

Posted: January 4, 2016

**New York City Department of Education
Assessment of 2015-16 Contracts for Excellence Public Comment**

Public Comment Timeline

- July 15 – 28 2015 Five borough-wide public hearings were held. The full schedule of C4E hearings can be found here: [2015-2016 Public Comment and Borough Hearings](#)
- October 5 –
November 5 2015 33 public hearings were held. The full schedule of C4E hearings can be found here: [2015-2016 Public Hearing Calendar](#).
- Public hearing transcripts are available here: [Public Comment Assessment](#)
- (Note that some of the CEC meetings do not have a transcript, due to technical problems with recordings and instances in which there were no public comments to record.)
- November 06, 2015 Public comment period concluded
- January 4, 2016 Assessment of public comments released on DOE website

Overview of Public Comment Period

From July 15th through July 28th 2015, the New York City Department of Education held hearings in each of the City's five boroughs to discuss the City's preliminary 2015-2016 Contracts for Excellence proposal. Additionally, hearings were held in each of the 32 community school districts and one hearing was held by the CCHS during the period of October 5th through November 5th, 2015. During this time period, the public was given the opportunity to submit written comments on that initial plan in several ways, including a designated email address: contractsforexcellence@schools.nyc.gov.

The public comment period associated with the updated plan yielded over 80 emails to the contractsforexcellence@schools.nyc.gov address as well as written comments submitted in conjunction with oral testimony given at the five borough wide hearings and 33 CEC hearings. A summary of the substance of comments received is provided below, along with the DOE's responses.

The NYC Department of Education thanks all parents, students, community members, superintendents, school employees and CEC members who took time to participate in the 2015-2016 Contracts for Excellence public engagement process.

Summary of Questions, Comments and Concerns

Category: Allocations

Topic:	School Allocations
Substance of Comments:	<ol style="list-style-type: none"> 1. Does the list of schools receiving C4E money include public schools only and is any money awarded to charter schools? 2. The current DOE proposed Contract for Excellence (C4E) plan for 2015-2016 does not allocate a single penny specifically towards reducing class size in its “targeted” or “district-wide” initiatives. 3. If there is no room to fund reduced class size, where does the money go? 4. How does a register loss impact C4E allocation to a school? 5. I am aware that your 2015-2016 allocation is \$531million dollars of which you have proposed allocating \$7.5 million to Staten Island schools. Your current proposed allocation of \$7.5 million dollars represents 1.42% of the C4E money. The population of Staten Island public school students is 60,253 students which represents 6.2% of all NYC public school students. As a Staten Island parent I request that your proposed allocation be adjusted UPWARD to 31 million dollars to Staten Island schools which would reflect our last population data point. 6. What accounts for the discrepancy between the \$6 million for Principal Training Initiatives (Citywide Initiatives) listed on p. 9 and the \$4.4 million for APs and Principals listed on p. 10? 7. What accounts for the discrepancy between the amount for Class Size Reduction listed on p. 11 and the amount for Class Size Reduction listed on p. 12? 8. Class size reduction allocation in D2 under C4E for the past two years has been as follows: FY2014 \$4,837,537 FY2015 \$9,534,508 FY2016 \$9,527,752 (proposed). Please explain how the FY16 allocation can be considered maintenance of efforts since the allocation is reduced slightly but the personnel costs are likely to be higher. 9. How is the need determined by the school? Is it determined by the state scores? By the amount of IEP students it has? And who decides what percentage of the pie that an at-needs school gets? 10. I want to know why there's no money allocated for middle school and high school? 11. I am wondering if decisions are made at the principal level or are some other folks allocating the money?
DOE Response:	<ol style="list-style-type: none"> 1. Contracts for Excellence funds are for public schools only. Charter schools are not eligible to receive C4E money. 2. \$62,608,231 is allocated toward Class Size Reduction which is 32% of Discretionary spending. In total \$179.5 million is allocated to Class Size Reduction which encompasses all funds, both discretionary and targeted. It is important to note that Class Size Reduction is one of six allowable programs C4E funds may go towards as specified under NYS Education Law. 3. There are funds that are specifically allocated towards reducing class size which include \$179.5 million of C4E funds. C4E dollars must be spent to support new programs and activities or to expand existing programs and activities in the following six program areas: Class Size Reduction; Time on Task; Teacher and Principal Quality Initiatives; Middle School and High School Restructuring; Full-Day Pre-Kindergarten; and Model Programs for English Language Learners. 4. Register loss would impact targeted funds that are based on population. However, other components of C4E funding such as discretionary funds would not be affected. 5. C4E discretionary funds have always been distributed to schools based on NYSED methodology for needs targeting, which takes into account, among other things, each school’s total enrollment, the number of special education students, the number of students for whom English is a second language, and the number of students performing below State learning standards or who are at risk of not graduating. C4E regulations mandate that 75% of the city’s total C4E funding goes to the top 50% of needy schools, as identified through this methodology. 6. The \$6 million in Principal Training Initiatives support central programs providing comprehensive principal training for aspiring and current school leaders throughout the DOE. On slide 10, this would fall under the \$25.1 million going towards citywide programs, supplies & equipment. Of the \$348 million in restricted C4E funds, \$4.4 million of that went towards paying for Assistant Principals and Principals. 7. The amount listed on slide 11 only refers to the discretionary portion of the district’s C4E funding. The amount on slide 12 is the <u>total</u> amount allocated for Class Size Reduction, discretionary + targeted funding. 8. For the past several years, the level of C4E funding has decreased while at the same time there have been automatic salary increases due to longevity and educational attainment of teachers. This means that more funds are needed to maintain the same number of teachers as the prior year. If not for C4E funds, NYCDOE would experience even greater difficulties in maintaining the current number of teachers.

	<p>9. NYSED has a formula that measures need by adding the “need units” for each school and then calculating the percent of each school’s need compared to the district total need. The following types of pupils each earn one need unit:</p> <ul style="list-style-type: none"> • Students with disabilities • Students eligible for free and reduced price lunch • English language learners or limited English proficient students • Students with low academic achievement (students who achieve at levels 1 or 2 on state assessments of English Language Arts and Mathematics in grades 3-8 or who fail to graduate within 4 years of first entry into 9th grade). <p>Hence, a single student can generate between zero and four need units. Need is summed for each school and calculated as a percent of each district’s total need.</p> <p>10. A total of \$2.9 million has been allocated to Middle School & High School Restructuring. This includes \$2 million for MSHS Instructional Changes and \$855,755 for MSHS Structural Changes.</p> <p>11. As is the case for all school budgeting, the principal determines how the funds will be allocated at the school level, after consulting with the School Leadership Team.</p>
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Topic:	Program Funding
Substance of Comments:	<p>1. We have expanded the Pre-K program in District 2 significantly in the past two years. Yet, the allocation for Pre-K in D2 under C4E has remained virtually the same (\$144,406) since FY2014. Please explain how the extra seats created for this school year (on the order of hundreds) are funded.</p>
DOE Response:	<p>1. NYCDOE is in “Maintenance of Effort” status, meaning that C4E funds will be used to maintain programs that were approved in prior years. In addition to C4E funds designated for Pre-K, NYCDOE utilizes other funding streams for the Pre-K program. Additional information may be found here: http://schools.nyc.gov/offices/d_chanc_oper/budget/dbor/allocationmemo/fy15_16/FY16_PDF/sam22.pdf</p>

Topic:	Supplanting
Substance of Comments:	<p>1. The C4E law specifically forbids “supplanting” – i.e. allowing state funds to substitute for city funds: “the increases in total foundation aid and supplemental educational improvement plan grants [will be] used to supplement, and not supplant funds allocated by the district in the base year for such purposes.” Yet DOE openly admits it in presentation it is supplanting funds in its C4E plan; can you explain why is this allowed?</p>
DOE Response:	<p>1. According to guidance from the State Education Department (SED), certain expenditures may be paid for with C4E funds even though these programs or expenditures were originally or have been typically paid for by the district or by other grants. If the district can demonstrate that it would not have provided services being counted as Contract for Excellence expenditures without such increase in aid, and due to actions beyond the control of the Board of Education, then those services may be appropriately considered as part of supplementing existing programs rather than supplanting. Funds can be granted for new or expanded programs only, and should be used towards meeting educational goals outlined in the School Comprehensive Educational Plan (SCEP). However, NYCDOE is in “Maintenance of Effort” status, meaning that C4E funds will be used to maintain programs that were approved in prior years.</p>

Category: Class Size Reduction

<p>Topic:</p>	<p>Class Size Reduction</p>
<p>Substance of Comments:</p>	<ol style="list-style-type: none"> 1. This DOE proposal should be amended, by allocating a substantial share of the more than \$600 million in C4E funds specifically towards reducing class size as a citywide initiative to hire additional teachers, especially in struggling schools. 2. The DOE should also double the school seats in its capital plan to allow for smaller classes in all neighborhoods. 3. The DOE should immediately re-institute the early grade class size program in grades K-3, and reinstate class size limits of 28 in grades 1-3, as Class Size Matters has recommended. 4. Why do you allow for increasing class sizes in public schools every year? 5. Where are the DOE's state- approved C4E and/or class size reduction plan for the 2014-2015 school year? Can you provide us with a copy? It is available neither at the state or DOE website. 6. Why does the DOE not allocate any funds toward reducing class size in its Contracts for Excellence "targeted" or "district-wide" initiatives even though it's the top priority of parents in the DOE's own polls? Of the \$531 million in state C4E funds, only \$93 million is being used by schools to reduce class size. 7. Many schools are too overcrowded currently to reduce class size. Why did the city reject the recommendations of the Blue Book Working Group to align the school utilization formula with smaller classes if there is an intention to lower class size, as the Mayor has promised? 8. Why did class size increase last year for seventh year in a row, according to the DOE data, with more than 350,000 students attending classes 30 or more? The Mayor's Management Report reveals that there are more than 4,000 fewer teachers since 2007, when the C4E program began. Doesn't that conflict with your legal obligation to reduce class size? 9. Why is the city using class size reduction funds to "minimize class size increases"? Does that really constitute class size reduction, as the law requires? 10. In which renewal schools were class sizes reduced this fall, to what levels, and how was the list of schools selected? 11. For the same time period as above (FY14 and FY15), please provide us D2 specific data on: - Changes in class sizes resulting from "Reduced Class Size" allocation, - Changes in PTR resulting from "Reduced PTR" allocation, - Number of teachers hired under all subcomponents of the "Class Size Reduction" program by Pre K-K, K-5, 6-8, and 9-12. 12. We would like to see the data for those schools that used the C4E funds to reduce class sizes under the last year's plan. 13. What happened to the original Class Size Reduction plan from 2007? What makes this new plan better than the old plan? 14. Is there any evidence, or has anybody studied whether the C4E existence has actually done anything to reduce class size?
<p>DOE Response:</p>	<ol style="list-style-type: none"> 1. Of the \$531 million in C4E funds, a portion is specifically allocated towards reducing class size, totaling \$179.5 million. In addition, \$732,079 is allocated to recruiting and retaining high quality teachers, as well as \$170,078 allocated to English Language Learners teacher recruitment. Overall, \$308 million dollars is allocated to teachers, all of which facilitate reducing class size. 2. Class Size Reduction is one of the program areas that C4E funds are allocated toward. Class size reduction includes five program strategies: <ul style="list-style-type: none"> • New class room/reduce overall class size, • An additional teacher in an existing classroom • Maintain class size • Maintain pupil to teacher ratio • Minimize class size growth 3. The following are class size limits under the contract between the DOE and its labor unions: <ol style="list-style-type: none"> a. Pre-kindergarten: 18 b. Kindergarten: 25 c. Grade 1-6 Elementary Schools: 32 d. Junior High and Middle Schools: 30 in Title I junior high and middle schools; 33 in other JHS and MS. e. High School academic classes: 34 4. Based on the 2014-2015 Final Class Size Report, Elementary School average class size remained flat at 25.1 students per class, while the PTR (pupil to teacher ratio) decreased by 0.2 students per teacher. Class size in grades K-3 for GE (General Education) and ICT (Integrated Co-Teaching) have an average class size of 24.6. On average class size is 24.7 for GE and 24.3 for ICT.

	<p>5. Beginning in the 2014-2015 school year, DOE has aligned its Class Size Reduction Plan with the Chancellor's School Renewal Plan. This allows the DOE to adapt the previous Target 75 Class Size Reduction plan to ensure that schools with the greatest needs are served, and aligns C4E resources with the Chancellor's initiatives. More information can be found here: http://schools.nyc.gov/AboutUs/funding/c4e/ClassSizeReduction2015</p> <p>6. Of the \$531 million in C4E funds, \$179.5 million is allocated to class size reduction. \$93 million is allocated to reduced class size. However, class size reduction also includes Maintaining Class Size, Maintaining PTR, Minimizing Class Size Growth, Reduced PTR, and Team Teaching Strategies. All of which contribute to class size reduction.</p> <p>7. Despite cuts in C4E funds, average class size has remained constant from 2013-2015, while the pupil to teacher ratio has decreased. The Blue Book used standard programming practice.</p> <p>8. From 2013 to 2015 average class size has stayed constant, while the pupil to teacher ratio has decreased. According to the Mayor's Management Report for the Department of Education teachers have been neither increasing nor decreasing since FY 11 with 100% hired to fill projected vacancies.</p> <p>9. Yes, minimizing class size growth does is one of the State-approved class size reduction strategies. This strategy funds a teacher to minimize the growth in class size that the school would have otherwise experienced given budget cuts.</p> <p>10. Renewal schools were selected based on three of the following criteria and four that were added per the Chancellor's discretion:</p> <ol style="list-style-type: none"> i. Were Identified as Priority or Focus Schools by the State Department of Education Priority: The bottom 5% lowest-performing schools statewide Focus: The bottom 10% of progress in a subgroup ii. Demonstrated low academic achievement for each of the three prior years (2012-2014): Elementary and middle schools in the bottom 25% in Math and ELA scores High schools in the bottom 25% in four-year graduation rate iii. Scored "Proficient" or below on their most recent quality review <p>Detailed reports on class size can be found on the DOE's website: 2014-2015 Updated Class Size Report.</p> <p>11. Specific class size data and PTR by district, grade, and school name can be found on DOE's website: 2014-2015 Updated Class Size Report. As well as archived class size report data from FY 06-07 to the current fiscal year.</p> <p>12. Data on schools that used C4E funds to reduce class sized under last year's plan can be found here: Contracts for Excellence Plan 2014-2015.</p> <p>13. The New York City Department of Education submitted a Five Year Class Size Reduction Plan to the New York State Education Department that was approved on November 19, 2007. That plan expired in the 2011-12 school year, and was predicated on C4E funds that never materialized. For the 2015-16 School Year, NYCDOE will focus Class Size Reduction planning efforts on the School Renewal Program.</p> <p>14. C4E funds are essential in NYCDOE's efforts to reduce class size. In their absence, class sizes would certainly have experienced increases. Schools identified by SED as in the "Top 50% of Need" for the purposes of C4E allocations have experienced gains in student achievement.</p>
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Category: C4E Programs

Topic:	Time on Task
Substance of Comments:	1. But what did you do for time on task when our kids in our district are still failing? So what actions have you used that's going to help them be time on task? What programs? Who decides this?
DOE Response:	<p>1. Time on Task is one of the six program areas funded by C4E. Time on Task includes programs that are: Supplementary Before- Or After-School Programs:</p> <ul style="list-style-type: none"> • Additional instruction emphasizing learning standards/subjects required for graduation. • New or expanded arts programs. • New or expanded CTE programs. • Student support services, including guidance, counseling, attendance, parent outreach, behavioral support, and study skills. <p>Lengthened School Year: Supplementary summer school, which may include:</p> <ul style="list-style-type: none"> • Additional instruction emphasizing learning standards or subjects required for graduation. • New or expanded arts programs. • New or expanded CTE programs.

	<ul style="list-style-type: none"> • Student support services, including guidance, counseling, attendance, parent outreach, behavioral support, and study skills. <p>Dedicated Instructional Time:</p> <ul style="list-style-type: none"> • Daily supplemental blocks of time during the regular school day to be used for research-based core instructional programs aligned with learning standards. <p>May include:</p> <ul style="list-style-type: none"> • Response-to-intervention. • Individualized intensive intervention. <p>Individualized Tutoring</p> <ul style="list-style-type: none"> • Targeted to students who are at risk of not meeting learning standards or not graduating. • Supplemental to regular curriculum. • To be provided by a certified teacher, paraprofessional, or qualified tutor.
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Topic	Teacher and Principal Quality Initiatives
Substance of Comments:	1. I hear Markinson is going to teacher development, professional development and all those different things, but what does that mean?
DOE Response:	1. Professional development of teachers is a cornerstone to student success and encourages highly qualified instructors. More information about Principal and Teacher Quality Reviews can be found on the DOE's website.

Category: Public Hearing Process

Topic:	Public Hearing Process
Substance of Comments:	1. Why does the DOE hold hearings on its C4E plan after the funds have already been allocated? What is the point of gaining public feedback?
DOE Response:	1. The DOE is committed to holding productive public hearings where parents, teachers, and members of the community may freely express opinions and concerns in relation to how the City's C4E dollars are spent. Holding hearings in each district allows the public greater opportunities to learn about and comment on both the City plan and the District plan and goes well beyond the statutory requirement of holding one public hearing in each borough. Comments received may inform expenditure changes for this year and/or planning for next year's budget.

Topic:	C4E Presentation
Substance of Comments:	<ol style="list-style-type: none"> 1. A member reported that he noticed a discrepancy in the CCHS percentages as compare to Citywide totals. 2. While we appreciate the efforts to present us a summary, there are not enough details to evaluate the merits of the proposed plan. 3. We would like data that could be considered indicators, such as the number of teachers hired, class size reductions, increase in the number of students promoted to the next grade, etc. In fact, we would like to recommend that the plan include a report on the prior year so that we can gauge progress (or maintenance of efforts) and evaluate the new plan accordingly.
DOE Response:	<ol style="list-style-type: none"> 1. The CCHS percentages are given by District and Citywide totals which accounts for the difference in percentages. 2. The summary is provided to give a comprehensive overview on how C4E funds are allocated based on specific program areas under State law. More detailed school level data is provided on DOE's website: Contracts for Excellence Plan 2015-2016. 3. Data on Schools progress is provided on DOE's website: Data About Schools. Student and school performance can be accessed which include Graduation Results, Test Results, School Quality Reports, School Quality Reviews, and the New York State School Report Cards. In addition to, Population and Demographics that provide Enrollment, Class Size Report, and Demographic Snapshots with Borough and District analyses.

Topic:	Oversight
Substance of Comments:	1. What oversight does the DOE maintain to ensure that schools that say they're allocating Contracts for Excellence (C4E) funds for class size reduction actually do so?
DOE Response:	1. C4E funds are used by principals in accordance with statutory and regulatory requirements and following consultation with their School Leadership Teams. Adjustments and assessments are made throughout the school year, and schools are supported and monitored by Borough Field Support Centers to ensure that funds are spent appropriately.