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The Honorable Kathy Hochul
Governor of the State of New York
NYS State Capitol Building
Albany, NY 12224

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Dear Governor Hochul:

The Citizens Budget Commission urges you to veto A.10498/S.9460, which would set class size limits in New York City public schools. Linked to the approval to continue Mayoral control of New York City's schools, this bill would mandate significant new spending, require one specific strategy rather than an accountability system that focuses on outcomes, treat New York City differently than the state's other districts, and be unlikely to deliver the desired improvement in learning outcomes. Additionally, implementing these reductions may require New York City to reduce enrollment at some of the City's most desired schools.

Specifically, we recommend veto for the following reasons:

1. *Implementing the law would be costly for New York City.* Implementing this law would require substantial operating and capital spending. The City preliminarily estimates the annual operating cost for reducing class size to the new limit in just grades kindergarten to five would be at least [\\$500 million](#), with additional capital spending needed to increase the number of classrooms. The mandate requires reductions through grade 12, which may double these costs. No additional resources are provided to support this mandate; therefore, New York City would have to divert funds from other current and planned spending.

Notably, the City has already dedicated \$18 million to a [class size reduction pilot](#) in 72 schools; this pilot will allow the City to assess the benefits of the intervention in schools with larger-than-average class sizes serving high-need students.

2. *An appropriate accountability system would focus on outcomes and not prescribe one education strategy.* Accountability systems are best based on outcomes and multiple performance metrics, including those that account for each district's particular circumstances. The appropriate focus on outcomes allows each district to choose a portfolio of evidence-based interventions tailored for its students and schools, and then holds it accountable for results. This bill does not focus on outcomes, but prescribes one strategy. Class size reduction may be one part of a successful effort to improve student achievement, but it is not a comprehensive strategy. Furthermore, by

President
Andrew S. Rein

prescribing one strategy, this bill undermines New York City's ability to choose what it considers the most effective group of approaches to meet its students' needs.

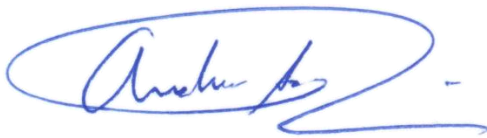
3. *Accountability systems should be universal and not treat one district differently.* This bill only applies to New York City, whereas accountability systems should be statewide, while providing the flexibility to assess districts based on their different needs, challenges, and opportunities. It also is inappropriate to have an accountability system tied to how a district is governed, unless it is tied specifically to the components and parameters of the governance model itself.
4. *The mandated class size reductions likely will not yield all the desired benefits.* While research has found positive impacts from lower classes size in certain cases and circumstances, the conclusions are not consistent and universal. The majority of the positive evidence suggests these benefits are associated primarily with substantial reductions in class sizes.¹ Furthermore, a preponderance of evidence finds that the benefits are greatest in kindergarten to third grade and vary across student populations, with the largest gains accruing to high-need students.² Finally, some research has found that needing to quickly hire a large number of teachers, many of whom are inexperienced, counteracts benefits of the smaller class size.³

This evidence indicates that this bill's across-the-board class size mandate is poorly targeted. While there are likely to be benefits for some students, there is a chance that rapid teacher hiring may negate some of these impacts, class size reductions will be less than most of the evidence indicates is beneficial, and much of the effort will be expended on other students less likely to be helped by the reduction. There also will be unintended consequences as resources to reduce class sizes are shifted from other programs, which may well be more beneficial.

CBC recommends that you veto this bill. We strongly support State efforts to [improve performance](#) and accountability. Our nation-leading spending on education should be delivering high achievement and equitable education to New York State's 2.6 million students. However, imposing this bill's requirements on the New York City's schools alone is not a prudent process or policy choice.

Thank you for your consideration of our position. We are available to discuss these issues at your convenience.

Sincerely,



Andrew S. Rein
President
Citizens Budget Commission

¹ Grover J. Whitehurst and Matthew M. Chingos, *Class Size: What Research Says and What it Means for State Policy*, (Brown Center on Education Policy at Brookings, May 11, 2011), https://www.brookings.edu/wp-content/uploads/2016/06/0511_class_size_whitehurst_chingos.pdf; and Trine Filges, Christoffer Scavenius Sonne-Schmidt, Bjørn Christian Viinholt Nielsen, "Small class sizes for improving student achievement in primary and second schools: a systematic review" *Campbell Systematic Reviews*, Vol. 14, no. 1 (October 2018), pp.1 - 107, <https://onlinelibrary.wiley.com/doi/epdf/10.4073/csr.2018.10>.

² Alan B. Krueger, “Experimental Estimates of Education Production Functions,” *Quarterly Journal of Economics*, vol. 115, no. 2 (1999), pp. 497–532; and Grover J. Whitehurst and Matthew M. Chingos, *Class Size: What Research Says and What it Means for State Policy*, (Brown Center on Education Policy at Brookings, May 11, 2011), https://www.brookings.edu/wp-content/uploads/2016/06/0511_class_size_whitehurst_chingos.pdf.

³ Christopher Jepsen and Steven Rivkin, “What is the Tradeoff Between smaller Classes and Teacher Quality,” *National Bureau of Economic Research*, Working Paper 9205 (September 2002), <https://www.nber.org/papers/w9205>; Markus Nagler, Marc Piopiunik, and Martin West, “Weak Markets, Strong Teachers: Recession at Career Start and Teacher Effectiveness,” *National Bureau of Economic Research*, Working Paper 21393 (July 2015, Revised April 2017), <https://www.nber.org/papers/w21393>; and Trine Filges, Christoffer Scavenius Sonne-Schmidt, Bjørn Christian Viinholt Nielsen, “Small class sizes for improving student achievement in primary and second schools: a systematic review” *Campbell Systematic Reviews*, Vol. 14, no. 1 (October 2018), pp.1 – 107, <https://onlinelibrary.wiley.com/doi/epdf/10.4073/csr.2018.10>.