



class size matters

124 Waverly Place, NY, NY 10011

phone: 212-674-7320

www.classsizematters.org

email: leonie@att.net

Testimony of Leonie Haimson, Executive Director of Class Size Matters
Before the NYS Assembly Education Committee on
NYC's Implementation of Federal School Intervention Models

April 11, 2012

Dear Chair Nolan and committee members. Thank you for inviting me to speak at these important hearings today.

As I'm sure you are aware, there is nothing more controversial than the proposal to close schools and/or implement the rigid model of the "turnaround" school, which will cause huge disruption, including firing up to half of the existing staff. None of the prescriptions being offered by the state or the DOE through the School Improvement grant program have been proven through research or experience to help our students learn. Indeed, much of the SIG funding currently seems to be going to consultants, many of whom live outside NYC, or to other programs that do not take the reality of our children's lives into account.

One major criticism that I have widely heard from both NYC teachers and principals is that they are prevented from using the federal funds to reduce class size, which in all of these schools remain far above state averages, and in many schools have actually increased in recent years. Remember that middle and high school class size averages in the rest of the state outside NYC are 20-21 students per class, and yet they remain at 28 or more in most of our NYC struggling schools in NYC.¹

Here is a statement for Geraldine Maione, the highly regarded principal of William Grady HS, which was just taken off the "turn around" list, perhaps because the school got a top grade in NYC's own accountability system:

But Maione added that the money won't fix everything. She stressed the importance of parental involvement and smaller class sizes to benefit Grady's special education students, who comprise 19 percent of the student population. However, federal rules prohibit principals from downsizing classes with the grant money. She can use the money to expand the school's extended day program, but Maione fears that may not be enough to get the results she desires.

¹ See New York State Education Department, Information, Reporting and Technology Services, Average Class Size for Selected Assignment Codes, 2010-2011, p. 761; posted at <http://www.p12.nysed.gov/irs/pmf/2010-11/2011-Avg-Class-Size.pdf>

“We need to have more resources during the school day to reach these kids better,” Maione said. “A lot of our students are too busy with sports teams or family commitments to stay after school.”²

Indeed, the research basis for extended time is weak, as noted in several recent reports. Studies have found no significant positive relationship between the amount of mere “allocated” time and student achievement.” According to a report released last month by Education Sector. And “adding time to the nation’s worst schools is not drawing good teachers in and may even be pushing them away.”³

A program in Miami to extend school time failed to improve academic outcomes and had a negative impact on attendance:

The extended learning time had less than favorable results. Zone teachers and principals reported feeling burnt out and fatigued from the longer instructional day and increased professional development expectations. A recent evaluation of the Zone finds that student absences were significantly higher in Zone schools than in their control group. As student performance remained static and attendance rates declined, extended learning time was identified as not contributing to increased student achievement results.⁴

The final report of the much-touted Massachusetts expanded learning time initiative, which provided substantial funding to selected schools to increase their class time 25-30 percent over the district average, also had disappointing results, with no significant increase in achievement in most grades and subjects, and slightly higher suspensions and lower attendance rates in the extended time schools.⁵

As noted researcher Gene Glass has concluded, increases in the time allocated for schooling are expensive and do not produce appreciable gains in academic achievement – especially as compared to smaller classes: **“Within reason, the productivity of the schools is not a matter of the time allocated to them. Rather it is a matter of how they use the time they already have.”⁶**

So why have the city’s PLA schools been pushed towards a longer school day while denied the option of reducing class size – even as their students continue to suffer from much larger class sizes than the

² Alex Rush, “Grady High gets new principal - and federal funds - to turn report card around,” Courier-Life, November 16, 2010; see also Maura Walz, “To Transform Itself, Brooklyn School Banks on New Leadership,” WNYC, Oct. 18, 2010: “Maione wants to experiment with giving extra time to all students. And she said she’d like to reduce class size, but federal rules won’t allow her to use the extra money to make that happen.”

³ See Elena Silva, “Off the Clock: What More Time Can (and Can’t) Do for School Turnarounds”, Education Sector, March 2012.

⁴ Mass Insight Education and Research Institute, “Meeting the Turnaround Challenge; District Case Study Miami-Dade County Public Schools, June 2009.

⁵ Abt Associates, “Outcomes Evaluation of the Expanded Learning Time Initiative Final Report,” March 30, 2010.

⁶ Gene V. Glass, *School Reform Proposals: The Research Evidence*, ed. Alex Molnar, 2002.

rest of the state? After some research, I discovered that in other states, federal SIG funds can be used for small classes, including Rhode Island, Minnesota, and South Dakota, among others.⁷

Moreover, I also discovered that the federal rules do not bar funds from being used for class size reduction, despite this misconception, and in fact specifically allow such use if the reduction represents a “meaningful change that could help improve student academic achievement” and is related to the “full and effective implementation of the selected model.”⁸ So why has the NY State Education Department refused to allow SIG funds to be used for these purposes? It would be good to find out the answer to this question.

Other questions also relate to the lack of compliance on the part of these schools and the city as a whole with existing class size requirements. In 2007, the New York State Legislature passed a new law establishing the Contracts for Excellence, which mandated that NYC reduce average class sizes in all grades. As is well known, despite this legal mandate, average class sizes have increased citywide in all grades since that time.

What is not as well known is that the state also required NYC to reduce class sizes to specific levels in a list of 75 high- priority low-achieving, overcrowded schools. There is a substantial overlap between the current list of PLA schools and the original list of 75 schools in which DOE promised the state to

⁷ Rhode Island Department of Education, *SIG SEA Application (FINAL)*, Revised June 24, 2010, p. 24: “ In addition to the required activities listed above, an LEA subject to this Protocol is encouraged to: (ii) Extend, expand or restructure the school day, which may include: (A) Decreasing class size” Retrieved at http://www.ride.ri.gov/OSCAS/Title1/Documents/20100716_SIG_1003g_RI_application_v1_CH.pdf See also *Minnesota Targeted Monitoring Review of School Improvement Grants (SIG)*, May 2-6, 2011, at: <http://www2.ed.gov/admins/lead/account/monitoring/sigreports11/mnsig11rvw.pdf> ; and *South Dakota School Improvement Grants LEA Application Section 1003(g) of the Elementary and Secondary Education Act*, June 30, 2010 at: <http://doe.sd.gov/stimulus/documents/SiouxFallsDistrictApplication.pdf>

⁸ See U.S. Department of Education, *GUIDANCE ON SCHOOL IMPROVEMENT GRANTS UNDER SECTION 1003(g) OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965*, Revised June 29, 2010, retrieved at: <http://www2.ed.gov/programs/sif/sigguidance05242010.pdf> Here is an excerpt from these guidelines:

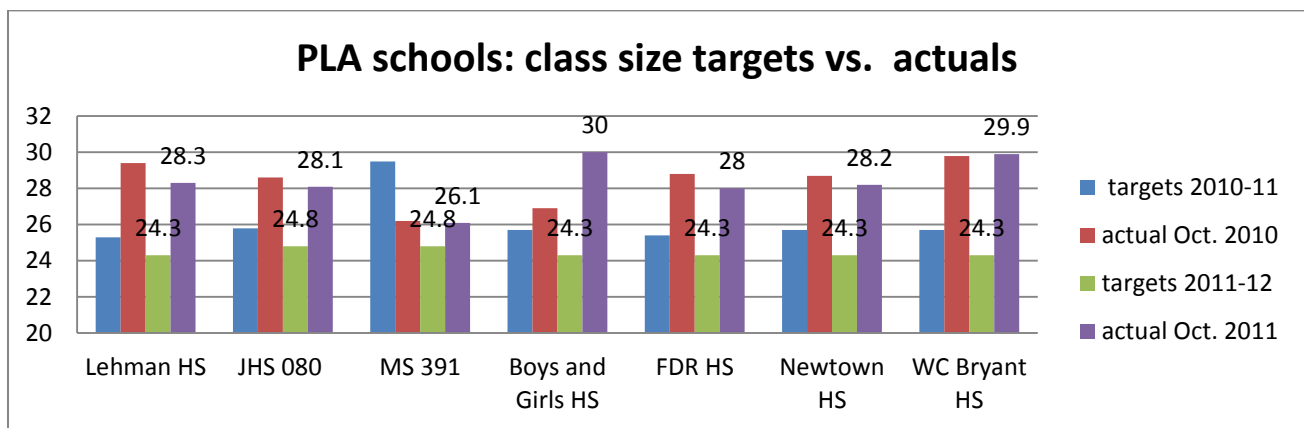
“...if an LEA proposes to use SIG funds to reduce class size in a Tier I or Tier II school, an SEA seeking to determine whether such a use of SIG funds is permissible should consider the factors discussed above. One way an SEA might do this would be to ask the following questions:

whether class-size reduction is directly related to, as well as reasonable and necessary for, the full and effective implementation of the selected model, including whether it is directly related to, and reasonable and necessary for, implementing activities required or permitted under the model; (2) whether, through its needs assessment, the LEA identified a specific need or needs that can be addressed through class-size reduction; (3) whether class-size reduction represents a meaningful change that could help improve student academic achievement from prior years (and is not, for example, just intended to reverse increases in class size made by the LEA because of recent budget cuts); (4) whether the specific class-size reduction proposed is supported by research indicating that, in fact, it will help improve academic achievement; and (5) whether the proposed class-size reduction represents a significant reform that goes beyond the basic educational program of the school, including whether the class-size reduction would exceed minimal requirements set by state or local law or policy. If the answer to any of these questions is no, then an SEA using this process to review the proposed use of SIG funds to support class-size reduction would determine that the proposed use is not permissible.”

reduce class size to 25 or below. Seven of the schools on the original list of priority schools now PLA schools: Lehman HS, JHS 80 and MS 391 in the Bronx, Boys and Girls and FDR HS in Brooklyn, and Newtown HS and Bryant HS in Queens. Three more schools were added to the city’s priority list for class size reduction in 2011: Long Island City HS in Queens, JHS 22, and JHS 166 and Dewey HS in Brooklyn.

What happened in these high schools? Unsurprisingly, none of these schools have come close to meeting their originally mandated class size reduction targets, without a word spoken publicly by NYSED. All of these schools continue to have class sizes far above the state averages of 21, and far above their specific five year targets of either 24.3 or 24.8

Only one of the seven high schools on the PLA list that was also on the “priority” list for class size reduction has reduced class sizes significantly since 2007 – MS 391. The other schools still have class sizes hovering unacceptably near 30, and in the cases of both Bryant HS and Boys and Girls HS, class sizes actually increased this year.⁹ Long Island City’s class sizes have also increased sharply: from 26.8 last year to 31 this year, despite being on the state’s “high priority” list as recently as 2011.¹⁰



⁹ At Boys and Girls HS, the general ed/ICT enrollment was cut by about 500 [estimated by subtracting the number of seats in the four core subjects as indicated in the November class size reports, and dividing by four] – but the number of general ed/ICT sections was cut by one hundred.

¹⁰ In all cases, we have used of general ed/ICT figures from the November class size reports, based on audited Oct. 31 figures. Especially in HS, the January data which the city reports to the state shows smaller class sizes, of about one half to one student per class, because so many students have dropped out or been discharged between October and January. Approximately 4% of high school students in gened/CTT classes disappeared between Oct. 31, 2011 and January 30, 2012; and 11% of students in special education classes. This is an unacceptable method of class size reduction, one would hope the state would agree. And yet now the DOE is pushing to have only the January class size figures reported, claiming they are more “accurate.” See the comments of Ernie Logan, head of the CSA, in response to the DOE’s proposal to eliminate their legal requirement to report on class size in November. He said that they should be made to “stick with” reporting the Oct. 31 audited figures because it’s easier to “play with” the figures later in the year. See NYC Public School Parents, “City Council hearings: More cuts to schools and even larger classes next year as contracts grow fatter?” March 28, 2012; at <http://nycpublicschoolparents.blogspot.com/2012/03/city-council-hearings-more-cuts-to.htm>

Many of these schools also remain unacceptably overcrowded, as do high schools in general throughout most of the city. Class size reduction will be difficult to achieve without alleviating overcrowding. According to the DOE's most recent "Blue book" from 2010-11, the report on school capacity and utilization, there were 162,625 high school students – about 56% of the total -- enrolled in schools at or over 100% utilization. This is more than the 147,253 students – or about 48% -- in overcrowded high schools in 2006-7.¹¹ And yet there are only 3485 new high school seats planned in the capital plan – about 2% of the need.

The total number of students in overcrowded Queens high schools is even higher, and has steadily risen – from 57,545 or 73% in 2006-7 to 60805, or 78%, in 2010-11. And yet there are only 2,283 HS seats for Queens in the five year capital plan – less than 4 percent of the need. And this does not take into account the need to eliminate trailers, reduce class size, and accommodate a growing population.¹² The lack of even a minimally adequate capital plan persists, despite the fact that in the Contracts for Excellence regulations, NYC is required to align its capital plan with its class size reduction plan, but this mandate has never been enforced.

Here are the utilization figures, showing severe overcrowding at many of the PLA schools, according to the latest available "Blue Book" figures from 2010-11.

8	X405	Herbert H. Lehman HS	127%
14	K610	Automotive HS	91%
20	K505	Franklin Delano Roosevelt HS	130%
21	K540	John Dewey High School	105%
24	Q600	Queens Vocational and Technical HS	115%
24	Q455	Newtown High School	120%
25	Q460	Flushing High School	151%
24	Q485	Grover Cleveland HS	109%
27	Q475	Richmond Hill High School	132%
27	Q480	John Adams High School	119%
30	Q445	William Cullen Bryant High School	110%
30	Q450	Long Island City High School	166%
20	K505	Franklin Delano Roosevelt HS	130%

Yet the proposal to "turnaround" the PLA schools by firing half the staff is likely to make overcrowding worse at nearby schools. Why? As recently pointed out by parent leaders and elected officials in Queens, students are not likely to want to attend schools in which disruption and loss of experienced teachers and programs is likely to occur.¹³ As other advocates have pointed out, excessing the teachers at the "turnaround" schools may cost up to \$60 million, a price that the system would be hard

¹¹ We are using "target" figures for utilization here.

¹² According to the annual TCU reports, which the DOE wants to eliminate, there were 623 classrooms in TCU units as of Sept. 2009; with a capacity of 12,773 students; in HS, there were 125 TCU classrooms with a capacity of 3,638 students.

¹³ Clare Trapasso, "Education advocates fear Queens school closings could aggravate overcrowding and jeopardize quality of education," Daily News, April 9, 2012.

to endure given the fact that the DOE budget already cuts spending at the school level for next year, which would lead to the projected loss of 2600 general education teachers.¹⁴ And yet none of these negative effects are mentioned in the Educational Impact Statements for the “turn around” schools filed by the DOE.

In addition, given the difficulties that several Queens HS exhibited this year already in providing even minimal scheduling and required courses to their students, and the proven failure of DOE to provide adequate support and oversight in this regard, it is hard to imagine that the mass firings and reconstitutions that are being envisioned as a result of these “turnaround” proposals would not cause these problems to become even more widespread throughout the system next year.¹⁵

It is difficult to argue that teacher quality is important and yet call for a quota of 50 percent of teachers to be fired or excessed, as the DOE currently intends to carry out. Quotas should never be used as a basis for hiring or firing, especially when our children’s education is at stake.

Article 18-D in the UFT contract supposed to regulate the process of deciding which staff to keep and which to let go at the “turnaround” schools calls for parent involvement in the school-based evaluation committees. If the drastic, ill-advised and damaging turnaround model is going to occur, then parents must be included as part of the process.

Public schools are the lifeblood of our communities. Yet mayoral control, as currently structured, allows one person unilaterally to determine the fate and future of every school and student in this City, irrespective of the views and input of all other stakeholders including parents, students, teachers, community members, and other elected officials. Despite damaging effects on NYC students and overwhelming community opposition, the mayor has used this power to close over 100 public schools and proposes to close nearly fifty additional schools this year.

In a recent Quinnipiac poll, almost 6 in 10 New Yorkers believe that that the mayor’s takeover of our schools has been a failure, while only 1 out of 8 New Yorkers say that mayoral control should continue as currently constituted. More than four times as many New Yorkers believe that in the future, the mayor should share power with an independent body than retain complete control over our schools. It is time for public school parents, our communities, and our elected officials to have a voice again as to the fate of our children’s public schools, especially when it comes to damaging school closings and

¹⁴ Geoff Decker, *CEJ: Hiring costs at turnaround schools could exceed \$60 million*, Gotham Schools, April 5, 2012; CEJ report, “Turnaround” or Tear Down?” at: <http://www.scribd.com/doc/88161636/Turnaround-Report-4-5-12> . See also Leonie Haimson, *Testimony Before the NYC Council Education Committee on the FY 2013 expense budget*, March 27, 2012, posted at <http://www.classsizematters.org/wp-content/uploads/2012/03/CSM-testimony-operating-budget-March-2012.pdf>

¹⁵ Lindsey Christ, “*NYI Exclusive: Long Island City High School Community In Uproar Over Scheduling Debacle*,” Oct. 27, 2011; also Lindsey Christ, “*DOE Officials Try To Address Queens High School's Massive Scheduling Headaches*,” NY1, Nov. 21, 2011; Billy Rennison, “*New schedules to clear ‘chaos’ at Queens Metropolitan High School*,” Queens Courier, Nov. 29, 2011. The new principal slated for LIC High School is apparently Vivian Selenikas, the school’s current network leader – despite the fact that the network’s support structure did not seem to help prevent the scheduling chaos that occurred this fall. Philissa Cramer, “*Details emerging about turnaround schools’ leadership, hiring*,” GothamSchools, April 5, 2012

co-locations. We urge the legislature to support legislation that would require that before any school is closed, phased out, truncated or co-located, the district Community Education Council in which the school resides should approve the proposal.

Community Education Councils already have the authority to approve or disapprove alterations in school zoning lines according to state law. Since school closings and co-locations can radically affect enrollment, it is only logical that these bodies should have the authority to approve or disapprove school closings and/or co-locations. You have the power to stop this wrecking ball of unilateral mayoral control before it's too late, and to save our public neighborhood schools, by giving parents a real voice in school closings and co-locations.

