

**Draft resolution to urge the City Council to restore school budget cuts made last year,
and expand the capital plan to be able to meet the benchmarks in the new class size
law**

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Whereas, this year, most school budgets were slashed by large amounts; with the City Comptroller estimating that 77% of schools had their Fair Student Funding (FSF) allocation reduced by a total of \$469 million;

Whereas, as of Jan. 13, 2023, 86% of schools experienced even larger cuts to their entire Galaxy budgets totaling \$893 million compared to last year, averaging about \$655,000 each;

Whereas, many City Council members said they were caught unaware with the severity of the budget cuts after voting to approve the budget in June;

Whereas after learning of the extent of these cuts, many Council Members said they regretted having approved last year's budget, and asked the Mayor for an opportunity to revote – although the Mayor prevented them from doing so;

Whereas these budget cuts led to class size increases this year in most schools, as well as the loss of many critical programs;

Whereas the Mayor's executive budget for next year would cut more than a billion dollars from the DOE budget;

Whereas, the Chancellor and other DOE officials admitted during the Council budget hearings on March 15, 2023 that school budgets would be cut once more, although they refused to say by how much;

Whereas, there is nothing in the executive budget that shows an additional \$90 million in fair student funding planned for schools with a large number of homeless and disadvantaged students, which risks that other schools may be cut by that amount;

Whereas, NYC public schools have already lost more than 4,000 full-time K12 teachers since FY 2019, according to DOE headcount data;

Whereas, DOE is slated to receive an additional \$493 million in state Foundation Aid for next year, the final payment in three-year phase-in of about \$1.3 billion resulting from the CFE lawsuit, intended to provide NYC students with their right to a sound, basic education, including smaller classes;

Whereas, the Independent Budget Office estimates that the city will end fiscal year 2023 with a \$4.9B surplus and as of early February, the city's cash balance was at \$14.6B, including reserves;

Whereas, starting next fall, the DOE is supposed to start lowering class size according to a [new state law](#), with far smaller class size caps to be required of all schools over the next five years;

Whereas, this phase-in process will require significantly more funding for space and staffing if all schools are going to be able to reach these smaller caps, especially in the out-years;

Whereas, according to the latest available data from the Blue Book for the 2021-2022 school year, about 347,000 (38%) of students citywide were in schools over 100% of their capacity last year;

Whereas, the need to create additional classroom space in overcrowded districts is especially urgent, since it can take up to five years or more to build and/or expand schools;

Whereas, at City Council hearings in March, Deputy Chancellor testified that would cost the DOE an estimated \$30 billion to \$35 billion to build enough additional school seats to comply with the class size law, an amount that would create 200,000 seats or more;

Whereas, despite this claim, the DOE and the School Construction Authority are currently planning to cut funding for new school construction by \$2.3 billion and over 21,000 seats (38%) in the proposed Feb. 2023 amendment to the five-year capital plan, compared to the plan adopted in June 2021;

Whereas, to this day, the School Construction Authority has not fully complied with two laws passed in 2018 meant to improve the transparency, accuracy, and efficiency of school planning and siting, [Local Law 167](#) and [Local Law 168](#);

Be it resolved that the DOE should clarify what other programs or staffing will be eliminated in the DOE budget to allow for the additional \$90 million in FSF funds planned for schools with high numbers of homeless and disadvantaged students;

Be it resolved that from now on, the City Council should insist on two new Units of Appropriation (U of A) in the DOE budget that reflects on school-level funding, subsets of the current U of As for general education and special education instruction;

Be it resolved that instead of allowing any further cuts to school budgets, the City Council should insist on an education budget for FY 2024 that fully restores the cuts made to schools this year;

Be it resolved that the Council should reject any capital plan that does not expand the number of new school seats rather than reduces them, to ensure there is sufficient space to meet the class size law's annual benchmarks;

Be it resolved that the Council should insist that the School Construction Authority shall fully comply with two laws passed in 2018 designed to improve the transparency, accuracy, and efficiency of school planning and siting, [Local Law 167](#) and [Local Law 168](#).