



Analysis of Public Comment

Date: May 17, 2010

Topic: Proposed Grade Expansion of Queens Gateway to Health Sciences Secondary School (28Q680)

Date of Panel Vote: May 18, 2010

Summary of Proposal

On March 5, 2010, the Department of Education (“DOE”) published an Educational Impact Statement (“EIS”) setting forth a proposal to implement a grade reconfiguration plan to expand the grade configuration of Queens Gateway to Health Sciences Secondary School (28Q680, “Queens Gateway”) from grades 7-12 to grades 6-12 in the 2010-2011 school year. The EIS was amended on April 13, 2010 (the “Amended EIS”)¹ to include additional information about: 1) the specific District 75 program that will be co-located with Queens Gateway in the new building; 2) the potential allocation of space between the two schools in the building; and 3) the zoned K-6 elementary schools and choice options in Districts 28 and 29. After receiving feedback from the community, the DOE subsequently revised the proposal on April 26, 2010 (the “Revised EIS”). Rather than implement the grade reconfiguration at Queens Gateway in the 2010-2011 school year, the DOE now proposes to implement the grade reconfiguration in the 2011-2012 school year. This will allow Queens Gateway more time to plan for the addition of grade 6, and will also permit ample time for notice of the grade reconfiguration to all students and families in the 5th grade in District 28.

Queens Gateway is currently located in school building Q680, located at 150-91 87 Road, Queens in Community School District 28 (“District 28”). However, prior to the start of the 2010-2011 school year, construction of Queens Gateway’s new facility will be completed and the school will move to the new facility, school building Q695 (hereinafter referred to as “Q695”), which is located at 160-20 Goethals Avenue, Queens in District 28. The move of Queens Gateway to its new facility was approved by the City Council in July 2007. A District 75 program, P752Q (75Q752, or “P752Q”), will be co-located with Queens Gateway in Q695 (“P752Q @Q695”). P752Q is an existing District 75 School serving a total of 398 students in grades 9-12 in five different sites in Districts 24 and 28 in Queens, as outlined below.

¹ The Revised EIS erroneously indicates that the original EIS was amended on April 12, 2010.

Site	Name	Address	City
28Q752	P752Q @ Queens School For Career Dev.	142-10 Linden Blvd.	Jamaica
28Q690	P752Q @ H.S. Law Enforcement & P.S.	116-26 Guy Brewer Blvd	Jamaica
24Q744	P752Q @ P744 East Elmhurst Campus	45-10 94th Street	Queens
28Q620	P752Q @ Thomas Edison H.S.	165-65 84th Avenue	Jamaica
24Q293	P752Q @ Civil Leadership Academy	45-10 94th Street	Queens

P752Q@Q695 will become the sixth site for P752Q, will be sited in Q695 beginning in 2010-2011 and will serve new and existing students in grades 9-12 classified as emotionally disturbed or developmentally delayed on their Individualized Education Program. New construction sites, like Q695, designate specific seat allocation in their construction plans for District 75 programs. P752Q@Q695 has been allocated 7 full size rooms in the Q695 building that will be used to serve approximately 40-72 students. In 2010-2011, P752Q@Q695 will serve 42 students, consisting of 5 sections of 6:1:1 autistic high school students and one section of 12:1:1 high school students receiving alternate assessment services. The 6:1:1 sections will be populated by 23 students that are already on the P752Q register and will be moving to Q695 from the P752Q main site at Q752, and 7 students that are District 75 students within other Queens organizations articulating to high school aged programs. The 12:1:1 section will be comprised of students who are from other District 75 organizations and who are articulating to Q695 for their high school program. In 2011-2012, P752Q@Q695 will continue to serve 40-72 students in 6 sections in 7 full size rooms, although the composition of the sections (6:1:1 vs. 12:1:1) may shift slightly depending on the needs and referrals of District 75.

The Q695 building has a capacity of 805. No utilization rate is available because the building has not been completed and is not currently occupied by a school. Q695 has sufficient space for Queens Gateway and P752Q@Q695 to operate at full organizational capacity, taking into account the proposed grade expansion of Queens Gateway. The projected at scale enrollment of Queens Gateway and P752Q@Q695 combined is approximately 775-800 students. The DOE reaffirms the commitment made by Deputy Mayor Dennis M. Walcott to the community, including Queens Community Board No. 8, in 2007 to cap enrollment in the Q695 building at 800. With the addition of the 6th grade at Queens Gateway, the combined enrollment of Queens Gateway and P752Q@Q695 will not exceed 800 students.

For the 2010-2011 school year, Queens Gateway will continue to serve grades 7-12 in Q695. Beginning in 2011-2012, Queens Gateway will add grade 6 and will serve grades 6-12. This proposal addresses the need to create grade alignment and to increase access to high quality middle school options in District 28. The creation of grade 6 seats at Queens Gateway will help to align middle school entry grades in District 28. Having a single point of entry will make the middle school enrollment process easier for parents and students to navigate in District 28. The grade expansion of Queens Gateway will also create approximately 80-110 new grade 6 seats in a District 28 school that has a solid track record of serving its students well.

Summary of Comments Received at the Joint Public Hearings

The first joint public hearing regarding this proposal as described in the Amended EIS was held at Q680 on April 13, 2010, and all interested parties had an opportunity to provide

input on the proposal. Fifty-seven members of the public attended the hearing, a representative from Assemblyman Lancman's office was present, and 13 people gave comments. The principal spoke in favor of the proposal. All speakers who signed up for public comment opposed the proposal. Comments at the hearing can be summarized as following:

- A Community Board member noted that the DOE had made agreements with Deputy Mayor Walcott in 2007 regarding busing, transportation, and space issues. The expansion of the school may have an impact on transportation as students may attend the school from outside of the community. The Amended EIS does not adequately address the community's concerns about potential transportation congestion.
- The process for engaging the parent leadership and school community was flawed.
- Students in 6th grade aren't developmentally ready for middle school and it is inappropriate from an instructional standpoint to limit students' focus to the medical field at such an early age
- Implementation of the grade expansion in the 2011-2012 school year would allow for more time to plan the grade expansion.
- There is no plan in place to serve the 6th grade students.
- If the proposal is approved, the school should be capped at 800.

A subsequent joint public hearing regarding the Revised EIS was held at Q695 on May 11, 2010 and all interested parties had an opportunity to provide input on the revised proposal. Approximately 25 people attended the hearing and there were 8 speakers. Speakers included SLT members, Queens Gateway principal, parents, and representatives from the Hillcrest Civic Association. All speakers spoke in opposition to the revised proposal, noting that the grade expansion at Queens Gateway should not happen until the truncation of all K-6 schools to grades K-5 occurs.

Summary of Issues Raised in Written and Oral Comments and Significant Alternatives Suggested

Thirty-one written comments regarding this proposal have been received. Ten oral comments have been received. Nineteen written comments opposed the grade expansion. Two written comments supported the grade expansion. Seven oral comments were against the proposal. Three oral comments were in support of the proposal.

Comments in response to the original EIS posted on March 5:

One oral comment in favor of the proposal cites that the proposal will lead to grade continuity, it will help foster good relationships with other schools and it will reduce class size.

The e-mails opposing the proposal noted the following:²

- While people in District 28 support middle school choice, there is not currently a standardized articulation point between elementary and middle schools in the district. At a December CEC meeting, there was a conversation about capping elementary schools at the 5th grade for the 2011-2012 school year. Parents were told that if their school remains a K-6 school, their choices for a middle school at the end of the 6th grade would be limited. There are 2,300 students in 5th grade in District 28. Fifth graders who remain in their current elementary schools for 2010-2011 will not have the same options as other students. What middle school choice options will there be for 6th graders in 2011-2012? Students in grade 6 next year will be at a disadvantage a year too soon.
- Staff at Queens Gateway did not know about the grade reconfiguration proposal. At a faculty meeting at the beginning of March, staff at the school were encouraged to support the grade reconfiguration. This is unreasonable and unfair.
- The middle school application went out regarding the placement of 6th graders at Queens Gateway already. However, the proposal for the grade reconfiguration hasn't been discussed, so this seems contrary to the criteria since the date passed for middle school submission. Queens Gateway should reserve spaces for incoming 7th graders.
- The DOE does not appear to have acted in accordance with the Chancellor's Regulations since the PEP, School Leadership Team, staff and the administration at Queens Gateway were not consulted or contacted prior to the DOE's decision to include a grade 6 at the school. One commenter asks why Queens Gateway was reconfigured prior to the PEP discussion. The e-mail asks whether this is against the law.
- The school should be settled into its new facility before moving in 6th graders. The community only learned about the name of the D75 school that will be co-located in Q695 right before the joint public hearing.
- Behind the scenes, the school is discussing starting small learning academies and starting a school uniform policy. The commenter is concerned that there is no 6th grade plan. An Assistant Principal at Queens Gateway is retiring thus causing more turmoil at the school. The EIS states that administration will not be impacted by the 6th grade expansion, yet the principal has stated that she will hire an Assistant Principal for the Middle School.

² There were also several e-mail comments about Queens Gateway which did not concern the proposal, and which are summarized below. Because these comments do not directly relate to the proposal, and are not impacted by the grade expansion, the DOE will not respond to these issues here.

- Parent teacher conferences allow three minutes of time between teachers and parents. With the changes to the school, this won't be enough time. Parents have requested that parent teacher conferences are separated between middle school and high school but this hasn't happened.
- Parents are concerned that middle school children are exposed to too many sexual activities. Staff at Queens Gateway are not looking out for the personal growth of students.
- One e-mail also expressed the following concerns about the data used to evaluate the school. She suggested that interventions by Teaching & Learning are needed for the following reasons:
 - Decision making and goal setting happen behind closed doors.
 - There is not enough benchmarking or monitoring of student progress.
 - There is no trust between teachers and the school's administration.

Comments in response to the amended EIS posted on April 13:

One caller in support of the proposal noted that she has a daughter going into 6th grade that she would like to send to Queens Gateway since she thinks the school has high standards in all subjects.

A series of e-mails pointed to the fact that the amended EIS, with the incorrect capacity of 891 (updated on April 13) was posted four days before the joint public hearing. The e-mails state that the primary stakeholders were not allowed to contribute to the discussion about school utilization changes in the community.

Several e-mails also indicated that members of the parent community were concerned that the amended EIS was substantially revised and violated the Chancellor's Regulations and the governance law because the community was not given sufficient time to respond. The parents also noted that The Young Women's Leadership School ("TYWLS") added a 6th grade without adhering to the governance law, and contended that start up costs in the EIS do not accurately reflect Queen's Gateway's situation.

Three callers opposing the expansion noted: the community had an agreement with the city that the school would be capped at 800 students and adding a grade would cause increased congestion. One commenter noted that teachers will park on neighborhood streets. Others noted that the quality of life would decrease in the area since the MTA is cutting service and most students would come to the school from outside of the area. Some callers noted that a grade 7-12 school was agreed upon so it is wrong to add a 6th grade to the school.

An e-mail supporting the proposal noted that the school is performing at an "A" level and that the author of the e-mail would like to see his/her child accepted at Queens Gateway.

One of the Community Board members who spoke at the April 13th hearing also submitted written testimony regarding discussions between the DOE, School Construction Authority and City Council, including three letters from 2007 about Queens Gateway's impact on the community.

The Community Board sent a letter on April 15, 2010 stating that Deputy Mayor Walcott said he would coordinate with the MTA to increase bus services in a letter dated June 13, 2007. Since that time, the demand for service on the Q65 bus line has increased. The Community Board asked that the DOE provide the MTA with its rosters for Queens Gateway by the end of June 2010.

Significant proposed alternatives to the original proposal were as follows:

- Schools that changed configuration to include 6th grades this year should make adjustments leaving at least one class open for next year's 2011-2012 incoming 7th grades. These schools can take additional 7th graders this year to reach capacity.
- Adjust the proposal to add grade 6 for implementation in the 2011-2012 school year, which would allow for more time to plan for the grade expansion.

Comments in response to Revised EIS posted on April 26:

A caller noted that the proposal would be very good for kids in the district because it would mean more options are available to them. It is logical for Queens Gateway to become a 6-12 school because all kids in grade 5 will have an opportunity to apply to Queens Gateway for 6th grade.

Four callers opposed the proposal including members of the Hillcrest Citizen's Association and members of Community Board 8. All argued that the school should be for high school students only since this is the greatest need in the community.

One school administrator sent an e-mail stating his support of the proposal noting that adding a 6th grade allows students and families in Districts 28 and 29 to have a school of choice available to them. If Queens Gateway does not reconfigure to include a 6th grade option, it will become a school that existing 6-8 and 6-12 students will transfer into. This option is not desirable, according to the commenter.

The Community Board sent an additional letter on May 10, 2010 stating it was pleased that the Revised EIS recognized Deputy Mayor Walcott's commitment letter capping the school at 800 seats. However, the Community Board does not agree with the rush to make a final decision at the PEP meeting in May. They are concerned that the proposal will have a negative impact on overcrowding at high schools in Queens. Finally, they note that the school building was built on mitigated contaminated land. The introduction of younger children needs to be addressed in terms of impact on their health and development.

Some commenters felt that there is a greater need for additional high school seats, rather than middle school seats. Queens Gateway seats should not be occupied by 6th graders or special education seats when the shortage of high school seats in Queens is so great. A comment also mentions that all of the Queens Gateway stakeholders oppose the proposal. The risk to 6th grade students in contact with older children needs to be recognized.

The District 28 President's Council sent an e-mail noting that the Queens Gateway was not consulted in the grade expansion process and that the school is being dragged into the expansion against its will. The e-mail notes the following issues with DOE'S justifications for expanding Queens Gateway:

- The DOE says the proposal will alleviate overcrowding, however, elementary schools in District 28 are not overcrowded
- The DOE said the expansion is due to budgetary reasons; this is not the case since the DOE allocates funding based on number of students rather than the size of the building
- Having students start earlier in middle school benefits students; however in District 28, the 6th graders in the elementary schools score higher than the 6th graders in the middle school on the same exams.
- There is no district-wide plan to cap grade 5. The expansion of Queens Gateway is putting the cart before the horse.

Significant proposed alternatives to the Revised EIS were as follows:

- Delay the vote on the proposal until November 2010. The delay would provide an opportunity for the new seventh grade and other new students to participate.
- Open more high school seats at Queens Gateway.

**Analysis of Issues Raised, Significant Alternatives Proposed
and Changes Made to the Proposal**

Regarding concerns that the Amended EIS was revised substantially and was in violation of the Chancellor's Regulations, the EIS was amended on April 13th to include more information about the specific District 75 school that would be co-located with Queens Gateway, the available classrooms in Q695 to be allocated of between the two schools, and the zoned K-6 elementary schools and choice options in Districts 28 and 29 as a result of the questions raised by the community since the EIS was first posted. The proposal itself was not revised in any way at that time. Subsequently, however, on April 26, 2010, the DOE did, in fact, revise the proposal by changing the implementation year from 2010 to 2011 based on feedback received. A second joint public hearing was scheduled for May 11th to allow the public to provide feedback on the revised proposal.

The revised proposal addresses many of the comments raised at the April 13th hearing, including making sure that Queens Gateway has adequate time to plan for the addition of the 6th grade, and that students are properly informed. In addition, the revised proposal and additional hearing on May 11th allowed for further public comment.

Regarding concerns related to TYWLS' re-configuration from serving grades 7-12 to grades 6-12 in District 28, the decision to expand TYWLS to a 6-12 school was finalized prior to the effective date of the new governance legislation. In fact, prior to the new legislation, it was decided that all of the TYWLS schools across the city would transition to a grade 6-12 model. These grade reconfigurations, therefore, were not proposals subject to the public review process set forth in the new governance law. TYWLS did not add a 6th grade this year due to space concerns. School leaders asked if they could wait until they move into their permanent space to add the 6th grade.

Regarding concerns that the original and amended proposals would limit middle school options for current fifth-graders who choose to remain in their K-6 schools for 2010-2011, given that the proposal has been revised so that the reconfiguration will be implemented in 2011-2012, this is no longer an issue. Students who are in the 5th and 6th grades during the 2010-2011 school year will have the opportunity to apply to Queens Gateway for 2011-2012.

Similarly, the revised proposal also addresses concerns regarding whether Queens Gateway will be at a disadvantage for receiving sixth-grade students this year since they are participating in the new middle school round rather than the regular round of the middle school choice process. Queens Gateway will participate in the main round of middle school applications. Currently, District 28 is considering a resolution to move towards increased middle school choice which would mean that all middle schools will participate in one process and all

5th graders will have the opportunity to apply to any middle school in 6th grade. Screened schools such as Queens Gateway will still be able to rank applicants based on eligibility criteria and that ranking will be used along with the student's ranking of the school to create the incoming register of 6th grade students.

For the 2012-2013 school year, students in 6th grade who apply may be accepted to Queens Gateway if there are seats available in 7th grade. Zoned middle schools will continue to be available for those students who attend elementary schools that terminate with the sixth grade and choose to stay in these schools through the sixth grade. These students, however, are free to apply in the fifth-grade for a sixth-grade seat at Queens Gateway or any other grade 6-8 choice middle school in the district. If seventh- and eighth-grade seats become available as a result of attrition, students interested in attending Queens Gateway may request a transfer through the Borough Enrollment Office. Furthermore, currently the students enrolled in K-5 schools do not have the opportunity to apply to Queens Gateway. These students have to enroll in their zoned middle school for one year, and would then have to apply in 6th grade. Under this proposal, there would be equal opportunity for all fifth graders to apply to Queens Gateway, whether they attend a K-5 or K-6 school.

Regarding concerns about whether Queens Gateway, as a screened school, will be able to rank and have input in what students are enrolled in the school, screened schools such as Queens Gateway will still be able to rank applicants based on eligibility criteria and that ranking will be used along with the student's ranking of the school to create the incoming register of 6th grade students.

Regarding concerns as to whether students can transfer to Queens Gateway at different points throughout the year or whenever the Office of Student Enrollment deems appropriate, students have always been able to request a transfer via the over-the-counter process for all grades where there are available seats. There is no change from the present process. When there are available seats in a grade at Queens Gateway, students who are new or requesting a transfer are sent for interviews to the school. If after meeting the applicant, the school approves the placement, the student will be enrolled in the school.

Regarding the concerns raised by the Community Board about the capacity of the building, co-location of a District 75 program, and the issues surrounding busing and transportation, the DOE does not agree that the Revised EIS is inconsistent with any prior alleged commitments. There were no commitments made around the busing of students and only those eligible for such services will be bused. The original plans for the building always included a District 75 program as per the state law requiring that 10% of seats in new buildings be allocated to District 75 schools. The capacity of the building is 805 and we will monitor the enrollment in the building to ensure that it does not exceed 800 students.

A couple of the comments proposed waiting to implement Queens Gateway's grade expansion until the District 28 K-6 truncations have been completed. This would perpetuate the exclusion of students currently in grade 5 schools, effectively discriminating against them. Under the proposed alignment with citywide middle school admissions, all 5th graders in K-6 schools will have the opportunity to apply to Queens Gateway or remain in their school. If entry

is to 6th grade at Queens Gateway, all students would be included in the process. While the DOE is in discussion around truncating K-6 schools to K-5, and supports the creation of standard grade alignment across the district, the grade expansion of Queens Gateway would increase middle school choice even if the district does not implement standard grade alignment.

A few comments note that the need for high school seats is greater in Queens than the need for 6th grade seats. The underlying assumption in the argument about the need for high school seats is that the space occupied by 6th graders after grade expansion (three sections) would otherwise be used to house students in the upper grades. Limiting building enrollment to 800 is a means of preventing overcrowding rather than trying to correct it later. Choice and creation of new schools are efforts to address overcrowding; grade reconfigurations also are a method of addressing it. The schools cited as overcrowded all have zoned programs driving the high enrollment numbers. In addition, there is a new high school opening in District 28 which will help alleviate overcrowding. Overall there will be 750 new 9th grade seats in Queens in 2010-2011 to help alleviate high school overcrowding.

The comment that all of the Queens Gateway stakeholders oppose the proposal is unfounded. The Office of Portfolio received calls from parents who were disappointed that the proposal was delayed since they had applied for their children to attend the 6th grade this year. Over 1000 students applied to attend Gateway's 6th grade which indicates that there is support from the community for the grade expansion. In addition, the claim that the consultation process was flawed is unfounded. There are several ways that decisions about school utilization changes are made.

The comment that 6th grade students are at risk from attending school with older children is unfounded. Over 65 schools across the city are designed to serve students in grades 6-12. This does not include the many successful middle and high schools across the city that share buildings with a school serving a different grade level. Secondary schools provide an opportunity for younger students to learn from older students, they provide mentorship opportunities for older students and they create a seamless educational experience for students. Furthermore, in response to the contention that 6th grade students who attend an elementary school score higher on tests than 6th grade students attending a middle school, it should be noted that studies show that students' performance declines during the transition from elementary to middle and middle to high school. By adding a 6th grade, students will have the ability to adjust to the transition to middle school one year earlier, following the standard articulation pattern of the majority of middle schools across New York City.

An alternative was proposed that Queens Gateway keep 7th grade seats open for students matriculating from K-6 schools. The DOE rejects this alternative because all students in 5th grade will have the opportunity to apply to the school. It is also difficult instructionally to have two entry grades on a continual basis because teachers cannot plan effectively for students coming in at differently grade levels.

Another alternative suggested that the vote on the revised proposal be postponed until November 2010. The DOE rejects this proposal because students must apply for middle school

in the fall and it is important that the school be able to recruit students with confidence that there will be a 6th grade for 2011.

A final alternative suggested that additional high school seats at Queens Gateway should be opened. The DOE rejects this alternative because the building was built to serve a secondary school. There are additional high school seats being opened throughout Queens. For example, in District 28, York Early College Academy is a 6-12 school that will operate in the Q008 building starting in September 2010, which will add high school seats in a middle school building. York Early College Academy currently serves grades 6-9 and will continue to serve approximately 81 students in each high school grade as it grows to serve its intended 6-12 grade scale in 2012-2013. In addition, the Metropolitan Campus will have approximately 175 new high school seats serving District 28. Overall, in District 28 will be approximately 400 new 9th grade high school seats that available in September 2010, which will have a greater impact on reducing high school overcrowding than if Queens Gateway converted its 6th grade seats into high school seats (Queens Gateway's 6th grade class will consist of approximately 80 seats). Also, the current enrollment for high school grades at Queens Gateway is the standard size for our new small high schools, which allows for optimal programming, teacher planning and collaboration. In short, adding a small number of seats in each high school grade at Queens Gateway is not the most efficient way to address the need for high school seats in the borough.

The alternative proposal to postpone the implementation of Queens Gateway's grade expansion to 2011 was accepted, and the DOE revised its proposal accordingly, as described in the Revised EIS. The public had an opportunity to comment on this revised proposal at public hearings. No changes were made to the revised proposal, which will be voted on at the May 18th PEP meeting.

A copy of the revised educational impact statement for this proposal can be obtained at http://schools.nyc.gov/NR/rdonlyres/0F91B3BA-50B2-4970-A9F5-E03C9D34B508/81945/Q695_QueensGateway_RevisedEIS_Final_42611.pdf.