



REPORT & ADVISORY BOARD REVIEW COMMISSION

Comments received between May 11th and May 18th, 2012

(see [“public testimony”](#) for official testimony provided for the May 11th public hearing)

Submission to the Report and Advisory Board Review Commission

Of the New York City Council

By the United Federation of Teachers

Michael Mulgrew, President

May 14, 2012

The United Federation of Teachers (UFT) wishes to thank the Report and Advisory Board Review Commission for the opportunity to share our views on reporting class size and temporary classroom units. We commend your commission for taking the time to scrutinize the demands on the New York City bureaucracy and to seek ways to streamline reporting and make all agencies efficient. While we don't support exempting the Department of Education (DOE) from reporting scrutiny, the greater priority we believe, is examining the impact of reducing or eliminating critical information that parents use to judge the quality of their children's education.

We strongly urge this commission and the full New York City Council to maintain the current reporting by the Department of Education (DOE) on class size and transportable classrooms.

Before adopting the mayor's recommendations to reduce reporting in these areas, we must remember what came before and anticipate the possible outcomes.

Class Size Reporting

Before class size reporting, teachers, parents and the public were without clear information on class sizes by school. The only consistently available data for city schools were derived from the New York State Education Department (NYSED) system-wide averages aggregated by grade only. The city's education community could not tell how many classes were too large, where the biggest class size problems existed or any pertinent details at the school level. Worse, the data was always two years old—or more.

The City Council's addition to the New York Charter law in 2005 requiring the DOE to report average class sizes at the school, district and grade level twice a year moved the agency toward greater transparency and enabled parents and advocates to lobby effectively for the needs of their children. The DOE's development efforts in designing the class size report have largely paid off; the report is extensive, detailed, user friendly and it's been fine-tuned over time.

Additionally, we need both reports because they reflect two separate student counts – October 31 and January 30. Each report adds unique value to understanding the breadth of the problem with over size classes.

This case is best made in viewing high school data. Year-to-year we've seen high school class sizes show significant fluctuation between the two counts. If the administration only released the February report for instance, the public would miss the typically larger class sizes in the fall.

Most significantly, using these new reports the Campaign for Fiscal Equity was able to quantify the number of classrooms needed in order to reduce class size in each grade and school to comply with state mandates, and identify where the DOE most needed to add seats. Combined with the School Construction Authority's Enrollment-Capacity-Utilization Report (The Blue Book), it allowed the public to see in detail where there is available space, and whether new capacity should be added. In addition, it can pinpoint what grade levels, what districts and neighborhoods may require more classrooms.

Temporary and Non-standard Classroom Reporting

The law also requires annual detailed reporting on "temporary and non-standard classroom" space. Temporary in our view, is a misnomer. According to our review of the data, in 2001 3.86% of all public school students in traditional schools elementary through high school were in temporary structures. By 2011 the number had dropped a mere percentage point still leaving 2.86% or 28,605 of our school children trying to learn in structures never meant for long-term use. This translates to a reduction of only about 1,000 children per year back to standard classrooms.

The UFT has received numerous complaints about these trailers and their current conditions — most of them are over 10 years old. The wooden ramps are rotting, the metal siding is coming loose and other deteriorating conditions are developing. In addition, environmental issues have developed in some of the trailers. Providing instruction under sub-standard conditions compromises children's education. Parents need to know what is going on in their schools and the earlier in the school year, the better.

The administration proffers a modest cost saving as a rationale for eliminating the November class size report and redundancy with the Blue Book as it relates to eliminating the report on temporary classroom space. But what about the cost to children who linger too long in over-size classes or risk hazards in unsuitable space improperly labeled temporary?

In addition, while the class size reporting provides a solid template for public scrutiny, the Blue Book could offer further refinements and more accurate views of capacity and utilization. It is why for instance, as the CFE pointed out in its 2007 report "A Seat of One's Own," class size data reports and the Blue Book must be considered together, because changing class size modifies the capacity of a school." And from its 2010 report "Capacity Counts," we agree with the CFE's assessment that "Inaccuracies, inconsistencies, and a lack of transparency have wide and durable repercussions."

In weighing the benefit to the parents, their children and the public against the negligible savings of some staff time, we believe the balance overwhelmingly tips toward more comprehensive, accurate reporting at the earliest possible date. Despite its preliminary nature, parents are better able to advocate for their children earlier in the term with the November class size report; and limiting their access to the temporary structures data by eliminating the October report we believe is ill-advised.

We reject the administration's view that eliminating these reports constitutes progress. To the contrary, it's a step backwards. We can do better for the children in our public schools. As the administration seeks greater accountability, safeguarding these reports would be a step in the right direction.

Here is my testimony which I hope will be posted online.

Also, though your website says that people can submit comments through email, there is no longer any email address that I can find on your website.

Instead there is a web form which does not allow attachments.

The email address should be made available on the public comment page as well as the contact page.

Also, the link to the public comments themselves is hard to find. It is linked to from a page called

Comment Submission Policy

http://www.nyc.gov/html/rabrc/html/meetings/public_comments.shtml#csp

“As of April 20, 2012, all new comments sent by mail or email will be posted on a weekly basis to this site subject to the Commission’s [Comment Submission Policy](#).”

Instead there should be a separate page, each of them separately linked to, called Comment Submission Policy and Public Comments already received. And both should have the email address one can use.

Thanks,

Leonie Haimson

Executive Director

Class Size Matters

Comments received between May 4th and 5pm on May 10th, 2012

Dear Commission Members,

I write to express my strong support for the retention of the Preliminary Mayor’s Management Report (“PMMR”).

As Chair of the City Council’s Finance Committee, I am especially attuned to the City’s fiscal challenges and the difficult choices and trade-offs that must be made during the budgetary process. Given these challenges, it is critical that we have the right tools and information in order to make well-informed and fiscally responsible decisions. The PMMR is an important tool for making these very difficult choices. The PMMR assists the Council in evaluating the Mayor’s Preliminary Budget, allocating resources, and establishing priorities – all of which ultimately inform decisions that are made in the Executive Budget. Rather than eliminate the PMMR, I urge this Commission to consider and recommend ways that the PMMR could be made stronger, namely by linking performance measures with the budget.

Together with the Mayor’s Management Report (“MMR”), the PMMR was created in direct response to the City’s fiscal crisis of the early 1970s.¹ While both reports play an important role in the Council’s oversight of

¹ State Charter Revision Commission for New York City, “Preliminary Recommendations of the State Charter Revision Commission for New York City,” June 1975.

the performance of City agencies, it is the PMMR that was intended to be used in the preparation of the Executive Budget.² It is for this reason that the release of the Mayor's Preliminary Budget and the PMMR are timed together. Importantly, the PMMR is required to contain:

- Actual agency performance for the first four months of a fiscal year relative to established performance goals and measures;
- Proposed performance goals and measures for the next fiscal year based upon appropriations proposed in the Mayor's Preliminary Budget;
- An appendix linking these proposed program performance goals and measures to appropriations made in the Preliminary Budget; and
- An explanation of significant changes to program performance goals and measures as a result of budgetary modifications.³

This information – which is not contained in other budgetary documents – enables the Council to examine during the budget process whether agency funds are being used efficiently and allocated properly.

Admittedly, the PMMR has never fully realized its intended purpose as a budgetary tool, in large part because of the poor alignment between budgetary units of appropriation and actual agency programs. Moreover, in recent years the PMMR has become less useful, as the Bloomberg administration has reduced much of the content it is required to provide regarding the linkage of performance goals and budget appropriations. But these are reasons to focus on improving the PMMR, not eliminating it.

In addition to its review of the continued usefulness of reports, this Commission is also empowered to issue recommendations to the Mayor and Council on how to make certain reports more effective and useful.⁴ Notably, the Mayor's Office of Operations recently convened a "roundtable" of experts tasked with offering recommendations for improving the MMR. One of the key areas the Roundtable is tackling is creating stronger links to the budget. The types of improvements being considered by the Roundtable would greatly improve the PMMR, making it the highly useful budgetary tool that it was originally meant to be. I urge the Commission to consider the work of the Roundtable in its deliberations, and, in addition to affirming the continued usefulness of the PMMR, issue recommendations for making the PMMR more effective.

Thank you for your careful consideration of this important matter. I am confident that in the end you will agree that the retention of the PMMR is in the City's best interest.

Respectfully,
Domenic M. Recchia, Jr.
Councilmember, 47th District
Chair, Committee on Finance

² *Id.* at 11.

³ N.Y.C. Charter § 12(b).

⁴ N.Y.C. Charter § 1113(f).

Dear Report and Advisory Board Review Commission,

My children attend Manhattan's PS 87 & MS 54, and I think it is extremely important that class-size and overcrowding data be publicly shared with parents, politicians, and other community members.

The Mayor talks repeatedly about the parents' right to know, and yet on issues that parents care deeply about, class size and overcrowding, the DOE is proposing to eliminate that right.

The November class size report is critical for several reasons. Contrary to the claims of DOE, it is more accurate than the February report, particularly in high school, as the latter reports class sizes after thousands of students have dropped out or been discharged from their schools. It is also far more useful for parents to find out class sizes in their children's school as early in the year as possible.

The trailer or TCU report is critical because nowhere else is there any data on how many how many actual TCU classrooms there are, or the current use of any of these rooms. Sadly, according to the latest data, there were 600 TCU classrooms in 2010-11.

I urge you to reject DOE's proposals to eliminate these reports. Instead, they should be significantly enhanced and improved, to provide parents and other members of the public a more reliable and complete picture of the sorry and substandard conditions under which thousands of New York City schoolchildren are subjected to every day.

Yours,

Cynthia Wachtell
Director of the S. Daniel Abraham Honors Program &
Research Associate Professor of American Studies
Stern College
Yeshiva University

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Yours,

Brooke Parker
District 14 public school parent

Dear Commission Members:

I write to express my strong support for the retention of the Outreach Programs Report and the Permanent Housing Needs Report. These reports, put out by the Department of Homeless Services (“DHS”), help ensure that the needs of one of the City’s most vulnerable populations are being met. Especially in these tough economic times, during which there has been a troubling spike in homelessness, these reports continue to be highly relevant and useful.

As Chair of the City Council’s Committee on General Welfare, I know all too well the difficult challenges the City faces in serving our homeless population. In recent years, budget cuts have led to a reduction in services and resources for those city residents who have fallen upon hard times and find themselves in need of housing assistance. At the same time, the City’s homeless population has been increasing. As of May 4, 2012, there were 41,132 homeless individuals relying on DHS for shelter, including 8,715 homeless families and 16,884 homeless children.¹ DHS’s own annual survey revealed a 23 percent increase in the number of homeless persons living on the streets from 2011 to 2012.² By some estimates, homelessness in New York City is at its highest level since the Great Depression.³

The DHS reports being considered for “waiver” provide an important source of information for ensuring that in this difficult environment the City is still meeting the needs of the homeless. One of DHS’s core functions is to develop and operate outreach programs to identify and assist homeless families and individuals who are living in public spaces.⁴ The “Outreach Programs Report” requires DHS to report information that indicates how effectively DHS is serving this function. Specifically, in the Outreach Programs Report, DHS is required to report – on a quarterly basis – the following information:

- The number of contacts with homeless families and individuals;
- The number of placements in transitional housing resulting from such contacts; and
- The number of referrals of persons so contacted to programs or services.⁵

In recent years, the bulk of the City’s outreach efforts have been performed by organizations through contracts with DHS. Thus, the information required to be contained in the Outreach Programs Report is especially useful, as it enables City officials to evaluate the sufficiency of these contractors’ efforts and performance.

Unfortunately, in recent years, DHS has failed to provide much of the information it is required to report under the law. Notably, in 2007, DHS ceased reporting on the number of referrals of homeless persons contacted by outreach programs; in 2009, DHS stopped reporting on the number of placements in transitional housing resulting from contacts.⁶ DHS claims that the information in the Outreach Programs Report is redundant to the outreach and placement indicators in the MMR.⁷ But this is only because DHS has neglected to provide the appropriate information in the Outreach Programs Report. Instead of eliminating this important report all together, this Commission should call on DHS to fulfill its reporting obligations.

Similarly, the Permanent Housing Needs Report provides information to the Council that is highly useful for evaluating the adequacy of the City’s current housing capacity for homeless families and individuals, for determining future needs, and for making long-term policy decisions. In this report, DHS must provide projections regarding the permanent housing and the transitional housing and services needed to house homeless families and individuals expected to be housed, including housing provided by the Department of Housing Preservation and Development and the New York City Housing Authority (“NYCHA”).⁸

This information is not redundant to information in the Average Daily Overnight Census (“ADOC”), as has been suggested by DHS.⁹ The ADOC is an important report that details the number of families with children, adult families, and single adults that stay overnight in homeless shelters. The ADOC, however, does not indicate how much overall need DHS projects in the short- and long-term, and does not distinguish need by type of housing (e.g. permanent supportive housing vs. federally subsidized private housing). Moreover, the ADOC does not provide information regarding housing provided by NYCHA. Clearly, there is important information contained in the Permanent Housing Needs Report that is not contained in the ADOC.

Finally, the information contained in the Permanent Housing Needs Report is information that DHS must necessarily compile in order to make short- and long-term budgetary and operational decisions. Thus, the

minimal resources that DHS devotes to compiling this report – two staff members, fifteen hours per year -- represents resources that DHS expends irrespective of this reporting requirement.

The Commission is tasked with the worthy objective of identifying and eliminating reporting requirements that are “outdated, redundant, or use valuable resources for little public benefit.”¹⁰ I respectfully submit that these two reports do not fit the bill for any of these criteria. Given the current state of affairs outlined above, transparency and accountability regarding DHS’s efforts to address homelessness is needed now more than ever. And as discussed above, both reports contain information that is not reported in other places. Finally, these reports do not require significant resources to compile, and it hardly needs stating that there is significant public benefit to ensuring that adequate efforts and resources are being made to provide for the City’s homeless population.

Thank you for your careful consideration of this important matter. I am confident that in the end you will agree that the retention of these reports in the City’s best interest.

Respectfully,

Annabel Palma
Chair, Committee on General Welfare
NYC Council Member, 18th District

Endnotes:

1 NYC Department of Homeless Services, *available at* www.nyc.gov/html/dhs/html/home/home.shtml (last visited May. 7, 2012).

2 “Survey finds 23% more homeless in NYC,” *The Wall Street Journal*, April 27, 2012.

3 See Coalition for the Homeless, “State of the Homeless 2011: „One in Three: A Plan to Reduce Record New York City Homelessness and Reverse the Failed Policies of the Bloomberg Administration,” April 11, 2011.

4 N.Y.C. Charter § 612(a)(7).

5 *Id.*

6 See DHS, Outreach Programs Report, FY’12 Q1, at n.1 & 2.

7 See Presentation, Report and Advisory Board Review Commission, February 28, 2012, at 3.

8 N.Y.C. Charter § 614.

9 See Presentation, Report and Advisory Board Review Commission, February 28, 2012, at 4.

10 See N.Y.C. Charter § 1113(e)(1).

I plan on attending the Reports and Advisory Board Review Commission hearing this Friday, May 11th to offer testimony on behalf of Common Cause/NY

Brian Paul
Research & Policy Coordinator
Common Cause/NY

Dear members of the Commission on Reports:

As a parent, I urge you not to allow the DOE to eliminate any of its mandated reporting on class size or trailers. This is information that is critical for parents to know.

The November class size report contains class size data based on the Oct. 31 audited register. Not only is the February report too late in the year to help parents and advocates concerned about this issue, but it is far less accurate, as it gives the size of class sizes at the end of January, after thousands of NYC high school students have already dropped out or been discharged from their schools.

The TCU report is also necessary, as there is no data anywhere else, including in the DOE document called the “Blue Book,” on how many high school trailers remain (at least 73, in the TCU report); no data on how many actual TCU classrooms there are (at least 600, according to the TCU report) and no data on the current use of

any of these classrooms (whether for general education core subjects, special education students, or art, science or drama rooms). Only the TCU report has information on these matters.

Sadly, the city has utterly failed to make significant progress in either of these areas in the last decade. Indeed, our schools have about the same number of TCUs as in 2006, the earliest year for which we have data, and this year, our students are suffering from largest class sizes in the early grades than in any year since 1998, despite repeated promises that both the numbers of trailers and the size of classes would be considerably reduced.

While the DOE may want to suppress information from parents on these two critical problems, allowing them to do so would do a grave disservice to our children, and to the transparency and accountability that New Yorkers have a right to expect from their government.

Yours sincerely,

Jennice Saiyad,
Parent of public middle school student

To Whom It May Concern:

I will be testifying on behalf of Citizens Union at the May 11th hearing of the Reports & Advisory Board Review Commission.

Please let me know if you require further information. I would appreciate confirmation of my email.

Thank you,
Rachael Fauss

Policy and Research Manager

Citizens Union/Citizens Union Foundation

Comments received between April 20th and May 3rd, 2012

As a public school parent, I respectfully request that you maintain the transparency to which the NYC DoE so proudly aspires. Class size is one of the most important factors parents consider when choosing a school. It tells us more about the state of our schools than almost every other factor, including student test scores, and it ensures the quality of teaching our children receive. Additionally, that reporting is mandated by law. Since there are no parents on the commission, please know that we parents are indeed the stake-holders, and we care deeply about overcrowding in our schools. The quality of New York City public education matters more to me and my future than anyone else because my children sit in those classrooms every day, work hard to concentrate with crowds of distractions, and trust the adults in power to make honorable decisions. Honor the law. Please.

Kari Steeves

Dear members of the Commission on Reports:

As a parent and teacher, I urge you not to allow the DOE to eliminate any of its mandated reporting on class size or trailers. This is information that is critical for parents to know.

The November class size report contains class size data based on the Oct. 31 audited register. Not only is the February report too late in the year to help parents and advocates concerned about this issue, but it is also far less accurate. It gives the size of class sizes at the end of January, after thousands of NYC high school students have already dropped out, been discharged from their schools. In addition, students who have suffered from over-crowded classes have endured months of gross educational neglect and invisibility. My daughter's over-crowded high school held classes in the hallway, which made hearing and discussion extremely difficult.

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Yours sincerely,

David Dobosz
Coalition for Public Education and
Grassroots Education Movement

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Yours sincerely,

Karen Sprowal
SLT/PTA member of P.S.75/ Emily Dickinson School

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Antiqua Lewis