

## **Need for a Commission to reform School Siting and Planning**

A Commission or Task Force appointed by the NYC Council and the Mayor to improve the efficiency of school siting and planning should be created. More than 500,000 students are sitting in overcrowded schools, according to the DOE's own calculations. The city's failure to plan, site and build sufficient school space is a long term problem that is worsening because of the rapid pace of housing development.

We propose that the Council negotiate for and/or establish this Commission in conjunction with their negotiations over rezoning.

If new rezoning proposals are adopted, intended to accelerate the construction of affordable and market-rate housing, school overcrowding already at critical levels in many communities will likely grow even more severe, unless there are significant reforms to the planning process and the capacity of the city to build schools along with housing.

There clearly needs to be more funding in the capital plan but without a more efficient planning and siting process these funds could go unspent for years. For example: The latest capital plan the DOE increased their estimate of total need for seats to 83,000 from 50,000 just a few months ago; but they had not updated their estimates since November 2013. These estimates should instead be done on an annual basis or semi-annual basis.

Moreover, DOE is currently funding only 49,200 of those seats, or 59 percent of those they admit are needed – including mostly unspecified seats in the “class size reduction” program. An even smaller percentage are in scope and design – 11,165 seats --meaning that sites have been acquired and schools in the process of being designed; which is only 15 percent of the need, compared to 22.7 percent previously.

Our estimate of the actual seats needed is more than 100,000, based on existing DOE overcrowding data and future enrollment projections from housing starts and their consultants' own demographic projections. There clearly needs to be more funding in the capital plan but without a more efficient planning and siting process these funds could go unspent for years.

Currently, there are overcrowded communities that have waited over a decade for a school to be built, even when funds have been sitting in the capital plan allocated for that purpose. The process of identifying and acquiring appropriate schools sites must be made more efficient.

In conversations with the SCA, they revealed that they have only three people on staff citywide looking for sites, and only one real estate firm on retainer per borough. They also say they never “cold call,” which is standard procedure for developers looking for sites; and never consider acquiring commercial sites via eminent domain unless that property has recently been on the market. They also say they will never consider acquiring residential properties via eminent domain for schools in any instance.

More evidence of planning failures on the part of the DOE is the fact that the last two amendments of the five year capital plan, in May 2015 and January 2016, were months overdue.

Also, in February 2014 the Chancellor allocated \$490 million to create an additional 4900 seats under a new “class size reduction” program. It has taken them two years to identify any projects for this program; even as the vast majority of students throughout the city are still subjected to overly large classes, with at least 350,000 students sitting in classes of 30 or more this year.

Still, after two years only three school expansion projects are identified under this category, without specifying how many seats these three projects will add or whether this will allow these schools or others nearby to actually reduce class size. This goal appears unlikely since in July 2015, the DOE rejected the recommendations of the Blue Book Working Group appointed by the Chancellor to align the school capacity formula to smaller classes.

Nowhere in the capital plan is there an acknowledgement of the thousands of school seats that will be lost due to existing co-locations, phase-outs, grade truncations and charter school expansions. In the Environmental Impact Statement for the East New York rezoning, the analysis shows that Brooklyn high schools are due to lose over 8,000 seats due to these changes alone. This along with projected enrollment increases will cause the utilization of Brooklyn high schools to rise to over 108 percent. The proposed East New York rezoning would add another 800 students, increasing projected utilization to 109 percent. Yet because this is an increase of only one percent, the zoning rules do not trigger even the consideration of building another high school in Brooklyn. There is not a single Brooklyn high school due to be built in the capital plan.

The Commission could consider whether the zoning rules should be changed to require lower thresholds for building new schools, especially in overcrowded areas, and whether the formula used to project the impact on enrollment from new housing should be based upon more recent census data. It could also consider whether a needs estimates for new seats, including an analysis of how many seats are lost each year, should be required and made more transparent; and whether impact fees and other reforms to the zoning and ULURP process should be adopted to ensure that sufficient school space is created along with residential development.

*Analysis by Leonie Haimson, Class Size Matters, 2.25.16*