



**THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
SCOTT M. STRINGER**

TESTIMONY OF NEW YORK CITY COMPTROLLER
IN SUPPORT OF INT. 0644-2015

BEFORE MEMBERS OF THE
COMMITTEE ON EDUCATION
OF THE NEW YORK CITY COUNCIL

JUNE 17, 2015

Thank you Chairperson Dromm for holding this hearing today and Council Member Crowley for your leadership on Intro. 644, a bill requiring the Department of Education to report information on physical education in New York City schools. I strongly support the bill, which would provide us with the data necessary to ensure that every child in every public school is receiving the physical education to which they are entitled.

Although the New York State Department of Education has issued extensive regulations governing the provision of physical education to K-12 students,¹ a recent study by my office, [“Dropping the Ball: Disparities in Physical Education in New York City Schools.”](#) found widespread deficiencies in two key indicators that speak to the Department of Education’s (DOE) capacity to meet these mandates: access to certified teachers and physical fitness space.² Using DOE’s own data, we [mapped](#) every district school in the City and what we found was truly disturbing:

- 506 New York City schools—over 32 percent—lack a full-time, certified physical education (P.E.) teacher, including 59 percent of all elementary schools.
- 435 schools (28 percent) lack a dedicated “physical fitness space.” The problem is particularly acute for high schools, middle schools, and co-located schools, where,
 - Over 41 percent of high schools and 35 percent of middle schools report having no dedicated physical fitness space.
 - Nearly 80 percent of schools without a dedicated physical fitness space are co-located.
 - Over 46 percent of DOE buildings with co-locations have schools with no designated physical fitness space.
- Nearly 10 percent of schools throughout the city do not have access to an outdoor physical fitness facility, such as a school yard or nearby park.

All told, over 400,000 students lack some facet of the infrastructure needed for high quality PE. This is particularly alarming given that over 26 percent of New York City students aged 5-14 in grades K-8 are classified as obese or severely obese.

Those numbers are bad enough, but it’s what we don’t know and could not find out from available data that is truly worrisome. Indeed, due to gaps in DOE-provided data, we were unable to assess compliance with a number of critically-important requirements.

For instance, we could not determine whether schools are meeting the benchmarks for instructional time because DOE does not require elementary grades to report the minutes and frequency of P.E. instruction. For middle school and high school, the data we received did not allow for an analysis by grade level, and lacked critical information on class sizes and other variables needed to calculate the duration and frequency of P.E. received by students.

With regard to P.E. teachers, DOE noted that the data “reflects licensed P.E. teachers in the system, and not necessarily whether they are teaching.” In addition, while my office requested

information on both full-time and part-time certified P.E. teachers, as well as schools that are sharing P.E. teachers, the DOE did not give us any data on part-time teachers for general education schools, stating that it, "...does not centrally track P.E. teacher sharing."

To address these failings, my report recommended that the DOE should:

- Comply with State regulations requiring that all children receive physical education from, or under the supervision of, a certified physical education teacher.
- Update the DOE's District Physical Education Plan and submit it to the New York State Education Department, as required. DOE should also post a copy on the DOE website.
- Develop instruments for tracking and monitoring schools' provision of PE to all students.

As such, I strongly support the passage of City Council Intro 644, which requires the DOE to report the types of data and other critical information needed to assess which schools lack appropriate physical education teachers and fitness space, and which are not meeting mandated instructional time requirements.

Based on my office's experience in preparing our study, I believe this valuable piece of legislation would benefit from a number of technical amendments to strengthen the reporting requirements, and I look forward to reviewing our recommendations with your offices.

The cost of continued failure in this arena will not only be felt in the health and wellbeing of our children, but also by our City's budget and the broader economy. In New York City alone, obesity is projected to cost over \$4 billion in annual healthcare expenses, while reducing productivity.

The bottom line is that physical education isn't a luxury. It's a necessity for optimal achievement by our city's kids. We cannot continue to fail them. They are our future – failure for them is failure for us all.

Thank you again for the opportunity to testify. I will now answer any questions.

¹ 8 NYCRR § 135.1.

² <http://comptroller.nyc.gov/reports/droppingtheball/>.