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***The need to reduce class size and comply with the Contracts for Excellence law sample resolution for Community Education Councils, Community Boards, Presidents Councils & PTAs***

**Whereas** New York City has the highest class sizes by far in New York State;

**Whereas** class size reduction is one of only a few education reforms proven to increase student learning, according to the Institute of Education Sciences, the research arm of the US Department of Education;

**Whereas** in the Campaign for Fiscal Equity lawsuit, the state’s highest court said that NYC students were deprived of their constitutional right to an adequate education because of excessive class sizes;

**Whereas** reducing class size is the top priority of parents each year according to DOE’s Learning Environment Surveys, and 86% of NYC principals say they are unable to provide a quality education because of overly large classes;

**Whereas** NYS passed a law in April 2007, called the Contracts for Excellence (C4E) , which provided NYC with extra state funding in return for a promise to reduce class size in all grades;

**Whereas** NYC submitted a plan that was approved by NYSED in Nov. 2007, calling for annual reductions in class size with the goal of achieving class sizes no larger than 20 students on average in grades K-3, 23 students in grades 4-8, and 25 in core high school classes by the year 2011-2012;

**Whereas** citywide and in this school district, class sizes have risen substantially since then, instead of decreasing, and are now the largest in the early grades K-3 in 14 years;

**Whereas** the DOE never allocated any of the C4E funds centrally towards the goal of reducing class size;

**Whereas** since 2007, DOE has cut school budgets 14%, contradicting the prohibition in the C4E law against supplanting;

**Whereas** in 2010, DOE eliminated Early grade class size funding, despite a promise in its C4E plan;

**Whereas** in 2011, DOE decided to stop capping class sizes in 1st-3rd grades at 28, leading to tripling of class sizes 30 or more in these grades;

**Whereas** in 2012, DOE instructed principals to accommodate special needs students up to contractual class size maximum levels;

**Whereas**, with class sizes up to 32 in elementary and middle schools and up to 34 in high schools, such large classes do not provide the individual attention that either general education or special education students need and deserve;

**Whereas** DOE has never aligned either its school utilization formula or its capital plan to the goals in its class size plan, the latter as specifically required by state law;

**Whereas** instead of using available space to reduce class size in school buildings, DOE has forced co-locations instead;

**Whereas** the NYS Education Department has done nothing to ensure that NYC complies with its legal obligations to reduce class size;

**Whereas** this year, NYC DOE posted its C4E plan for the current (2012-2013) school year in February, and is holding hearings in February and March, long after most of the funding has been allocated and spent, making a mockery of the public process and feedback required by the law;

**Whereas** the DOE has failed to schedule borough hearings, as the law also specified;

**Whereas** the deadline for public comment is March 18, yet many CECs because of crowded schedules will not be able to even hold these hearings until after the deadline is past;

**Whereas** last year’s NYC state-approved C4E plan has still not been posted or disclosed, making it unclear as to its legal status;

**Be it resolved** that SED should require the city to hold borough hearings in addition to CEC hearings, as required by law;

**Be it resolved** that this year, the deadline for public comment should be extended, so that all CECs can hear from parents before public comment is due;

**Be it resolved** that the state should from this year on require that the DOE hold hearings much earlier, in the spring and early summer, so that public feedback can be obtained before the C4E funds are already allocated and spent;

**Be it resolved** that the NYS Education Department should require NYC use all available C4E funds to reduce class size;

**Be it resolved** that the NYSED should require DOE to restore its early grade class size funding program, as it promised to do in its C4E plan;

**Be it resolved** that at the very least, NYSED should require DOE to cap class sizes in 1st-3rd grade at 28, as was done before 2011;

**Be it resolved** that NYSED should forbid DOE to demand that inclusion and general education class sizes increase to the contractual maximum, in order to accommodate special needs students;.

**Be it resolved** that NYSED should require DOE to align its “Blue Book” formula and capital plan to the goals in its C4E class size plan, as required by state law.

**Be it resolved** that NYSED should forbid DOE to create any more co-locations unless class sizes are reduced to their C4E goals in the existing public schools in the building.

**Be it resolved** that our local and state elected officials will join with us in urging that the state hold NYC DOE responsible to comply with its legal and moral obligations to provide smaller classes for all public schoolchildren.