



Letitia James

June 15, 2015

Chancellor Carmen Fariña
Department of Education
52 Chambers Street
New York, NY 10007

Dear Chancellor Fariña:

As you may know, nearly half a million students already attend schools that are severely overcrowded and the situation is worsening. I am writing with great concern regarding the recent release of the city's capital plan. Specifically, I am interested in learning more about the rationale for the number of new schools being built. Given the Department of Education's (DOE) own data on current overcrowding and enrollment projections, the capital plan as currently designed will meet less than one half of the need.

According to an audit from the NYC Comptroller, at least one third of public schools are overcrowded, according to the DOE's own data, without the city having a clear plan to deal with the problem. A third of the city's elementary schools are at least 138% of capacity.¹ At the same time, enrollment is increasing and just-released Census data show that New York City is the fastest growing large city in the country.

Moreover, there is a widespread consensus that the DOE's formula for estimating school utilization levels in the Blue Book underestimates the actual level of overcrowding and the space needed to provide a sound basic and legal education. Though a working group appointed by the Chancellor made proposals to improve the accuracy of this formula in December, their recommendations still have not been released. Therefore, the City continues to make crucial decisions on co-locations, and now the capital plan based on inaccurate data.

The well-documented result is that hundreds of schools have lost their cluster rooms; thousands of students are assigned to lunch as early as 10 a.m., and/or have no access to the gym. Many special needs students are forced to receive their services in hallways and/or closets rather than in dedicated spaces, and class sizes in the early grades have reached a 15-year high.

The Mayor's ambitious plan to build an additional 160,000 market-rate housing units, on top of 200,000 affordable units over the next ten years will create the need for even more

¹ http://comptroller.nyc.gov/wp-content/uploads/documents/7E13_123A.pdf and <http://www.nydailynews.com/new-york/education/1-3-city-schools-overcrowded-audit-article-1.1859717>

school seats. In addition, his effort to expand community schools will require more room for wrap-around services in schools that are already suffering from an extreme space crunch. Yet, there have been no adjustments or significant increase in the number of new seats since either of these plans was announced.

I urge you to double the number of new seats in the capital plan, which would more nearly achieve the goal of alleviating current overcrowding and accommodating projected enrollment growth. According to the Independent Budget office, this would cost \$125 million per year.

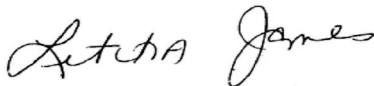
Just recently the DOE proposed a five year contract with an IT vendor, Computer Consultant Specialists, to wire NYC schools at a cost of \$127 million a year, renewable for four more, at a cost of more than \$1 billion. (Originally the contract was nearly twice that high, at a potential cost of more than \$2 billion. But after the media raised questions about the contract, the DOE managed to cut nearly half out of the annual amount.² The city ended up cancelling the contract after it was pointed out that the company was implicated in a kickback scheme that had robbed DOE of millions of dollars.³

For approximately the same amount that the DOE was prepared to pay for this contract, the number of seats in the capital plan could be doubled and we could begin to meet the real needs of NYC public school students.

As I have advocated previously, I also urge your office to form an independent commission to improve the planning process and efficiency in siting new schools, which now lags far behind private and public development efforts. The OneNYC plan released by the Mayor's office projected the need for infrastructure improvements to meet the requirements of a growing population in housing, transportation, health care and many other areas, but gave little or no attention to the worsening crisis of school overcrowding and the need for new schools to accommodate this growth.

I look forward to your response.

Sincerely,



Letitia James
Public Advocate for the City of New York

² See <http://nypost.com/2015/02/24/doe-hiring-tech-firm-linked-to-kickback-scheme/> and <http://www.nydailynews.com/new-york/education/dept-ed-contract-sketchy-tech-firm-not-compute-article-1.2128207>

³ <http://www.nydailynews.com/new-york/education/education-department-reboot-computer-services-deal-article-1.2156179>

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Cc: Mayor de Blasio