STATE OF NEW YORK

4889

2023-2024 Regular Sessions

IN ASSEMBLY

February 24, 2023

Introduced by M. of A. CHANG -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to delaying the implementation of class size reduction plans and including additional exemptions to class size targets

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Clauses (A) and (B) of subparagraph (ii) of paragraph b of subdivision 2 of section 211-d of the education law, as amended by chapter 556 of the laws of 2022, are amended to read as follows:

(A) In a city school district in a city having a population of one million or more inhabitants such contract shall also include a plan, which shall be developed in collaboration with the collective bargaining units representing teachers and the principals and signed off on by the chancellor and the presidents of each bargaining unit, to reduce actual class sizes, beginning September two thousand [~~twenty-two~~] twenty-nine and to be achieved by September two thousand [~~twenty-seven~~] thirty-four for all classes, with the exception of physical education and performing groups, as follows: (1) kindergarten-third grade to have no more than twenty students per class; (2) fourth-eighth grade to have no more than twenty-three students per class; and (3) high school to have no more than twenty-five students per class. Physical education and performing groups shall have no more than forty students per class at all levels. Each year of the plan, an additional twenty percent of the classrooms in the city school district, excluding special education classes, shall be in compliance with the class size targets such that the city school district is in full compliance by two thousand [~~twenty-seven~~] thirty-four and all classes should maintain the target class size. The class size reduction plan shall prioritize schools serving populations with higher poverty levels.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(B) The class size reduction plan shall include any exemptions to the class size targets. These exemptions shall be limited to: (1) space; (2) over-enrolled students; (3) license area shortages; [~~and~~] (4) severe economic distress**; (5) gifted and talented schools and programs; (6) screened admissions schools and programs; (7) portfolio and specialized high schools; and (8) advanced placement classes**. Any such exemptions shall be approved by the chancellor and the presidents of the collective bargaining units representing the teachers and the principals as part of the class size reduction plan. Should the chancellor and the presidents of the collective bargaining units representing the teachers and the principals be unable to reach agreement on the exemptions after thirty days, the issue shall be determined by an arbitrator. In addition, any exemption based on available space shall include a reference to the capital budget to demonstrate that the budget is aligned with resolving the exemption status. Exempted classes, for the years in which they are exempt, and special education classes shall not count toward the twenty percent target.

§ 2. This act shall take effect immediately.