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Report to the Committee on Finance and the Committee on Education on the Fiscal 2024 Executive and Capital Commitment Plan for the

Department of Education

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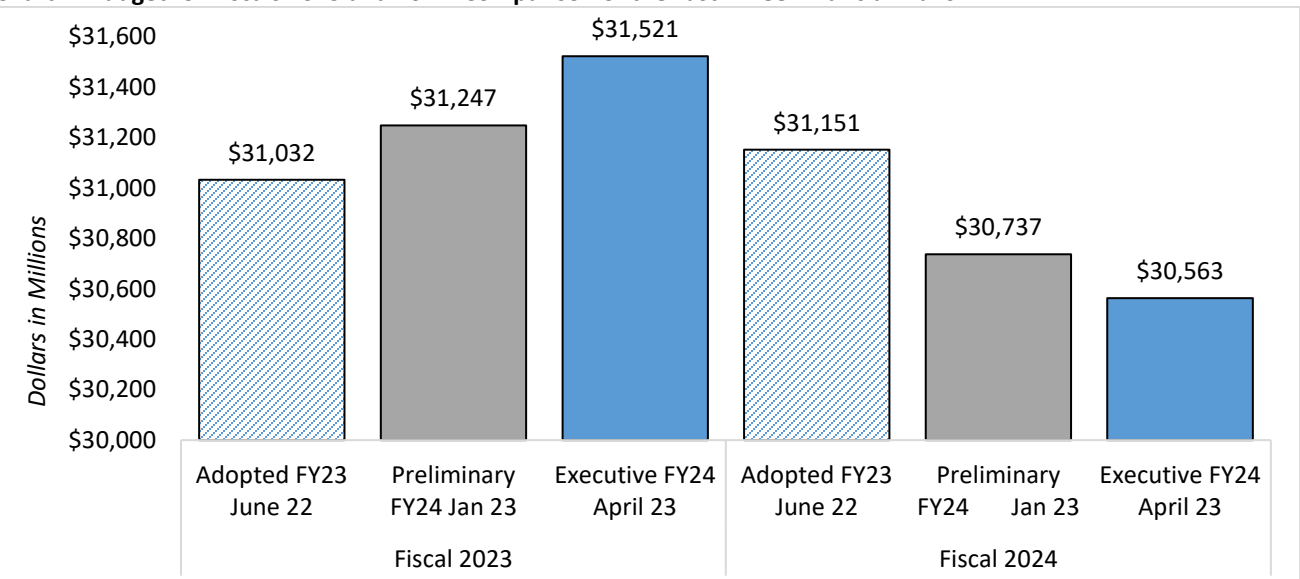
Department of Education Budget Overview

On April 26, 2023, the Administration released the Executive Financial Plan for Fiscal 2023-2027 (Executive Plan) which includes a proposed Fiscal 2024 budget of $106.7 billion. This report offers a review of the Department of Education's (DOE, the Department) Fiscal 2024 Executive Budget, including proposed budget actions taken in the Executive Plan. For additional information on DOE's Preliminary budget, please refer to the Fiscal 2024 Preliminary Budget report[1].

The Department's projected Fiscal 2024 Budget of $30.6 billion represents 28.6 percent of the City's proposed Fiscal 2024 budget in the Executive Plan. DOE's Fiscal 2024 budget decreased by $174.1 million, or 0.6 percent, from the $30.7 billion budgeted in Fiscal 2024 in the Preliminary Financial Plan (Preliminary Plan) presented in January. The decrease is the result of a number of actions taken, most significant of which are Fringe Adjustment reduction of $305.6 million.

DOE's current Fiscal 2023 budget is $31.5 billion, or 1.6 percent larger than the agency's Fiscal 2023 Budget at adoption of $31.0 billion and $274 million, or 0.9 percent greater than the budget in the Preliminary Plan.

Chart 1: Budget for Fiscals 2023 and 2024: Comparison of the Last Three Financial Plans



Source: The Office of Management and Budget

Headcount

DOE's Fiscal 2024 Budget in the Executive Plan includes a budgeted headcount of 139,192, which is 1,172 fewer than the budgeted headcount in Fiscal 2023 at adoption. This difference in headcount is comprised of 355 fewer full-time civilian positions, or non-pedagogical positions, and 817 fewer full-time pedagogical positions. The headcount difference is the result of both vacancy reductions in the Preliminary Plan as well as reductions in central and field administrative titles within DOE's Central office. DOE's Fiscal 2024 Budget in the Executive Plan includes $18.3 billion for personal services (PS), for agency staffing related expenses, which is $168 million (1 percent) less than the amount budgeted for PS costs in Fiscal 2023 at adoption. The Fiscal 2024 budget for other than personal services (OTPS),

[1] https://council.nyc.gov/budget/wp-content/uploads/sites/54/2023/03/DOE-Expense.pdf

for the costs of instructional and non-instructional materials and services, is $12.3 billion, $301.4 million (2.4 percent) less than the Fiscal 2023 OTPS budget at adoption.

Table 1: DOE Spending and Budgeted Headcount Summary						
	2021	2022	2023	Executive Plan		*Difference
Dollars in Thousands	Actual	Actual	Adopted	2023	2024	2024 - 2023
Spending						
Personal Services	$17,044,118	$17,850,773	$18,430,974	$17,935,036	$18,262,953	($168,021)
Other Than Personal Services	11,500,963	13,707,238	12,601,029	13,586,191	12,299,606	(301,422)
TOTAL	**$28,545,081**	**$31,558,010**	**$31,032,003**	**$31,521,227**	**$30,562,560**	**($469,443)**
Budgeted Headcount						
Full-Time Positions - Civilian	13,173	12,717	13,472	13,109	13,117	(355)
Full-Time Positions - Pedagogical	119,210	117,004	126,892	126,895	126,075	(817)
TOTAL	**132,383**	**129,721**	**140,364**	**140,004**	**139,192**	**(1,172)**

**The difference of Fiscal 2023 Adopted Budget compared to Fiscal 2024 Executive Budget.*
Source: The Office of Management and Budget

Funding Sources

DOE's budget is financed by City funds as well as federal and state funds. Of these, the main funding sources are City and State School Aid.

City Funding

In the current financial plan, the Department's primary funding source is City funds. City funds finance $13.9 billion (45.4 percent) of DOE's Fiscal 2024 budget in the Executive Plan, $657.5 million (4.5 percent) less than the amount of city funds in the Fiscal 2023 Budget at adoption.

State Funding

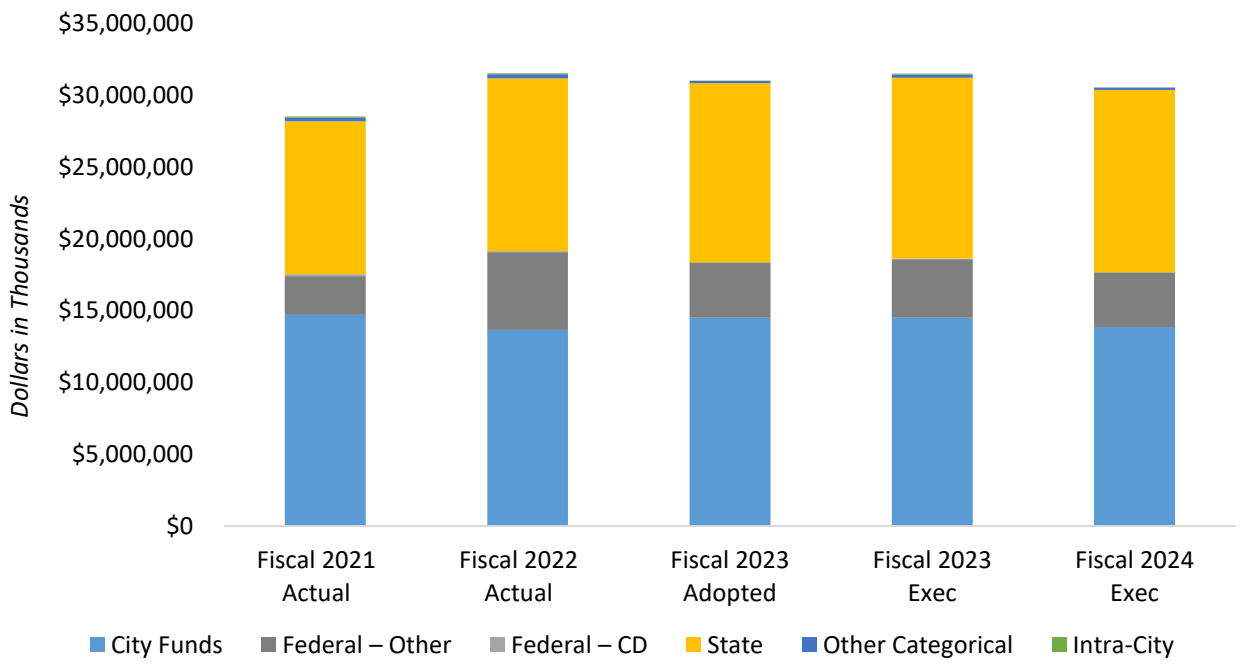
The second largest funding source for the DOE is State School Aid. In Fiscal 2024 in the Executive Plan, State Aid is estimated to be $12.7 billion (41.6 percent) of the total DOE budget. However, since the State Budget was enacted after the release of the Executive Plan, the Executive Plan actually under estimates State Aid by approximately $235 million (1.8 percent). Total State Aid for the City's public schools is $12.9 billion, which is $500 million (4 percent) greater than what was included in the State's Fiscal Year 2022-23 adopted budget.

Federal Funding

Federal funding totals $3.8 billion in Fiscal 2024 in the Executive Plan, a $30.5 million (1.0 percent) decrease from the federal funding level in Fiscal 2023 at adoption. This decrease in funding is largely attributed to a decrease in stimulus funding that is set to expire in Fiscal 2025.

See Appendix A for a complete list of all changes reflected in DOE's Fiscal 2023 and 2024 Budgets since Adoption.

Chart 2: DOE Budget by Funding Source



Source: The Office of Management and Budget

Table 2: DOE Funding Sources

Dollars in Thousands	2021 Actual	2022 Actual	2023 Adopted	Executive Plan 2023	Executive Plan 2024	*Difference 2024 - 2023
Funding						
City Funds	$14,709,274	$13,674,102	$14,519,666	$14,513,752	$13,862,127	($657,539)
Federal – Other	2,712,825	5,415,250	3,840,537	4,085,207	3,817,132	(23,405)
Federal – CD	115,286	68,618	10,408	32,080	3,350	(7,058)
State	10,667,114	12,041,346	12,487,681	12,610,224	12,703,295	215,614
Other Categorical	277,808	278,266	163,397	218,560	163,397	0
Intra-City	62,773	80,427	10,314	61,405	13,259	2,945
TOTAL	**$28,545,081**	**$31,558,010**	**$31,032,003**	**$31,521,227**	**$30,562,560**	**($469,443)**

**The difference of Fiscal 2023 Adopted Budget compared to Fiscal 2024 Executive Budget.*
Source: The Office of Management and Budget

Program Area Budgets

In order to provide for better transparency within agency budgets, in 2007 at the behest of the City Council, the Administration began providing agency budgets broken down by program areas for fifteen of the City's agencies. While the DOE is not one of the agencies with a budget presented by program area, Table 3 provides actual expenditures for Fiscals 2021 and 2022, the Adopted Budget for Fiscal 2023, and planned spending for Fiscals 2023 and 2024 as of the Executive Plan grouped by Units of Appropriation (U/A). The U/A pairs (both PS and OTPS costs for that area) allow for greater transparency when analyzing the budget.

Table 3: DOE Financial Summary

Dollars in Thousands	2021 Actual	2022 Actual	2023 Adopted	Executive Plan 2023	Executive Plan 2024	*Difference 2024 - 2023
Budget by Program Area						
General Education Instruction	$7,762,535	$8,158,220	$7,735,345	$7,875,351	$7,765,381	$30,036
Special Education Instruction	2,205,599	2,166,457	2,586,881	2,478,786	2,439,858	(147,023)
Charter Schools	2,639,780	2,748,952	2,957,677	2,958,038	2,967,440	9,763
Universal Pre-K	1,084,647	1,568,095	1,632,842	1,632,610	1,639,209	6,367
Early Childhood Programs	556,012	577,558	535,830	521,135	495,847	(39,984)
School Support Organization	337,918	326,955	289,748	289,996	285,964	(3,784)
Citywide Special Education	1,276,162	1,334,969	1,426,137	1,387,642	1,381,693	(44,444)
Special Education Instructional Support	602,588	617,836	735,429	742,197	716,106	(19,323)
School Facilities	1,302,535	1,466,973	1,124,745	1,299,832	1,066,701	(58,044)
Student Transportation	1,544,913	1,752,932	1,630,362	1,715,184	1,575,481	(54,881)
School Food Services	380,756	453,585	530,238	553,357	546,288	16,050
School Safety	364,197	351,656	389,445	356,260	328,529	(60,917)
Energy and Leases	605,406	751,864	652,843	787,809	841,100	188,257
Central Administration	417,852	398,283	302,163	388,468	286,258	(15,905)
Fringe Benefits	3,627,271	3,656,194	3,880,223	3,570,076	4,021,069	140,846
Special Education Pre-K Contracts	729,636	693,524	929,192	883,696	929,192	0
Charter/Contract/Foster Care	1,215,571	1,309,439	909,927	1,175,423	909,927	0
Non-Public Schools	84,187	79,383	115,417	165,377	89,192	(26,225)
Categorical Programs	1,807,515	3,145,137	2,667,557	2,739,990	2,277,323	(390,234)
TOTAL	**$28,545,081**	**$31,558,010**	**$31,032,003**	**$31,521,227**	**$30,562,560**	**($469,443)**

**The difference of Fiscal 2023 Adopted Budget compared to Fiscal 2024 Executive Budget.*
Source: The Office of Management and Budget

DOE's budget includes 19 U/A pairs in the Executive Plan, with General Education Instruction, Fringe Benefits, and Charter Schools comprising the three largest areas by expenditure in Fiscal 2024. Below is a discussion of the most significant funding differences for Fiscal 2024 in the Executive Plan when compared to the Fiscal 2023 Budget at adoption.

- **Categorical Programs:** The Fiscal 2024 budget in the Executive Plan includes $2.3 billion for categorical program, $390.2 million less than Fiscal 2023 at adoption. This difference is due to the exhaustion of federal stimulus funding which has been applied towards personal services as well as supplies and materials.
- **Special Education Instruction:** The Fiscal 2024 Budget in the Executive Plan includes $2.4 billion, $147.0 million less than the Fiscal 2023 Budget at adoption. This difference is the result of $237 million offset by an increase of $998 million for terminal leave positions yielding a total decrease of $147 million over the adopted budget. The decrease reduced full-time pedagogical positions by 591.
- **School Safety:** The Fiscal 2024 Budget in the Executive Plan includes $328.5 million, $60.9 million less than the Fiscal 2023 Budget at adoption. This difference is the result of a decline of $60.9 million in fringe benefits for School Safety Agents in the Office of Safety and Youth Development. DOE's budget includes the fringe costs associated with the civilian school safety positions within the New York Police Department (NYPD) budget. These reductions correlate to approximately 282 positions reduced in Fiscal 2024 in NYPD's Executive Plan.

Executive Plan Changes

Each financial plan is comprised of changes to an agency's budget from the prior plan. These changes are comprised of new needs that have not previously been included in the agency's budget, other adjustments to existing spending (these adjustments can involve adding additional funding or removing funding), savings programs which provide additional resources either through reduced spending or increased revenue, and savings restorations which include the restoration of expenditures that had been reduced in prior financial plans.

A summary of all changes made to DOE's financial plan since Adoption of the Fiscal 2023 Budget can be found in Appendix A.

New Needs

DOE's Executive Plan includes three new needs, totaling $11.9 million in Fiscal 2024, $8.7 million in Fiscal 2025, and $3.2 million in the outyears.

- **Climate Education** ($2.1 million in Fiscal 2024 and the outyears)**.** The Executive Plan includes an additional $2.1 million in City funds to provide additional professional development in order to integrate climate education into classrooms across all subjects and grade levels. This funding will create a new teacher leadership team comprising of 50 teacher-trainers which will provide approximately 1,000 teachers with professional development through climate education trainings, workshops, and programs. Additionally, funding will establish a school certification program for climate education, supporting up to 25 schools per year in achieving climate credentials. This funding supports six non-pedagogical positions in DOE.
- **Culinary Training and Food Education** ($6.6 million in Fiscal 2024 and Fiscal 2025 decreasing to $1.1 million in the outyears) The Executive Plan includes an additional $6.6 million in City funds in Fiscal 2024 for professionally trained chefs to train food workers in every school citywide. The program will provide each school kitchen with a chef assist for a 2-week period to train staff on culinary skills and plant-based recipes. Additionally, funding includes grants to schools to prioritize food education and to create new food education curriculum and update existing health curriculum. Funding decreases in the outyears because the chef training program is only funded for Fiscal 2024 and 2025. Funding supports two non-pedagogical positions at DOE.
- **Shelter-Based Community Coordinators** ($3.3 million in Fiscal 2024) The Executive Plan includes $3.3 million for Shelter-Based Coordinators in Fiscal 2024. In the Fiscal 2023 budget at adoption this program was funded jointly by the Council and the Administration with Council funding 25 positions and the Administration funding 75 positions. The Executive Plan includes funding for the 25 coordinators funded by the Council in Fiscal 2023, bringing the total to 100 for Fiscal 2024.

Other Adjustments

DOE's Executive Plan includes $273.8 million in other adjustments in Fiscal 2023 and $138.5 million in Fiscal 2024. Some of the major adjustments include the following.

- **DC37 Collective Bargaining Adjustment.** ($104.4 million in Fiscal 2023, $77.8 million in Fiscal 2024, $104.3 million in Fiscal 2025, $131.0 million Fiscal 2026, and $131.1 million in Fiscal 2027) As a result of the ratification of the DC 37 collective bargaining agreement in April 2023, DOE's DC 37 employees working within DOE primarily as school aides, school crossing guards, and interpreters received wage increases starting in Fiscal 2023.
- **Healthcare Worker Bonus Program.** ($19.1 million in Fiscal 2023) The Enacted 2023 State budget included additional funding for frontline health care workers. This included school-based health centers licensed under the state Public Health Law.

Program to Eliminate the Gap (PEG)

DOE's Executive Plan includes a $324.6 million reduction in Fiscal 2024 increasing to $365.7 million in Fiscal 2027 as part of the Citywide PEG. Some of the major adjustments include the following.

- **Fringe Adjustment.** ($305.6 million reduction in Fiscal 2024, $337.6 million reduction in Fiscal 2025, $348.8 million reduction in Fiscal 2026, and $350.4 million reduction in Fiscal 2027) The Executive Plan includes a reduction in the fringe costs associated with DOE headcount positions that had been reduced as part of prior PEGs.
- **Absent Teacher Reserve.** ($10.0 million reduction baselined from Fiscal 2024 to Fiscal 2027) The Executive Plan includes a reduction of $10.0 million in the next fiscal year and the outyears removing funding for teachers in the Absent Teacher Reserve that were either hired by schools or retired.

Fiscal 2024 Preliminary Budget Response

In the City Council's Fiscal 2024 Preliminary Budget Response (Budget Response)[2], the Council identified several areas of concern relating to safeguarding education and learning opportunities for New Yorkers and building stronger neighborhoods and opportunities.

The items in the Budget Response that were addressed in the Executive Plan include: restore shelter based coordinators, renovations to cafeterias, and making schools accessible. Despite the increased funding in certain areas there are still essential programs that did not receive additional support in the Executive Plan. No new funding was provided in a number of areas highlighted by the City Council in its response to the Mayor's Preliminary Fiscal 2024 Financial Plan.

[2] https://council.nyc.gov/budget/wp-content/uploads/sites/54/2023/04/Fiscal-2024-Preliminary-Budget-Response-Final-1.pdf

Table 4: Budget Response Proposals Impacting DOE

#	Response Priorities	Amount Requested	Amount Included in the Executive Budget
1	Keep School Playgrounds Open	$2,250,000	$0
2	Provide Year-Round Free Meals in City Schools	$3,000,000	$0
3	Baseline Mental Health Continuum	$5,000,000	$0
4	Expand school-based mental health clinics to 100 additional school sites	$28,000,000	$0
5	Maintain 3K Funding and Convert Seats to Extended Day and Extended Year	$15,000,000	$0
6	Provide Pay Parity for 3K and Early Childhood Education Providers	$46,000,000	$0
7	Fully Fund Arts Education in Public Schools	$77,900,000	$0
8	Expand Restorative Justice Citywide	$59,000,000	$0
9	Fund More Community Schools	$15,000,000	$0
10	Increase Support for Social and Emotional Learning	$14,100,000	$0
11	Expand Career and Technical Education	$10,300,000	$0
12	Restore and Baseline Shelter-Based Community Coordinators	$3,300,000	$3,300,000
13	Expand Immigrant Family Engagement	$4,000,000	$0
14	Expand Outward Bound Crew Model	$1,600,000	$0
15	Fund Financial Literacy Education in School	$500,000	$0
16	Enhance School Kitchens and Funding for Cafeteria Enhancement Experience	$200,000,000	$50,000,000
17	Retrofit School for Energy Efficiencies	$400,000,000	$0
18	Ensure DOE Pools and City Public Pools are Equitably Accessible to All New Yorkers	Call to action	$0
19	Release Transparent School Budgets in Order to Protect Student Learning	Call to action	$0
20	Provide Universal After School Programming	Call to action	$0
21	Making All Schools Accessible	Call to action	$3,300,000
22	Modernize School Spaces	Call to action	$0

- **Keep School Playgrounds Open.** Allowing school playgrounds to remain open outside of school hours enhances the quality of life for children and communities. The Council called on the Administration to restore and baseline funding that enables 72 playgrounds renovated by the Trust for Public Land to remain open after school hours. This would provide funding for school custodial staff to attend to the playgrounds. The Council requested an additional $2.25 million enabling school playgrounds to remain open for New Yorkers. Nothing is added to the Executive Plan to address this request.
- **Provide Year-Round Free Meals in City Schools.** During the pandemic, many families around the City struggled with food insecurity. This issue did not go away as the pandemic receded, still today nearly 1.5 million New Yorkers are food insecure at some time during the year. During the pandemic, the City addressed this issue by providing free meals for all in schools. These meals, provided to the community after school hours, became a lifeline for many at risk New Yorkers. Because of the continued and critical need for the provision of food, the Council called on the Administration to add $3 million in funding to continue to provide this essential

service to all New Yorkers. These funds would allow for one school in each of the City's 32 school districts to continue to provide meals to any New Yorker who needed them. Nothing is included in the Executive Plan to address this request.

- **Baseline Mental Health Continuum.** As students citywide continue to grapple with mental health challenges, the Council called on the Administration to baseline $5 million in funding for a cross-agency partnership between the Department of Education (DOE), H+H, and the Department of Health and Mental Hygiene (DOHMH) to provide mental health support to all students, both in person and via video. This funding would provide wraparound support through a variety of approaches such as mental health clinics run by H+H, equipping school staff with knowledge in addressing mental health issues in the school environment through the NYC Well hotline, providing crisis intervention for students 20 years and younger through the Children's Mobile Crisis Teams, and training to build school staff capacity to manage student behavior through Collaborative Problem Solving. No funding is included in the Executive Plan to address this request.
- **Expand School-Based Mental Health Clinics to 100 Additional School Sites.** School-based mental health clinics provide on-site mental health services, including diagnosis and treatment to children during the school day. These clinics integrate within the school building, educating teachers on how to determine when a child needs help and teaching students about mental well-being. Through prior year investments, the City was able to establish some form of mental health service in approximately 1,025 schools, serving roughly 600,000 students. The Council called on the Administration to make an additional investment of $28.0 million to expand school-based mental health clinics across all city schools and improve outcomes for not only for students, but for the surrounding community. This investment would allow the DOE to move towards meeting the ratio of one school social worker for every 250 students as recommended by the National Center for School Mental Health and the National Association of School Psychologists. Nothing is included in the Executive Plan to address this request.
- **Maintain 3K Funding and Convert Seats to Extended Day and Extended Year.** The Council urged the Administration to identify the necessary resources to replace expiring federal funds to support 3K expansion in the coming years, while focusing efforts on fixing the problems in DOE's administration of the program that have led to its under-utilization. The Council believes that the 3K system's current configuration – where most seats are designated to cover services only for the school day and for the school year is incompatible with the actual need of most families, particularly working parents who often require full day and full year services. The Council called on the Administration to allocate an additional $15 million for a pilot program to convert 1,000 school day / school year 3K seats into extended day / extended year seats. These funds would also provide a $15,000 signing bonus for lead teachers enabling providers to attract and retain the necessary staff for the appropriate provision of these services. The Council also urged the Administration to redouble its outreach efforts and improve its marketing of the program to widely provide the necessary and appropriate information regarding 3K so parents can make informed decisions about the program. No additional funding is provided in the Executive Plan to address this request.
- **Provide Pay Parity for 3K and Early Childhood Education Providers. T**he City has made a concerted effort to provide enhanced educational opportunities to all children including expanding the schooling opportunities to three years old. Early childhood education has been

proven to increase educational attainment and support success later in life. As the City has expanded its provision of early childhood education, it has become more reliant on community-based providers to fill the need for service provision. However, the City's child-care sector has increasingly faced challenges in providing and sustaining these critical services. During the pandemic, many providers struggled to sustain operations while parents removed their children from the system due to safety concerns. In addition, the rising costs of living brought on by inflationary pressures has forced community-based childcare providers to cut back on costs. Many of the City's contracted early childhood education providers are barely able to remain solvent due to delays in reimbursements from the City and high turnover amongst staff, who often leave to work for the DOE at higher pay rates. The Council called on the Administration to provide $46 million in additional funding to enable these community-based providers to offer higher wages to their employees that are commensurate with early childhood educators employed by the DOE. The Executive Plan does not include any additional funding to address this request.

- **Fully Fund Arts Education in Public Schools.** Arts education is an essential component of a child's education. The arts community is a major economic driver in New York City, accounting for 13 percent of the City's total economic output and employing approximately 293,000 New Yorkers. School budget reductions in Fiscal 2023 led to the excessing of many arts teachers and the reduction of arts programming in many schools. The Council called on the Administration to add $77.9 million to ensure that every school has a certified arts teacher and to increase the per student allocation from $80 to $100 to ensure students are provided with a comprehensive arts program. As part of this allocation, the Council called upon the Administration to provide $1 million to fund an art teacher certification program, $6 million to restore and enhance the Support for Arts Education initiative, $5 million to fund arts in youth programs, and $19 million to restore the Arts Partnership grant program to its pre-COVID funding level. Nothing is included in the Executive Plan to address this request.
- **Expand Restorative Justice Citywide.** The Council has called on the City to prioritize the dismantling of the school-to-prison pipeline and ensure that the City's students receive the holistic services and support they need to succeed in their academic careers into post-graduation. Restorative justice practices have demonstrated success in schools across the City and around the country. Research shows restorative justice improves academic outcomes, shifts the school climate, and has an overall positive impact on school staff. For this reason, the Council called on the Administration to expand restorative justice practicum in 250 schools in Fiscal 2024 providing an additional $59 million. as well as funding restorative justice training for all staff and school community members. N additional funding is provided in the Executive Plan to address this request.
- **Fund More Community Schools.** The concept of the Community Schools program is to transform a school into a place where educators, community members, families, and students are empowered to work together to strengthen conditions for student learning and healthy development. The program brings together a coalition of community-based organizations that provides services to schools throughout the City. The Council called on the Administration to provide increased support for community schools with an additional investment of $15 million for the upcoming school year, baselining this funding into the outyears. These funds would restore programming that was included in the Fiscal 2023 budget, including $9.2 million for 52 Contract Amendment Schools. In 2021, the Office of Community Schools (OCS) issued a

Request for Proposals that changed the funding formula for Community Schools and resulted in 52 schools seeing major reductions to their budgets. With the Council's advocacy, funding for these schools was restored with a one-time amendment that was also included in the Fiscal 2023 Adopted Budget. No additional funding is included in the Executive Plan to address this request.

- **Increase Support for Social and Emotional Learning.** The Council continues to support access for all students to social and emotional support programs, including social workers and guidance counselors. Research shows that a holistic educational model not only improves students' health and well-being, but also has a positive impact on academic success. The DOE's District 79 provides over 50,000 students with alternative school environments, working with some of the City's most vulnerable students. The Council understands the importance of providing dedicated social workers and guidance counselors at these schools. In line with these priorities, the Council called on the Administration to invest $14.1 million to hire social workers and guidance counselors at 100 schools in Fiscal 2024, with a plan to reach all District 79 schools by Fiscal 2026. Additionally, the Council called on DOE to expand career counseling within these programs to ensure graduation and job placement. The Executive Plan does not include any additional funding to address this request.
- **Expand Career and Technical Education.** Career and Technical Education (CTE) has proven to be an effective method to prepare students with the necessary skills for successful careers post-graduation. The Department currently allocates $10.3 million for CTE programming to high schools across the City. In its Budget Response the Council proposed doubling of the current investment and adding another $10.3 million in CTE programs for Fiscal 2024 to make CTE programming available in over 160 schools. Nothing is added to the Executive Plan to address this request.
- **Restore and Baseline Shelter-Based Community Coordinators.** According to recent data from the Department of Education, for the seventh consecutive year more than 100,000 public school students experienced homelessness, with the numbers expected to grow as more than 14,000 students in temporary housing were enrolled since July 2022. In the Budget Response the Council called on the Administration to baseline $3.3 million in funding to hire 100 shelter-based coordinators. While the Executive Plan includes an additional $3.3 million in City funding in Fiscal 2023 to meet the actual level of demand for shelter-based community coordinators, there was no baseline budget increase made pursuant to the Council's proposal in Fiscal 2024 and in the outyears.
- **Expand Immigrant Family Engagement.** New York City is the most linguistically diverse city in the world, with speakers of nearly every world language represented. Yet, there are limited resources available to serve the 1.8 million New Yorkers with limited English proficiency. City agencies woefully lack the staff needed to communicate in the multiple languages spoken by New Yorkers. The lack of appropriate language opportunities makes it difficult to provide an appropriate education to all City students. The Council called on the Administration to include $4 million to expand language access to immigrant families by using local ethnic media to share school-related updates, sending paper notices to families' homes, reaching families via phone calls and text messages in their native languages, and collaborating with immigrant-facing community-based organizations. Nothing is included in the Executive Plan to address this request.

- **Expand Outward Bound Crew Model.** NYC Outward Bound Schools operates a network of public schools focused on both academic achievement and character development. This uniquely powerful approach was available only to students at NYC Outward Bound network schools until the creation of the CREW Initiative in Fiscal 2022. With $1.6 million in DOE funding, CREW programming is now being provided free of charge to 50 public schools across the five boroughs. This cohort of schools has been working with NYC Outward Bound for the past two years to build their capacity to successfully embed the CREW program and culture in their school communities. The Council called on the Administration to continue this $1.6 million in funding the CREW model through Outward Bound schools to retain and expand on the success it has already built. Nothing is added to the Executive Plan to address this request.
- **Fund Financial Literacy Education in School.** Financial literacy is not a required course for public school students and as such most high school graduates are unprepared to handle their own finances. Black and brown students have an average of 48 percent more student debt than white students and have fewer opportunities for attaining generational wealth through investments such as home ownership. To help address the gap in financial literacy among city public school students, the Council called on the Administration to allocate $500,000 to begin a pilot financial literacy program that serves middle and high school students citywide. Nothing is added to the Executive Plan to address this request.
- **Enhance School Kitchens and Funding for Cafeteria Enhancement Experience.** The Council called on the Administration to increase funding for school cafeteria enhancements and redesign. To date, the Department of Education has redesigned 65 cafeterias serving over 103,000 students in middle and high school. Approximately 130 more cafeterias are in the process of being redesigned. The Lunch 4 Learning (L4L) coalition, led by Community Food Advocates, has already been able to secure $75 million in capital funds for this initiative. An additional commitment of $200 million in capital funds would enable the initiative to be expanded to every high school and middle school. Improving cafeteria designs, including kitchen enhancements would help increase lunch participation by 35 percent and provide for more healthy meal options with additional fresh fruits and vegetables. The Executive Plan includes an additional $50 million in Other Categorical funding in Fiscal 2023 provided by the State.
- **Retrofit School for Energy Efficiencies.** Making schools energy efficient is a critical portion of the City's effort to create more environmentally friendly infrastructure. The Council called on the Administration to add $400 million in capital funds to continue the effort to retrofit schools for energy efficiencies as well as ensure that the addition of science labs and technology are implemented smoothly. Sometimes these updates trigger a need for electrical work at schools which delay project implementation. Many of these projects are funded by Council Members and Borough Presidents at the request of parents, principals, and school communities. The additional $400 million will allow the School Construction Authority to be better positioned to quickly address last minute needs and prevent project delays, while ensuring that appropriate funding is available for necessary improvements. These funds would allow for the electrification needs of at least 50 schools. Nothing is added to the Executive Plan to address this request.
- **Making All Schools Accessible.** In the Budget Response the Council called on the Administration to make sure that the Executive Capital Commitment Plan and the School

Construction Authority's Five-Year-Capital Plan include the funding necessary to ensure that all students are able to fully participate in schools. By providing elevators, ramps, larger bathroom stalls and gym space in schools, all students are ensured access and involvement during the school day. The City's public schools cannot appropriately educate their students without facilities that are accessible to all, and the federal Americans with Disabilities Act requires that public spaces be accessible to people of all abilities. While the School Construction Authority contends that over half of the City's public schools are at least seventy years old and do not have the capability to handle the addition of elevators, the Council called on the Administration to find innovative ways to provide schools with ways for students to travel throughout school building without hindrance. In the Executive Budget, this call to action received $3.3 million in expense funding for the current fiscal year. However, there were no additional capital funds provided.

- **Ensure DOE Pools and City Public Pools are Equitably Accessible to All New Yorkers.** Many New Yorkers either lack access to public pools or do not have the ability to swim, with significant disparities for New Yorkers of color. As a result it has become more important than ever to ensure that access to the City's pools is equitable. Despite geographic gaps in available public pools, there are many Department of Education school pools that could offer expanded access to their surrounding communities. In the Budget Response the Council called on the Administration to allocate funds to make certain that DOE school pools were available to the public outside of school hours, to ensure all City pools are in a state of good repair, and to implement more no-cost swimming programs for the public. Nothing is added to the Executive Plan to address this request.
- **Release Transparent School Budgets in Order to Protect Student Learning.** Without updated individual school budgets and enrollment projections it is exceedingly difficult for the Council and other oversight entities to analyze the Department of Education's budget. In addition to calling for the DOE to allocate the resources necessary to ensure that school budgets enable schools to provide adequate educational services and preserve essential programs, the Council urged the DOE to release school budgets in a timely manner together with enrollment projections so that school communities, parents, and the general public can easily access and understand them. The Executive Plan does not include any funding to address this request.
- **Provide Funding for Universal After School Programming.** While the City does offer some free after-school programming, not all public schools in the five boroughs offer no-cost after-school programs that are designed to keep youth positively engaged during the hours of 2 to 6pm. After-school programming is a critical component in students' educational success. These programs have been proven to equalize educational opportunities, keep youth out of the criminal justice system, and provide parents with the necessary childcare to enable them to obtain employment. In the Budget Response the Council called upon the Administration to make a concerted effort to increase the scope of after-school programming, making it a universal benefit for all our school-aged children. Nothing is added to the Executive Plan to address this request.
- **Modernize School Spaces.** In the Budget Response the Council called on the Administration to provide additional capital funding to modernize school spaces including the provision of air conditioning in all school gyms, cafeterias, and auditoriums. Poor ventilation and lack of adequate temperature regulation lead to uncomfortable and distracting learning

environments putting student educational achievements at risk and undercutting the City's investments in its schools. As climate change continues to worsen it is important that the City take proactive action to safeguard its investment in the education of its future generation. As a first step the City should allocate the funds necessary to make all gyms, cafeterias, and auditoriums fully air-conditioned. Nothing is included in the Capital Commitment Plan to address this need for additional capital funds.

Federal and State Budget Risks

- **Foundation Aid.** The State's Fiscal Year 2024 Enacted Budget provides the City with $500 million more Foundation Aid than in the City's Fiscal 2023 Budget at adoption. However, State Education law restricts how DOE can use this funding;$250 million of it must be used for purposes outlined in Contracts for Excellence Laws. The Contracts for Excellence Laws obligates the DOE to use the funds for a restricted list of items, including efforts to reduce class size, teacher and principal quality initiatives, middle school and high school restructuring, full-day pre-kindergarten, and programs for English Language Learners. While this is a much needed increase in State Aid, it does not provide DOE with flexibility to use these funds in areas of need, such as supplementing dwindling federal stimulus money applied towards crucial programs.
- **Class Size Laws.** In September 2022 the State legislature passed a bill that limited New York City's public school class sizes to 20 students in K-3rd grade, 23 students for 4th to 8th grade, and 25 students per class in high school. The law limits physical education and classes for "performing groups" to 40 students. However, the bill did not include an estimate of the fiscal impact to achieve these limits. According to data provided by DOE to the Class Size Working Group the estimated cost to reach compliance with the law ranges from $30 to $35 billion in capital funds, with an additional $1.3 billion of annual expense funds required for PS costs at full phase in. The state did not provide any resources to New York City to implement this law.
- **Charter Schools.** The State did not provide additional funding for the reauthorized Charter schools included in the State Enacted Budget. , The State has committed to paying 40 percent of the rental aid for the 14 previously closed charter schools in New York City that were reauthorized, with the City covering the remaining 60 percent. However, the state did not include funding for this commitment in the Enacted Budget. If the State does not provide additional resources to fund these schools the City will have to use existing resources, reducing funding for other programs and services.
- **Asylum Seekers**. Since May 2022, over 67,000 asylum seekers have arrived in New York City. The Administration has provided a multi-agency effort to address this large influx of migrants in such a small span of time. DOE's Project Open Arms provided direct funding to schools that received an influx of asylum seeking students this school year. However, this program is not currently budgeted in Fiscal 2024. Additionally, the state and federal governments have not provided any funding to DOE for this expansion of services. With an ever growing number of newcomers to New York City and depleting resources if the State and federal government do not provide the necessary support to DOE these asylum seeker students will suffer.
- **Federal Aid/COVID Relief.** DOE utilized a large portion of federal COVID relief funds to finance programs that will continue past the federal funds' expiration date. As the federal COVID relief funds expire DOE will need to determine alternative funding sources to continue to

support these programs, such as the provision of universal 3K schooling, or risk the programs' elimination or reduction.

Capital Plan Overview

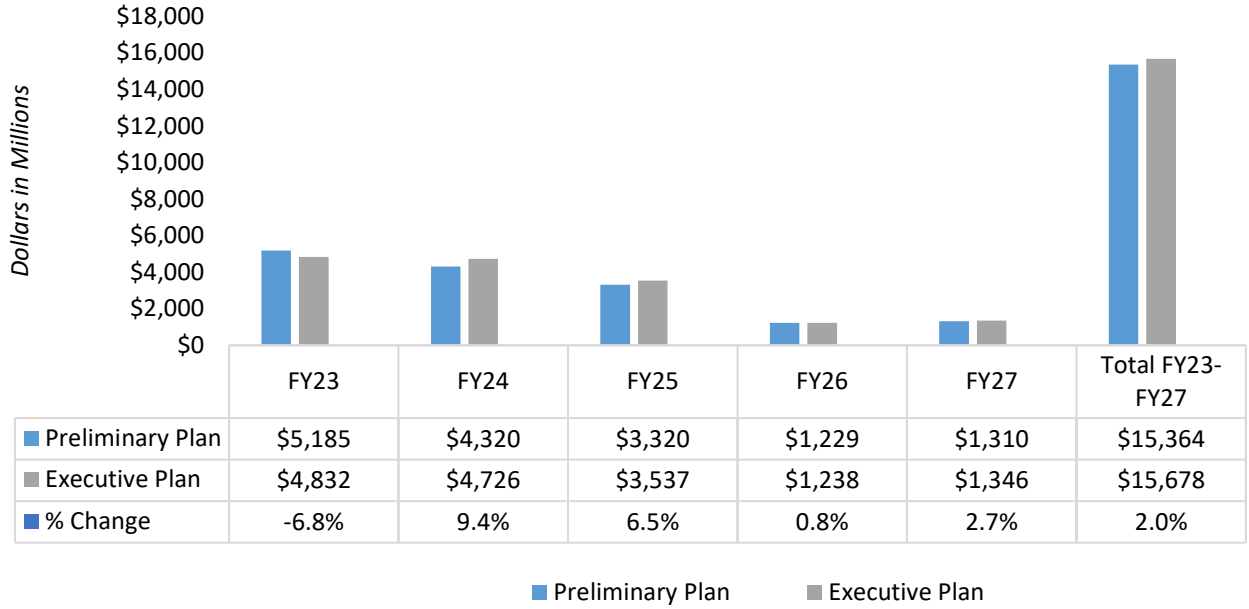
On April 26, 2023, Mayor Eric Adams released the Executive Capital Commitment Plan for Fiscal 2023-2027 (the Commitment Plan), the Fiscal 2024-2027 Executive Capital Budget (the Capital Budget) and the Fiscal 2024-2033 Ten-Year Capital Strategy (the Strategy).

This section provides an overview of the Commitment Plan and the Strategy for the Department of Education.

Fiscal 2023-2027 Capital Commitment Plan

DOE's commitments for Fiscal 2023 through 2027 as presented in the Fiscal 2024 Capital Commitment Plan total $15.7 billion, 2 percent, greater than the total for the same period presented in the Preliminary Capital Commitment Plan released in January. The Department's planned commitments comprise 16.1 percent of the City's total $97 billion Fiscal 2023 through 2027 plan.

Chart 4: Fiscal 2023-2027 Capital Commitment Plan



	FY23	FY24	FY25	FY26	FY27	Total FY23-FY27
Preliminary Plan	$5,185	$4,320	$3,320	$1,229	$1,310	$15,364
Executive Plan	$4,832	$4,726	$3,537	$1,238	$1,346	$15,678
% Change	-6.8%	9.4%	6.5%	0.8%	2.7%	2.0%

Source: The Office of Management and Budget

The amount of commitments planned for each year of the plan period is disproportionately front-loaded, with 31 percent of the entire planned expenditure in the current year, 30 percent in Fiscal 2024, and 23 percent, 8 percent, and 9 percent in Fiscals 2025, 2026, and 2027 respectively.

Capital Highlights

New School Construction: The Department's capital plan for the creation of new seats is $7.95 billion. This includes funding for the creation of new capacity, with $5.52 billion planned for building new schools. Currently, there are 88 new school buildings funded in the DOES's New Capacity Capital Budget. Out of the 88, 31 buildings are beginning construction in the current fiscal year. The estimated cost of these schools is $1.18 billion. Additionally, 25 buildings will be opening in the beginning of the

next school year, including: 4 in the Bronx, 5 in Brooklyn, 3 in Manhattan, and 12 in Queens. The remaining 32 buildings have been in construction from previous plans. The types of buildings that will be opening or are under construction include: 57 small primary school buildings that will service Pre-K – Grade 5; 26 larger buildings which can be flexibly programmed for elementary, middle, or Pre-K – Grade 8; 5 IS/HS buildings, which will range in grades from 6 – 12; and 3,024 District 75 seats in all five boroughs

Technology Enhancements: The SCA's Proposed February Amendment includes $1.02 billion funding for technology. These funds will provide enhancements for emergency remote learning student devices, increasing bandwidth in school buildings, creating a disaster recovery data center, and several new application systems. Based on the increasing need for remote learning, the DOE has purchased over 500,000 LTE-enabled iPads since 2020 to ensure families have the technology they need in order for our students to thrive in today's learning environment.

Renovation Projects: The SCA's Capital Plan includes $7.94 billion for renovations and repairs of school buildings in order to bring them to a state of good repair. The plan includes two sections: $3.65 billion for the Capital Improvement Program (CIP) and $2.85 billion for the School Enhancement Projects. The CIP provides safeguarding school buildings against water infiltration, structural repairs, and roof and façade work. The School Enhancement Projects includes accessibility projects, science labs, bathroom upgrades, and other adjustments.

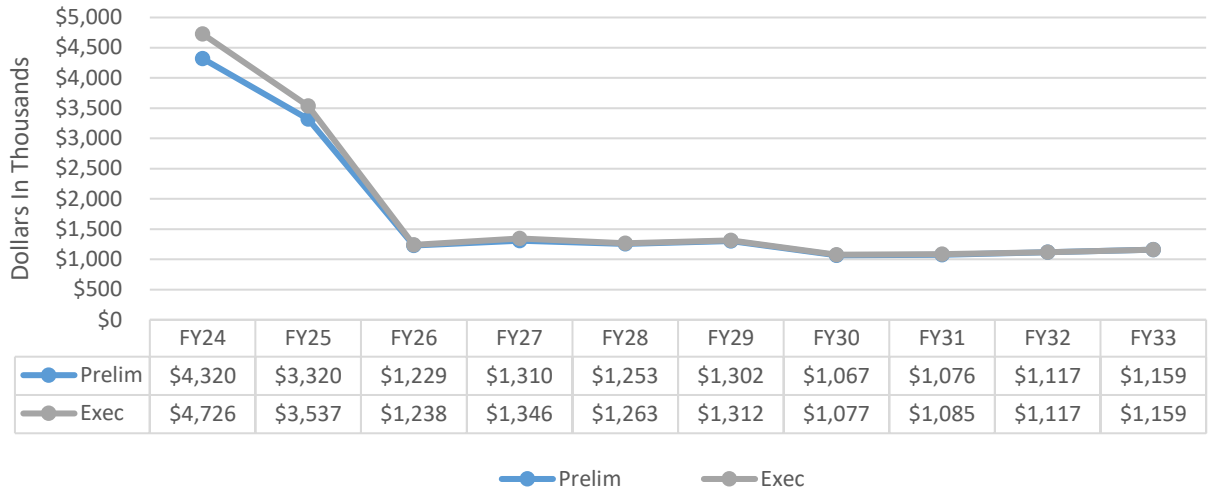
Executive Ten-Year Capital Strategy Fiscal 2024-2033

The Ten-Year Strategy is the City's long term capital planning document which provides a framework for capital spending by agency. The Strategy is released every two years as mandated by the City Charter.

The City's Ten-Year Strategy totals $164.8 billion (all funds). The Strategy provides information on the comprehensive infrastructure planning that the City undertakes and explains the connection between capital investment and strategic priorities. It is designed to help prioritize investment decisions across all capital agencies and communicate to the public an integrated approach to capital planning across infrastructure types, in line with the growth of the City.

The Department of Education's Ten-Year Strategy includes $17.9 billion in Fiscal 2024–2033 for capital construction and reconstruction projects. The funding includes $8 billion for Rehabilitation of School Components, $3.4 billion for Emergency, Inspection, and Miscellaneous, $3.3 billion for System Expansion - New Schools, $1.9 billion for Educational Enhancements, $1 billion for System Expansion – Other, $240 million for Safety and Security, and $62,000 for Smart Schools Bond Act.

Chart 4: DOE Fiscal 2024-2033 Preliminary vs. Executive Ten-Year Capital Strategy



	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32	FY33
Prelim	$4,320	$3,320	$1,229	$1,310	$1,253	$1,302	$1,067	$1,076	$1,117	$1,159
Exec	$4,726	$3,537	$1,238	$1,346	$1,263	$1,312	$1,077	$1,085	$1,117	$1,159

Source: The Office of Management and Budget

As illustrated in the Chart 4, the DOE's Ten-Year Capital Strategy contains almost all of its capital spending in the first four years. The Department's ten-year capital spending plan greatly reduces planned capital spending in the last eight years of the period when compared to the first two years. It is very unlikely that this Ten-Year Strategy accurately reflects how the funds will be used.

Appendix A: Budget Actions since Fiscal 2023 Adoption

	FY23			FY24		
Dollars in Thousands	City	Non-City	Total	City	Non-City	Total
DOE Budget as of the Adopted FY23 Budget	$14,519,666	$16,512,337	**$31,032,003**	$14,811,042	$16,340,249	**$31,151,291**
Changes Introduced in the November 2022 Plan						
New Needs						
Boiler Modifications	$2,998	$0	$2,998	$4,810	$0	$4,810
Subtotal, New Needs	**$2,998**	**$0**	**$2,998**	**$4,810**	**$0**	**$4,810**
Programs to Eliminate the Gap (PEGs)						
3-K Cost Avoidance	$0	$0	$0	$0	$0	$0
3-K Right Sizing	0	0	0	(567,924)	283,962	(283,962)
Fringe Adjustment	0	0	0	(80,000)	0	(80,000)
Less Than Anticipated OTPS Spending - IC	0	(50)	(50)	0	0	0
Personal Services Adjustment	(89,793)	0	(89,793)	0	0	0
School Safety Agent Accruals	(22,176)	0	(22,176)	(12,167)	0	(12,167)
School Safety Agent Accruals Fringe	(1,696)	0	(1,696)	(931)	0	(931)
Vaccine Mandate School Support Funds Re-estimate	(40,000)	0	(40,000)	(97,000)	0	(97,000)
YMI Funding Adjustment	(100)	0	(100)	(420)	0	(420)
Subtotal, PEGs	**($153,766)**	**($50)**	**($153,816)**	**($758,442)**	**$283,962**	**($474,480)**
Other Adjustments						
3-K Cost Avoidance	$0	$0	$0	$0	$0	$0
CD Rollover	0	8,691	8,691	0	0	0
Collective Bargaining: FIT	9,434	0	9,434	9,041	0	9,041
Collective Bargaining: Plumbers	441	0	441	441	0	441
Demand Response	0	5,162	5,162	0	0	0
DOE - Obesity Task Force	0	2,621	2,621	0	0	0
DOE FY23 LADY OF GRACE LEASE	0	129	129	0	0	0
Energy personnel	0	1,914	1,914	0	0	0
ExCEL Projects	0	15,856	15,856	0	0	0
ExCEL Projects	0	326	326	0	0	0
FY23 IDEA GEN-CEC & DOE	0	2	2	0	0	0
IC W/ DOE - OSH Dental Service	0	75	75	0	75	75
IC W/DOE - 2994	0	20	20	0	0	0
IC W/DOE - ANTS Program	0	3,125	3,125	0	0	0
IC W/DOE - Savoy Medical Kits	0	384	384	0	384	384
NPS CARES Revenue Adjustment	0	16,670	16,670	0	0	0
NYC Service: GoPass	90	0	90	0	0	0
NYC Service: Student Voice	40	0	40	0	0	0
NYSTL Adj	0	0	0	0	0	0
NYSTL Adj	0	0	0	0	0	0
OSA Collective Bargaining Adjustment	259	0	259	259	0	259
RCM Projects	0	3,117	3,117	0	0	0
SAPIS	0	2,000	2,000	0	0	0
SAPIS	0	0	0	0	0	0
SSBA Adjustment.	0	40,000	40,000	0	0	0
Workforce Enhancement	7,476	0	7,476	7,476	0	7,476
Subtotal, Other Adjustments	**$17,741**	**$100,092**	**$117,833**	**$17,218**	**$459**	**$17,677**
TOTAL, All Changes in November 2022 Plan	**($133,027)**	**$100,042**	**($32,985)**	**($736,414)**	**$284,421**	**($451,993)**
DOE Budget as of the November 2022 Plan Budget	**$14,386,639**	**$16,612,379**	**$30,999,018**	**$14,074,628**	**$16,624,670**	**$30,699,298**
Changes Introduced in the FY24 Preliminary Plan						
New Needs						
Neighborhood Rat Reduction Program	$1,963	$0	$1,963	$1,137	$0	$1,137
Subtotal, New Needs	**$1,963**	**$0**	**$1,963**	**$1,137**	**$0**	**$1,137**
Programs to Eliminate the Gap (PEGs)						
Vacancy Reduction	($12,211)	$0	($12,211)	($24,548)	$0	($24,548)
Vacancy Reduction - IC	(171)	0	(171)	(341)	0	(341)
Vacancy Reduction - School Safety Division	(6,486)	0	(6,486)	(10,442)	0	(10,442)
Vacancy Reduction - School Safety Division Fringe	(3,188)	0	(3,188)	(6,505)	0	(6,505)
Subtotal, PEGs	**($22,055)**	**$0**	**($22,055)**	**($41,836)**	**$0**	**($41,836)**

	FY23			FY24		
Dollars in Thousands	City	Non-City	City	Non-City	City	Non-City
Other Adjustments						
Budget Reallocation	$0	$0	$0	$0	$0	$0
City Council Member Items Reallocation	(104)	0	(104)	0	0	0
Collective Bargaining: Steamfitters	549	0	549	549	0	549
Heat, Light and Power	23,078	0	23,078	0	0	0
Heating Fuel Adjustment	27,030	0	27,030	0	0	0
Workforce Enhancement	(2,445)	0	(2,445)	(2,445)	0	(2,445)
YMI Funding Adjustment	(285)	0	(285)	0	0	0
DOE Lan cabling	0	497	497	0	0	0
Fund I/C code to reimburse DoE	0	16	16	0	0	0
Summer Arts Institute -fFY23	0	57	57	0	0	0
FY22 Stimulus Roll	0	220,000	220,000	0	80,000	80,000
SARA Grant	0	75	75	0	0	0
Subtotal, Other Adjustments	**$47,822**	**$220,645**	**$268,467**	**($1,896)**	**$80,000**	**$78,104**
TOTAL, All Changes in the FY24 Preliminary Plan	**$27,730**	**$220,645**	**$268,447**	**($801)**	**$80,000**	**$37,404**
DOE Budget as of the FY24 Preliminary Budget	**$14,414,369**	**$16,833,024**	**$31,247,394**	**$14,032,032**	**$16,704,669**	**$30,736,701**
Changes Introduced in the FY24 Executive Plan						
New Needs						
Climate Education	$0	$0	$0	$2,076	$0	$2,076
Culinary Training and Food Education in Schools	0	0	0	6,575	0	6,575
Shelter-Based Community Coordinators	0	0	0	3,300	0	3,300
Subtotal, New Needs	**$0**	**$0**	**$0**	**$11,951**	**$0**	**$11,951**
Programs to Eliminate the Gap (PEGs)						
ATR Savings	$0	$0	$0	($10,000)	$0	($10,000)
Fringe Adjustment	0	0	0	(305,649)	0	(305,649)
OTPS Savings	0	0	0	0)	(50)	(50)
School Safety Agent Accruals	0	0	0	(8,743)	0	(8,743)
YMI Expense Re-estimate	0	0	0	(150)	0	(150)
Subtotal, PEGs	**$0**	**$0**	**$0**	**($324,542)**	**($50)**	**($324,592)**
Other Adjustments						
24EXEC_CDADJ	$0	$0	$0	$0	($1,218)	($1,218)
24EXEC_DOECODE	0	0	0	0	(5,849)	(5,849)
Building Aid for Lead Testing	0	334	334	0	0	0
CD Rollover	0	20,641	20,641	0	0	0
CD Adjustment	0	(7,684)	(7,684)	0	0	0
CD to CTL Adjustment	3,890	0	3,890	1,218	0	1,218
CEC Funding - DOE Ext. Use	0	3	3	0	0	0
City Council Member Items Reallocation	(65)	0	(65)	0	0	0
Collective Bargaining Lump Sum	4,242	0	4,242	0	0	0
Collective Bargaining - L74 - FIT	561	0	561	679	0	679
DC 37 Collective Bargaining Adjustment	104,015	75	104,090	77,464	59	77,523
DC 37 Collective Bargaining Adjustment (IC Funds - DOE)	37	0	37	29	0	29
DC 37 Collective Bargaining Adjustment (IC Funds)	124	0	124	132	0	132
DC 37 Collective Bargaining Adjustment (School Safety Div)	102	0	102	77	0	77
DOE - Workforce Program	0	6,000	6,000	0	0	0
EDC Media Campaign Transfer	(500)	0	(500)	0	0	0
ExCEL Projects	0	4,689	4,689	0	0	0
Healthcare Worker Bonus Program	0	19,102	19,102	0	0	0
Heat, Light and Power	890	0	890	72,099	0	72,099
Heating Fuel Adjustment	(6,169)	0	(6,169)	17,080	0	17,080
IC W/DOE - ANTS Program	0	9,055	9,055	0	0	0
IC W/DOE - Lets talk Campaign	0	30	30	0	0	0
IC W/DOE –Savoy	0	200	200	0	200	200
IC W/DOE-Making Waves Prgm	0	106	106	0	0	0
IC W/DOE-Obesity Taskforce	0	0	0	0	2,621	2,621
IC WDOE - Sexual Health Ed	0	50	50	0	0	0
NYC Service	50	0	50	0	0	0
RCM Projects	0	2,817	2,817	0	0	0
SCA Revenue	0	50,000	50,000	0	0	0
School Safety Agent Accruals	0	0	0	(20,244)	0	(20,244)

Dollars in Thousands	FY23			FY24		
	City	**Non-City**	**City**	**Non-City**	**City**	**Non-City**
School Safety Agent Accruals Fringe	$0	$0	$0	($1,549)	$0	($1,549)
State Aid Adjustment	0	61,032	61,032	0	0	0
SYEP Transfer	0	0	0	3,563	0	3,563
UA 422 Revenue	0	8,000	8,000	0	0	0
Workforce Enhancement	(7,986)	0	(7,986)	(7,986)	0	(7,986)
YMI Funding Adjustment	190	0	190	125	0	125
Subtotal, Other Adjustments	**$99,382**	**$174,451**	**$273,833**	**$142,686**	**($4,187)**	**($138,499)**
TOTAL, All Changes in the FY23 Executive Plan	**$99,382**	**$174,451**	**$273,833**	**($169,905)**	**($4,236,707)**	**($174,142)**
DOE Budget as of the FY23 Executive Budget	**$14,513,751**	**$17,007,474**	**$31,521,225**	**$13,862,127**	**$16,754,432**	**$30,562,559**

Source: The Office of Management and Budget