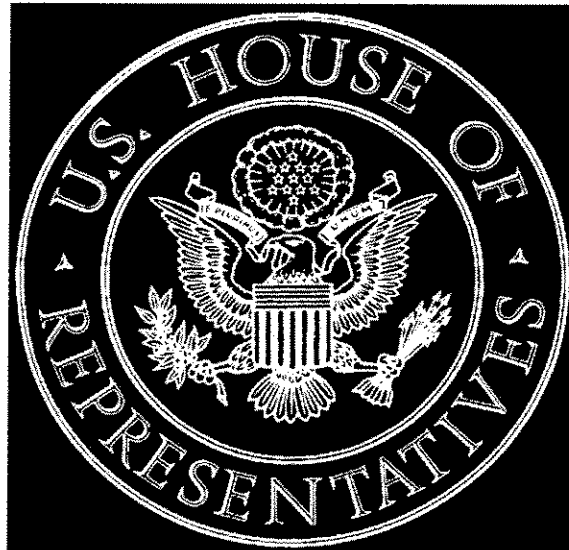


# **PRESCRIPTION FOR DISASTER**

**New Federal Regulations Could Swamp School Districts**



Presented by  
Congressman Anthony D. Weiner

## *Executive Summary*

In the debate over how to fix our schools, two concepts have taken hold: one is that students learn better in smaller classes; the second is that students in poorly performing schools should have the choice to leave.

Both are laudable goals, but NYC may have difficulty achieving either. That's because under the newly enacted *No Child Left Behind Act*, Chancellor Klein has to accommodate students who wish to transfer out of failing schools, even if it means sending them to an already overcrowded school or increasing class sizes at a school that's performing well. It's a formula under which every student stands to lose.

While requests for transfer have only been trickling in to the Chancellor's Office, the potential for havoc is there. More than 295,000 children are in schools that would make them eligible for a transfer to a better school. The problem is that roughly half of NYC students already attend schools that are at or near capacity. And many schools that do have space are part of innovative and successful efforts to keep class size manageable.

A study of the overcrowding and the potential problems that overcrowded schools could cause in implementing the public school choice option of the No Child Left Behind Act yielded the following findings:

- Only 5 NYC School Districts--1, 2 (Manhattan), 22 (Brooklyn), 25 and 26 (Queens)--have enough class room space to allow students to transfer from a failing school to a better school without causing overcrowding or having to leave the district.
- In the remaining 32 School Districts--which includes Manhattan, the Bronx, Brooklyn, Queens, and Staten Island--there are 205,130 more students eligible to transfer than there are available seats in good schools. That leaves thousands of parents with three bad options: stay in a failing school, transfer into an overcrowded school, or try to get into a better school in a far away district.
- The difference between the number of students eligible to transfer and the number of available seats in many school districts is striking: in SD 10 (Bronx) there are 20,489 more students eligible to transfer than available seats, 17,994 more in SD 6 (Manhattan), 16,397 more in SD 19 (Brooklyn), and 13,585 more in SD 24 (Queens).
- Not one of the 5 NYC high school districts has enough seats in good schools to accommodate students eligible to transfer out of failing schools. In the Bronx there are 14,189 more students eligible to transfer than there are seats, in Brooklyn there are 5,000 more, and in Queens there are 2,068 more.

- With so many students eligible to transfer, and available slots scattered throughout the City, school transportation costs are expected to spike. It's estimated that costs associated with transporting students under the mandates of the NCLB will reach \$60 million. Unless the federal mandates are changed, we run the risk of dragging down even the best schools.
- First, there should be exceptions to the automatic transfer rule. No school should exceed capacity or have to increase class size above legal limits to accommodate transfers.
- Second, if the fed is going to saddle New York with this regulation, it must provide funding to help alleviate our space shortage. That means fully funding the NCLB which promised NYC an increase of \$755 million in aid to our schools for 2003, that hasn't delivered.

We can accommodate school choice without undermining the success that so many of our schools have achieved. But to do so, we need to ensure that City Hall has the necessary flexibility, and that a whole lot more money comes from Washington.

## Appendix A

### Number of Possible Transfers and Spaces Available by School District

#### Elementary and Middle Schools

District	Elementary		Middle	
	Transfers/Spaces	Over/Under	Transfers/Spaces	Over/Under
1	498/3075	2577	1470/282	-1188
2	327/3257	2930	1258/1443	185
3	2172/1272	-900	1468/974	-494
4	3546/703	-2843	3018/77	-2941
5	4495/287	-4208	1648/373	-1275
6	11736/169	-11567	6116/-311	-6427
7	4872/976	-3896	3565/-517	-4082
8	8089/234	-7855	4501/894	-3607
9	12983/-299	-13282	4826/374	-4452
10	12048/-645	-12693	8211/415	-7796
11	6140/-1375	-7515	5631/5	-5626
12	6123/613	-5510	775/747	-28
13	3632/2885	-747	2024/1074	-950
14	5547/1338	-4209	4359/0	-4359
15	2632/1748	-884	1300/1190	-110
16	2823/1606	-1217	484/944	460
17	5705/425	-5280	2408/408	-2000
18	2918/769	-2149	4489/-38	-4527
19	11749/777	-10972	5997/572	-5425
20	1114/-36	-1150	4040/-1126	-5166
21	5072/2455	-2617	1124/1514	390
22	593/1861	1268	0/-50	-50
23	4041/729	-3312	1559/1253	-306
24	2983/-2223	-5206	8459/80	-8379
25	421/1146	725	0/1907	1907
26	0/993	993	0/23	23
27	8439/296	-8143	3292/-1227	-4519
28	833/-176	-1009	2409/1129	-1280
29	5634/-376	-6010	3206/-771	-3977
30	4371/584	-3787	6311/-201	-6512
31	3254/1614	-1640	1237/517	-720
32	4018/730	-3288	2074/940	-1134

## High Schools

District	Transfers/Spaces	Over/Under
71 - Manhattan	3145/1394	-1751
72 - Bronx	14189/-3025	-17214
73 - Brooklyn	5342/-5050	-10392
76 - BASIS	1118/336	-782
77 - Queens	2068/-11488	-13556

**Appendix B**

## Title I Accountability Status for September 2002

District	School	Accountability Status
1	I.S. 450	School Improvement - Year 2
	I.S. 509	SURR
	J.H.S. 56	Corrective Action
	J.H.S. 370	SURR
	P.S. 140	School Improvement - Year 2
2	I.S. 131	Corrective Action
	P.S./I.S. 111	School Improvement - Year 2
3	M.S. 44	Corrective Action
	M.S. 246	School Improvement - Year 2
	M.S. 256	Corrective Action
	M.S. 258	SURR
	P.S. 145	School Improvement - Year 1
	P.S. 165	Corrective Action
	P.S. 191	Corrective Action
	P.S. 207	Corrective Action
	P.S. 208	School Improvement - Year 2
4	J.H.S.13	School Improvement - Year 2
	J.H.S. 45	School Improvement - Year 2
	J.H.S. 99	School Improvement - Year 2
	J.H.S. 117	School Improvement - Year 2
	P.S. 50	Corrective Action
	P.S. 57	SURR
	P.S. 72	Corrective Action
	P.S. 101	School Improvement - Year 2
	P.S. 109	School Improvement - Year 2
	P.S. 146	Corrective Action
5	I.S. 10	School Improvement - Year 2
	I.S. 195	SURR
	J.H.S. 275	SURR
	P.S. 123	School Improvement - Year 2
	P.S. 125	Corrective Action

	P.S. 175	Corrective Action
	P.S. 194	School Improvement - Year 2
	P.S. 197	SURR
	P.S. 200	School Improvement - Year 2
	P.S. 469	Corrective Action
6	I.S. 90	Corrective Action
	I.S. 143	Corrective Action
	I.S. 164	Corrective Action
	I.S. 218	Corrective Action
	I.S. 252	Corrective Action
	P.S. 4	School Improvement - Year 2
	P.S. 8	School Improvement - Year 2
	P.S. 28	School Improvement - Year 2
	P.S. 48	Corrective Action
	P.S. 98	School Improvement - Year 2
	P.S. 115	Corrective Action
	P.S. 153	Corrective Action
	P.S. 173	Corrective Action
	P.S. 189	School Improvement - Year 2
	P.S. 192	Corrective Action
7	I.S. 151	School Improvement - Year 2
	I.S. 162	School Improvement - Year 2
	I.S. 184	SURR
	J.H.S. 149	Corrective Action
	P.S. 1	School Improvement - Year 2
	P.S. 18	School Improvement - Year 2
	P.S. 25	School Improvement - Year 1
	P.S. 29	School Improvement - Year 2
	P.S. 30	School Improvement - Year 2
	P.S. 154	School Improvement - Year 2
	P.S. 156	School Improvement - Year 2
8	I.S. 125	Corrective Action
	I.S. 131	Corrective Action
	I.S. 174	Corrective Action
	P.S. 60	SURR
	P.S. 62	School Improvement - Year 1
	P.S. 69	Corrective Action
	P.S. 75	Corrective Action
	P.S./M.S. 123	Corrective Action
	P.S. 107	School Improvement - Year 2
	P.S. 119	School Improvement - Year 2
	P.S. 130	V2
	P.S. 138	Corrective Action

	P.S. 140	SURR
	P.S. 146	Corrective Action
	P.S. 152	School Improvement - Year 2
9	I.S. 166	Corrective Action
	I.S. 303	School Improvement - Year 2
	J.H.S. 22	School Improvement - Year 2
	J.H.S. 145	Corrective Action
	P.S. 2	School Improvement - Year 2
	P.S. 11	School Improvement - Year 2
	P.S. 28	School Improvement - Year 1
	P.S. 42	Corrective Action
	P.S. 53	Corrective Action
	P.S. 55	SURR
	P.S. 58	School Improvement - Year 2
	P.S. 70	Corrective Action
	P.S. 73	Corrective Action
	P.S. 90	Corrective Action
	P.S. 109	School Improvement - Year 2
	P.S. 110	Corrective Action
	P.S. 132	School Improvement - Year 2
	P.S. 230	School Improvement - Year 2
10	M.S. 45	School Improvement - Year 2
	M.S. 80	Corrective Action
	M.S. 118	Corrective Action
	M.S. 143	SURR
	M.S. 206	Corrective Action
	P.S. 7	School Improvement - Year 2
	P.S. 9	Corrective Action
	P.S. 56	School Improvement - Year 1
	P.S. 86	School Improvement - Year 1
	P.S. 94	Corrective Action
	P.S./M.S. 15	School Improvement - Year 2
	P.S./M.S. 20	School Improvement - Year 2
	P.S./M.S. 95	School Improvement - Year 2
	P.S./M.S. 279	Corrective Action
	P.S./M.S. 306	SURR
	P.S. 246	Corrective Action
	P.S. 310	School Improvement - Year 1
	P.S. 315	SURR
11	M.S. 127	Corrective Action
	M.S. 135	Corrective Action
	M.S. 142	Corrective Action



	M.S. 144	School Improvement - Year 2
	P.S. 78	School Improvement - Year 2
	P.S. 83	School Improvement - Year 2
	P.S. 87	School Improvement - Year 2
	P.S. 89	School Improvement - Year 2
	P.S. 111	Corrective Action
	P.S. 112	Corrective Action
12	I.S. 116	Corrective Action
	I.S. 98	SURR
	P.S. 6	SURR
	P.S. 61	School Improvement - Year 2
	P.S. 67	SURR
	P.S. 102	Corrective Action
	P.S. 150	School Improvement - Year 2
	P.S. 211	Corrective Action
	P.S. 234	School Improvement - Year 2
13	I.S. 117	School Improvement - Year 2
	J.H.S. 258	SURR
	J.H.S. 265	Corrective Action
	P.S. 8	School Improvement - Year 2
	P.S. 56	Corrective Action
	P.S. 67	Corrective Action
	P.S. 93	Corrective Action
	P.S. 256	Corrective Action
	P.S. 270	SURR
	P.S. 287	Corrective Action
14	I.S. 33	SURR
	I.S. 49	SURR
	I.S. 71	Corrective Action
	I.S. 318	School Improvement - Year 2
	J.H.S. 50	Corrective Action
	J.H.S. 126	Corrective Action
	P.S. 16	Corrective Action
	P.S. 18	School Improvement - Year 2
	P.S. 19	School Improvement - Year 2
	P.S. 23	SURR
	P.S. 84	Corrective Action
	P.S. 120	Corrective Action
	P.S. 147	School Improvement - Year 2
	P.S. 157	Corrective Action
	P.S. 196	School Improvement - Year 2

	P.S. 297	School Improvement - Year 2
15\	M.S. 88	SURR
	M.S. 378	SURR
	P.S. 15	School Improvement - Year 2
	P.S. 27	Corrective Action
	P.S. 32	Corrective Action
	P.S. 38	Corrective Action
	P.S. 131	Corrective Action
16	M.S. 57	School Improvement - Year 1
	P.S. 40	Corrective Action
	P.S. 81	Corrective Action
	P.S. 304	School Improvement - Year 1
	P.S. 335	Corrective Action
	P.S./ I.S. 35	SURR
17	M.S.61	Corrective Action
	M.S. 390	SURR
	P.S. 12	School Improvement - Year 2
	P.S. 22	School Improvement - Year 2
	P.S. 181	School Improvement - Year 2
	P.S. 189	School Improvement - Year 2
	P.S. 289	Corrective Action
	P.S. 316	Corrective Action
18	I.S. 68	Corrective Action
	I.S. 211	Corrective Action
	I.S. 262	Corrective Action
	I.S. 252	SURR
	P.S. 219	School Improvement - Year 1
	P.S. 233	School Improvement - Year 2
	P.S. 268	School Improvement - Year 2
19	I.S.171	Corrective Action
	I.S. 218	Corrective Action
	I.S. 292	SURR
	I.S. 302	SURR
	J.H.S. 166	School Improvement - Year 2
	P.S. 7	Corrective Action
	P.S. 13	SURR
	P.S. 65	Corrective Action
	P.S. 159	School Improvement - Year 2
	P.S. 174	Corrective Action
	P.S. 190	SURR

	P.S. 202	Corrective Action
	P.S. 213	Corrective Action
	P.S. 214	School Improvement - Year 1
	P.S. 224	SURR
	P.S. 273	Corrective Action
	P.S. 290	Corrective Action
	P.S. 306	Corrective Action
	P.S. 328	School Improvement - Year 2
	P.S. 346	Corrective Action
20	I.S. 62	Corrective Action
	I.S. 220	Corrective Action
	I.S. 223	Corrective Action
	P.S. 179	Corrective Action
21	I.S. 43	School Improvement - Year 2
	I.S. 303	School Improvement - Year 2
	P.S. 95	School Improvement - Year 2
	P.S. 226	School Improvement - Year 2
	P.S. 238	School Improvement - Year 2
	P.S. 253	School Improvement - Year 2
	P.S. 288	School Improvement - Year 2
	P.S. 329	School Improvement - Year 2
22	P.S. 269	Corrective Action
23	I.S. 55	SURR
	J.H.S. 275	SURR
	P.S. /I.S. 41	Corrective Action
	P.S. /I.S. 284	School Improvement - Year 1
	P.S. /I.S. 332	Corrective Action
	P.S. 150	School Improvement - Year 2
	P.S. 155	School Improvement - Year 2
	P.S. 184	School Improvement - Year 2
24	I.S. 5	School Improvement - Year 2
	I.S. 61	Corrective Action
	I.S. 77	Corrective Action
	I.S. 93	Corrective Action
	I.S. 125	School Improvement - Year 2
	P.S. 89	Corrective Action
	P.S. 199	Corrective Action
25	P.S. 201	Corrective Action

27	M.S. 198 M.S. 226 P.S. 42 P.S. 43 P.S. 45 P.S. 104 P.S. 108 P.S. 155 P.S. 183 P.S. 197 P.S. 223 P.S. 225	SURR Corrective Action Corrective Action SURR SURR Corrective Action School Improvement - Year 1 Corrective Action Corrective Action School Improvement - Year 2 Corrective Action Corrective Action
28	J.H.S. 217 M.S. 72 P.S. 140	Corrective Action Corrective Action Corrective Action
29	I.S. 192 I.S. 238 P.S. 34 P.S. 37 P.S. 52 P.S. 116 P.S. 134 P.S.136 P.S. 147	SURR Corrective Action Corrective Action School Improvement - Year 2 School Improvement - Year 2 Corrective Action School Improvement - Year 1 Corrective Action School Improvement - Year 2
30	I.S. 10 I.S. 126 I.S. 141 I.S. 145 I.S. 204 P.S.78 P.S.84 P.S.92 P.S.112 P.S.127 P.S.148	Corrective Action Corrective Action Corrective Action Corrective Action Corrective Action School Improvement - Year 2 School Improvement - Year 2 Corrective Action School Improvement - Year 2 Corrective Action Corrective Action
31	I.S. 49 P.S. 14 P.S. 16 P.S. 20 P.S. 31 P.S. 57	Corrective Action Corrective Action Corrective Action School Improvement - Year 2 SURR Corrective Action

32

I.S. 162  
I.S.296  
P.S.86  
P.S.123  
P.S.151  
P.S.377  
P.S.384

Corrective Action  
School Improvement - Year 1  
School Improvement - Year 2  
School Improvement - Year 2  
School Improvement - Year 2  
School Improvement - Year 2  
Corrective Action

BASIS High School Automotive HS  
John Jay HS

SURR  
SURR

Bronx High School Adlai Stevenson HS  
Alfred E Smith HS SURR  
Health Opportunities HS Corrective Action  
John F. Kennedy HS School Improvement - Year 2  
Morris HS School Improvement - Year 2  
South Bronx HS Corrective Action  
Walton HS Corrective Action

SURR

Brooklyn High School Bushwick HS  
Erasmus Hall HS for Business and Tech  
Erasmus Hall Campus for Sci. & Math  
Prospect Heights HS Corrective Action

School Improvement -  
Year 2  
School Improvement -  
Year 1  
School Improvement -  
Year 1

Queens High School Arts and Business High School  
Far Rockaway High School

School Improvement -  
Year 1  
School Improvement -  
Year 2

Manhattan High School Louis D Brandeis High School  
Manhattan Comprehensive Night  
& Day High School

SURR  
School Improvement -  
Year 2