

**Department of
Education**

Carmen Fariña, Chancellor

131 Livingston Street
Room 301
Brooklyn, NY 11201

Phone: 718.935.4267
Fax: 718.935.4356
Email: Cec15@schools.nyc.gov
Website: www.cec15.org
Facebook: www.facebook.com/CECD15

D15 Community Education Council

**Testimony of Henry J Carrier, Vice President, Community
Education Council, District 15, Brooklyn
to the New York City Council, Committee on Education and
Committee on Finance. February 28, 2017**

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I am Henry Carrier, Vice President of the Community Education Council, District 15, Brooklyn. District 15 serves over 30,000 students and includes the neighborhoods of Windsor Terrace, Sunset Park, Park Slope, Red Hook, Cobble and Boerum Hill, Carroll Gardens and Gowanus. The CEC advocates for 41 traditional public elementary and middle schools.

Like many other school districts in the city, District 15 is severely overcrowded and the problem is only getting worse. Twenty-four schools in the District exceed built capacity with a number of schools exceeding 150% of capacity. The problem is particularly acute in the elementary schools. PS 169 in Sunset Park, for example, now has 500 more students than building was designed for. A list of the overcrowded schools in the District is attached to my written remarks.

Unfortunately, the School Construction Authority is incapable of meeting the current and growing demand for seats in District 15. At the same time, commercial and residential construction proceeds at a fever pace. Essentially, the SCA is an inadequate property developer that cannot compete effectively in the New York property market.

According to the most recent amendment to the 2015-2019 SCA



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capital plan, our District is in need of an additional 7,500 seats, yet only half of this requirement is funded. More troubling however, because the SCA cannot find suitable sites for new schools, construction is underway for only 900 seats, only 12% of the overall required capacity.

To put these 900 seats in context, the excess student population of only two schools in the District combined, PS 169 and PS 94, is close to 1,000 students. In addition, most of the capacity that is scheduled to be built will not be occupied till 2020. Consequently, new school construction currently scheduled in the District will provide little relief to the overcrowding crisis. It's just too little, too late.

So we have difficult situation here with seemingly no remedy in sight. The estimate of 7,500 new seats is probably inadequate given the robust growth in the community. Only half of this underestimated requirement has been funded. Most distressing though, even at this underestimated and underfunded level, the SCA is unable to spend its allocated budget. There are currently 4 projects in the District, rolled over for a number of years, where the site location has not yet been determined. In a community that is experiencing robust commercial and residential property development, the SCA is a property developer that just can't compete with private developers.

While the CEC is not privy to the internal processes of the SCA, it is clear that the SCA is not aggressive or innovative enough in its property acquisition activities to meet the growing demand for school construction. As an example, the current property acquisition policy prohibits the SCA from pursuing occupied properties and offering relocation assistance and cash incentives to encourage tenants to vacate.

The CEC understands the sensitive nature of displacing businesses and residents in a community and that such a decision is a difficult one. However, it is also true

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that private developers have no such qualms. They will regularly offer incentives for businesses and residents to move. Unless the SCA is able to use the same tools that private developers utilize, the SCA will not be able to compete and increasingly the available property in the District for school construction will become unavailable.

We hope that the SCA and the Council can work together to streamline the property acquisition process to ensure that the SCA meets its mission and builds the required capacity in a timely manner.

Thank you for your time and attention.



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Brooklyn, NY 11201

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Overcrowded Schools, District 15, Brooklyn

Source: Space Overutilization In New York City Public Schools: Report on the 2014-2015 School Year, June 1, 2016

Grade	Year	School Code	School Name	School Type	Enrollment (2014-2015)	Capacity (2014-2015)	Utilization (%)
K	15	K001	P.S. 001 The Bergen	Elementary	1,277	996	128%
K	15	K010	Magnet School of Math, Science and Design Technology	Elementary	1,097	1,035	106%
K	15	K029	P.S. 029 John M. Harrigan	Elementary	846	742	114%
K	15	K032	P.S. 032 Samuel Mills Sprole	Elementary	483	290	167%
K	15	K039	P.S. 039 Henry Bristow	Elementary	408	256	159%
K	15	K051	M.S. 51 William Alexander	Junior High-Intermediate-Middle	1,123	947	119%
K	15	K058	P.S. 058 The Carroll	Elementary	974	760	128%
K	15	K094	P.S. 094 The Henry Longfellow	Elementary	1,508	1,047	144%
K	15	K107	P.S. 107 John W. Kimball	Elementary	571	341	167%
K	15	K124	P.S. 124 Silas B. Dutcher	Elementary	346	296	117%
K	15	K130	P.S. 130 The Parkside	Elementary	685	470	146%
K	15	K131	P.S. 131 Brooklyn	Elementary	1,154	770	150%
K	15	K146	P.S. 146	Elementary	659	579	114%
K	15	K154	The Windsor Terrace School	Elementary	547	368	149%
K	15	K169	P.S. 169 Sunset Park	Elementary	1,661	1,071	155%
K	15	K172	P.S. 172 Beacon School of Excellence	Elementary	597	391	153%
K	15	K230	P.S. 230 Doris L. Cohen	Elementary	1,319	1,252	105%
K	15	K261	P.S. 261 Philip Livingston	Elementary	803	698	115%
K	15	K295	P.S. 295	Elementary	519	427	122%
K	15	K321	P.S. 321 William Penn	Elementary	1,472	1,124	131%
K	15	K418	The Children's School	K-8	332	263	126%
K	15	K443	New Voices School of Academic & Creative Arts	Junior High-Intermediate-Middle	531	471	113%
K	15	K651	PAVE Academy Charter School	K-8	413	311	133%
K	15	K667	Sunset Park High School	High school	1,333	1,246	107%



**Testimony of the New York City School Construction Authority
and the New York City Department of Education
Jointly before the New York City Council Committees on Education and Finance**

February 28, 2017

Lorraine Grillo, President and Chief Executive Officer

Introduction and Overview

Good morning Chairs Dromm and Ferreras-Copeland and Members of the Education and Finance Committees. My name is Lorraine Grillo and I am President and Chief Executive Officer of the New York City School Construction Authority (SCA). I am joined by Elizabeth Rose, Deputy Chancellor for the Division of Operations at the New York City Department of Education (DOE). We are pleased to be here today to discuss the important work of successful planning for and siting of new school capacity, and the proposed legislation.

As you know, our mission is to design and construct safe, attractive, and environmentally sound public schools for children throughout New York City as well as modernize existing school facilities. The SCA was established in December 1988 to build new public schools and manage the design, construction and renovation of capital projects in the City's more than 1,400 public school buildings, nearly half of which are over 60 years old. Following changes in school governance law in October 2002, management of the DOE's Capital Program was consolidated under one agency, the SCA.

An important part of our success is the partnership we have with the City Council. With your support, we are more successful in pursuing new sites. With your generous funding, we are able to do more to modernize existing schools.

This Administration is committed to ensuring that all students have access to a high-quality education in school facilities that are safe and foster a thriving instructional environment. Last year, the City added \$868 million to the Five-Year Capital Plan to build 11,800 additional new seats in the most overcrowded and fastest-growing neighborhoods. This brings the total number of new seats in the Capital Plan to over 44,000, and total funding to the highest-ever level of approximately \$15.5 billion. Since 2004, the SCA has opened over 130,000 new school seats in over 260 buildings across the five boroughs.



Capital Plan Development

Our comprehensive planning process includes developing and analyzing quality data, creating and updating the Five-Year Capital Plan, and monitoring projects through completion. We have sought out opportunities to strengthen and refine our planning strategies—including the introduction of an annual amendment process.

In order to support our Capital Plan development, we undertake an annual review of our capacity need analysis, which includes updating our enrollment projections annually. For this work we solicit professional services from a reputable demographic firm. These projections incorporate data on birth, immigration, and migration rates from various City agencies. Additional agencies provide statistics on housing starts and rezoning efforts—whether City-led or private applications. These enrollment projections, which are performed on a district and sub-district level, help inform our need for new capacity projects.

When compared to actual enrollment, our projections consistently take an aggressive stance towards growth. Over the years, our estimates have been between one and two percent over actual enrollment figures citywide.

Using a broad range of sources provides a complete view of potential student demand, and annual updates allow us to make timely adjustments when there is a sustained increase in student population in one part of the City or a decline in student population in another. This also ensures that our projections accurately represent all of New York City and its nuances.

Coupled with the work of our enrollment projections is a look at our existing portfolio and the capacity we will be bringing online. For this work, we employ the latest data from the report on Capacity, Enrollment and Utilization, commonly known as “The Blue Book.” As you may know, we exclude the capacity of all mini buildings and Transportable Classroom Units, or TCUs, from existing capacity calculations.

Public feedback plays a crucial role in our capital planning process. Each year, we undertake a public review process with Community Education Councils (CECs), the City Council and other elected officials, and community groups. We offer every CEC in the City the opportunity to conduct a public hearing on the Plan and we partner with individual Council Members and CECs to identify local needs. Your insights in this process are essential, and we look forward to our continued partnership.

We all know that building capacity is but one piece of the puzzle. Working with our colleagues at the DOE, we look at all strategies within our reach to address overutilization including using existing resources more efficiently. This may include grade truncation, grade expansion, rezoning of elementary and middle schools, creation and location of gifted and talented programs, opening new schools, conversion of inefficient spaces in existing school facilities, and creative cross-district siting solutions.



It should be noted that new capacity makes up just over a third of our overall Capital budget. The Capital Investment category of our Five-Year Capital Plan includes the Capital Improvement Program (CIP) and school enhancement projects. CIP projects cover infrastructure work in our existing buildings. With over 1,400 buildings and an inventory of facilities that are mainly comprised of older assets, including nearly 200 buildings that are at least 100 years old, this work is critically important to ensuring our buildings are watertight and safe.

Siting of New Capacity

Our ability to site and construct new schools is critical to our success. We are currently at the half way mark in our Five-Year Capital Plan, and as of our February 2017 Amendment, we have sited over half of our funded seat need. This progress towards meeting our goals includes the addition of approximately 11,000 more funded seats last fiscal year. We continue on the track of success we've had in our previous Five-Year Capital Plans. In FY2005-2009, the SCA sited nearly 90 percent of the funded seats at the conclusion of the Plan. We continued making progress towards our goals in FY2010-2014, where we sited nearly 80 percent of our funded seats. And, like this current Capital Plan, we saw a funding increase mid-cycle.

The need for new schools is almost always linked to thriving and booming neighborhoods where vacant and unused space is uncommon, and we face the tremendous challenge of finding sites that are large enough and suitable for building new schools.

The SCA employs independent, professional real estate brokers in each borough who are tasked with investigating listings and pursuing all opportunities for new school seats. Our Real Estate Services group works with SCA's brokers in actively and constantly looking for properties throughout the five boroughs, in areas of funded need, to purchase or lease.

In neighborhoods where capacity needs are great, our brokers will "cold call" property owners in an effort to identify new opportunities and create new connections. In addition, we welcome suggestions of potential school sites from stakeholders in the community, and each site is carefully investigated.

We are more successful in pursuing new sites with your support. Take for example Chair Dromm who doggedly pursued a site in his Council District that was formerly the corporate home to White Castle. Construction of a new 476-seat elementary school is now underway at this site because of his unwavering support.

In our discussions with various stakeholders, we've talked about the challenges in siting new schools and what we look for typically. These considerations are worth repeating here today as they can be driving factors in whether a site moves forward or not.



1. *Size:* The SCA looks for sites that are at least 20,000 square feet for new elementary schools. However, with larger sites being harder to find in this current real estate market, we will consider smaller lots especially in areas of significant need but they must be at least 12,000 square feet.
2. *Location:* The SCA takes neighborhood context into consideration when reviewing a potential site. Considerations are made for factors that may impact a potential school, such as traffic conditions or adjacent uses that are not compatible to a school, such as an adult use establishment.
3. *Previous Property History:* A property's previous history is thoroughly investigated before the SCA will move forward with acquisition or lease. This includes a full review of historical records as well as current conditions. There may be times where environmental challenges are deemed to be sufficient concern to remove a site from consideration.

Yet, the SCA has adapted to the changing landscape. Over the years, we've developed a deep relationship with both the Archdiocese of New York and the Diocese of Brooklyn. With our shared mission of education, we've been able to transform former parochial school buildings into new homes for New York City's public school children. Over the last 12 years, this has led to nearly 14,000 seats.

Additionally, we've forged new partnerships over the past decade by working with developers on large scale projects that include a new public school facility at the base of their mixed-use building. This relatively new model of development has led to a number of successful projects, examples of which include M.S. 313, the Dock Street School for STEAM Studies in School District 13 in Brooklyn, and P.S. 397, the Spruce Street School in District 2 in Manhattan.

Lastly, our engagement during larger scale development projects has proven to be helpful in securing new school siting opportunities, whether it's the Crotona Park East/West Farms Rezoning in the Bronx in District 12, where we recently sited a new 456 seat elementary school, or the creation of an elementary school as part of the Hudson Square rezoning.

However, there are times when the SCA is unable to come to an agreement with a property owner. There are instances when a property is available for lease only and the SCA has determined that converting it into a state-of-the-art school building would be cost prohibitive, and cases when SCA is alerted to a property that is already planned for another community use or has already been sold.

This makes our ability to use eminent domain in order to acquire sites for schools an important part of how we can move forward with new opportunities. We have and will continue to use this resource appropriately and judiciously. This means not displacing active businesses and absolutely not displacing residents.



We have seen continued growth in neighborhoods over the years, such as part of School Districts 15 and 20 in Brooklyn and 24 in Queens. We see these school communities continuing to grow driven in large parts by high birth rates and immigration rather than new housing. We know our strategies have to be flexible in order to address the unique challenges of neighborhoods and we know that eminent domain has a role to play.

In Corona, we've been successful in keeping negotiations moving forward with the force of eminent domain most recently at Q311 and Q315. In School District 20, through the use of eminent domain we've acquired a property at 59th Street and Third Avenue that will be home to a new 976-seat school.

Siting public schools is challenging—not just in finding new sites but in securing the needed support from the public. We've seen too many good sites that don't become home to schools because the support is not there. We need everyone's help in determining how to ensure good sites become schools.

Lastly, with respect to the proposed legislation, Preconsidered T2017-5686 (Kallos), we support the City Council's goal for increased transparency regarding student admissions and enrollment; and school capacity. We would like to work with the City Council and sponsor to ensure that the reporting requirements align with the information we currently capture in our data systems.

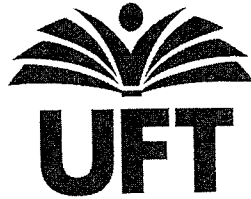
CONCLUSION

We are making progress in our efforts to reduce overcrowding Citywide, yet there remain pockets of overcrowding in our system. We know we have more work to do, and will continue to target these areas to bring down overutilization.

The support of our partners in the City Council is paramount to this success. Whether it's through your generous funding or through your support for our new school sites, all our students benefit. We plan on continuing that tradition of partnership and look forward to your continued help.

Thank you again for allowing me to testify today and we would be happy to answer any questions you may have.

FOR THE RECORD



TESTIMONY OF
THE UNITED FEDERATION OF TEACHERS

BEFORE THE NEW YORK CITY COUNCIL
COMMITTEES ON EDUCATION AND FINANCE

REGARDING SCHOOL PLANNING AND SITING FOR NEW SCHOOLS AND SEATS

FEBRUARY 28, 2017

The United Federation of Teachers wants to thank the City Council for its unwavering support of our members and school communities. The work you do makes a difference in the lives of New York City's 1.1 million students. We commend the efforts of Education Committee Chair Daniel Dromm and Finance Chair Julissa Ferreras-Copeland and thank them and Speaker Melissa Mark-Viverito for the opportunity to speak with you today.

OVERVIEW

We want every child to attend an excellent neighborhood public school, and we are encouraged to see, under the leadership of Mayor Bill de Blasio and this council, the city is tackling some of the school system's most intractable issues — overcrowded classes and buildings. The expansion of the city's capital plan, with tens of thousands of additional seats, will help reduce overcrowded buildings. In turn, these investments will help reduce class size. The result: Children will attend schools with breathing space and appropriately-sized classrooms.

Creating a working group to study issues around school planning, seat development, and overcrowding is an important step. We applaud Speaker Mark-Viverito for this initiative. Anyone looking at all the new residential construction in the five boroughs can see the city needs more schools. We also encourage the Council to foster transparency for both parents and stakeholders regarding how districts are chosen for new schools.

Additionally, we recommend that the city provides additional resources to the School Construction Authority for additional staff in each borough to help identify sites for schools. We believe extra staff would present the city with a larger, more creative list of locations.

PROPOSED NEW SEATS

The mayor recently proposed tens of thousands of new school seats as part of his 2018 budget, a huge step in the right direction. We look forward to learning details regarding how the city intends to fund them.

We encourage the council and the mayor to explore additional ways to alleviate persistently overcrowded schools as well as develop measures to make seat procurement a transparent and public process. It would also be helpful if the city provided data to explain decisions. This information would give communities confidence that the analysis is fair, comprehensive, and accurate. Community Education Councils and school board meetings could serve as conduits for information to parents and for gathering suggestions from them as well.

OVERCROWDED SCHOOLS

The UFT tracks the number of oversized classes and, while the general trend is one of improvement and many issues have been resolved collaboratively between the DOE and the UFT, we and many dedicated advocates believe we still have a lot of room for improvement.

For the past four years, 19 schools have been out of compliance with the UFT's contractual class sizes. One of the schools this year had more than 20 classes that failed to meet class-size limits. They are listed below, by borough:

BRONX: PS 38 Donald Hertz, the Bronx Green Middle School and the Pelham Academy of Academic and Community Engagement.

BROOKLYN: IS 30 Mary White Ovington, JHS 218 James P. Sinnott, IS 281 Joseph B. Cavallaro, the Secondary School for Journalism and the Medgar Evers College Preparatory School.

MANHATTAN: JHS 143 Eleanor Roosevelt.

QUEENS: PS 49 Dorothy Bonawit Kole, Pathways College Preparatory School, Francis Lewis High School, and Forest Hills High School.

STATEN ISLAND: IS 27 Anning S. Prall, Michael J. Petrides School, Tottenville High School, Susan E. Wagner High School, Staten Island School of Civic Leadership and PS 83 Donald Hertz.

We recognize the challenges the School Construction Authority has faced in recent years developing sites for new schools. This is why we implore the council to provide funds to the Authority to expand its real estate division and identify a building in each neighborhood that could be used as an annex or new school altogether.

With the recent announcement of 500 new seats at the Francis Lewis High School annex in Queens, we know the School Construction Authority can alleviate the overcrowding issue given the proper resources.

SPEAKER'S WORKING GROUP.

We think many of Speaker Mark-Viverito's proposals could result in a faster process to create more seats. We suggest the city look at how other cities site schools, encourage or even mandate developers to include new schools in large developments, and tackle barriers between city agencies that slow progress. We agree with many of advocates that additional school seats are needed as new residential developments are planned. As many young families continue to move into New York City, we must match their needs with local neighborhood public schools. Elementary schools, in particular, should be within a few blocks of students' homes.

Additionally, when the city opens new facilities, it should evaluate whether including a school or annex would alleviate the problems of a neighborhood school. With land so valuable and scarce, we need to be creative in solving this problem.

We urge that the proposed working group examine the work done by past Blue Book committees as a reference, that it be constituted broadly and get to work immediately in collaboration with the Mayor, City Council, and the School Construction Authority. We look forward to providing any assistance that the council or the speaker may need.

CONCLUSION

Just as we have worked with the City Council successfully for years to address many issues affecting New York City public schools, we know we will find a way to provide each child with a classroom that creates the optimum environment for learning.

We thank you for your time.



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

1 Centre Street, 19th floor, New York, NY 10007
(212) 669-8300 p (212) 669-4306 f
163 West 125th Street, 5th floor, New York, NY 10027
(212) 531-1609 p (212) 531-4615 f

www.manhattanbp.nyc.gov

Gale A. Brewer, Borough President

Manhattan Borough President Gale Brewer to the New York City Council Education and Finance Committees

February 28, 2017

I am Manhattan Borough President Gale Brewer and I would like to thank the Committees on Education and Finance, and Chairs Dromm and Ferreras-Copeland for allowing me to speak today on the school planning and siting process for new capacity. I am particularly concerned about both the inaccurate class sizes the Department of Education (DOE) uses to calculate current utilization in schools, and the dated process the DOE and the School Construction Authority (SCA) use to project future need.

First, the DOE's school capacity formula that determines current school utilization is flawed. I commend the Bluebook Working Group for their continued advocacy on revising this formula, but despite the Bluebook Working Group's recommendation, the DOE is still failing to use class sizes parameters dictated by the Contracts 4 Excellence (C4E) lawsuit, where the state's highest court concluded that NYC children were denied their constitutional right to an adequate education, in part because of large class sizes. Without grounding class sizes in the mandates set forth by C4E, we cannot possibly get an accurate assessment of what overcrowding in our schools looks like, or what the need for new capacity is.

Further, in my over 15 years as an elected official, first as a Council Member on the Upper West Side, and now as Borough President, I have consistently seen the DOE claim that there is no district need for additional school capacity, and time and time again, parents, school leaders and advocates have pushed back, and said these claims do not match the reality on the ground and in our classrooms. These relentless advocates have taken it upon themselves to go from classroom to classroom and residential building to residential building to personally gather data on the need for additional school seats.

As we sit here today, I see that the DOE's capital plan for FY2015-2016 yet again does not take into consideration the on the ground realities and school space needs in my borough. I'll give two key examples.

In lower Manhattan (Community School District 2) I, along with the local elected officials, co-chair the Lower Manhattan School Overcrowding Task Force. The Taskforce is comprised of parents, community members, the DOE and SCA, and was

formed to address the chronic overcrowding in lower Manhattan. The taskforce members have been integral in doing their own community-driven research on population growth in the area, and the need for additional school seats. Over the past two years Community Board 1 and NYU Professor Eric Greenleaf conducted a population study and found that since June 2013, plans for 5282 new apartments have been filed with the Department of Buildings, 80% of which are south of Fulton Street. If we apply the DOE's standard of allotting 0.12 new elementary school seats per new apartment, then these apartments create a need for 634 new elementary school seats. Yet, the latest proposed amendment to the DOE's capital plan does not indicate any need for school seats in the "Lower East" sub-district in Manhattan. This is unacceptable.

Additionally, in District 5, the Teachers College Community School (TCCS) community has imminent space needs. The St. Joseph building where TCCS is currently housed cannot accommodate the school population anymore. This year, as the 5th grade was phased in, TCCS had to move its specialty rooms and the art and music rooms into the gymnasium. This coming September TCCS will be expanding into the middle school grades. The DOE has known that TCCS will need additional space for its middle school for the past 6 years, yet again there is no acknowledgement of this in the DOE and SCA's capital plan amendment. This indicates that the DOE fully intended to co-locate TCCS into a current DOE building, instead of creating new capacity. I know that finding space is challenging, but the solution here cannot be to displace other schools, or to pit parents and students against each other to engage in turf wars. It is irresponsible to put our district schools in a position where they have to fight for access to basic resources like desks and functional, safe outdoor space. Forcing co-locations only exacerbates these resource deficiencies.

We must do better by our children. The DOE and SCA must work with the community and the Department of Buildings to proactively plan for and fund new schools as new housing is built. Then the process to site schools must be streamlined.

I conclude by thanking the Committee on Education and Finance for scheduling this hearing and look forward to working with all of you to create a smoother school planning and siting process.

QUEENS HIGH SCHOOL PRESIDENTS' COUNCIL

90-27 Sutphin Boulevard, 2nd Floor

Jamaica NY 11435

e-mail: qhspcny@gmail.com website: <https://sites.google.com/site/queenshspcny>

FOR THE RECORD

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Testimony to the New York City Council's Committees on Education and Finance regarding School Planning and Siting for New Capacity for hearing scheduled for February 28, 2017.

The Queens High School Presidents' Council represents all the high school PAs and PTAs in Queens, and through them, all Queens high school parents. We are most appreciative that the council is asking for public comment on school planning and the siting of new capacity. As high school parents, we are in the unique position to provide our perspective with little chance that our own children will benefit, as most will have graduated long before any of this new capacity will be constructed.

Queens is in desperate need of additional high schools. For years QHSPC has urged the DOE to build more high school capacity in Queens – it has been one of our top issues. Queens high schools are notoriously overcrowded, with students stuffed into jam-packed classrooms and many high schools (including Forest Hills High School, Francis Lewis High School, Bayside High School, and others) holding sessions in shifts. Given that elementary schools are also bursting at the seams and construction is booming throughout the borough (but in particular in Districts 24, 25, and 30), the need will only intensify for new, high quality high schools. Land will only become more expensive and more difficult to find if the DOE does not take action NOW.

Every day, thousands of high school students travel an hour or more each way to attend high schools in other boroughs because there are not enough seats for high school students in Queens. We were told by a former Queens representative to the CCHS, for example, that 70% of the students that attend Bronx Science come from Queens. Students waste hours of time traveling to schools located outside of Queens rather than devoting this time to studying, completing homework, and participating in valuable after school and community service opportunities.

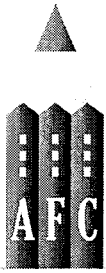
One reason that so many students travel outside the borough for high school is the lack of seats in Queens at specialized and other high-performing high schools, and the seats at these schools are in converted space without access to basic facilities including gyms,

auditoriums, and sports fields. Unlike the other boroughs, Queens does not have a large Specialized High School. We do have the Queens High School for the Sciences at York College – which ranked as the 6th best high school in New York State according to the 2016 US News and World Report high school ranking -- but enrolled just 462 students this year, making it one of the smallest (if not the smallest) of the Specialized High Schools – and there is great concern that the school will soon lose its leased space with York College. Baccalaureate School for Global Education, an IB school that ranked as the 5th best high school in New York State and the best high school in Queens, also serves just 516 students (over grades 7-12). Both of these schools exist in converted office (York) and warehouse (BSGE) space, which is leased. Both have trouble attracting and retaining students despite their stellar performance because neither school has a gym, auditorium, or sports fields, dramatically reducing course offerings and the types and quality of after school programming that other high schools can offer. Another one of Queen’s top high schools, the Academy of American Studies, had to conduct an all out campaign over a decade – with the principal, teachers, and students attending every conceivable event in the city and borough – to convince the DOE to build them a high school as had been promised from the school’s inception.

We therefore urge the DOE and the City Council to build “real” high schools (with gyms, auditoriums, sports fields, and libraries) in Queens so that our high school students no longer have to choose between attending schools that operate in shifts; schools without basic facilities; and schools located in Manhattan, Brooklyn, and the Bronx. Because Queens is geographically so large, it is critical that these schools be sited near access to public transportation (subway and major bus lines).

Thank you for your consideration,

The Queens High School Council Executive Board



Advocates for Children of New York

Protecting every child's right to learn

**Testimony to be delivered to the New York City Council Committees on
Education and Finance**
**RE: Oversight – School Planning and Siting for New Capacity,
Preconsidered Int. No. – In relation to requiring the Department of Education to
report information on school applications, offers of admission, enrollment and
school seats available**

February 28, 2017

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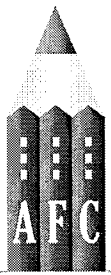
Matthew Lenaghan

My name is Maggie Moroff. I am the Special Education Policy Coordinator at Advocates for Children of New York (AFC). AFC is a non-profit organization that has been working for over 40 years to protect the rights of NYC's most vulnerable children. We work to assure that all students, especially students of color and students from low-income backgrounds, have access to the best possible education.

As the City Council considers the capacity of the school system, it is vital that you ensure there are accessible school options across the City for students, teachers, and family members with mobility, hearing, and vision needs.

Quite simply, NYC lacks a sufficient number of accessible schools at every level – elementary, middle, and high school. Last year, the Department of Justice found that 83% of the City's elementary schools are not "fully accessible." They found that six of NYC's 32 geographic school districts had no elementary schools at all that were fully accessible. While the DOJ only looked at elementary schools, the numbers are even worse when you look at middle schools and high schools. In 13 of the 32 Districts, there isn't a single fully accessible secondary school or high school. In 11 districts, there isn't a fully accessible middle school or K-8 school. In 4 districts, there's not a single fully accessible school – at the elementary, middle, or high school level. That's unacceptable.

Planning for the siting of new school buildings must take into account the needs of students who require accessible schools in their communities. In addition, while all new school buildings are required to be fully accessible, the City must also make renovations to existing school buildings to increase the number of fully accessible school options given the scope of this problem.

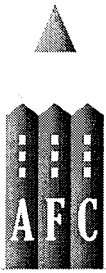


At AFC, we frequently hear from families about how limited their options are when seeking schools for their children with accessibility needs. This is certainly true at the elementary school level where children, for the most part, attend zoned schools or schools close to home; it is also true and a bit more complicated at the middle and high school levels. In those cases, not only do families need to consider all the other factors that go into any student's school choice decisions – geography, program type, school size, specialized curricular focus, admissions criteria – but they need to consider whether or not the students will be able to access the building and all the critical rooms in the building. Even in districts that appear to have more options, a closer examination is needed. For example, in District 2, which appears to have more fully accessible high schools than other districts, the only fully accessible high schools are Stuyvesant, the School of Art and Design, Clinton, and Beacon, all highly screened or specialized schools, or District 75 schools for students with more profound special education needs. There are no fully accessible schools for the majority of students who will not be admitted to a screened school and do not require a District 75 school.

While fully accessible schools is the ultimate goal, the DOE currently relies on partially accessible schools to serve students with accessibility needs. However, in schools the DOE considers partially accessible, we have heard from families that they encountered buildings with no elevators or broken elevators, bathrooms too small to accommodate students' wheelchairs, and inaccessible space in nurses' offices, science labs, art rooms and auditoriums. Being able to get a student into the building is not the end of the equation. Getting onto the first floor of a building, even if it's through the front door, is not the same as being able to fully participate in all that goes on in the school – academically and socially.

As new construction is contemplated by the City and as decisions about renovations are made, the City must account for the needs of a wide range of students, including those with accessibility needs.

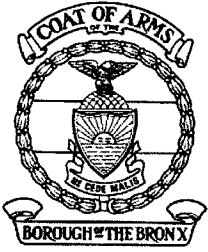
Staff at AFC, and members of the ARISE Coalition -- a Coalition of parents, advocates, educators and academics that we coordinate out of AFC around systemic issues in special education -- have been speaking with City Hall and the DOE about accessibility issues for a while now. We have been advocating for increased options for students with accessibility needs and for improving the information that families and students have when making school choices. The DOE needs to identify the geographic areas with limited options – across a range of academic programs - for students resulting from inaccessibility of existing school buildings. From there, they



need to make appropriate renovations at existing buildings, and add new construction, which will address overcrowding and the need for accessibility.

To enable the City to plan appropriately for where to site new schools and to embark on renovations to render current buildings more accessible, there is much to be gained by collecting and reviewing data about where students apply to, are accepted to, and enroll in schools. To that end, we support the legislation proposed by Council Member Kallos. To make the data collection that would result more valuable for Council members, advocates, and families of NYC students, we strongly recommend expanding the legislation to require that the DOE further disaggregate the data by special education status, the need for accessible sites (not all individuals who require accessible sites necessarily require other special education supports and services), English Language Learner status (disaggregated by language), and students identified as living in temporary housing. Given the barriers that students with disabilities, students who need accessible sites, English Language Learners, and students in temporary housing often encounter during the application and enrollment processes, having application, admission, and enrollment information disaggregated would provide useful data as the City plans new schools and develops new school programs.

Finally, it is important to note that making more schools accessible will require an investment of resources. I look forward to discussing this point with you at the capital budget hearing next week. Thank you for your attention today. I am happy to answer any questions.



Ruben Diaz Jr.
Bronx Borough President

John DeSio
Communications Director

FOR IMMEDIATE RELEASE
CONTACT: John DeSio (718) 590-3543
February 28, 2017

**Testimony of Bronx Borough President Ruben Diaz
Jr.**
Before the City Council Oversight Committee:
RE: School Planning and Siting for New Capacity
February 28, 2017

Good morning,

With the formation of a mayoral commission on school overcrowding, we can do a better job at school planning and siting.

The February 2017 proposed capital plan does not fund a sufficient number of seats, and this is a problem for both The Bronx and for New York City. There are thousands of “unfunded seats” in The Bronx alone, a borough with an educational system in need of better solutions. Not only does the number of funded seats not meet the Department of Education (DOE)’s own stated needs, the methods for assessing need as well as the school siting process must be rectified. The current school planning and siting process is denying our students the opportunity for success they deserve.

Our educational system is failing our students. Just 37 percent of students citywide graduate on time and meet CUNY college readiness standards in reading and math. The graduation rate for The Bronx is only 63 percent. We must seek better methods to educate our youth. One such widely accepted method is reducing class sizes and overcrowding in schools. To do this, we need to change the School Construction Authority’s (SCA)’s and the DOE process, which has multiple serious flaws.

Overcrowding and too-large classes evince the failure of the current system.

School overcrowding is a rampant problem. A recent analysis found the following: School districts 8, 9, 10 and 11 in The Bronx all average over 100 percent capacity while District 12 was at 99 percent, according to the School Construction Authority. Many local schools in District 7 were also very overcrowded. P.S. 163 in District 9, with a population of 99 percent free lunch students, 98 percent Black and Latino students, and 33 percent English language learners was at an incredible 213 percent of capacity.

The School Construction Authority has acknowledged, including before the Bronx Borough Board, that school overcrowding is a pervasive and ongoing problem and that we need to fund substantially more seats. Further, the DOE’s own projected need for seats demonstrates that New York City needs tens of thousands more seats than those approved in the capital plan. Prompt

action is needed on this issue, especially in light of the increasing population density in New York City and the City's affordable housing goals which would further increase density.

Students are crammed into large classes throughout the city. Notably, an analysis found that more than 55,000 Bronx students were sitting in classes of 30 or more students. We know that smaller class sizes that allow for more individualized attention and participation and more physical space to provide resources makes a difference in educating students. So, why not make every effort to provide the best education we can in our public schools?

Bronx schools enroll a disproportionately high number of low-income students, children of color, and recent immigrants to this country. At the same time, these students are crammed into classes with student-teacher ratios in substantial violation of the current teachers' contract and into overburdened schools. These conditions make it extremely difficult for teachers to provide students with the close attention and support they need to learn and succeed.

The research is crystal clear that smaller classes are better for our children. They launch students, especially disadvantaged children, on a far better trajectory in life, offering them a significantly higher chance of graduating from high school on time and attending college. Yet, the needed classroom space is lacking.

To address the issues arising from new development, triggers for requirements to build more seats in a given district should better account for the proximity to capacity at which the school already stands. Currently, when rezoning occurs, building a new school in a community only has to be considered when the project is both predicted to increase school overcrowding by at least five percent and when the utilization rate is at or over 100 percent.

A better approach that should be explored is that when a school has already exceeded capacity, any incremental increase should trigger further review. In other words, thresholds must better account for where a school is with regard to capacity prior to the rezoning. New construction is likely to exacerbate school overcrowding to even more critical levels, especially without a concurrent strategy to address the need to build schools along with new housing.

The current policies and practices with regard to school planning and siting are faulted. According to an analysis, the SCA has only three people on staff citywide looking for sites, and only one real estate firm on retainer per borough and fails to "cold call." This low staffing level and deviation from common real estate practice may be a cause of the lack of alacrity with which they site and build schools. Multiple recent amendments of the five year capital plan were months overdue. Further evidence of dysfunction is that in February 2014, SCA allocated \$490 million to create an additional 4,900 seats under a new "class size reduction" program and took two years to identify any projects for the program. Still, this program has only identified three school expansion projects. We must improve the dilatory practices of the SCA to promote efficiency.

This August, I wrote a letter to Mayor de Blasio urging him to form a commission on the school planning and siting process to address the aforementioned issues. We look forward to action on this issue.

I once again urge the formation of a mayoral commission to reform the school planning process, with representation from the Borough Presidents, the City Council, advocates, parents and experts in the areas of school planning and construction. For the future of The Bronx and the city, we must do better to create optimal learning environments for students.

The above faults with DOE and SCA's school planning and siting process underscore the need for the formation of a commission to rectify all the above issues. Together, we can do better at reducing class sizes, eliminating overcrowding, and providing new seats in our schools.

Thank you.

To Whom it May Concern,

FOR THE RECORD

We the local homeowners of the Bronx, NY would like our voices heard. We love our community, we have amazing educators actively teaching our children, yet in one of the most influential and "forward facing" cities of the world, we continue to have overcrowded schools. We have three children and sacrificed greatly to send our eldest daughter to private school, we were unable to do the same for our two younger children ages 8 & 11 years old. With much trepidation we embarked on the journey of public education, I will happily admit we were quite impressed with the caliber of administration and educators we encountered. While it was clear several key aspects of education were lacking from the comparative education our eldest daughter received, we were willing to continue on the journey and supplement at home. We would love to keep our children at their local schools PS81 and middle school RKA (Riverdale Kingsbridge Academy) however we are often faced with the challenge of overcrowded classes, especially at RKA. On the corner of Independence ave over 1,500 students are attempting to receive a focused education so they can be well prepared to face the challenges of this ever changing culture and world. My eldest daughter benefited in her comprehension as she was able to adequately digest material with her peers in a nurturing and small classroom setting. This is a HUGE obstacle in an overcrowded school. My son who is one of the top performing students in his entire grade has reported enjoying his teachers and wishing they could more regularly get through all the material and that he could walk through the hallways of his school without being rushed due to overcrowding. I believe the top minds of this amazing city can and will RESOLVE this issue before my children leave their public school journey. I look to you, to respond in a thoughtful and decisive manner.

Thank you for your dedication to serve the people of New York City.

Victoria Sotelo

Good afternoon, my name is Mike Goldberg and I am a member of Manhattan Community Board Five.

As early as 2008, CB5 called for better planning and school siting to alleviate school overcrowding (I refer you to our resolution entitled School Capacity issues in Community Board Five February 2008);

Nearly ten years later many schools in the city remain overcrowded, including those serving CB5's school-age population, while new residential units continue to be built at a fast pace in our district;

The November 2016 Amendments to the 2015 – 2019 Five-Year Capital Plan estimate District 2 elementary and middle school capacity needs to be 3,232 seats with 3,150 seats funded in the plan;

Housing data used to project enrollment provided by the Department of City Planning projects more than 7,500 additional K-8 seats will be needed in School District 2 by 2024;

The CEQR manual does not assess nor mitigate for the cumulative impact of development, which means that developers are rarely required to create additional school capacity because their developments almost always fall under the impact threshold, while schools become severely overcrowded because of the influx of multiple developments. Furthermore, the enrollment projections for the capital plan are flawed, utilizing a CEQR formula that is not appropriate at a neighborhood scale and does not take into consideration sizes of residential units;

Inadequate planning has caused undue hardships not only on families but also on schools by creating large fluctuations in enrollment.

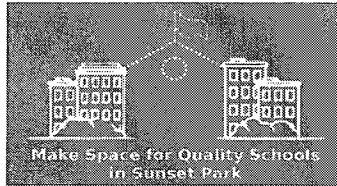
The City has an obligation to the citizens of NYC to have sufficient school seats for its children, and to match school capacity to our growing population.

Therefore Manhattan Community Board Five recommends the Department of Education and the SCA better assess school enrollment and population growth in our school district;

CB5 urges the City Council to update the CEQR manual formula to better reflect school enrollment and to provide mitigating measures for the cumulative impact of development, for example in the form of a school fund to which developers would contribute.

Further, CB5 believes that the City Council Speaker's initiative to create a working group, while a step in the right direction, needs to include formal community input, whether from the CEC or the community boards or both.

Thank you for the opportunity to testify on this critical issue facing our City.



February 25th, 2017

Dear Council Member Ferreras-Copeland, Council Member Dromm, Council Member Menchaca & Ms. Atwell,

We are Javier Salamanca & Victoria Quiroz-Becerra members of *Make Space for Quality Schools in Sunset Park (MS4QSSP)* a grassroots parent coalition fighting the severe overcrowding in Sunset Park, Brooklyn which is part of District 15 & District 20.

In our community of Sunset Park there was a 16 year gap in new elementary schools opening in District 15 area even though the DOE's own bluebook noted a 2,000 seat deficit in our community and there was \$50 million allocated for school construction. It is not until the past 12 months that noticeable action has been taken by the SCA to address our needs. The SCA's lack of action means that the \$50 million allocated has less purchasing power today than it had 5-10 years ago and that physically there are less ideal sites available for purchase than in the past.

Similarly in the District 20 section of our community decades passed without new elementary schools until 2011 and 2013 when new schools opened and were immediately filled to capacity. Despite these buildings there is still a seat deficit in our community. Today 8 out of 10 elementary schools in our community is overcrowded. Those 8 schools are on average over 145% capacity!

When our group has spoken to the School Construction Authority in meetings with Community Board 7 members, Council Member Menchaca, via emails in conjunction with CEC15 and others several things have stood out:

- 1) Lack of communication about why sites are rejected.
 - Repeated emails via the CEC were never answered in writing.
 - A list of rejected sites was provided with no reason why they were rejected, by who or when.
 - A letter jointly from CB7 and Menchaca took almost three months to reply.

- 2) Onerous regulations or practices that impede pursuing available spaces & a lack of planning
 - Ms. Grillo has stated that the SCA will not pursue land that is a viable business or will displace not one person, even when the business' footprint is mostly a parking lot or has dwindling clientele in



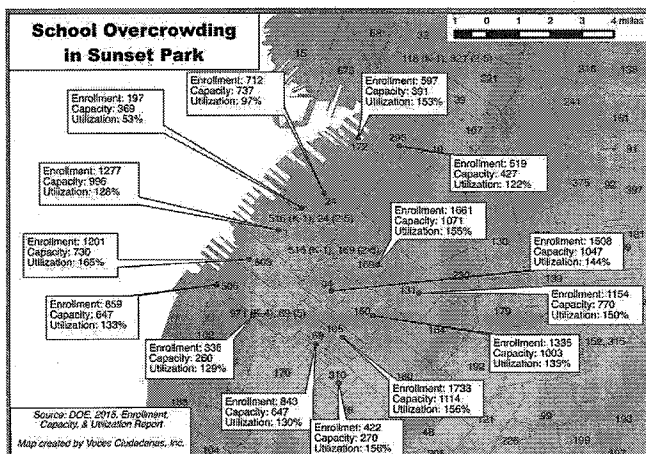
- comparison to their space.
- The SCA will not purchase property that is less than 12,000 square feet even if adjacent land could be available in the near future to create the ideal space.
 - Ms. Grillo has also stated that the SCA usually waits until there is demand and will not build to address projected overcrowding.

In response to these issues we support efforts by CEC15 & others including for:

- 1) The creation of a *fast track system* that will be a collaboration between various local entities, the city and the state to speed up the construction of schools in severely overcrowded areas so that generations of children do not have to attend school over 125% capacity.
- 2) The creation of a *publicly accessible website portal* that will track the due diligence work of the SCA as submitted potential school sites are investigated, vetted, analyzed, studied, bid on and built in *realtime*.
- 3) The addition of **\$1 billion per year** to the School Construction budget for **the next 10 years** to bring all schools up to date and for new school construction that will house vibrant learning communities with 21st Century facilities.

Please see our [neighborhood map](#) showing the over capacity schools in our community and [the report we created after surveying](#) over 340 parents on this issue. We also are attaching some testimony from parents about this issue.

- Javier Salamanca & Victoria Quiroz-Becerra





"When my older daughter came to PS169 I was surprised when she told me that she did not have recess after lunch. She could not walk or run or breathe fresh air. It was not good for her digestion or for her thinking. She is a child. Then my younger daughter was sent to a new school and I am glad she has a better environment than my older daughter. But why should one daughter have more than the other? Why should any child have no recess? Why should some children eat at 10:05am and others at 1:30pm?"

- J parent @PS169 & PS516

"My son goes to a school that is over 100 years old. He does not have a science lab or a spacious gym or an art room. I want him to explore and expand his curiosity. I have seen the School Construction Authority say they have meetings and meetings to help our community but I do not see much. In my country empty spaces there is a law that if a group does not use land in 2 years it goes back to the community."

- Joy parent @ PS94

"My stepson and my son were talking about school, my stepson was talking about how recess is his favorite part of the day and how excited he is to play. My son said I have only had recess 3 times this year. It is unacceptable that a Kindergartener has recess only 3 times so far. I know the school tries its best, it is hard to schedule a safe recess time for 1600 children!"

- G. parent @ PS94

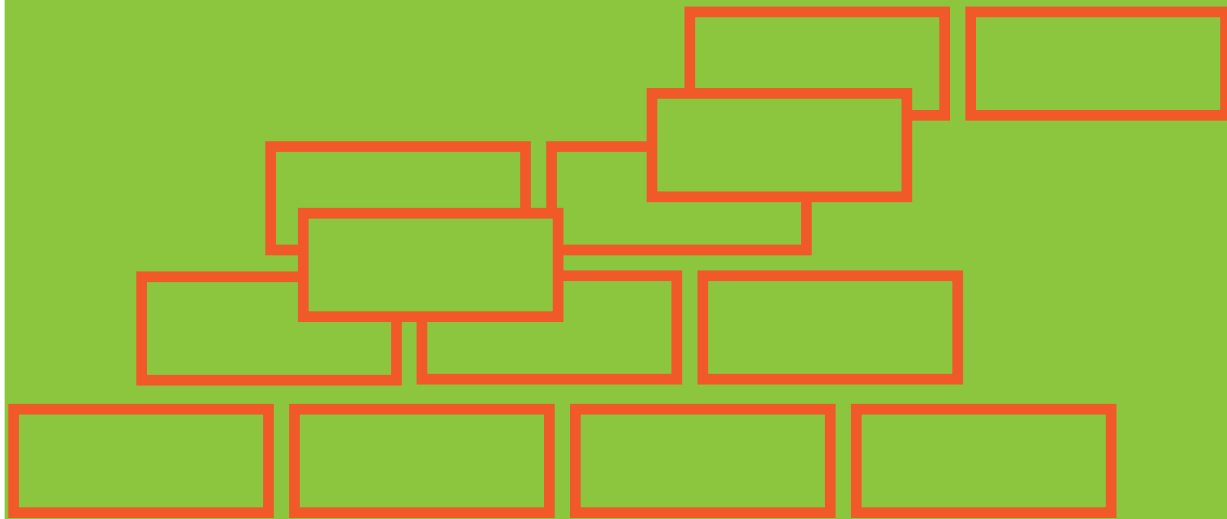
"When my daughter was falling behind the school told me 'there are many children in her classroom [30-32 children] and they [teachers] cannot review and grade children's homework one-on-one'.... So that's the problem in the classroom. They [teachers] cannot give the attention that children deserve. The school has a limited number of seats in its afterschool programs, seats are assigned by lottery I have not been 'lucky' enough to be selected. I want the best for her, the best education within my reach, I'm always going to support her."

- Martha parent

Our Inconvenient Truth

The Overcrowded Schools of Sunset Park

Report 2016



Friends of Sunset Park

About the authors

Make Space for Quality Schools in Sunset Park is a campaign led by Sunset Park neighbors and community organizations whose mission is to ensure that schools in Sunset Park are built as soon as possible and where the need exists: in uncompromising locations without sacrificing necessary components for a sound educational foundation. We believe that the voices of Sunset Park's neighbors need to be included and that their active participation in the site selection process is essential.

Voces Ciudadanas, Inc. is a community organization based in Sunset Park, Brooklyn that works to build the collective power of migrants and other marginalized groups by promoting leadership and community organizing, offering popular education programming and creating spaces for dialogue so that social justice is a reality for all.

Friends of Sunset Park Friends of Sunset Park was founded in 1995 by María Roca, upon her return to the neighborhood. The best sited public park in New York City had suffered from serious neglect, but that was about to change. Fast forward twenty-plus years to find a well-maintained park, bursting at the seams with patrons of all ages, enjoying their park from Sunrise to Sunset – a transformation possible only by an ever evolving cast of Friends investing hundreds of thousands of volunteer advocacy hours.



Friends of Sunset Park

Acknowledgements

Thank you to all the volunteers who made it possible to complete this project. Our gratitude to Cinthia Campos Martínez and Guadalupe Hernández for working incessantly to ensure that this project was successfully implemented. A special thank you to Ana de la Paz Navarrete, José Antonio Sánchez Guzmán and Jovita Vergara Sosa who hit the laundromats, parks, streets and reached out to friends and family to complete surveys. Also thanks to Macrina Salazar Gonzáles and Samara Martínez for lending a hand to gather surveys among their neighborhoods, friends and family. Last but not least, our thank you to all the parents and neighbors of Sunset Park who took the time to answer the survey, to participate in workshops and to share your stories. Your words and actions demonstrate your commitment to children's education despite all odds.

Table of Contents

About the authors	i
Acknowledgements	ii
Table of Contents	ii
Executive Summary	iii
Introduction	1
Background	2
Methods	4
Findings	5
Policy Recommendations	11
References	12
Appendix A	13

Executive Summary

Sunset Park is among the most overcrowded neighborhoods in the City. 8 out of its 10 elementary schools are overcrowded. On average, overcrowded schools in Sunset Park are at 143% capacity. The School Construction Authority (SCA) has failed to create the seats to address the need in Sunset Park, despite the availability of funds.

This report addresses two critical questions: What is the impact of school overcrowding on Sunset Park children and parents? And, what do Sunset Park parents and residents think about potential solutions to the issue?

To answer these questions, we did workshops, in-depth interviews and a community-wide survey. Parents told us that due to school overcrowding in Sunset Park:

- A large proportion of children are in classes that exceed NY State standards;
- A large proportion of children are not receiving individualized attention from teachers;
- Children with special needs are not receiving adequate attention or services;
- Children are being sent to schools outside the neighborhood;
- Afterschool and enrichment programs are being cut or reduced.

Regarding potential solutions, Sunset Park parents and neighbors:

- Are very supportive of the use of eminent domain to build new schools;
- Expressed safety and environmental concerns if a school were to be built west of 3rd Avenue.

To address overcrowding in Sunset Park, this report recommends that:

- SCA must create at least 3,500 new seats by 2021 to cover existing need, where the need exists;
- SCA must not delay the creation of new seats any further;
- The DOE must commit additional funding to overcrowded schools for afterschool programs and special education services in an effort to ameliorate the damaging effects of overcrowding;
- Elected officials, the City and SCA should consider the use of eminent domain as an alternative to siting new schools;
- SCA must take into consideration the needs and concerns of Sunset Park parents in decisions regarding where to build new schools.

3,500
new seats for
Sunset Park

Start
Construction now

More
funds for Sunset
Park schools

Introduction

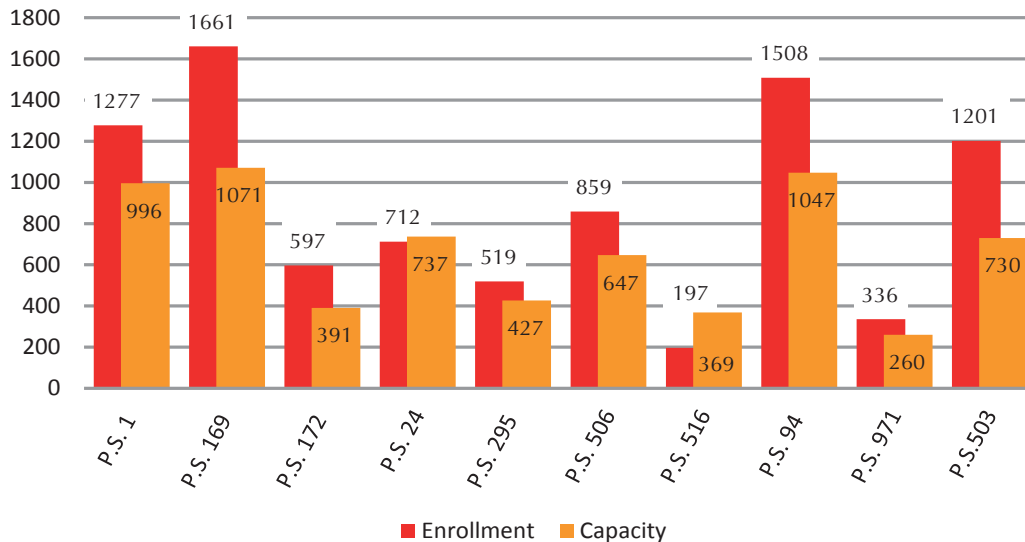
Overcrowding in Sunset Park

A school is considered overcrowded when the number of students enrolled is larger than the number of students the school was designed to accommodate. Overcrowding in New York City's public schools is a long-standing and growing problem. In 2012, more than one-third of the City's public schools were overcrowded (1). Overcrowding is particularly pernicious in immigrant communities. For every one percent increase in the immigrant population in a district, the overcrowding problem is 100 seats greater (2). In Sunset Park, a neighborhood where about half of its population is foreign born, school overcrowding is reaching alarming levels. Currently, of the ten elementary schools in the neighborhood, eight are overcrowded. On average, overcrowded schools reach 143% of their capacity.

8 out of **10**
schools in Sunset
Park are overcrowded

This report addresses two critical questions: What is the impact of school overcrowding on Sunset Park children and parents? And, what do Sunset Park parents and residents think about potential solutions to the issue?

Enrollment and Capacity in Sunset Park Schools



Background

Impact of School Overcrowding

It is well documented that school overcrowding has negative effects on children's academic achievement, teachers' performance, and overall school environment.

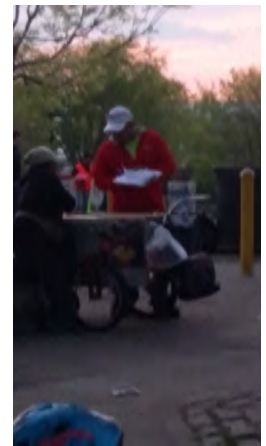
Students in overcrowded schools tend to feel overwhelmed and discouraged, reported difficulty concentrating and many said they could not find a quiet place to study in their schools. The negative effects of school overcrowding in student academic achievement is particularly felt among low income students. According to a study, the proportion of students that pass tests of reading proficiency and mathematics competency is 2% to 9% lower in overcrowded schools (3).

Overcrowded schools tend to increase the number of children in the classroom and, as several studies show, larger class negatively impacts academic achievement (4). One study found that 1st grade students in small classes showed better academic performance compared to those in regular classes even when regular classes had a teacher's aide. The positive effects of small classes were long term. Students attending small classes in early grades were better off academically even when they returned to a regular class. Some of the reasons why small classes might improve student academic achievement may have to do with the quality of interaction between students and teachers. Teachers in smaller classes can devote more attention to students and provide individualized instruction. Moreover, the level of disruptive behavior that a student can tolerate might be lower in small classes (5).

School overcrowding also impacts teachers. In a study, 75% of teachers reported that overcrowding negatively affected classroom activities (6). Teachers in overcrowded schools reported more noise, limited time to cover other than basic material and not enough time for further explanation. In another study, teachers reported that overcrowded schools create more non-instructional duties and paperwork that inhibits teaching and learning (7). Also, teachers in overcrowded schools reported higher levels of burnout compared to those in underutilized schools, which in some cases, lead to absenteeism (8).

Children in over-crowded schools tend to have

lower scores in standardized tests



Background, cont...

The best way to address school overcrowding is to create new seats. In New York City, the School Construction Authority (SCA) is in charge of creating new seats by building new schools, leasing or utilizing space in existing school buildings. In its 2016 Five-Year Capital Plan, SCA proposed an investment of \$4.4 billion to create 44,300 new seats city-wide. If the plan were to be followed according to schedule, Sunset Park would have an additional 1,096 seats by 2021 (9). These additional seats would not meet the existing need, which according to the SCA's estimates it ascends to 2,610 seats, a number that more likely underestimates the real need.

According to the SCA, finding appropriate sites is one of the greatest challenges in building new schools in New York City and Sunset Park is no exception. For years, the SCA has claimed that no appropriate sites are available in the neighborhood. Failure to create new seats, however, will have a negative and long-lasting impact on Sunset Park's children, who will have to bear the effects of a poor quality education due to overcrowding.

1,096
new seats will
not meet the
need of Sunset
Park

Box 1

Martha, Liliana and Mariana

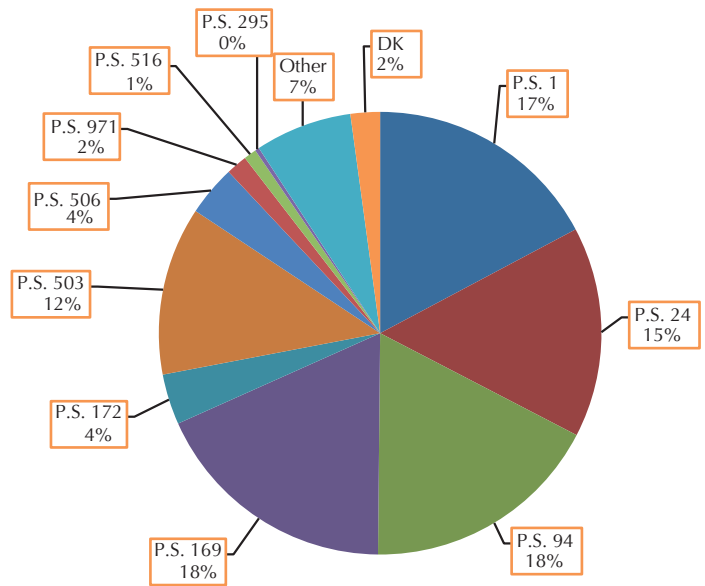
Martha has two daughters; Liliana who is in 3rd grade has always received good grades. This year, however, she started falling behind. Martha wondered why that was the case since Liliana is always doing homework from the time she gets from school. When Martha asked the school, she was told that "there are many children in her classroom [30-32 children] and they [teachers] cannot review and grade children's homework one by one.... So that's the problem in the classroom. They [teachers] cannot give the attention that children deserve." Martha tries to help her daughter, but it's difficult when she does not have feedback from teachers about the progress of her child. Enrolling Liliana in an afterschool program is not an option. The school has a limited number of seats in its afterschool programs, seats are assigned by lottery and programs last only two months. Martha usually registers her daughter for the lottery, but has not been "lucky" enough to be selected. Martha said that "as her mom, I want the best for her, the best education within my reach, I'm always going to support her."



Methods

This report is based on data gathered through workshops, a community-wide survey, and in-depth interviews. From January to May 2016, we conducted workshops at various public schools in the neighborhood where we engaged in a dialogue with parents about the impact of school overcrowding on their children and families and brainstormed potential solutions to the problem. As we learned more about the issue, we realized that we needed to reach a larger number of parents to better understand the extent of the problem and the many ways it impacts children and families.

From May 2nd to May 31, 2016, we conducted a community-wide survey. The survey was conducted in English, Spanish and Chinese Mandarin and implemented in schools, laundromats, parks, streets, and other places where parents gather. We made every attempt to cover different areas of the neighborhood to ensure a fair representation of views in our sample. We collected a total of 330 surveys. As we conducted the survey, we engaged in conversations with many parents who wanted to share their experiences and voice their concerns. We conducted six in-depth interviews with parents to deepen our understanding of the issue.



Survey Response by School



Findings

Experiences of School Overcrowding

Our survey asked parents to indicate some of the situations they have encountered in their children's school. The most common issue parents met was large class sizes. About seven out of ten parents told us that the classroom of their child(ren) had more students than it was supposed to have. We met parents who have children in classrooms of up to 30 or 32 students.

The second most common issue encountered by parents was the lack of individualized attention that children received from teachers with 65% of parents mentioning this as an issue. As the story of Martha and Liliana illustrates, the lack of attention that students receive from teachers can result in children falling behind their academic work (See Box 1).

Box 2

Mimi

Mimi has a 7 year-old daughter who is special in many ways, including the way she learns. She was placed in an IEP class where she was receiving one-on-one assistance. This year things changed "...Because of the need of the school due to overcrowding, now they put her in a three-to-one [session]. ... I know my kid can learn from other kids, but my daughter hasn't been able to be independent from other kids... It seems like I'm doing double the work because now I have to educate her about what the lesson is ... and it is becoming more of a challenge for me ... I don't want her to fall behind... she's in a special Ed class, but even with that it does not seem like sufficient attention for my child and her needs. ... and I'm not going to put the blame on the teachers because there is too many kids ..." Mimi decided to enroll her daughter in a tutoring program, but this represents another set of challenges for her family. "My daughter's afterschool is not cheap, ... Now I gotta work extra hard, double the job so that way I can get more hours so I can pay that bill because now I have another bill to pay... I need to get another job... so that I can make enough income to provide the needs for my entire home.

7 out of **10**
parents have children in classrooms that exceed NY State mandated standards

6 out of **10**
parents said teachers cannot provide individualized attention to students

Findings, cont...

Children with special educational needs seem to be particularly affected by overcrowding. 46.7% of parents said that children with special needs were not provided with adequate attention or services. We met parents whose children had been placed in regular classrooms, sent to other schools to receive needed services or who saw services reduced. The stories of Mimi, Ana and Alma illustrate the impact of overcrowding on children with special needs and the sacrifices that parents have to make to ensure that their children receive adequate services (See Boxes 2, 3, and 5).

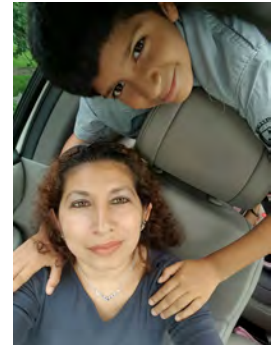
The third most common issue encountered by parents was having their children sent or transported to schools outside their zone or neighborhood due to overcrowding. Anyone walking in the early morning along 7th and 6th Avenues in the 40s will likely run into the line of buses taking children to other locations. This issue often represents a challenge for parents with children placed at different schools who have to split their time between various schools (See Box 4).

5 out of **10**
parents said that
children with special
needs are not
provided with adequate
attention or
services

Ana and Luis

Six years ago, Ana enrolled his son, Luis in kindergarten at one of the zoned schools in Sunset Park. Soon after, she received complaints that Luis was misbehaving; he hit one child, broke the glasses of another and just would not sit still. His classroom had 27 children and teachers could not provide enough attention to Luis. They opted for reducing his time in school to half a day. This resulted in a big challenge for Ana who worked. After a few months, the school decided it could not accommodate Luis given its resources and space availability and referred him to a school outside the neighborhood, in Kensington. Ever since, Ana has traveled to bring Luis to school. She said, "It has been difficult. I have to take the R train then transfer to the F to bring him to school whether it is raining or hot. Some times, I didn't have enough money for transportation and had to walk from home to the school. It takes 1 hour 20 minutes by walking; it's half an hour by train." While Ana qualified for transportation, she preferred not to use it given the limited personnel on the bus to look after her son. Luis is about to graduate from elementary school and for six years he and his mom have made the trek to get to school every day.

Box 3



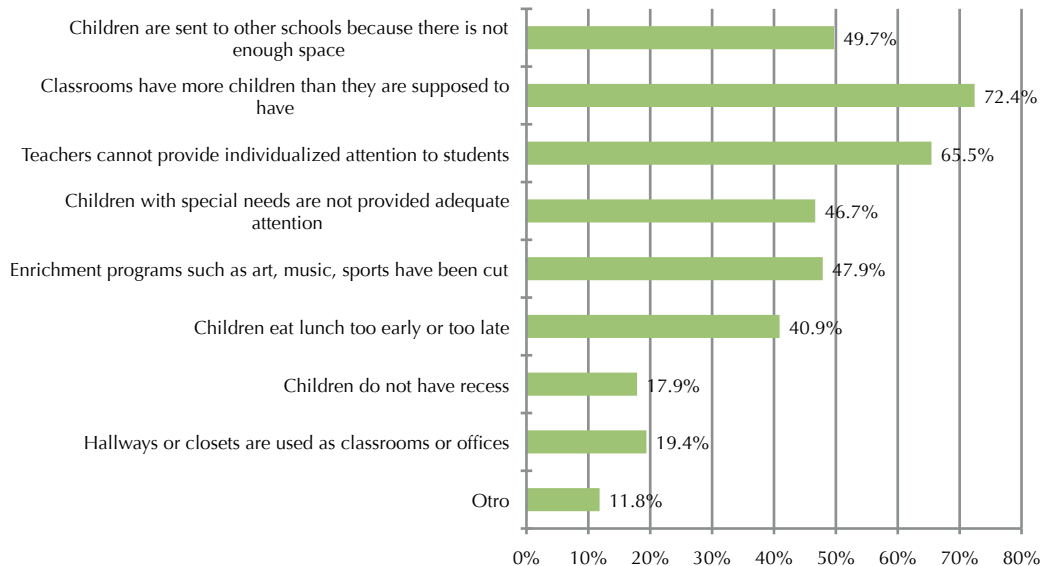
Findings, cont...

Another issue voiced by parents was related to cuts in afterschool and enrichment programs with 47.9% of parents encountering this issue. Parents noted that the lottery system that is used in some schools discourages children who do not get into their preferred program. Moreover the duration of these programs, which in some cases is restricted to 2 months, limits the ability of children to fully develop a skill. For many working parents not having access to afterschool programs represents an economic burden on their families (See Box 6).

Other issues that parents encounter are: children eating lunch too early or too late, children not having enough time for recess, hallways and closets being used as offices or classrooms, limited adult supervision resulting in increased incidences of fighting and bullying, limited time to complete standardized tests, inadequate space to complete standardized tests, unsanitary school facilities, teachers becoming impatient with children, and children having lunch in the classroom, which cuts into class time.

5 out of **10** parents said that afterschool programs have been cut or reduced

Issues Encountered by Parents at Public Schools



Findings, cont...

Potential Solutions

During our workshops, parents brainstormed potential solutions to the overcrowding issue. It was not difficult for parents to name a number of sites in the neighborhood that could potentially be used to build a new school (See Appendix A). For our survey, we wanted to know whether two potential solutions to school overcrowding, often mentioned by decision-makers, would be considered adequate and supported by community members: (a) the use of eminent domain to build a new school and (2) the construction of a new school west of 3rd Avenue.

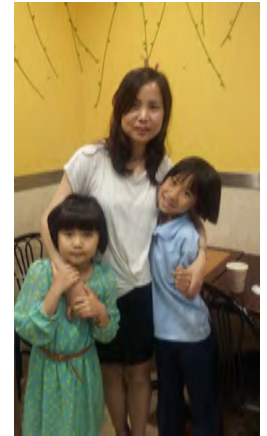
The overwhelming majority of parents (80.9%) said that they would support the use of eminent domain to build a new school in Sunset Park. Another 11.5% said that they would support the use of eminent domain under certain circumstances.

8 out of **10**
parents support the
use of eminent
domain to build
new schools

Sai Jin

A mother of two spunky girls, Sai Jin came to the U.S. a few years ago. She was born in a small village in southern China. She came looking for a better life for herself and her daughters. Her older daughter goes to the school in her designated zone. Her youngest, however, was not given a seat at the same school due to overcrowding. Instead, she was offered the option of going to a school few avenues away from home. Every day, Sai Jin and her daughters walk to school; one stays at the nearby school, the other takes the bus to go to her school. While having a bus makes it easier for Sai Jin to cope with this situation, she often has to divide her time between two schools: "It's difficult to attend meetings because I have to go to two different schools."

Box 4



Findings, cont...

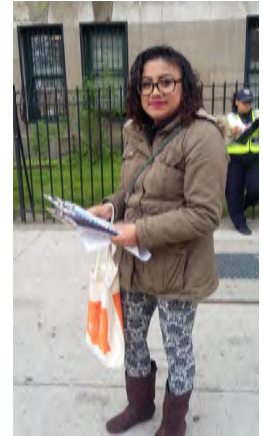
When considering whether a school west of 3rd Avenue was a viable solution, parents expressed many concerns. They cited the area's industrial activities as dangerous for children and the breathing of pollutants, particularly small particulate contaminants, and toxic fumes from vehicles traveling in the Brooklyn-Queens Expressway as their primary concerns. Parents also expressed concern about the levels of traffic on 3rd Avenue (57%) and the presence of stores such as adult video stores in the area (50.3%). Many parents cited drug and gang activity in the area and the closeness to the river as concerns.

7 out of **10**
parents are concerned about safety if a school were to be built west of 3rd Ave

Box 5

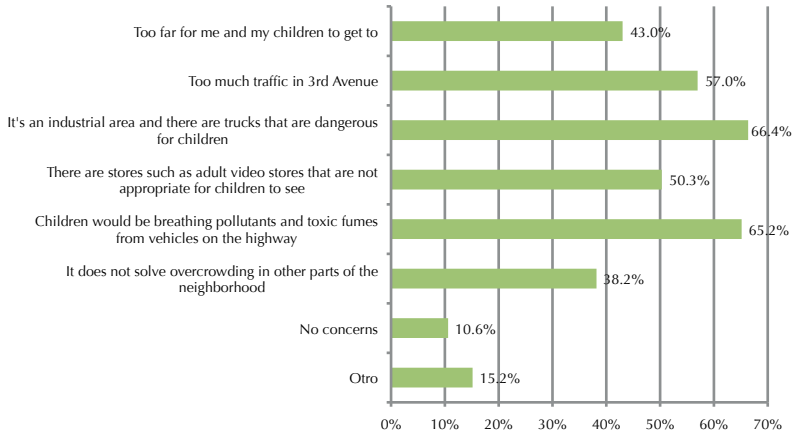
Alma and Irene

One of Alma's three children, Irene a 9 year-old girl, was diagnosed with autism, hyperactivity and intellectual disability. From an early age, she has been receiving special services. Since Irene started school, she has been referred to schools outside Sunset Park. Alma said that "here in Sunset Park, I have not seen special education schools. I have looked around. The school that they just referred me to, has a site in Borough Park, but there is no space there. So they sent me to one [in Bed-Stuy]... they told me that maybe at [P.S. 506] there was a paraprofessional, but when I came, the psychologist told me; 'there are no room for this kind of children, we don't have space here.' It's a bit sad to have to send our children so far because there is no school assigned for them." Everyday, Irene has to wake up before 6:00 am to get ready for school. Having two children in different schools has made it difficult for Alma. She said that, "when there are parent-teacher conferences, I have to run and divide myself. My son is here in [a school in Sunset Park] and my daughter is over there [in a school in Bed-Stuy]. It's complicated, it's a long distance, too much traveling."



Findings, cont...

Concerns of a School Located West of 3rd Avenue



6 out of **10** parents are concerned about pollutants and toxic fumes if a school were to be built west of 3rd Ave

Box 6

Cecilia and Chabeli

Cecilia has five children, three older ones and two young ones, Alex and Chabeli, 11 and 6 years old, respectively. School overcrowding has impacted Cecilia since her older kids were young. She said, "My eldest could not get help in her zoned school because there were no bilingual programs. She could not speak English...I had to take her to a school an hour away from here [Sunset Park]... Now I enrolled my youngest daughter in an afterschool program, but they did not accept her because there are many children and there are not enough spots for all... I have to pay someone to take care of her because I have to work and I don't have anyone in my family who can look after her. I have to pay and part of my salary I have to give it to the person who looks after her. And that affects me because I don't earn a lot. I don't have a high salary to be paying, but I have to do it." Beyond the additional expense Cecilia incurs, she lamented that Chabeli could not attend afterschool because, as she put it, "I think that if she were in one of those programs she would be learning different things instead of being in a place where sometimes she gets bored. The school does not have programs where she could continue learning."



Policy Recommendations

As this report shows, children and families are enduring the negative effects of school overcrowding. The creation of new seats ought to be of the utmost priority if we are to mitigate the long-lasting negative effects of school overcrowding on children, their families and the Sunset Park community as a whole. We recommend that:

- SCA must create at least 3,500 new seats by 2021 to meet existing need and where the need exists
- SCA must not delay the creation of new seats any further. School overcrowding is having severe consequences for Sunset Park's children as evidenced by this report. Delaying the creation of new seats can only result in further damage to children's future academic success.
- The DOE must commit additional funding to overcrowded schools for afterschool programs and special education services in an effort to ameliorate the damaging effects of overcrowding.
- Elected officials, the City and the SCA should consider the use of eminent domain as an alternative to siting new schools where the need exists.
- SCA must take into consideration the needs and concerns of Sunset Park parents in decisions regarding where to build new schools. Areas of the neighborhood with safety and environmental issues should not be considered as viable options.



3,500
new seats for
Sunset Park

Start
Construction now

More
funds for Sunset
Park schools

Use
eminent domain

Voice of
the community is
necessary

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Appendix A

Missed opportunities to build a new school for Sunset Park's children

- 56th and 8th Avenue
- 60th Street and Forth Hamilton
- Fort Hamilton between 50th and 50th Streets
- 64th Street between 8th and 7th Avenues
- 41st Street and 8th Avenue
- 45th Street and 8th Avenue
- 43rd Street and 4th Avenue
- 462 36th Street

Potential sites where a new school could be built for Sunset Park's children

- 517 39th Street
- 39th Street between 4th and 5th Avenues
- 49th Street and 8th Avenue
- 43rd Street and New Utrecht Avenue
- 60th Street and 6th Avenue
- 62nd Street and 4th Avenue
- 62nd Street between 7th and 8th Avenues
- 968 4th Avenue at 37th Street
- 4104 4th Avenue



E-mail: qualityschools4sunsetpark@gmail.com
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Address: 664 49th Street - Brooklyn, NY 11220
Phone: 646-265-9174
E-mail: vocesciudadanasinc@gmail.com
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New York City Council

Hearing on Oversight - School Planning and Siting for New Capacity

Committees on Finance and Education

February 28, 2017

Testimony

Good morning. Thank you Councilmember Dromm and Councilmember Ferreras-Copeland for holding this hearing today on such an important issue.

My name is Megan Berryman, and as the parent of two children at PS 89 Elmhurst, I am extremely concerned about the impact of overcrowding on students.

PS 89's principal, teachers and staff do an incredible job within the limits of their resources, but the situation is untenable.

I am dismayed by the lack of urgency in the ^{SCT and} DOE to address this issue for students in the PS 89 zone, and the lack of a transfer option to allow children in the City's most overcrowded schools to move to less crowded schools.

PS 89 Elmhurst is supposed to serve about 1300 students. Today enrollment is over 2000 students K - 5, most of whom come from immigrant families.

I'm sure I don't have to say, but will for the record, that every classroom is at the absolute limit of 32 students, which is far too high.

In addition, as others have stated, the overcrowding at PS 89 Elmhurst severely limits basic activities like lunch and recess.

As a result, time for children to get to know each other and play is extremely limited, depriving them of physical activity and opportunities to practice social skills,

activities research has shown are just as important to their success as what they are learning in the classroom.

For a child with learning challenges, this situation can be even more problematic.

One of my children has Attention Deficit Hyperactivity Disorder, also known as ADHD.

Over the last two years of navigating this health issue, we have learned many things about helping our son. One is that in his particular case,

ADHD can be difficult to manage even with medication.

Another is that physical activity and exercise help him a great deal. In fact, multiple studies have shown that exercise greatly helps children with ADHD with their symptoms.

Given the lack of daily recess at PS 89 due to overcrowding, last June we attempted to have our son transferred to a school near our jobs that provides daily recess, to help him get through his school days and reach his full potential.

We discovered that there is no transfer option for students out of crowded schools into schools that are not at capacity, nor could we use a medical transfer.

I want you to understand the deep sadness that comes with having your child receive a diagnosis that so greatly impacts their academic success, and watch them struggle with the side effects of the medication to treat it.

I also want to convey the frustration and anger that come with trying to navigate a bureaucracy like the DOE to get what your child needs from his school, and fail.

It's incredible to me that the DOE essentially forces thousands upon thousands of students to attend overcrowded schools when there is room to accommodate them in other City schools.

I also find it hard to believe that DOE cannot find land in our area to build new schools.

With the pace of development taking place in our community, it's absolutely essential that solutions be found and implemented quickly.

Whatever processes the School Construction Authority is currently using to identify and acquire land need to change to become more nimble and responsive to current conditions.

Today I am imploring the City Council ^{the SCA} and the DOE to prioritize figuring out how more schools and seats can be added to relieve overcrowding for PS 89 Elmhurst's zone.

I am also asking the City Council and the DOE to create a proactive

transfer process specifically for students in the City's most crowded schools.

To close, the current situation is indefensible, but it is not inevitable.

Our community needs the ^{SCA and the} DOE to find the will to make the changes ^{SCA and the} necessary to solve this problem, and we need to Council to help the ^{SCA and the} DOE find the will.

In the current political climate that vilifies immigrants, a sanctuary city like NYC needs to show the world that our schools are governed by principles of equity, and are responsive to students' and families' needs.

Thank you.

Cristina Furlong

37-35 85th St. Apt. 21

Jackson Heights, NY. 11372

917-251-0024

Thank you Councilmembers Dromm and Ferreras-Copeland for calling this hearing today.

My name is Cristina Furlong, and I am the parent of a child who attends his zoned school, PS 89 Elmhurst, the most overcrowded elementary school in New York City. I'm also on the school leadership team and former PTA president.

Our school is supposed to serve approximately 1,300 students. It currently has roughly 2,000 students K – 5 enrolled with a number of 2,036 last year.

Let me be clear – PS 89's principal, assistant principals, teachers and staff do the very best they can with the resources at hand. We have many teachers and staff that have spent well over 20 years at our school.

Let me illustrate some of the ways this impacts our children every day.

Recess is limited to once a week because there is simply no way to accommodate all students every day. Lunch periods are only 20 minutes long. Some children choose not to eat lunch because lines are so long and time to eat is so limited.

Only 13% (270) of our students can participate in the city-funded afterschool program.

Our auditorium only seats 300 people. Each grade has 350 – 400 students, so it's not even possible for our school to have a grade-wide assembly.

It's basically impossible for our school to have school-wide events that include families – it's just too crowded. Our gym was converted to classrooms over 10 years ago, when there were over 400 fewer students! Now, kids do little more than hula-hoop in a 30x20 space, often cited by FDNY as unsafe. That's not Phys. Ed.

Lack of space also means that as the school prepares for and administers state tests, there is no access to the library or gym, and music class and recess are even more limited than usual because the school must use these spaces to test.

In a school with 700 more students than DOE's capacity, it's like drinking water from a fire hose.

I don't think any Council member, Chancellor Farina, parent, or teacher would agree that this is an environment conducive to learning or a sustainable arrangement.

We desperately need more schools built in the part of District 24 that will directly impact PS 89's zone and relieve crowding, and this cannot happen soon enough. Though new schools have been built, none has ever affected our zoning- leaving it steadily growing while others such as PS 19 have decreased.

Elmhurst/Corona is sometimes cited as the 4th fastest growing neighborhood in NYC. With the pace of development of our neighborhoods increasing, and multi-family buildings replacing single or two family buildings, it is imperative that the DOE find space to build new schools and rezone the current ones. Students at 89, which border D30, have few transfer options, despite less crowded schools being blocks from our homes.

District 2 in Manhattan serves roughly 62,000 students, which is more than District 24's 56,000 students, but it has more than double the number of schools. More than double the schools.

This is unfair, and begs the question, "Why are our City's public resources so unevenly distributed?" I've been told at CEC to march people on the streets, to go out and find school locations and submit them to SCA myself which I have. But, SCA is a large and well-funded agency and needs immediate transparency into how locations are being searched and vetted. This is an insult to working parents, for such a huge agency. For two years, I've attempted to secure a location, without ever receiving a response from at least 20 emails I've written. Even well staffed council members sometimes fail to recognize the time, anguish and sheer fatalism of a parent's efforts to advocate. At least three parents before me have given up and either moved or lied about their address, rather than fight this battle for new schools and rezoning.

Today, I am calling for the creation of a new district to better serve the families of Northern Queens.

At this moment, District 24 serves 439,628 residents and encompasses 14.2 square miles. This is approximately 71,000 more people and 3 more square miles than adjoining District 30, and is nearly double the residents served and square miles of adjacent Districts 14 and 28.

Why the people who are tasked and employed, or elected to manage this district have let it become so unruly and large is a question that keeps me awake at night.

District 24's Community Education Council does not currently have a webpage. This advocacy I'm told to persist at, is hindered by a lack of information at the CEC level.

As a result, it is very difficult to access District 24's meeting minutes or agendas for upcoming meetings in a timely fashion, or get the CEC members to respond to issues facing our school, such as this hearing itself- which would be made better by active participation of our district leaders.

Creating a new school district to serve Jackson Heights, Elmhurst and Corona would result in better support for the needs of students in these communities and provide the oversight and attention that the northern part of District 24 currently lacks.

In addition to the creation of a new district, to address the immediate needs of PS 89 Elmhurst, we need funding for an additional parent coordinator, a community coordinator, and space for student recreation, events and storage for school supplies.

We need the DOE and School Construction Authority to bring a laser focus to PS 89's zone to find space for new schools as soon as possible.

**Testimony Before the City Council Education and Finance Committees on the School
Siting and Planning Process
February 28, 2017**

Good afternoon, Speaker Mark-Viverito and Chairs (Daniel) Dromm and (Julissa) Ferreras-Copeland. I am Jeannine Kiely, the Chair of Schools and Education Committee for Manhattan, Community Board 2. I am here to share recommendations that CB 2 approved in February 2017 to reform the CEQR methodology to more adequately forecast public school seats.

In Community Board 2, residential construction has resulted in an increased number of families in our community, which requires a corresponding increase in community facilities and social services, such as: schools, parks, police, and medical care. We remain concerned about overcrowding in our local public schools, and unanimously passed resolutions in February 2008, February 2012 and February 2017 that stressed the need to consider “school capacity and overcrowding as part of our evaluation process for each and every new residential project.”

Manhattan CB 2 has identified the following flaws in the current school planning process:

1. In 2014, New York State passed legislation to require the Department of Education and School Construction Authority to use more local data when forecasting enrollment projections. We want to ensure that this translates to local planning so that our youngest children have the option to attend a neighborhood elementary school and not be required to commute to a school in an artificially defined sub-district in our expansive school districts.
2. The CEQR formulas, which are used by the Departments of Education and City Planning, to calculate the impact on school seats caused by new residential development, are based on long outdated assumptions that describe a time when families generally chose not to live in Manhattan. The multiplier for estimating public school students in Manhattan is only 0.12 for elementary schools and 0.04 for middle schools, well below levels in the other four boroughs. In our community, based on the actual number of new residential units and actual enrollment, the historical implied CEQR multiplier is closer to 0.16 for elementary school seats.¹
3. Furthermore, in accordance with the CEQR Technical Manual, the city only requires that a detailed Environmental Impact Analysis (EIS) of school seats be conducted on residential projects that will add at least 310 units or more, even though it is clear that all new residential construction and conversions (including those of only a few units) have the potential to add children to our schools. Multiple projects that individually do not trigger an EIS analysis will certainly have a collective impact on the school age population and therefore increase the demand for public school seats.
4. The EIS analysis also is flawed because it permits 100% of the capacity for a school to be included even when some or all of the relevant school zone is outside of the study area for the analysis. This occurred recently for the rezoning for 550 Washington Street and resulted in the city’s approval of 1,408 new units of non-senior housing without zero

¹ *Bleecker School: Timing and Demographic Analysis*, CB 2 Schools & Education Committee, October 15, 2014, p. 22, available at <http://on.nyc.gov/2IRmzHC>.

funding for public school seats. This new demand for public school seats will cost NYC taxpayers more than \$30 million.²

5. Under the EIS analysis, the formula for calculating the change in utilization is (Students Introduced by the Proposed Project) / (Capacity in the Study Area) = Change in Utilization.³ As a result, as the population in the study area expands or more school capacity is built, the threshold for any residential project to impact utilization increases, while the cost to build new school seats continues to rise.
6. The CEQR policy is based on capacity as defined in the Blue Book (officially known as the Enrollment, Capacity, and Utilization Report), which continues to be based on class sizes of 28 students for grades 4-8 and 30 for high school, despite class sizes in the state-mandated Contract for Excellence plan of 23 students per class in grades 4-8 and 25 in high school.

To address these flaws, CB 2 Manhattan:

1. Calls upon the Department of City Planning to develop new and better formulas, based upon current demographics, that more accurately represent the percentage of families with school age children that comprise our local population, and considers the number of families who can be expected to move into new residential development;
2. Calls upon the Department of City Planning to institute a policy that would require a school impact study, using local data as required under the 2014 law, on all new residential construction and conversion, regardless of size; and,
3. Urges our elected officials to develop a mechanism that would require developers of all new residential buildings to contribute to a capital fund for public schools, and/or include new school seats within their projects.

Thank you.

² Assumes an implied CEQR multiplier of 0.16 and cost per school seat of \$120,000-\$174,000. Using the 0.16 implied CEQR multiplier results in 225 new school seats and a cost to taxpayers of \$27.0 to \$39.2 million. Using the 0.12 CEQR multiplier results in 169 new seats and a cost to taxpayers of \$20.3 to \$29.4 million.

³ Formula Simplified

Utilization with Action – Utilization No Action = % Change in Utilization
[(Future + Project) / Capacity] – [(Future/Capacity)] = % Change in Utilization
[(Future + Project – Future)] / Capacity = % Change in Utilization
Project / Capacity = % Change in Utilization

Variables

Future = Total Future Enrollment in 2024

Project = Students Introduced by the Proposed Project

Capacity = Public School Capacity in the Study Area

My name is Laurie Brown Kindred, mom of twins in a DOE public school for the past five years in District 5, TCCS. Our need for space for our Middle School, set to open next school year, has been known by the DOE for the past 10 years, since the accepted proposal by then Chancellor Joel Klein. Yet we are currently under the wire, literally, with the Panel for Education Policy vote tonight in Brooklyn on a proposal by the Office of Space and Planning to split our school up, and co-locate our PreK-2nd Grade to a neighboring school. Rather than the DOE being held accountable for providing space to a school they approved, they are set to put the responsibility on a neighboring struggling school. Since TCCS has opened, we have helped shape and give hope to District 5 & 6 residents. We are one of the most culturally and economically diverse schools in both Districts. With more and more choice school options becoming available in the past 5-10 years, it is known that most families choose to have their kids go OUT of district for school, especially middle and high school, rather than keep them in a district that is continuously under-serviced and under-valued.

There is no security given to our loyal TCCS students, parents and community, who have started making choices for their children's future elsewhere. Once committed families have already left. Current families are afraid that any decision of the DOE will make the goals of TCCS untenable, thus setting our successful school up to fail in a matter of months. Future families who were looking at TCCS as a possibility for their children are now suddenly hesitant because of the constant 'unknowns.' And all of the work and energy put into creating a community choice school in a failing school district will be lost.

But our problem of 'lack of space' is by no means a new topic of frustration to schools in our district. With 30 public schools in our district, 2/3 are co-located, some 3-4 schools in one building. And most were told that it would be temporary, yet years later, in some cases

decades, they remain – most starting lunch at 9:30am, some even without a library, in which for middle and high schools is a violation against the state mandate.

At a community forum on Feb 15th, Deputy Chancellor Rose stated that there were more seats available in District 5, than the student need to fill them. This calculation comes from the Blue Book, which even Chancellor Farina has stated is out of date.

Then there is just basic infrastructure needs. A DOE building on Amsterdam and 138th Street, home to 3 schools has students, the majority of which are Title 1, would rather NOT eat lunch at all for 3-4 months out of the year (for some, most likely their only meal of the day), than sit in a sweltering hot cafeteria. The solution? Simply fix the windows so that they can open. Work orders have been in for 3 years, but they are currently sealed shut. Even at PS36, classrooms have desks that are more than 30 years old. Books and supplies are stacked in milk crates and boxes, because they aren't even given proper shelving. Their playgrounds are unusable. How do our public leaders think that this is OK for 1 school, let alone for 2 or 3 or even 4?

A 19 page report in June 2014, by Teachers College at Columbia University stated the Impact of Co-Location on NYC Students' Educational Rights and Opportunities, which includes:

- Violations of students' rights to a sound basic education
- Violations in access to facilities
- Oversized classes and instructional groupings
- Violations in access to curriculum and supports for struggling students
- Violation in the provision of special education services
- Diversion of scarce resources

The report states that many small, co-located NYC public schools suffer from inadequate facilities, oversized classes and instructional groupings, inadequate course offerings, insufficient student support and in many cases, violate state statutory, regulatory and constitutional requirements. Some problems stemmed from the inadequacy of current funding for schools, but was exacerbated by the fact that small schools in general, and co-located schools in particular, require additional resources as well as attention to the strains on already limited resources that are created when basic school facilities need to be shared among different entities.

Another example is of severely disabled children in the Mickey Mantle School in PS 149 have already been affected by the co-location of Harlem Success Academy in their building. These children had a “cafeteria, playground, library, and cluster rooms (for specialized activities).” But in 2006, when the charter school moved in, they lost their library and a bunch of classrooms. The following year, they lost their technology room, music room, and art room.

If we have seen that co-location affects schools in a negative way, why does the DOE insist on making that change? Why are they playing with our children's future? Instead of fixing what is not broken, let's focus on what needs fixing. Appointed leaders and officials need to truly care about our children's education and be willing to do what it takes to ensure that our children are given all the necessary tools to become successful and obtain the best possible education.

We are tired of those leaders that only care about cutting budgets leaving our children with not much to grow upon. Overcrowded classrooms, schools without library, art and music room, is NOT what we envision for our children, and it's certainly not what they deserve.

We hope that the people who have the power to make change and impact our community, will do so in a way that would benefit our schools and children. We hope that they would provide the necessary tools to make the school systems in our district the ability to succeed, instead of taking away the little that is left.

PS 32, Brooklyn D15

Co-location can be a great experience if you are blessed with adequate amounts of space. There is so much we can learn from one another. At PS 32 we have a friendly and happy relationship with our co-located Middle School, MS 442, but there is no denying how difficult scheduling and sharing the building has been.

We share our Auditorium, Gymnasium, Schoolyard and Cafeteria. During the school day we have 3 lunch periods with some children eating as early as 10:55 am and others eating as late as 1:30 pm. Due to lack of space, some of our children are scheduled to eat in their classrooms and are not able to experience the standard lunchtime experience with their fellow students. Recess and Physical Fitness time is also compromised due to the sharing of outdoor and indoor recreational spaces. Our Dance classes, performance times and family events are also complicated because of shared Auditorium space.

Over the last couple of years, due to increased admissions at PS 32, we lost our ESL and Social Studies Rooms to full time classrooms. MS 442 staff has had to make extreme space sacrifices, sharing offices with PS 32 staff, and this year MS 442 had to give up two of their classrooms to accommodate the growth of the elementary school. The two fifth grade classrooms that are on the middle school floors are not connected to the PS 32 PA system and do not hear any of the PS 32 school day announcements. They are basically disconnected from majority of their fellow students.

We have ¹⁴~~12~~ classes in TCUs that are in terrible condition. The children in these 14 classroom units are also somewhat disconnected from our PS 32 community.

In addition, our teachers and staff do not have a respectable Lounge area. They currently use a former bathroom as the Staff Lunch Room and Lounge. The lavatory tiles and some of the plumbing are still present and visible in the room. This room is also frequently used as a meeting room for PTA committee and board members. The room that was previously used by our Parent Coordinator and served as a Parent Lounge and Workshop Meeting Room for Parents throughout the day and children during recess, was taken away last year. There is no easily accessible storage area for the PTA to keep any necessary items. The PTA safe is housed in the Guidance Counselor's office and is not easily accessible. When necessary, the PTA can only meet in the cafeteria after breakfast and before the 10:55 am lunch. Hosting Parent Workshops have become impossible due to space and time limitations. Three hour workshops often have to move locations halfway through the workshop.

Although we will miss our friends from MS 442 when they move to the

Bishop Ford Complex this summer, it will be a big relief to know that we will have full time access to the entire building and grounds. Over the course of the next three years, plans are in place for our TCUs to be removed, an extension will be added to the main building. And we will acquire space for another 436 children in the new addition.

Our founding Principal, Samuel Mills Sprole, would be proud to know that PS 32 will once again become a solid and thriving community of learners.

Camille Casaretti
PS 32 SLT and CEC 15 Representative
917-604-1141

Community Education Council District 2
333 Seventh Avenue
New York, New York 10001
Tel (212) 356-3915 Fax (212) 356-7506
www.cecd2.net

Robin Broshi, President
Shino Tanikawa, Vice President
John Keller, Treasurer
Matthew Horovitz, Recording Secretary

Claude Arpels
Jonah Benton
Eric Goldberg
Carrie Solomon

Resolution #98
Creation of a Commission on School Siting and Planning

Co-sponsors: C. Arpels, R. Broshi, J. Keller, S. Tanikawa

WHEREAS, in March 2012 the Community Education Council District 2 (CECD2) passed a resolution (Resolution #56) calling for a requirement for residential developments to contribute to the construction of more school seats by creating a school construction fund;

WHEREAS, nearly five years later many schools in the City remain overcrowded, including those in Lower Manhattan, while new residential units continue to be built;

WHEREAS, the November 2016 Amendments to the 2015 – 2019 Fiver Year Capital Plan estimates District 2 elementary and middle school capacity needs to be 3,232 seats with 3,150 seats funded in the plan;

WHEREAS, the CECD2 finds the enrollment projections for the capital plan to be flawed, utilizing a CEQR formula that is not appropriate at a neighborhood scale and not taking into consideration sizes of residential units (e.g., studio vs. 3 bedroom) and as a result projections have been shown to be significantly lower than the actual school age population growth in some neighborhoods;

WHEREAS, new school construction continues to be a process that often stretches over 5 to 6 years – an entirety of a child’s elementary school education;

WHEREAS, inadequate planning has caused undue hardships not only on families but also on schools by creating large fluctuations in enrollment from having to accommodate more students than the buildings can hold to a sudden drop in enrollment after new schools open;

WHEREAS, the City has an obligation to the citizens of NYC to have sufficient school seats for its children, and to match school capacity to our growing population;

THEREFORE BE IT RESOLVED, that the Community Education Council District 2 renews its call for creation of a school construction fund, requiring the real estate development community to shoulder its share of the burden on school overcrowding;

BE IT FURTHER RESOLVED, that the CECD2 calls upon the City to create a Commission or Task Force on School Siting and Planning, with members including parents, advocates and planning experts appointed by the NYC Council and the Mayor, to improve the efficiency of school siting and planning;

BE IT FURTHER RESOLVED, that the CECD2 urges that this Commission or Task Force:

Consider whether the CEQR formula used to project the impact on enrollment from housing starts should be updated and/or modified;

Analyze whether the process of enrollment projections should be revamped to be made more accurate, regular and transparent;

Consider if the threshold for building a new school in the planning process be made lower when residential development is proposed in already overcrowded school districts:

Analyze whether impact fees should be adopted that are now required in most school districts across the country, requiring developers to pay into a fund for schools and other infrastructure improvements.

Adopted and approved by CECD2 on January 12, 2017.

Testimony Submitted by Shino Tanikawa, Co-Chair, Blue Book Working Group and Vice President, Community Education Council District 2

Hearing on School Planning and Siting for New Capacity

February 28, 2017

Thank you for the opportunity to testify on school planning and siting for new capacity. I am a parent of two children, the younger of whom is still in public school. I have served on the Community Education Council for District 2 since 2009 and am currently the Vice President. I also served as the Co-Chair of the Blue Book Working Group, a group convened by the Chancellor in 2014.

I am grateful that the School Construction Authority and the Department of Education have created 8 elementary and 3 middle schools in Community School District 2 in the last eight years with a handful more in the planning for the coming years. However, many of these new schools are the results of intensive advocacy by the Community Education Council District 2, parents, elected officials and community boards and came online after severe overcrowding and long waitlists in existing schools. Adding new capacity always seems several years behind the population growth despite the projections developed by the two consultants retained by the SCA for this purpose.

There are many factors that contribute to this poor planning. I would like to share some of them for which there are potential solutions.

Inappropriate geographical units for projecting needs

The use of planning sub-districts, which do not align with other planning units such as school attendance zones or community districts, lead to projections that are inaccurate at the level relevant to school planning: neighborhoods. The planning sub-districts used by the SCA cover a relatively large area with multiple schools and neighborhoods.

Overcrowding in one end of the planning sub-district might be “washed out” by under-utilization in the other end. While such an analysis might be adequate for middle schools whose students are able to travel out of their own neighborhoods, it is often problematic for elementary schools, which tend to draw most of their students from the vicinity. *Thus capacity needs must be assessed at geographical scales that are relevant to the students and families.*

Furthermore the use of City Environmental Quality Review formula for projecting school capacity needs is deeply flawed and CEQR coefficients are geographically inappropriate. There is one coefficient for elementary schools in all of Manhattan even though the proportion of children attending public schools is highly variable from neighborhood to neighborhood. In addition the same CEQR coefficient is applied to all sizes of apartments even though multiple bedroom units are more likely to be occupied by families than studios. *I strongly urge the City to develop CEQR coefficients that are based on data at the neighborhood scale.*

Holding developers accountable

In several neighborhoods in Community School District 2 there are multiple as-of-right residential developments. Individually these projects do not trigger detailed analysis (i.e., they do not generate 50 or more elementary students) but in the aggregate, they have the potential to generate hundreds of students. In fact this “loop hole” is what continues to create overcrowding in Community District 1 in Lower Manhattan. Between August 2013 and January 2017 more than 5,000 residential units have been filed with the Department of Buildings (many of these buildings are under construction or completed). Of the 33 projects, only five projects would trigger detailed analysis (more than 310 units). However, taken together, these projects may generate more than 600 elementary students (using the CEQR coefficient, which has been shown to be too low for this particular Community District). Developers often use our high performing schools as a sales pitch and reap the benefits of our outstanding schools. Yet, our schools are rewarded by overcrowding and large class sizes. It is time we hold the developers accountable.

The Community Education Council District 2 passed a resolution in January 2017 calling for a school impact fee (Resolution #98). Subsequently Assemblywoman Deborah Glick introduced a bill (A3378) to institute a school impact tax. I urge the City Council to support this bill. Educating our children should be a responsibility shared across multiple sectors.

Further improvements to the Blue Book

As the Co-Chair of the Blue Book Working Group I want to first thank Lorraine Grillo, President and CEO of the School Construction Authority, for her partnership in pushing for changes to the Blue Book formula. The changes to the Blue Book formula led to an increase in capacity needs by 33,000 seats in the Capital Plan Amendment of March 2016. I commend the Mayor in allocating more resources to address this increased need. However, the Blue Book is still in need of improvement. Most importantly – and the one recommendation that was rejected by the Mayor – we must use the Campaign for Fiscal Equity class sizes in the formula. While we use the right class size for grades K – 3 in the current Blue Book, the class sizes in use for grade 4 and above are still too large, leading to overestimation of capacity. *I urge the Mayor to accept the recommendation of the Blue Book Working Group to use the CFE class sizes for all grades. We cannot plan adequately if we do not assess the needs accurately.*

Open and participatory process for the City Council School Planning and Siting Working Group

There is ample expertise among parents, advocates and community boards for assessing school capacities and anticipating future needs. The Resolution #98 of the Community Education Council District 2 calls for creation of a commission on school planning. I am glad to learn the Speaker has initiated an internal working group to study the issue of school planning and siting. *I urge the Speaker and the City Council to create an open and participatory process so that advocates and parents who have the on-the-ground knowledge of our schools and neighborhoods have the opportunity to share their expertise and wisdom. Local knowledge is critical in improving our planning process: there are success stories and lessons learned at the local level.*

Enrollment projections and school funding

It continues to disturb me that many, if not most, elementary schools in District 2 still plan for 25 students in each Kindergarten class even after having opened 8 new elementary schools to reduce overcrowding. According to the Campaign for Fiscal Equity and the Blue Book, Kindergarten classes should have 20 students. This may be due to the school funding shortage rather than capacity shortage. I am also cognizant of the complex relationship between overcrowding and class sizes (a school might be overcrowded but have small classes and vice versa). However, school planning discussions are made more complicated by the fact that schools are not funded adequately to run with CFE class sizes. In order for us to address school planning more holistically we must recognize the opposing forces of student-based funding and overcrowding. *I urge the City Council Working Group to consider the effects of school funding formula on enrollment.*

Unseen effects of poor planning

Poor planning has led to some schools in Community School District 2 to enroll far greater number of students than the building was designed to hold. With student-based funding, this meant the schools' budgets also grew. When new capacities came online and the enrollment began to decline, these schools are suddenly faced with "downsizing" of programs and/or staff. This is a side of school planning that is often overlooked but has real impact on real people.

Thank you again for the opportunity to share my thoughts. Undoubtedly planning for the nation's largest school system is not an easy task. Luckily our City also has a large number of experts and an abundance of creative minds. If we engage in a collaborative and participatory process I am confident that we can come up with a better system of school planning.

Submitted by:
Shino Tanikawa
118 Sullivan Street
New York, NY 10012
stanikawa@cecd2.net

PS 39, Brooklyn D15

As of the 2017-2018 school year, PS 39 will no longer be able to offer Pre-K classes due to a result of the expanding student population over the last few years.

PS 39 has no gymnasium, auditorium nor library.

PS 39 is a landmark building which limits the ability to make any building changes/additions.

- Christiania Cobean, PTA

PS 169, Brooklyn D15

My name is Sai Jin Ou who has been living in Sunset Park many years because of language's obstacle and convenient living. I believe that a lot of immigrants family same as my family.

In Sunset Park the population has grown but schools haven't been built at the same pace. Elementary schools in Sunset Park are overcrowded that on average , overcrowded schools are at 143% capacity that PS169 is at 155 % capacity, result students test scores in math and reading tend to drop. Students have a hard time concentrating and students focus on discipline rather than on instruction that a class has 32 or 33 students only with one teacher who feels more stressed out and tired. Schools have to cut art, music , science and other enrichment programs because of no space.

Our children in Sunset Park have right for the quality of education not just cover only basic material. Our children in Sunset Park need more space more schools. Our children need quality of education. We need new schools.

Sincerely
PS169's Parent - Zhogi Guo

PS 295, Brooklyn D15

Let me start by saying that we at PS 295 consider ourselves lucky not to be as overcrowded as many. We are the school people send their child to because their zoned school is overcrowded. Despite this, lack of space adversely affects our children's education every day. In addition, we share the building with New Voices Middle School, which means all overcrowding issues affect them as well.

Our entryway is also our cafeteria and gym. It is where eating, playing, instruction, PTA meetings and much more take place in rotation. Outdoor recess is in the entryway courtyard because we have no outdoor space connected to the school. For indoor recess children play games at their assigned cafeteria table.

Because some additional instruction requires quiet, all our ENL and IEP specialists have desks in the library, which is used as a teaching/ office space at least as often as it is used as a library. They teach there or in the hallways.

Classes are filled to capacity.

- Tamara Damon, Co-President PS 295 PTA

PS 94, Brooklyn D15

Hola mi nombre es Ines Ramos y tengo 3 niños en la escuela PS 94.

La sobrepoblación en la escuela de mis hijos es horrible. En Sunset park necesitamos más escuelas para nuestros hijos. Es imposible que en más de 10 años la junta de educación no ha podido encontrar lugar para hacer más escuelas. Mi niña está en tercer grado y tiene que almorzar a las 10:40am porque no hay espacio suficiente en la cafetería. A mi niño le toca tomar clases de literatura en el corredor. Me gustaría ver que la junta de educación creara más escuela pronto. Nosotros pagamos impuestos como todas las otras personas en esta ciudad pero no tenemos el mismo nivel de escuelas en nuestro vecindario.

- Ines Ramos

PS 24, Brooklyn D15

Yo tengo cuatro niños en escuelas públicas en Sunset Park. Mis niños han tenido que asistir a escuelas llenas desde prekindergarten. Las clases que han asistido han tenido por lo menos 30 niños. La niña mía tiene dislexia y porque sus maestras no tenían tiempo con tantos niños no se dieron cuenta hasta que ella estaba en el quinto grado. Me parece que si esto estuviera pasando en otro vecindario ella fuera mucho más ayudada. El departamento de educación necesita que cambie el sistema actual que tienen para buscar espacio para escuelas. El sistema que existe ahora no funciona.

- Josefina Gutierrez

PS 154, Brooklyn D15

To the City Council:

PS154, the Windsor Terrace School, needs immediate action on the funded seats for District 15. As the parent of a kindergartener and a second grader, I see the negative impact of overcrowding on our students.

PS154 boasts a committed administration and teaching staff and a deeply engaged parent body, but the school lacks adequate resources due to overcrowding.

Overcrowding means an excessive **student-to-teacher ratio**. In kindergarten, for example, my daughter has **25 children** in her class and just one teacher. Her teacher is wonderful, but this ratio simply doesn't allow for the one-on-one attention that the early childhood classroom requires. We need to solve this problem now, not in five or ten years, because the lack of seats will negatively affect every single child and family.

In addition to class size, overcrowding at PS154 means our school cannot provide essential elements educational quality. We lack:

-a **library**

-a **gym**

-an **auditorium**

-a permanent **art room**

-adequate **office space** for staff, like the parent coordinator and OT/intervention teachers

-And overcrowding meant our school had to choose between a **computer lab** and providing **preK**.

These are not choices that our school should have to make. Because of a committed staff, PS154 manages to improvise to provide the best possible experience for our students, but these compromises can come at the expense of quality.

As parents, we ask that the SCA deliver on its promise to our children through immediate action on the funded seats for District 15.

Sincerely,
Gretchen Aguiar, Jeff Allred

PS 154, Brooklyn D15

I am a parent at PS154 in Windsor Terrace. I want to speak to the overcrowding issue our school is trying to deal with. Because of overcrowding we do not have:

- a library
- an auditorium
- not enough support staff to service all the children (no reading specialist, one speech therapist)
- no pre-k
- no art room
- no music room
- no gymnasium

Our multimedia room functions as an auditorium, drama space, art room, at times a gymnasium, meeting room, OT and PT service area, and many other functions. If it is raining outside gym class as to be held in the cafeteria amongst the tables.

Because of the overcrowding many children who need services or beneath grade level either don't receive enough services and support or are not capture early enough for effective intervention. This also speaks to the large class size our teachers have to grapple with. The occupational therapist has a tiny little space to work within that barely fits a small trampoline. **The physical therapist has to do her therapy in the hallways/MMR - wherever she can. My daughter asked to stop getting her PT services because she kept getting stepped on while working in the hallway with the PT.**

My children (I have a 2nd grader and a kindergartner) frequently lament the lack of a library.

Please address these issues ASAP. Having an appropriate learning environment for our children is the support our teachers and students need, and deserve, at PS154.

Thank you,
Nicole Brier

PS 154, Brooklyn D15

When we have had overcrowded classrooms in the past we've had to make way for a new class/classes by giving up one of our really important resource classrooms like our library or our computer room.

Even at current school population - we use part of the MMR for our current art room for all grades as well as staff offices. The art room and offices are literally a room that has been created in the MMR from partial height partitions. Not the best but we are making it work.

Physically this building is so packed that there is no flexibility for a larger population than we currently hold without losing yet another cluster classroom or resource room to a grade classroom.

Overcrowding also impacts our students with a larger student to teacher ratio's resulting in over exhausted and extended teachers and children not getting the right amount of attention needed or required.

- Meg Moorhouse

MS 51, Brooklyn D15

MS 51 in Park Slope, Brooklyn, serving approximately 1200 students in grades 6-8, has been severely impacted by overcrowding. Many teachers do not have their own classrooms, and must teach in the library or computer lab, rendering these rooms unusable by the rest of the school. This also makes it impossible for these teachers to use learning tools on which teachers with their own classroom space rely, such as charts and maps and displays of student work. The hallways are spilling over with students between classes, creating an unsafe environment. Classes are at maximum size or beyond, opening the school to potential union grievances.

- Danielle Kolker, Parents Association

PS 10, Brooklyn D15

February 27, 2017

To Whom It May Concern,

As Co-Presidents of the PS10 PTA, a District 15 school in Brooklyn, we are lucky to represent a school of diverse families and diverse learners. Our school is well maintained by our dedicated custodial staff and, in recent years, with the help of participatory budgeting, fundraising and skilled SCA contractors, PS10 has upgraded lighting, wiring and plumbing.

While our school has a large footprint and is well-maintained, it is also growing quickly -- we are at 125% capacity according to SCA projections. So what does the beginning of an overcrowding crisis look like?

- Our two 12-1-1 special education classes, populated by students with the most severe learning disabilities are now located in the smallest rooms.
- ELL, speech, reading and occupational therapy providers are using rooms that were once administrative offices or storage closets.
- Small group instruction for enrichment and advancement often takes place in hallways because most classes are now at or near capacity.
- Altered lunch schedules mean 2 grades eat lunch at 1:00 p.m. and school aides are in the lunch room for three hours.

A cursory ride through the PS10 school zone reveals 5-10 new or mid-construction multi-family apartment buildings. If being one of the larger buildings in our district means we will be sent more out of zone students while the student population of our zone continues to grow, the ability of the school to provide creative, caring and developmentally appropriate learning will suffer.

This is why we ask you to expedite your search for new school locations in District 15 and to also expedite the upgrading of older existing facilities.

We thank you for your time and consideration.

Sincerely,
RoseAnn Ciarlante & Donald Norwood
PS10 PTA Co-Presidents

PS 32, Brooklyn D15

Co-location can be a great experience if you are blessed with adequate amounts of space. There is so much we can learn from one another. At PS 32 we have a friendly and happy relationship with our co-located Middle School, MS 442, but there is no denying how difficult scheduling and sharing the building has been.

We share our Auditorium, Gymnasium, Schoolyard and Cafeteria. During the school day we have 3 lunch periods with some children eating as early as 10:55 am and others eating as late as 1:30 pm. Due to lack of space, some of our children are scheduled to eat in their classrooms and are not able to experience the standard lunchtime experience with their fellow students. Recess and Physical Fitness time is also compromised due to the sharing of outdoor and indoor recreational spaces. Our Dance classes, performance times and family events are also complicated because of shared Auditorium space.

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Our founding Principal, Samuel Mills Sprole, would be proud to know that PS 32 will once again become a solid and thriving community of learners.

PS 321, Brooklyn D15

To Whom It May Concern:

I am writing to express my concerns about the overcrowding in District 15. As a lifelong resident of Park Slope, I have seen the neighborhood, as well as the Borough of Brooklyn, expand and expand and expand. The development that has taken place, and continues to take place is staggering. As a parent of two elementary age children, who attend the same elementary school that I attended, I am concerned about overcrowding that prevents our school from using the gym throughout the day because it has to be used as an adjunct cafeteria to manage the number of children we now enroll. I am saddened that the auditorium can only hold one grade at a time, which prevents our school from doing things across grades. I am sad to see that there are no longer music or art rooms, as there were when I was a child. I worry about the number of children who are able to play safely in the backyard at recess, or in the gymnasium.

When I think of the overcrowding at my children's school, it makes me realize that some of our close neighbors are in such a worse position. PS 321 is at 128% capacity, but there are many schools that are over 150% capacity. There are schools where children are being bussed to satellite locations, there are children being taught in closets and hallways and trailers. Why are developers able to build highrise buildings in a community that does not have the schools for its residents children to attend schools? It seems to me that these developers should have to invest in the construction of new schools in order to secure the building permits to build their developments. We have been talking about the overcrowding problem now for years, and yet when a new school is built it only has room for 300 students when we need over 3,000 seats in the district. By the time these 3,000 seats are built, we will need another 3,000 seats for all the new construction that is already almost complete.

We hope that the School Construction Authority will get the support it needs from the city to expedite the building of several new schools in our district to address these issues for our children. Our children do not have 5 years to wait for a school to be built. Their education is happening now.

Thank you for your support.

best,

Lauren Gropp Lowry
PTA Co-President at PS 321
District 15 President Council President
alumni of PS 321, IS88 and Brooklyn Tech

Address: 608 Carroll Street Brooklyn, NY 11215
Email: laurengropplowry@gmail.com



Parents for Inclusive Education
www.parentsforinclusiveeducation.wordpress.com

c/o New York Lawyers for the Public Interest
151 West 30th Street • 11th Floor • New York, NY 10001
212-244-4664

PIE's Testimony to New York City Council Committees on Education and Finance

RE: Oversight - School Planning and Siting for New Capacity

Preconsidered Int. No. - In relation to requiring the department of education to report information on school applications, offers of admission, enrollment and school seats available.

February 28, 2017

Good morning. My name is Jaclyn Okin Barney, and I speak today as the coordinator of Parents for Inclusive Education (known as "PIE"). PIE is a parent-led advocacy group of educational reformers that works to ensure that all students with disabilities in the NYC public schools have access to meaningful inclusive educational and community opportunities. PIE has been in existence for almost twenty years with members throughout the five boroughs. We are the only New York City group dedicated solely to advocating for the inclusion of students with disabilities.

We work in various ways to achieve our agenda, including collaborating with the Department of Education on different projects. Over the past year or so, we have been working with Department of Education administrators and other special education groups in advocating for students with physical disabilities to have equal opportunities in attending schools across our City by increasing the number of barrier-free school buildings and school programs available to students. We applaud the efforts the DOE officials have taken regarding this issue, however much more needs to be done and more schools need to have the capacity to serve students with physical disabilities.

As we all know, many of the buildings in our school system are old and were built years before the enactment of the Americans with Disabilities Act and the law's requirement that local government buildings be accessible. As a result, students with disabilities are denied access to many community elementary schools and a great deal of middle and high schools. Last year, the significant dearth of accessible elementary schools across the City was recognized in a report issued by the Department of Justice. And, there are just as few accessible high schools. In Manhattan alone, there are only six fully-accessible high schools, of which four have programs and admission practices that make the schools highly competitive.

Additionally, even though several schools in our system may be designated by the Department of Education as "partially" or "functionally" accessible, the actual accessibility of these schools varies significantly. Some of these schools may be accessible in a way that a student who uses a wheelchair can get to all areas of the school building, while other schools that are listed as "partially" or "functionally" accessible, are not actually accessible in a way that a student in a wheelchair can attend.

For instance, we know of a partially-accessible school that has a step before its front door. We are also aware of other schools that have ramps that are too steep or bathrooms that may be accessible to some degree, but are not actually compliant with the Americans with Disabilities Act and thus cannot be used by a student in a wheelchair. And, there are other schools where a student may be able to get to some parts of the building, but are unable to access key areas such as the library, science labs, computer labs, auditorium, stages, or the lunchroom, making it difficult for students with physical disabilities to be fully included in the school's program.

Finally, there are "partially" or "functionally" accessible schools where the accessible entrance is separate from the main entrance and may not always be unlocked or have a security system for a student to gain entrance. This year's Manhattan High School Fair was held at Martin Luther King High School, a school with an accessible entrance, which is kept locked and has little or no signage indicating its location. When a PIE family with an 8th grade student who uses a wheelchair tried to attend the high school fair, the family needed to follow the garbage route, knowing the garbage is generally wheeled out of schools, in order to find the accessible entrance. Once found, there was no response when they rang the doorbell. To gain entrance to the building, the family had to enlist the help of another parent already inside the school to locate a security officer who could open the accessible door. This experience was unnecessary, unfair and, quite frankly, humiliating for this student and his family.

A family cannot send a student with a physical disability to a "partially" or "functionally" accessible school, without visiting it first and touring all the areas of the school. Most families of students with physical disabilities want their children included in all areas of a school's program, but this desire is not always possible in "partially" or "functionally" accessible schools.

As you can see, while the Americans with Disabilities Act provide students with disabilities with the right to attend schools where they can access all areas of the building, in New York City, given the lack of fully accessible schools and the problems with many "partially" or "functionally" accessible schools, students with physical disabilities often need to settle for far less. I am here today to implore that you provide the Department of Education with the funding it needs to make the architectural changes necessary so that many more school buildings and programs are accessible to students with physical disabilities and have capacity to serve this population. As I said, we appreciate the work the Department of Education is doing in this area, but the City needs to start aggressively addressing this situation to increase the capacity of NYC schools to serve students with physical disabilities. We hope you will seriously consider starting this now

Thank you for considering our testimony today.

Jaclyn Okin Barney Esq.
Coordinator
Parents for Inclusive Education
347-559-5098
jaclyn@jaclynokinbarney.com
www.parentsforinclusiveeducation.com

Over the years, I have been to many CEC3 and PEP meetings at which we discussed the inadequate space planning formula used by the city when determining the need for new capacity, the moving of a school, or the feasibility of co-locating a school in a building that in reality could not accommodate it. Often the DOE underestimated the appeal of certain schools or seemed a few steps behind in planning for enough seats to hold students that would be living in new buildings. The city seemed reluctant to invest in new site acquisition, even knowing that their new seat projections fell far below upcoming demand.

There were many examples in D3 and all over the city where overcrowding or miscalculations meant::

- schools held 9 kindergartens where they could reasonably sustain up to 6
- libraries were sacrificed to become classroom space
- kids had to be scheduled for lunch nearly right after breakfast;
- special ed services were delivered in stairwells or with a kids on either side of a sheet diving a small office.
- enrichment like music and art suffered when room losses (whether to overcrowding or colocation effects) or specialty room reallocation caused musical instruments be piled in storage or art to be delivered from a cart, with no ability to store work or make 3D projects;
- long-expired TCUs that held full K classes went uncounted and un-replaced with permanent space

At my own kids' excellent schools, student funding is so needed to pay for the excellent language and arts programming that grades 6-8 have class sizes in the 30s. That is rough on teachers and students! I sympathize with principals who are forced to choose those giant populations in order to fund programming and remain at or over capacity to safeguard their space.

Formulae aside, current actual and permitted class sizes are just too large. No space plan would seem to be 'up to date' without being aligned with targeted lower class size numbers to relieve classroom and school overcrowding. Accurate enrollment numbers for all of the schools in a building are crucial, and no budget that ultimately underfunds schools that maintain smaller class size should be allowed.

Re: **Preconsidered Int. No. ____** - A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report information on school applications, offers of admission, enrollment and school seats available

I am strongly in favor of full transparency regarding admissions, enrollment, attrition, capacity and the number of testers in grades 3-8 at all regular and charter NYC schools. I would like to see an easy-to-find, online public record of these stats that would make it easy to research and compare schools.

Beth Servetar

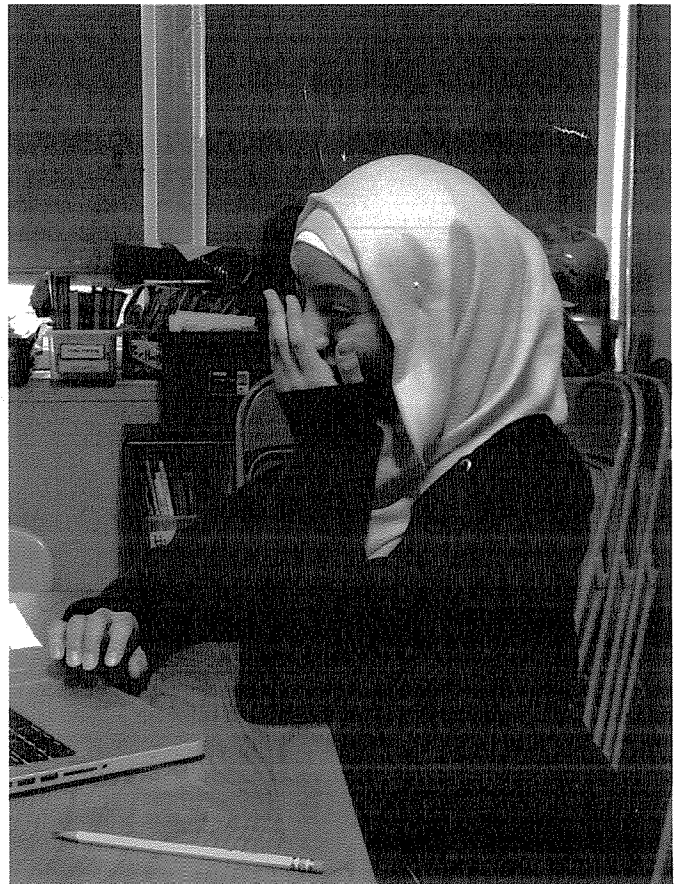
219 W 106th St #5e NYC 10025

City Council Hearing

MS 442 - Debate Team

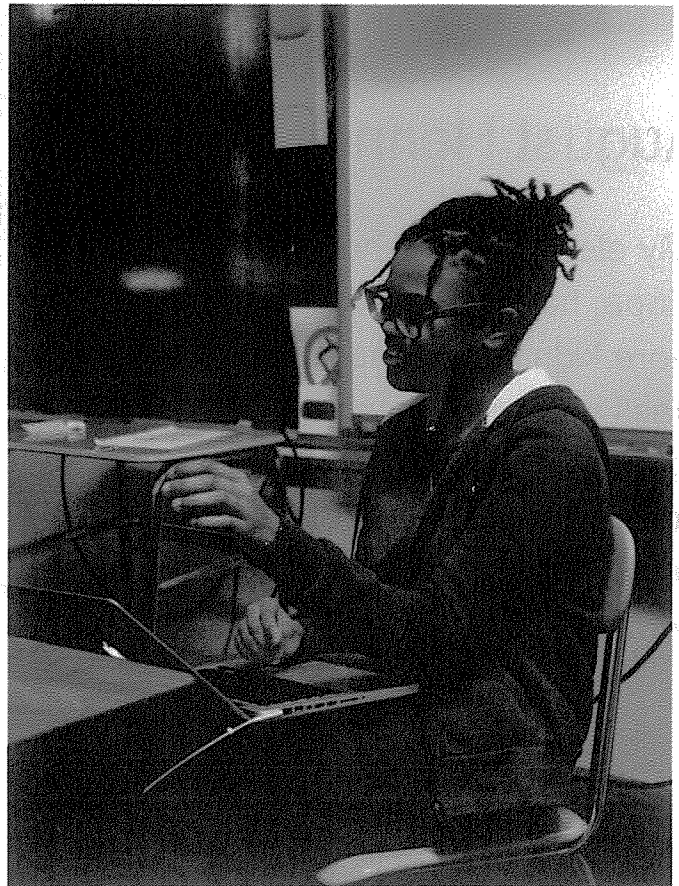
Ahlam Ahmed

“As a high performing district 15 middle school student, I have noticed that overcrowding not only affects schools that are over capacity, it also affects their communities. My school shares a building with an elementary school that is overcrowded and continues to gain more students. This has caused my school to have to share some of our classrooms, which has an impact on the experiences I can have as a student in middle school. If my teachers wanted to break up the class for small group hands on experiments, they are not able to due to the shortage of classroom space available. For example, my school had to turn our science lab into a classroom due to the need for more classroom space in the elementary school.”



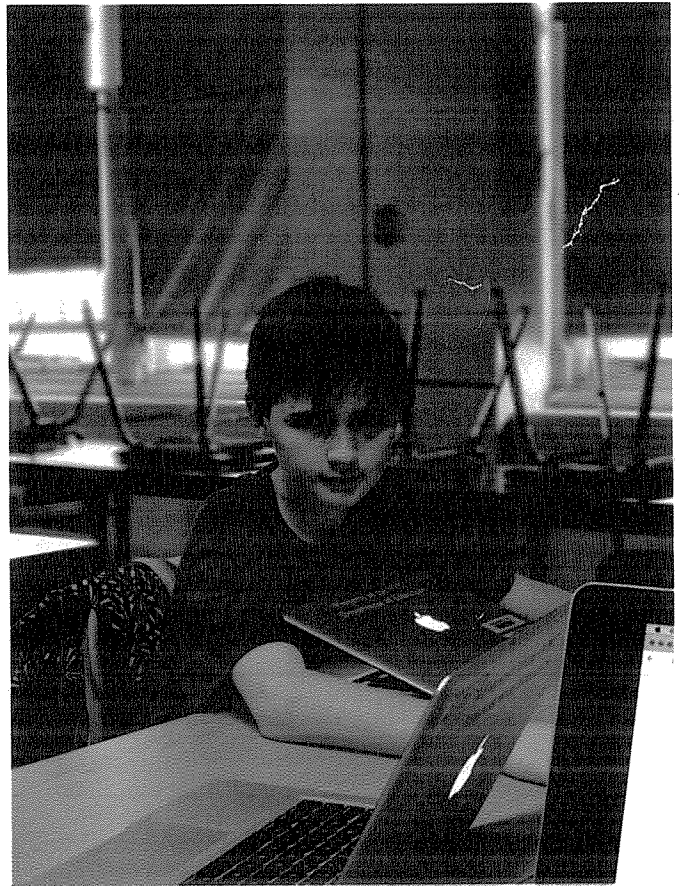
Madison Plaza

“Overcrowding in schools has impacted the attention teachers have given me as an 'above average', high performing student because in class teachers often expect me to understand the material, and they have high expectations for me to complete the work, even if I don't understand something right away. In my regular classes, my classmates don't understand the lesson as quickly as I do at times, which is why my teachers don't need to give me as much individual attention in order to teach me the same things. In my advanced, small classes, like Regents Earth Science, I get more attention from my teacher since I'm being challenged and there are less students for my teacher to attend to. I like this smaller learning environment because there is room for higher level thinking and I have better access to the teacher.”



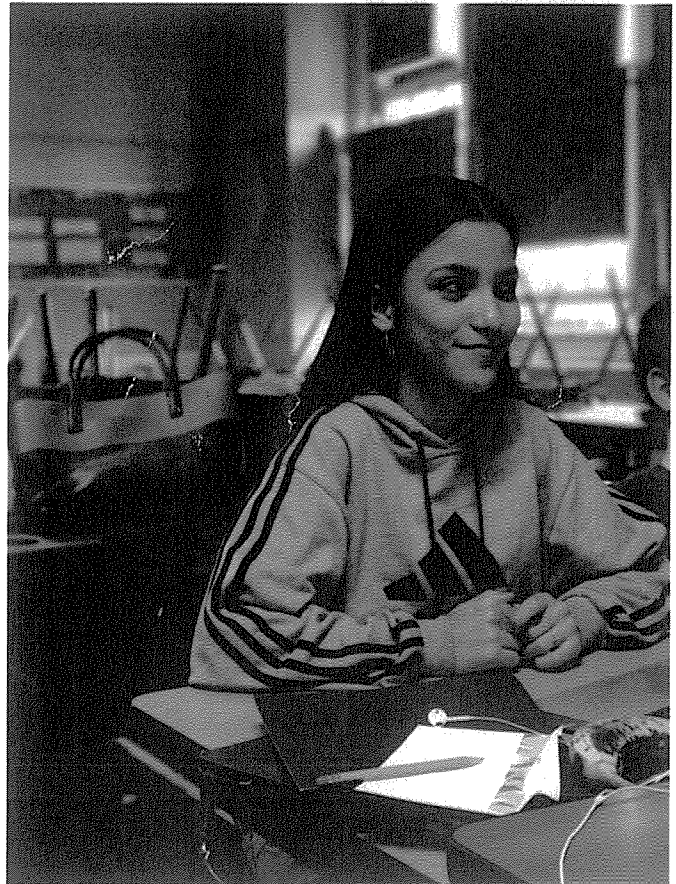
August Hennegan

“My elementary school, PS 10 in Park Slope, had a lot of kids attending it. More kids meant more trouble, so class was interrupted more. Overall, I felt like I had an OK elementary school experience, but the crowding was definitely an issue, especially in common spaces like the hallways.”



Ashley Salcedo

"When I was younger I went to PS 32. My most over crowded class in elementary school was in the 4th grade. In 4th grade there were a lot of students in my class (about 30 kids). During our class periods not all of the kids in my class were able to fit on the rug when it came time to learn. Some kids had to get chairs from the tables and sit on the side of the rug because our teachers didn't want us to sit on the bare floor and this took time away from our learning. The hallways were the worst! All of the 4th grade classrooms were on one small side of the hallway. (there were the two homeroom classrooms and our history classroom). When the bell would ring, and we had to go to lunch or history class, the whole 4th grade would be transitioning in the small hallway and this made kids get upset with the very little personal space they had. There were accidents at times and kids would fall, or trip over other people. During lunch time we had to exit down the stairs to the cafeteria room by room, meaning that the kids who were in the History room would go first, then class 4-1 would exit, then class 4-2 would exit, etc. This meant that if you were in one of the last classes to be called, you'd miss a good chunk of your lunch period and would be forced to eat quickly. I did not realize at the time how crowded my school was, but reflecting back on this now I realize it was definitely a problem."



LAW OFFICES OF
REGINA SKYER AND ASSOCIATES, L.L.P.
276 FIFTH AVENUE
SUITE 903
NEW YORK, NY 10001

REGINA SKYER, ESQ.
JESSE C. CUTLER, ESQ.
GREGORY CANGIANO, ESQ.
DIANA GERSTEN, ESQ.

142 JORALEMON ST.
SUITE 11C
BROOKLYN, NY 11201

212-532-9736
FAX 212-532-9846
WWW.SKYERLAW.COM

SONIA M. CASTRO, ESQ.
JAIME CHLUPSA, ESQ. *
LARA DAMASHEK, ESQ.
LINDA GOLDMAN, ESQ.
TERI HOROWITZ, ESQ.
MAGDA LABONTÉ, ESQ.
WILLIAM M. MEYER, ESQ.
ABBIE SMITH, ESQ.

* ALSO ADMITTED IN N.J.

Hon. Benjamin Kallos
New York City Councilmember
244 E 93rd Street,
New York, NY 10128

March 1, 2017

Dear Councilmember Kallos:

I was pleased to read in the New York Times about your legislation to require residency-based tracking of applications to, and enrollment in, high-demand school programs. There is certainly a need for data to drive policy decisions to more fairly serve New York children.

We are one of the largest special education law firms in the city, and for over 35 years we have represented many thousands of families whose children's special education needs are unable to be met in the NYC education system.

Like some of the examples the article mentioned (G&T, UPK) there are certain special education programs that are in high demand by qualified students but there aren't enough seats to meet the demand. As you probably know, 1 in 68 children is diagnosed with autism, and there is a huge need for evidence-based educational programs with small class sizes for these students—particularly when they are young.

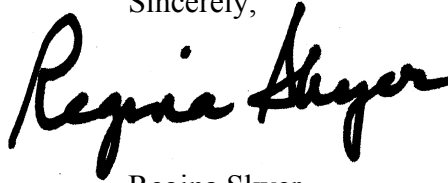
The ASD Nest program is one of the jewels of public education in this city, and we are beginning to hear good things about the (new on the scene) Intensive K and Horizon programs too. Unfortunately, there are far too few seats, serving only a tiny

fraction of the autism community--and this is one of the reasons so many parents end up in our offices.

As you consider your legislation, please examine the way that data is currently collected regarding ASD Nest, ASD Horizon, and Intensive K.

Please let us know if we can be of further assistance.

Sincerely,

A handwritten signature in black ink that reads "Regina Skyer". The signature is written in a cursive, flowing style.

Regina Skyer

Good afternoon, my name is Litza Stark. I am the parent of a kindergartener and second grader at PS85 in Astoria, Queens. Ours is a wonderful Title I school with passionate, committed staff and a very engaged parent community, but all of these assets are undermined by the structural problem of overburdened facilities and staff.

The stated upper limit for kindergarten classes is 25 students, already plenty for a teacher to handle (and over the DOE's target enrollment of 20). At PS85, our K classes have an average of 27 students each. Two out of the three classes are housed in trailers behind the school, in rooms that would be cramped with 20 kids, let alone 27 and more. Despite their inadequacy, I'm grateful for the trailers, since they provide the overflow space necessary to stave off otherwise terrible overcrowding. With or without trailers, the current situation is unsustainable, especially in a part of the city where small one- and two-family homes are rapidly getting replaced by much larger developments.

I call on you to confront this challenge aggressively, not just to accommodate any future influx of students, but to alleviate existing systemic overcrowding. The city rose to the challenge of housing thousands of PreK classrooms, and it must be a priority not to overlook the needs of older children. It is vital to (a) address existing overcrowding; (b) prepare for a growing population of school-age children, and (c) compensate for the funding that schools would lose based on per-student funding if class sizes go down.

Thank you for your attention to this vital matter, I am so grateful to have elected officials who are attuned to the importance of our public schools.

Litza Stark

PS85 Queens PA officer and SLT member

Astoria, Queens

Problems with school planning and siting
*Testimony before City Council Education &
Finance Committees*

Leonie Haimson
Class Size Matters
2/28/17

info@classsizematters.org

Scope of the school overcrowding problem enormous

--42% of NYC schools were overcrowded according to latest available data in 2015-16 (at or over 100% target utilization)

-- 580,000 students (62% of total) were enrolled in these schools – about 40,000 more than year before.

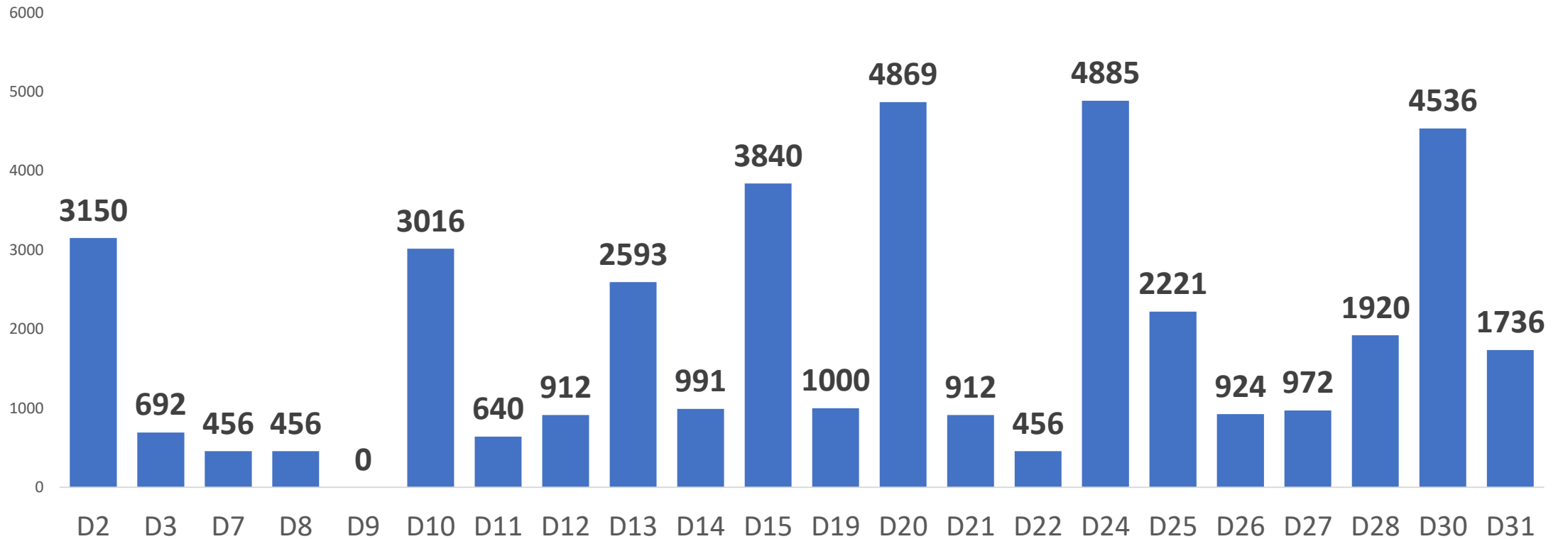
Data: SCA “Blue Book” 2015-16

Yet February 2017 capital plan still very underfunded

- Funds fewer than 45,000 seats citywide – about half (54%) necessary to alleviate current overcrowding and accommodate enrollment growth, ***according to DOE estimates.***
- Only 29% of seats compared to DOE's analysis of need have sites and are in process of scope and design.
- There is a huge variation across districts and boroughs in the number and percent of seats funded compared to DOE's estimate of need.
- Bronx is the most underfunded borough according to the percent of unmet need for seats; Queens in terms of total number of unfunded seats.

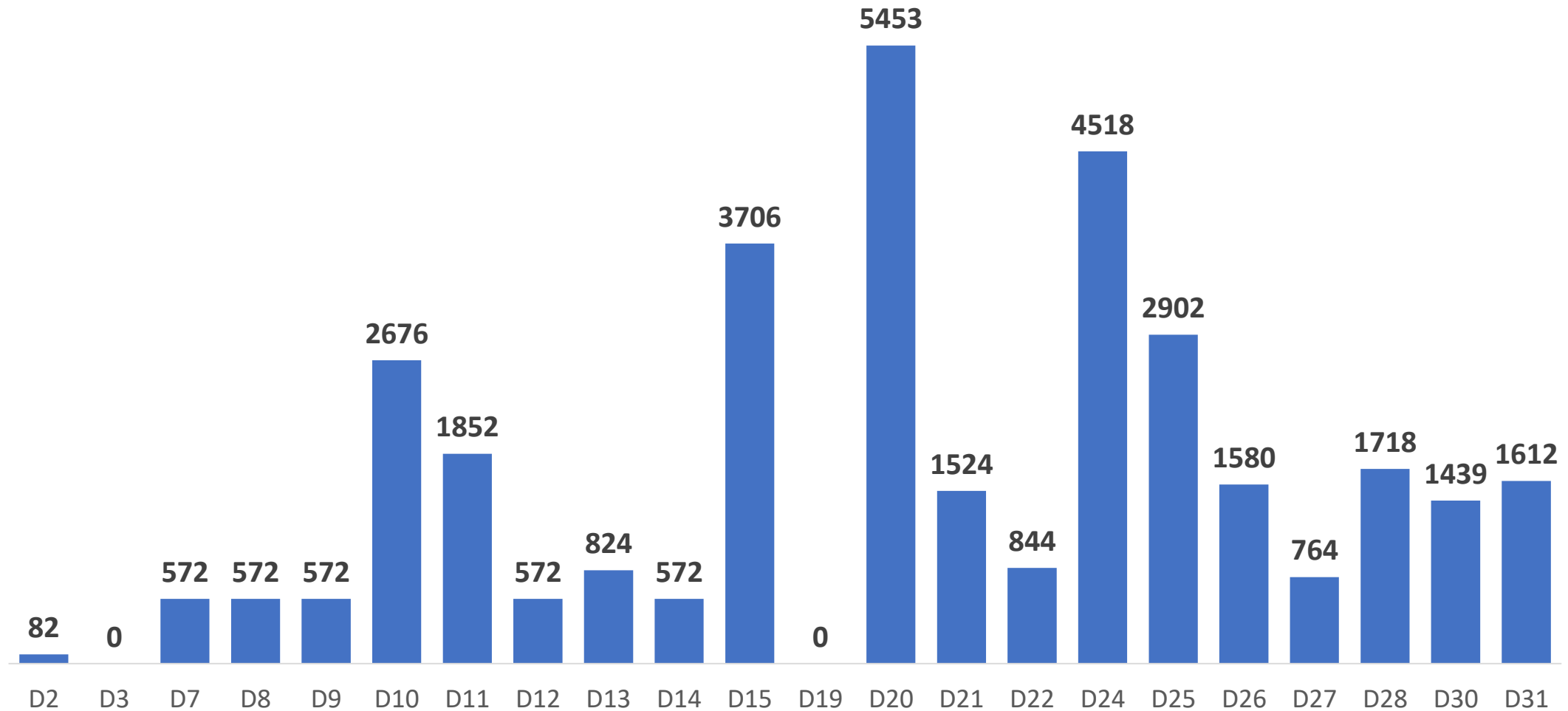
41,177 citywide K-8 funded school seats

(Feb. 2017 capital plan)



Districts not included above have NO need for new seats according to DOE

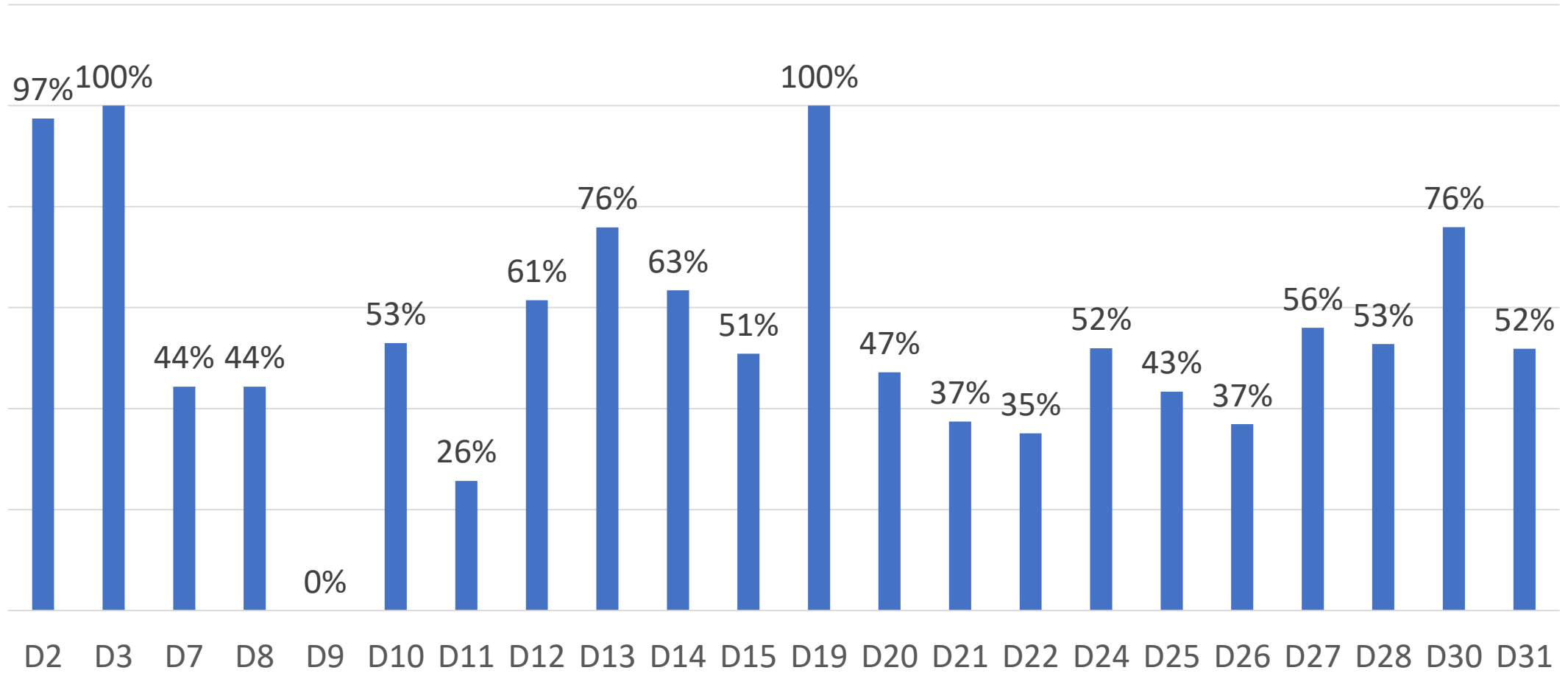
34,354 unfunded K-8 seats according to DOE's analysis of need – (Feb. 2017 capital plan)



Districts not included above have NO need for new seats according to DOE

% K-8 seats funded compared to DOE estimate of need

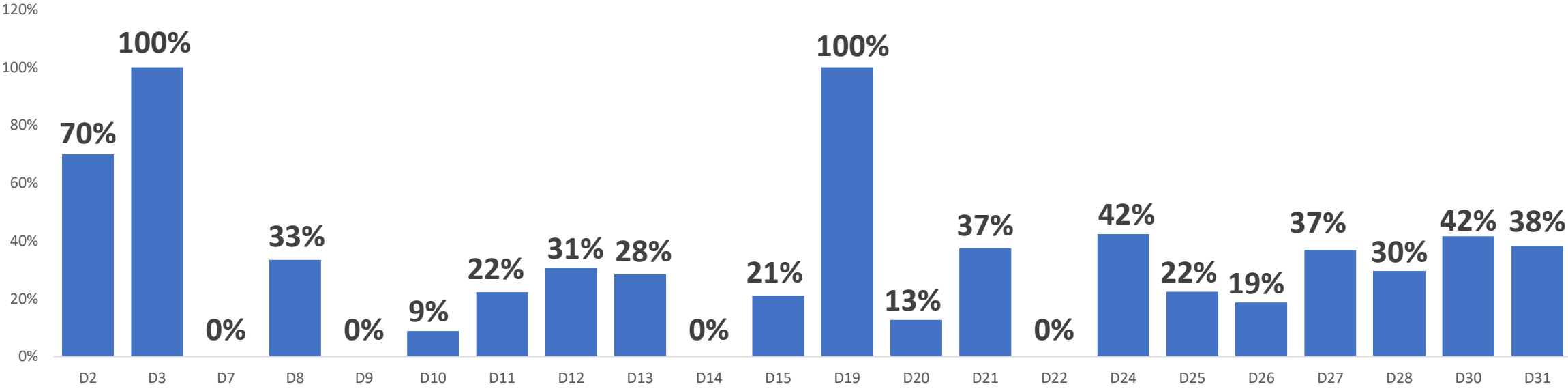
data: Feb. 2017 capital plan



Districts not included above have NO need for new seats according to DOE

Citywide only 29% of needed K-8 seats have sites & in the design process

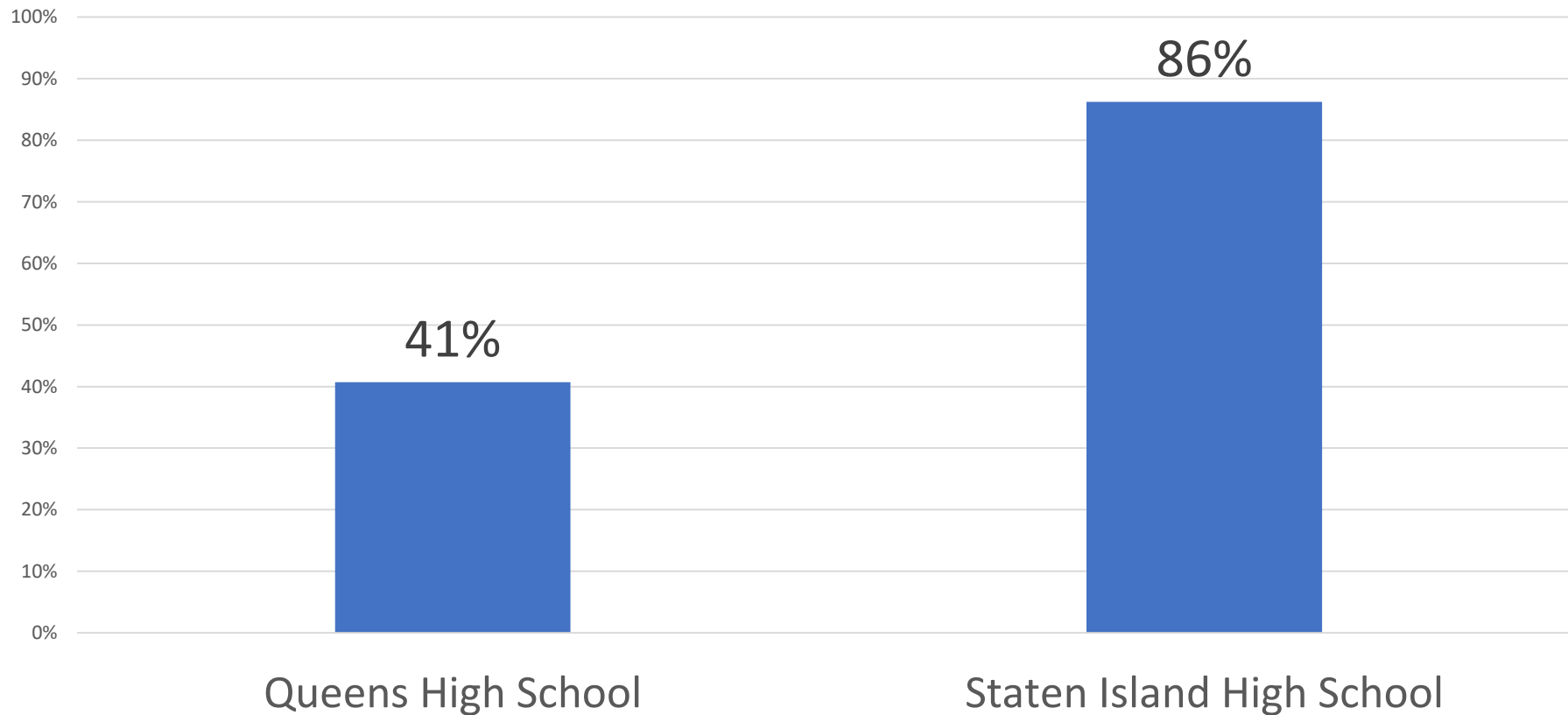
*4 districts have NONE of their needed seats in process
(D7, D9, D14 & D22 with total need of 4462 seats)
(Feb. 2017 capital plan)*



Districts not included above have NO need for new seats according to DOE

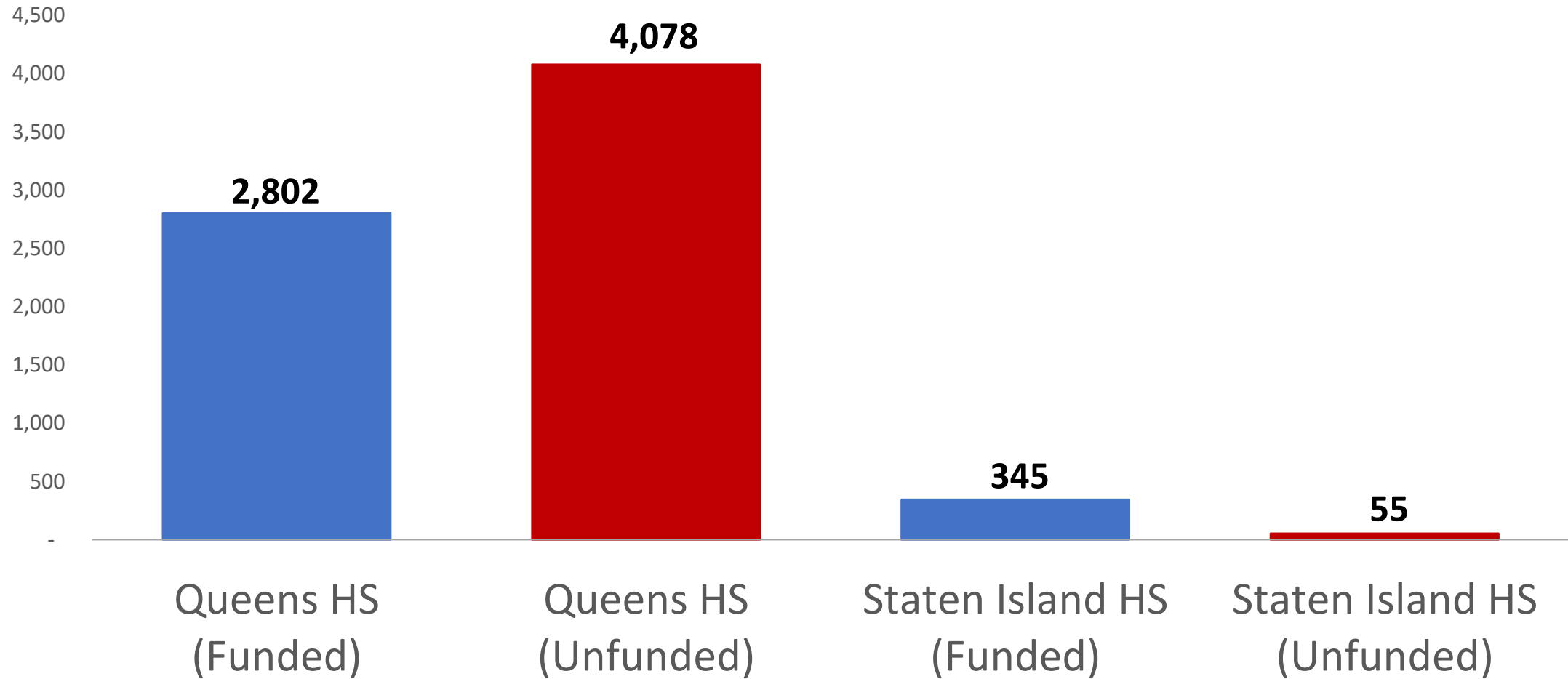
Staten Island has twice as many seats funded compared to DOE's estimate of need than Queens

(Feb. 2017 Capital plan)



According to DOE, Bronx, Manhattan and Brooklyn HS have NO need for new seats

Funded vs. unfunded high school seats by borough



DOE claims no more HS seats needed in Manhattan, Bronx or Brooklyn

Yet we don't trust DOE's need estimates

- They are based upon an unreliable school capacity formula
- They are based upon unreliable estimates from housing starts using a CEQR formula that hasn't been updated in nearly 20 years
- They are based upon widely divergent enrollment projections from two consulting companies
- The methodology DOE uses to incorporate all these unreliable components is non-transparent
- DOE says they “overlay” projections from housing starts over consultant enrollment projections but unclear what this means

DOE Capacity formula assumes overly large class sizes

- Relies on school capacity formula that assumes class sizes larger than currently exist on average in NYC schools in grades 4-12 (28 students in 4-8th grades; 30 in HS)
- Thus the formula would tend to force class sizes even higher
- Blue Book working group co-chaired by SCA President Grillo and CEC 2 President Tanikawa urged in Dec. 2014 that school capacity formula be aligned with smaller classes in DOE's C4E plan
- Mayor's office rejected that recommendation in July 2015

DOE enrollment projections inconsistent and vary widely from year to year

- DOE consultants Grier Partnership project a **decrease of 59,000 students citywide** between 2014 and 2024 -- 57,000 fewer K-8 students and nearly 2,000 fewer in HS.
- Statistical Forecasting projects over this same time period a **decrease of 28,000 students** --- 23,000 fewer K-8 students and about 5,000 fewer in HS.
- Yet by using the housing start data applying the City Planning ratio, there will be **more than 63,000 additional students in 2024**— about 27,000 more students in K-8 and about 17,000 in HS.
- The consultants' forecasts also vary widely from year to year.
- For example, just two years ago Statistical Forecasting projected an increase of about 60,000 students over next decade instead of decrease of 28,000.
- *Data sources: Grier and Statistical Forecasting May 2015; Statistical Forecasting July 2013, Housing start data, March 2016*

District 2: another example of widely divergent projections & needs estimate

- District 2 in Manhattan has 3150 K8 seats funded in capital plan
- DOE claims 97% of the D2 need is funded, with unmet need only 82 seats.
- Latest projections from Grier Partnership consultants project that by 2024, D2 enrollment will **decrease** by about 2000 students.
- At same time, Statistical Forecasting consultants project that by 2024, D2 enrollment will **increase** by 1000 students
- Yet housing starts data also used to project enrollment with CEQR formula **projects more than 7,500 additional K-8 students in D2 by 2024**

Numerous problems with City Planning CEQR ratio

- *City Environmental Quality Review (CEQR)* ratio used by City Planning to project future enrollment from housing starts is borough-based rather than based on districts, neighborhoods or school zones
- CEQR ratio hasn't been revised since 2008 and relies on Census data more than 16 years old.
- Mayor has vastly expanded PreK but CEQR ratio has not changed to account for thousands of new preK students
- CEQR ratio estimates each Bronx housing unit will add nearly 4X students than Manhattan, though birth rate & enrollment increasing faster there than in Bronx
- Housing start data uses 10 year projections almost equal to 5 year figures
- In 13 out of 32 districts, NO difference between housing start data for 5 yr and 10 yr projections

Problems with school planning process

- Thresholds in city planning process very high
- A new project has to be projected to increase school overcrowding by at least 5% to even consider need for new school --even in communities where schools are already overcrowded
- In Manhattan would take a residential project of at least 310 units to trigger consideration of new school – no matter how overcrowded schools already are in the neighborhood
- Planning process does not take into account cumulative residential development – only considers each project separately.

Other problems with DOE Needs assessments

- Enrollment projections and DOE needs assessments don't account for rapidly expanding charter school population though most of these students attend schools in public school buildings
- DOE needs assessments claim to be neighborhood-based but defines neighborhoods with extremely large areas
- DOE needs assessments do not differentiate ES and MS seat needs
- DOE needs assessments are infrequently updated
- Feb. 2017 capital plan includes needs assessment from Jan. 2016

School siting dysfunctional and inefficient

- There are overcrowded neighborhoods like Sunset Park where schools have been funded *for more than ten years without a single school sited or built* ;
- School Construction Authority only has one person on staff per borough looking for sites for schools;
- The SCA never uses eminent domain to acquire sites unless the property has recently been on the market;
- SCA never “cold call” meaning identify suitable sites before they’re put on the market & inquire if the owner is interested in selling ;
- *There have been more than 4,000 seats funded for 3 years in the “class size reduction” category with only three small projects identified*

We need a new planning process for schools

-- So that schools are built along with new housing and not lagging the process by years afterwards

-----In most large states and districts, developers have to pay an “impact fee” to help fund new infrastructure including schools, *but not in NYC*

--- With rapid pace of development and rezonings, without significant reforms we are falling further and further behind.

What is being done about this?

--Public Advocate Tish James, 22 Council Members, Class Size Matters and parent leaders pointed out many of the problems with school planning and siting [in a letter to the Chancellor in June 2015](#).

--Last week, Speaker Mark-Viverito announced that Council would form [an internal working group](#) to come up with proposals to reform the process.

--We hope that this process will be open and transparent and elicit ideas for improvement from experts, parents, and members of the public.

Suggestions on how to elicit ideas for reform

- Reach out to Community Boards, Community Education Councils, advocates, parents and CBOs
- Elicit ideas and information from professional organizations of architects and planners about what is done elsewhere
- Hold forums and invite experts, activists and parents to speak
- Create a website with info on how to submit and post ideas
- As parent David Rosenberg wrote: DOE and the Council should *“LISTEN to communities, teachers and administrators. It’s not that we don’t know what the problem is and what to do about it. WE DO. We need a vehicle for involvement in the decision making process regarding siting and planning. We need to be seated at the table. It needs to be a partnership.”*

New York, NY 10035

February 28, 2017

**Written Testimony for New York City Council Joint Hearing
for Committees on Education and Finance
School Planning and Siting for New Capacity**

Marie Winfield winfieldmm@web.de
East Harlem/Community School District 4 resident
Central Park East 1 Elementary School parent

The announcement of a Council working group on school planning and siting for new capacity is a relief for communities experiencing the effects of projected rezoning under the Mayor's Housing Plan. My local Community District in East Harlem spans both CSD 4 and CSD 5. As a member of the Land Use and Zoning subgroup of the East Harlem Neighborhood Plan, I advocated to ensure that the following recommendation be included under the Land Use and Zoning section:

Recommendation 3.2

Require the Department of City Planning, the Department of Education, ACS and School Construction Authority to adequately project the impacts of new development on school seat requirements and establish opportunities for new early childhood education and school facilities to be built in the base of new developments. Approaches for making student projections should include detailed analysis, such as the clear definition of school building capacities based on current surveys. Require coordination around and appropriate timing of development of school facilities as units are developed.

In East Harlem, we are currently inundated with new land use and community development projects in addition to a proposed neighborhood rezoning. Recently, Lexington Gardens II on East 118th Street was voted through to bring 390 units onto one city block. The Co-op Tech mixed-use residential proposal plans to bring 1,100 units, again onto one city block. The Bus Depot and African Burial Ground mixed-use has also been recently certified for ULURP with a worst case development scenario of up to 1000 units. Just announced at East 111th Street a mixed-use residential development there projects 655 units.

Not all of these projects will merit environmental review individually for impacts on the local school district. While we expect a full environmental review through the neighborhood rezoning, there is still concern about what has happened in other neighborhoods — use of insufficient and incorrect demographics data, miscalculated growth projections, poor building surveys lead to overcrowding in classrooms, unsafe buildings at over 100% utilization, poor alternatives like trailers and multi-use rooms and the rise of charter schools overtaking traditional public school space. The CEQR threshold is too high, leaving private developers off the hook for mitigation for increased school seat generation. To improve significantly, CEQR methodology needs to be updated; input data on demographics and housing starts require updating; and assumptions of smaller class sizes are necessary, as consistently shown by Class Size Matters.

The process of developing better school planning and siting needs to involve community members and education advocates. A review process with a local Community Education Council and using the CEC to identify local needs has not been sufficient for many neighborhoods. In East Harlem, CEC4 has not had the capacity to address any of these needs in the past years, either through studies or planning for the district. CEC4 consistently holds meetings without sending out agendas or engaging with the greater community. DOE and SCA cannot call discussing with CECs at empty meetings as vigorous community engagement. During the East Harlem Neighborhood Plan process, public school teachers, parents and families were also not engaged sufficiently as the schools and education subgroup was led by and focused on charter schools. No surprise that school seating and capacity and mitigation of the impacts of a neighborhood rezoning did not come up as an issue in this subgroup. Without consistent consideration of traditional public schools in new development, we will be left with old school buildings, which, instead of being rehabilitated to return to the public school portfolio, are now housing for artists or converted into luxury condos.

Community engagement is necessary to coordinate studies and solutions that are meaningful for upzoned communities. For example, while the Educational Construction Fund proposes new school buildings for Co-op Tech, the Heritage School and Park East High School. No one can answer questions about what will happen to the city-owned building and site at Park East High School. The community should have input on what will become of the Park East HS building. At my daughter's school, the addition of a new pre-K class with no discussion or notice to the greater community required that a school that existed only on one floor to knock down a wall over the summer, relocate a library space and the principal's office and negotiate the next year with other entities in the building to bring the library space back down to the school's floor so that elementary school students would not have to walk between floors to access the school library. We have schools, like many other neighborhoods such as The Youth Women's Leadership School that is home to one of the famed gymnasiums. Shared, multi-use space cannot be a continued trend in traditional public school buildings. This is not community-based, intelligent planning, especially not for progressive education schools that envision low class sizes as a part of the philosophy and curriculum.

When decisions like the above can be made without real community engagement, it is clear that the recently announced working group needs to engage communities slated for rezoning to ensure that no rezoning goes ahead without the proper planning for new school seats. All communities scheduled for upzoning need to be ensured that there will be enough school seats to accommodate the expected increased residential density. In these areas, like East Harlem, we have the most vulnerable populations in the public school system. In East Harlem, most schools have a large percentage of homeless students in both CSD 4 and CSD 5, according to the Institute for Children, Poverty & Homelessness. Coordination between residential development, schools and transitioning homeless children and families into permanent housing must be the highest priority for areas targeted for rezoning, like my neighborhood in East Harlem. We are looking forward to hearing the working group plan for community engagement that involves East Harlem residents, families, children, local community-based organizations, education activists, as well as data and demographic experts.

Respectfully,

Marie Winfield

The New York City Charter School Center

David Golovner, VP, Policy & Advocacy

Testimony Presented to The New York City Council Education Committee

Oversight Hearing on School Planning and Sighting for New Capacity

March 3, 2017

The New York City Charter School Center (Charter Center) respectfully submits the following testimony on the proposed February 2017 Amendment to the Five Year Capital Plan of the School Construction Authority (SCA). The Charter Center thanks Chairpersons Dromm and Ferreras-Copeland, and the other distinguished members of the Council Education and Finance Committees for the opportunity to comment on behalf of the New York City charter school sector.

Background

For the past seventeen years, public charter schools have helped to drive positive change in the educational landscape in New York City. A recent analysis by the NYC Independent Budget Office found that NYC public schools, including charters schools, outperformed public schools in the rest of the state by significant degrees in both math and ELA when controlling for demographic differences; notably, NYC charter schools outperform the rest of the state at even larger margins than their district counterparts.¹

There are 216 charter schools currently operating in all five boroughs with twenty-nine more authorized but still in their incubation periods. From its earliest days, NYC charter schools have provided families in traditionally underserved communities with high quality educational options. Additionally, over the last several years, the charter sector has sought to further diversify its student populations. Since 2012, the proportion of students with disabilities served by the sector has increased from 10.4% to 17.6%.² Meanwhile, the sector continues to add innovative programming to serve all students, and embrace inclusion as a core tenet of its instructional philosophy, for which the NYC Special Education Collaborative within the Charter Center has persistently advocated the past several years.

Though many operate in private facilities, charter schools have nearly always been perceived by the NYC Department of Education (NYC DOE) as an integral partner in its strategy to provide high quality schools for all students. In fact, of the 216 charter school currently operating, over 60% are doing so in facilities owned or leased by the NYC DOE. Additionally, the NYC DOE continues to provide some charter schools with public space, though the process can be both contentious and arduous.

The 5-Year Capital Plan, the Need for New Capacity, and Charter School Growth

¹ Sarita Subramanian and Joydeep Roy, *New York State Student Achievement Test Results: New York City Public Schools No Longer Lag Rest of the State* (New York City Independent Budget Office 2016).

² NYC Charter School Center calculation using data from the New York State Education Department.



As the charter school sector continues to grow to meet increasing parent demand, it is critically important for any comprehensive capital plan to account for this projected growth.³ When considering utilization, the SCA factors in charter schools located in NYC DOE facilities. On the other hand, as it makes projections for additional capacity and future enrollment, it fails to consider the enrollment patterns and projected needs of the city's charter schools. The long-standing reality in NYC is that families continue to seek public education options outside the traditional district sphere. This is particularly true in many of the community school districts with identified need by the SCA. In community school district 30, for example, the SCA has identified a need of nearly 6,000 additional seats simply based on current over-utilization and projected district enrollment. What this projection fails to consider is the 4,000 students who submitted charter school applications for the 2016-17 school year; this despite the fact that there were only five charter schools with just 700 available seats.⁴ Not only must these charter schools turn away families for lack of space, other potential charter school leaders wanting to open new schools in these communities are unable to do so for lack of available facilities. The Charter Center, through its planning and incubation programs, has engaged with multiple planning teams that have had to alter their plans to open in this community school district because of current over-crowding (and consequent inability of the NYC DOE to site a school in a public facility), and the lack of viable private space.⁵ A more equitable capital plan would factor in some of this excess charter school demand, and consider potential added capacity for projected charter growth.

A Coherent Co-Location Process

As the Council Committee Report notes, one strategy used to alleviate over-crowding is to site new schools, including charter schools, in under-utilized facilities.⁶ While the Charter Center supports the continued co-location of charter schools throughout the city, it often appears that part of the process by which charter schools are granted public space is rather opaque. Charter schools interested in public space often engage with the NYC DOE blindly with limited information and data on which facilities, if any, have additional unused capacity for potential siting. By the NYC DOE's own admission, its annual report on Enrollment, Capacity & Utilization (Blue Book) does not perfectly capture true utilization of its facilities.⁷ The Charter Center recognizes that no single snapshot can represent building capacity with one hundred percent accuracy. This fact alone, however, underlies the need for a system of greater transparency.

Here, the NYC DOE should consider different approaches. One approach to consider is an open Request-for-Proposal (RFP) type system in which the NYC DOE would publicly post available space for siting based on current utilization, and other information relevant to the space, including, but not limited to, internal plans for the re-purposing of available seats, potential school closures, and consolidations. These announcements would inform a potential charter school of the number of available seats, the grade configurations for which the space is most optimal, and the criteria by which the siting will be made, among other considerations. Clearly, not every underutilized facility would be open to this RFP-type process; the NYC DOE, at its discretion, could choose to re-site its own schools to alleviate over-crowding, for instance. Where excess capacity remains unused, however, this RFP-type process would provide much needed transparency, and provide equitable footing for all charter schools for a potential siting.

³ The Charter Center estimated excess demand for charter school enrollment in the 2016-17 school year of over 44,000 students. NYC Charter School Center, *2016-17 NYC Charter Schools Enrollment Lottery Estimates* (2016).

⁴ *Id.*

⁵ The Committee Report

⁶ New York City Council Committees on Education and Finance, *Oversight: School Planning and Siting for New Capacity*, February 28, 2017.

⁷ Selim Algar, "Critics claim DOE fudged numbers of charter school vacancies," *New York Post*, November 14, 2016.



NEW YORK CITY
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It's about great public schools.

Again, we would like to thank the Council Education and Finance Committees, and Chairpersons Dromm and Ferreras-Copeland for the opportunity to present testimony on the this iteration of the Five-Year Capital Plan. We welcome the opportunity to engage with the Council and the NYC DOE to ensure that city education planning most accurately reflects citywide needs.

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THE CITY OF NEW YORK**

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I represent: CBS

Address: _____

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Name: Jeannine Kelly

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I represent: CB2 Manhattan

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I represent: CEC 15

Address: 131 Livingston

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(PLEASE PRINT)

Name: MARIA KOCA

Address: 521 41 Street 11232

I represent: FRENDS of SUNSET PARK

Address: 521 41 Street 11232

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Name: Camille Casaretti CEC 15

Address: 120-2nd St Bklyn NY 11231

I represent: PS 32 in school district 15

Address: 317 Hoyt ST Bklyn 11231

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Name: Naila Rosario

Address: 456 36th ST

I represent: CEC 15

Address: 31 Livingston

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Name: ANDREW ROSARIO

Address: 456 36 ST.

I represent: MYSELF

Address: _____

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Date: 2/28/17

(PLEASE PRINT)

Name: Laurie Kindred

Address: 1005 West 142nd St, #41 NY NY 10031

I represent: Parents of District 5 - TCCS

Address: 168 Moeningside, NY 10027

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Name: Ayisha Khan

Address: _____

I represent: Manhattan Borough President Gale Brewer

Address: _____

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Name: SHINO TANIKAWA

Address: 118 SULLIVAN ST NY NY 10012

I represent: CECD2

Address: _____

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Name: Ahmed Ahmed

Address: _____

I represent: MS 442

Address: 317 Hoyt St. Bklyn 11231

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(PLEASE PRINT)

Name: Ashley Salcedo

Address: _____

I represent: MS 442

Address: 317 Hoyt St. Bklyn 11231

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Date: 2/28

Name: Cristina Furlong (PLEASE PRINT)

Address: 37-35 85th St. Apt. 21.

I represent: _____

Address: _____

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Date: 2/28/17

Name: Fr Florimon / CEC6 (PLEASE PRINT)

Address: PO Box 799 NYC 10040

I represent: CEC6 / C1912 Youth Committee

Address: 4260 B'way NYC 10033

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in favor in opposition

Date: 2/28/17

Name: Isaci de Boreo (PLEASE PRINT)

Address: 4550 81st 102nd St #2E Bklyn

I represent: MS 839 PS 516

Address: 7135 Cator Ave Bklyn

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Name: Nora McCauley

Address: 570 Court St. 7th Bklyn 11201

I represent: PS 261

Address: 314 Pacific St. 11201

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Sa; Jin An

Address: 4605 8th Ave 2FL Brooklyn NY 11220

I represent: PS 169 & PS 516

Address: 4305 7 Ave Brooklyn, N Y 11212

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THE CITY OF NEW YORK**

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in favor in opposition

Write, yet Date: Feb 28, 2017

(PLEASE PRINT)

Name: Rebecca Kostyuchenko

Address: 140 8th Ave, Apt 3E Brooklyn NY 11215

I represent: myself + all children/adults/families

Address: w/physical disabilities

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THE CITY OF NEW YORK**

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Date: _____

(PLEASE PRINT)

Name: MELAN BERRY MAN

Address: 37-51 86TH ST APT 1E, J.H. NY 11372

I represent: MYSELF

Address: _____

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Leone Hanson

Address: _____

I represent: Class Six Matters

Address: _____

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Date: _____

(PLEASE PRINT)

Name: Maggie Macoff

Address: 151 W 30th St

I represent: Advocates for Children of NY

Address: _____

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Date: _____

(PLEASE PRINT)

Name: Elizabeth Rose

Address: 52 Chambers St. N-1, N-1 10007

I represent: NYC DoE

Address: _____

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Lorraine Grillo

Address: 30-30 Thomson Avenue LIC

I represent: School Construction Authority

Address: _____

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in favor in opposition

Date: 2/28/17

(PLEASE PRINT)

Name: NICK NYHAN (pronounced like "Ryan")

Address: 343 13 St BROOKLYN, NY

I represent: BROOKLYN DIS PTA'S

Address: MS 442 Hoyt St. BROOKLYN

Please complete this card and return to the Sergeant-at-Arms

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Date: 2/28/17

(PLEASE PRINT)

Name: Jaelyn OKIN Barney

Address: 2472 Broadway

I represent: Parents for Inclusive Education

Address: _____

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in favor in opposition

Date: 2-28-17

(PLEASE PRINT)

Name: MONICA MAJORA

Address: 851 Grand Concourse

I represent: Bronx Borough President Office

Address: 851 Grand Concourse

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: 2-28-17

(PLEASE PRINT)

Name: Victoria Keing

Address: 851 Grand Concourse BR, NY

I represent: Bronx Borough President Ruben Diaz Jr.

Address: 851 Grand Concourse

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