White Plains Road, has 1,600 students although it was built for 800. Last year, in close proximity to PS 105, a hundred unit building was completed and presently a 300 unit complex is nearing completion. While affordable housing is welcome in the Bronx, where exactly will the children who live in the new units go to school?

Thank you again for this opportunity. I sincerely hope that this and the other testimony presented here today will result in urgent action. Childhood is short. Every five year cycle we miss creates a new cohort of children who attend elementary school in overcrowded, sub-optimal learning conditions. It is hard to imagine that anyone would intentionally set a standard of low-graduation rates and yet but refusing to look squarely at this problem and to create sufficient education space, we are discarding the possibility of graduation for thousands and thousands of high school students. The mandate for optimal education is clear. Now we must muster the will to comply with it for the sake of our children. Thank you.

Megan Charlop, MPH
Community Health Division Director
Montefiore School Health Program
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Bronx, NY 10467
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DEBORAH J. GLICK
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**Testimony of Assemblymember Deborah J. Glick
Before the New York City Council
Regarding School Overcrowding
October 3, 2008**

As the Assemblymember representing neighborhoods in Lower Manhattan with class sizes that are among the highest in the City, I testify today to express my serious concerns regarding the New York City Department of Education's (DOE) strategy for capacity utilization and the planning process being employed in creating the soon-to-be-revealed capital plan. If the blueprints that the DOE has shared with the public are any indication of the direction of its capital plan, the plan will be deeply flawed.

The DOE needs to fundamentally rethink its approach to decreasing class size in New York City. There are more families with children in New York City and more children enrolled in our public schools than ever. Although I do not believe that anyone in the DOE thinks that overcrowded classrooms provide an appropriate learning environment, the DOE does not have a comprehensive plan to reduce class sizes. Instead, the DOE has focused much of its attention on standardized test scores, sending the message that as long as test scores rise, classroom environments do not need to change. This is an unacceptable philosophy.

In my Assembly District there is not a single elementary school that is not overcrowded. PS 89 is at 140% capacity, PS 3 is at 103% capacity, PS 234 is at 108% capacity, and PS 41 is at 112%. Given the rapid pace of residential development downtown, enrollment at local schools is certain to grow. I imagine that this problem will only be exacerbated due to the current financial crisis on Wall Street. Parents that could once afford to send their children to private school might very well now send their children to public school.

School overcrowding is a pressing issue that must be seriously dealt with in the next Capital Plan. The City has spent much effort in encouraging the City's development boom. But by failing to plan adequately the development boom has been a bust for public schools. Students, teachers, and administrators have been forced to make compromises that undermine their educational goals. The City Council should push the Administration to reexamine its projected models of population growth and use neighborhood specific information to address the issue of school overcrowding. We cannot continue to hope that school overcrowding will disappear by relying on the DOE's shell games. Our students deserve more.

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I represent: _____

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Name: Corinne Bai

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I represent: PS199 PAC PTA, and member of NYFACS

Address: 120 Riverside Blvd, 14A, NYC, NY

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Address: BROX, NY

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Name: Emily Horowitz

Address: 252 W 91 St #24 NYC

I represent: Professor St. Francis College

Address: Dept. of Sociology 100 Pomeroy
Brooklyn NY

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Name: Micah Lashor

Address: _____
I represent: Congressman Jerald Nadler

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Name: Scott M. Stringer

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I represent: Manhattan Borough President

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I represent: Deputy Mayor

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Name: Kathleen Grimm testifying

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I represent: DOE

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Name: _____ (PLEASE PRINT) *Garth Harnes* (Q+A)

Address: _____

I represent: _____ *DOE*

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Name: _____ (PLEASE PRINT) *Liz Sciabarra*

Address: _____ (helping Q+A)

I represent: _____ *DOE*

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Name: _____ (PLEASE PRINT) *Helen Rosenthal*

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I represent: _____ *CB7, Manhattan*

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Name: Leonie Hainsaw (PLEASE PRINT)

Address: Class Size Matters

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Name: Susan Crowson (PLEASE PRINT)

Address: 350 Bleecker St 2X New York 10014

I represent: Public School Parent Advocacy Cte PS

Address: 14 Hudson St 10014 3

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Name: Douglas Israel (PLEASE PRINT)

Address: 225 W. 34th St.

I represent: The Center for Arts Education

Address: 225 W. 34th St

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Name: Jody Seki

Address: 230 E. 44th St. #5F

I represent: CECD2

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Name: Matt Borden

Address: _____

I represent: Assembly member Glick

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Name: Dara Adams

Address: _____

I represent: Congresswoman Cathryn Maloney

Address: 1657 3rd Ave #311 NY NY 10128

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Name: Irene Kaufman

Address: 40 Perry St

I represent: Public School Political Action

Address: Comm

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Name: Caitlin Hannon for Assemblymember

Address: Brian Kavanaugh

I represent: 74th Assembly District

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Address: 310 Greenwich St. #305 NYC 10013

I represent: PS 234

Address: 797 Greenwich St

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Name: Anne Albright (PLEASE PRINT)

Address: 380 Rectory Place 19H

I represent: PS 89

Address: 201 Warren St

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Name: Ms Lat Sherman (PLEASE PRINT)

Address: 155 Chambers #4F NY NY

I represent: self - parent at PS234

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Name: Seena Parker (PLEASE PRINT)

Address: 20 E 35 St NYC 10016

I represent: CB 6

Address: _____

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Name: Richard Farfas
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I represent: United Federation of Teachers
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Name: Raina Lipsitz
Address: 230 W. 72nd St.
I represent: Assemblymember Linda Rosenthal
Address: 250 W. 72nd St.

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