

The Center for Educational Equity undertook an extensive research project on educational inadequacies in high-need schools around the state and published findings about widespread violations of students' educational rights. This brief summarizes key findings about about *class size*.

The Constitutional Requirement for Class Size

The New York State constitutional requirement to provide all students the “opportunity for a sound basic education” demands that every school have adequate resources to provide its students with *appropriate class sizes at all grade levels and in all subject areas*.



In the *Campaign for Fiscal Equity* case, the New York Court of Appeals set a benchmark for appropriate class size of 20 students in kindergarten through grade 3 and 21-23 students in all other grades. The court indicated that oversized classes may lead to unsatisfactory results, especially for students at risk of not meeting performance standards.

How Schools Measured Up

Many Classes Were Oversized



In our in-depth study of 33 schools in high-poverty areas around the state, only three schools had class sizes in line with the court's specifications. The other 30 schools had oversized classes that were too large for effective instruction of their high-needs students.



In three of the eight districts studied—New York City, Rochester, and one of the small-city school districts— class sizes were consistently and considerably larger than the court's numbers. In New York City, for example, all of the middle and high schools in the sample reported some class sizes of 30 students or more.



In the 30 schools with oversized classes, principals' assessments of the class sizes that would be appropriate for their high-needs student populations were similar to the court's specifications: principals in 19 of the 30 schools said that class sizes of 20-23 students would be appropriate to provide their students with effective instruction, and four called for fewer than 20 students per class.



Principals said that small class sizes were particularly valuable for effective teaching and learning in classrooms headed by less-experienced teachers, having large numbers of struggling students, or having students new to the school.



What Is the Constitutional Right to a Sound Basic Education?

New York’s highest court ruled in the *Campaign for Fiscal Equity (CFE)* case that the state has a constitutional obligation to provide every student the opportunity for a sound basic education, which it characterized as a “meaningful high school education.” The Regents have defined that education as one that will allow each student to meet a challenging set of academic standards and will prepare every high school graduate to be “college and career ready.”

To provide a sound basic education, the court said every school must have

- sufficient numbers of qualified teachers, principals, and other personnel;
- suitable and up-to-date curricula;
- an expanded platform of services for struggling students;
- adequate resources for students with disabilities and English language learners;
- appropriate class sizes;
- sufficient and up-to-date books, supplies, libraries, technology, and laboratories;
- a safe, orderly environment; and
- adequate and accessible facilities.

The Center for Educational Equity has detailed the specific resource requirements in each of these areas in a report, *Essential Resources: The Constitutional Requirements for Providing All Students in New York State with a Sound Basic Education (2nd Edition)*.¹

Are Constitutionally Mandated Resources Available in New York Schools?

We studied the availability of basic educational resources in the eight areas listed above in 33 schools around the state that enrolled large numbers of students from low-income households, students below proficiency in basic skills, English language learners, and/or students with disabilities. Our study found a number of serious deficiencies, which we describe at length in our report, *Deficient Resources: An Analysis of the Availability of Basic Educational Resources in High-Needs Schools in Eight New York State School Districts*.²

¹ For the full report, see [www.centerforeducationalequity.org/center-welcome/EssentialResources2017-FINAL\(1.9.18\).pdf](http://www.centerforeducationalequity.org/center-welcome/EssentialResources2017-FINAL(1.9.18).pdf)

² See www.centerforeducationalequity.org/publications/safeguarding-students-educational-rights/DeficientResources.pdf

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