

Public Comment Analysis

Date: May 28, 2014

Topic: The Proposed Opening and Co-Location of a New Site of a New District 75 School (75XTBD) with P.S. 42 Claremont (09X042) in Building X042 Beginning in 2014-2015

Date of Panel Vote: May 29, 2014

Summary of Proposal

On February 28, 2014, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) describing a proposal to open and co-locate one site of a new District 75 school (75XTBD, “PTBDX@X042”) in building X042 (“X042”). Building X042 is located at 1537 Washington Avenue, Bronx, NY 10457 in Community School District 9 (“District 9”). If this proposal is approved, PTBDX@X042 will be co-located with P.S. 42 Claremont (09X042, “P.S. 42”), an existing zoned elementary school serving students in kindergarten through fifth grades and offering a pre-kindergarten program. A “co-location” means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, and cafeterias.

On April 10, 2014, the Notice of Joint Public Hearing for this proposal was amended to reflect a new date on which the Panel for Educational Policy will vote on this proposal.

Based on projected need for District 75 seats, the District 75 office is seeking to increase its capacity to serve students with autism and intellectual disabilities within the Bronx. If this proposal is approved, the DOE will open a new site of a new District 75 school in the 2014-2015 school year to help meet growing demand for District 75 seats. PTBDX@X042 plans to serve a range of students across grades kindergarten through five who have been classified as autistic or intellectually disabled on their Individualized Education Programs (“IEP”). PTBDX@X042 is projected to serve eight sections of elementary school students in self-contained sections of 6:1:1, 8:1:1, or 12:1:1 classroom settings (ratio of students:teacher:paraprofessional). Students are placed in District 75 programs based on their individual needs and recommended special education services, and are referred to District 75 during a period that extends into summer. Students may be served in this program throughout the course of their elementary school education.

Building X042 also houses a community-based organization (“CBO”), Supportive Children’s Advocacy Network (“SCAN”), which provides enrichment activities and homework assistance for students after school hours. This proposal is not expected to impact the continued siting of this program in X042.

According to the 2012-2013 Enrollment, Capacity, Utilization Report (“Blue Book”), X042 has a target capacity of 717 students. (The concept of “target capacity” is explained in the proposal). During the 2013-2014 school year the building is serving 460 students, yielding an estimated building utilization rate of 64%. This means that the building is “under-utilized” and has space that could be used more efficiently to accommodate additional students. In 2014-2015, when PTBDX@X042 opens, it is projected that there will be 474-582 students served in X042, yielding a building utilization rate of 66%-81%.

If this proposal is approved, PTBDX@X042 will open in September 2014 serving eight self-contained sections of elementary students, for a total of 48-96 students.

The details of this proposal have been released in an EIS which can be accessed here:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2013-2014/SchoolProposalsMay62014PEP>.

Copies of the EIS are also available in the main office of P.S. 42.

Summary of Comments Received at the Joint Public Hearing and Community Meeting

A walkthrough of the X042 building was conducted by Deputy Chancellor Corinne Rello-Anselmi from the DOE on March 26, 2014 with P.S. 42 Claremont Principal Lucia Orduz Castillo. Immediately following the walkthrough, Deputy Chancellor Corinne Rello-Anselmi led a community meeting regarding this proposal at the X042 building. At that meeting, interested parties had an opportunity to provide input on and ask questions about the proposal.

A joint public hearing regarding this proposal was held at the X042 building on April 1, 2014. At that hearing, interested parties had another opportunity to provide input on the proposal. Approximately 19 members of the public attended the hearing and 6 people spoke. Present at the meeting were District 9 Community Superintendent Dolores Esposito; Community Education Council 9 (“CEC 9”) Treasurer Nora Mercado; Principal of P.S. 42 Claremont Lucia Castillo Orduz; P.S. 42 School Leadership Team (“SLT”) representatives Gregory Muir, Sonia Tirado, Greer Gardner, Yolande Twiggs, Beverly Thomas, and Jessica Navarez; New York City Council Member Vanessa L. Gibson; Panel for Educational Policy (“PEP”) Bronx representative Robert Powell; and Stephanie Crane, Jennifer Peng, and Annabelle Eliashiv from the DOE.

Additionally, Annabelle Eliashiv from the DOE attended P.S. 42’s SLT Meeting on April 7, 2014 where the SLT was able to provide input and ask questions about the proposal.

The following comments and remarks were made at the joint public hearing and community meeting on the proposal:

1. Principal Castillo-Orduz of P.S. 42 made the following statements:
 - a. The community and staff members have discussed this proposal multiple times.
 - b. P.S. 42 will embrace this opportunity to serve students in the community who are classified for District 75 schools.
2. New York City Council Member Vanessa L. Gibson made the following remarks:
 - a. She is very familiar with the challenges District 9 faces;
 - b. She believes children deserve well-rounded academic curricula and after-school programming;
 - c. She recognizes that there is a need for additional District 75 seats in this community;
 - d. She wants to make sure there is space for this program to be a long-term option for students;
 - e. She wants to ensure P.S. 42 is not negatively impacted by this proposal; and
 - f. She supports this proposal and the expansion of District 75 seats in District 9.
3. Robert Powell, the Bronx Borough President appointee for the PEP, expressed support for this proposal.
4. Lori Podvesker, a mayoral appointee for the PEP, supported this proposal based on the benefits of sharing space with a District 75 program.
5. Barbara Joseph, the Deputy Superintendent of District 75, expressed support for inclusive environments for District 75 students generally, and for this proposal specifically.
6. Multiple commenters expressed concern related to the allocation of space in the X042 building if P.S. 42’s enrollment increases.
7. Multiple commenters asked if the new District 75 program would have access to shared spaces such as the library and cafeteria.
8. One commenter expressed concern about increased class sizes as a result of this proposal.
9. Multiple commenters expressed concern about safety as a result of increased enrollment in the building.

10. Multiple commenters expressed a concern that the District 75 program's enrollment will increase, causing District 75 to request additional space in the future.
11. Multiple commenters asked if there are plans to renovate the X042 building as a result of this proposal.
12. Multiple commenters asked if P.S. 42 and the new District 75 program will share administrative personnel such as the School Based Support Team, custodians, lunch staff, and security guards.
13. Multiple commenters asked what support P.S. 42 and the new District 75 program will be provided to facilitate collaboration.
14. One commenter asked if this proposal will impact P.S. 42's academic and extra-curricular programming.
15. One commenter asked if the new District 75 program will include a pre-kindergarten program.
16. Multiple commenters expressed concern about limited space for parking.
17. One commenter asked if the public can attend the Panel for Educational Policy vote.
18. One commenter asked what portion of the X042 building will be allocated to the new District 75 program.
19. One commenter asked if the new District 75 program will have school uniforms.
20. Multiple commenters asked if there are plans to phase out P.S. 42.
21. One commenter asked if there are plans to merge P.S. 42 and the new District 75 program.
22. Multiple commenters asked how many students and staff the new District 75 program will have.
23. One commenter asked if the "SAVE room" will be shared.
24. One commenter asked how the X042 building was selected.
25. One commenter asked if there will be separate entrances for P.S. 42 students and the District 75 program's students.
26. One commenter asked how P.S. 42 will benefit from being co-located with a District 75 program.
27. One commenter asked if this proposal was already approved.
28. Multiple commenters expressed support this proposal.
29. Multiple commenters expressed support for District 75 programs.
30. One commenter asked if P.S. 42 will be able to keep the air-conditioning units and Smartboards currently in rooms on the 4th floor.

Summary of Issues Raised in Written and/or Oral Comments Submitted to the DOE

Two written comments were received via email:

31. New York City Council Member Vanessa L. Gibson made the following remarks:
 - a. She is concerned that the proposal will impact P.S. 42's academic and extra-curricular curricula;
 - b. She is a supporter of District 75 schools;

- c. She wants to be assured that there is sufficient space for P.S. 42 to continue providing educational options such as music, art, and science; and
- d. She wants to be assured that community members are involved the proposal process.

32. A commenter inquired about employment opportunities at the new District 75 school.

Two oral comments were received via phone:

33. One commenter opposed the proposal on the grounds that students with special needs should be in their own space and should not be mixed with general education students.

34. One commenter generally opposed the proposal.

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

Comment 1(a) is explanatory in nature and does not require a response. The DOE is committed to community involvement and acknowledges Principal Orduz-Castillo's efforts to engage the P.S. 42 community regarding this proposal.

Comments 1(b), 2(c, f), 3, 4, 5, 28, 29, and 31(b) are in support of the proposal and thus do not require a response.

Comments 2(a, b) are not related to this proposal and thus not require a response.

Comments 2(d), 6, 7, 18, 23, 24, 25, 30, and 31(c) are related to the X042 building and the availability of space and shared resources in the X042 building.

There are currently hundreds of schools in buildings across the City that are co-located; some of these co-locations are multiple DOE schools while others are DOE and public charter schools sharing space. As articulated in the EIS, the X042 building is "under-utilized" and has space that could be used more efficiently to accommodate additional students; in response to comment 24, this is a primary reason that building X042 was identified to help meet District 75 needs. Building X042 has the capacity to serve 717 students, but in the 2013-2014 school year, the X042 building serves 460 students, yielding an estimated building utilization rate of 64%. In 2014-2015, when the new District 75 program opens, the X042 building is projected to serve approximately 474-582 students, yielding a building utilization rate of 66%-81%.

The allocation of classroom, resource, and administrative space is guided by the Citywide Instructional Footprint (the "Footprint") which is applied to all schools in the building. The number of class sections at each school is determined by the principal based on enrollment, budget, and student needs; there is a standard guideline of target class size (i.e., number of students in a class section) for each grade level. At the middle school and high school levels, the Footprint assumes every classroom is programmed during every period of the school day except one lunch period. The full text of the Footprint is available at http://schools.nyc.gov/NR/rdonlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.pdf.

Space is allocated to District 75 programs according to the DOE's District 75 Instructional Footprint ("D75 Footprint"). District 75 programs are also provided access to shared spaces such as the gymnasium, library, auditorium, and cafeteria, and spaces such as occupational therapy/physical therapy rooms, the nurse's office, etc. or provided with space for comparable purposes. Furthermore, excess space in buildings where District 75 programs are co-located with other organizations will be equitably distributed to all organizations based on a percentage of the student enrollment, except that the excess allocations to District 75 programs are based on the number of sections of students, rather than the number of students. This methodology is followed to ensure that District 75 programs will have sufficient space to meet the needs of their students.

In response to comment 7, both P.S. 42 and the new District 75 program will have access to shared resources such as the library, cafeteria, and multi-purpose room.

Comment 18 specifically asks which portion of the X042 building will be allocated to the new District 75 program. In an effort to create contiguous spaces for P.S. 42 and the new District 75 program and to ensure both schools receive their Footprints, the entirety of the fourth floor will be allocated to the District 75 program.

P.S. 42's "SAVE room," which is mentioned in comment 23, is not considered a shared space and will not be used by the new District 75 program. In response to comment 25, the entrances to P.S. 42 and the new District 75 program will be clearly identified. The Building Council will decide together whether P.S. 42 and the new District 75 program will share an entrance or use separate entrances if this proposal is approved. In response to comment 30, P.S. 42 will work with the Office of Space Planning to transfer equipment, such as air-conditioning units and Smartboards, from the fourth floor to P.S. 42's other classrooms.

Comments 2(e), 14, and 31(a) express a concern that this proposal will negatively impact P.S. 42, with some commenters referencing academic and extra-curricular programming specifically.

As stated in the EIS, the proposed co-location is not expected to impact future student enrollment, instructional programming, or the admissions process for P.S. 42. This proposal is also not expected to impact extra-curricular activities or P.S. 42's partnership with Supportive Children's Advocacy Network.

Comments 6, 8, 10, 20, 21, and 22 pertain to class sizes and enrollment at P.S. 42 and the new District 75 program.

This proposal is not expected to impact P.S. 42's future enrollment or programming. In response to comment 22, the new District 75 program is anticipated to serve eight self-contained sections of elementary students, for a total of 48-96 students. Furthermore, the proposed co-location is not expected to change the number of personnel positions assigned to P.S. 42, nor is it expected to significantly alter the duties of current staff at P.S. 42. The new District 75 program will hire additional staff – teachers and paraprofessionals – in advance of the program's opening in X042, which will be conducted consistent with the procedures set forth in the collective bargaining agreement between the DOE and the United Federation of Teachers ("UFT"). The precise number of positions needed for the 2014-2015 school year will be determined once District 75 placements are made in the spring of 2014.

In response to comments 20 and 21, there are no plans to phase out P.S. 42 or merge P.S. 42 and the new District 75 program.

In response to comments 6 and 10, if this proposal is approved, the new District 75 program will admit students through the District 75 referral process and will open next year at full-scale with eight 6:1:1, 8:1:1, or 12:1:1 sections of students. This District 75 program is not anticipated to grow beyond eight sections of students. Although the DOE does not anticipate that enrollment at either school will increase significantly when both schools are at full scale in the 2014-2015 school year, any significant changes in enrollment could result in an amendment to this proposal.

In response to concern of increased class sizes mentioned in comment 8, the DOE does not expect that this proposal will cause increased class sizes at P.S. 42 because class size is primarily a function of student enrollment and this proposal was planned around P.S. 42's current enrollment and is not expected to lead to increased enrollment. However, principals have discretion over their budget and make choices about how to utilize their space and resources.

Comment 9 pertains to student safety concerns.

Pursuant to Chancellor's Regulation A-414, every school/campus is mandated to form a School Safety Committee, which is responsible for developing a comprehensive School Safety Plan that defines the normal operations of the site and what procedures are in place in the event of an emergency. The School Safety Plan is updated annually by the Committee to meet changing security needs, changes in organization and building conditions and any other factors; these updates could also be made at any other time when it is necessary to address security concerns. The Committee will also address safety matters on an ongoing basis and make appropriate recommendations to the Principal(s) when it identifies the need for additional security measures.

Additionally, to ensure students from both P.S. 42 and the new District 75 program are safe, an additional safety agent will be hired for the X042 building.

Comment 11 pertains to facilities upgrades as a result of the proposal.

Currently, there are no plans to renovate the X042 building.

Comment 12 pertains to school and building personnel.

Although the proposed co-location is not anticipated to change the number of personnel positions specifically assigned to P.S. 42 nor is it expected to significantly alter the duties of current staff at P.S. 42, P.S. 42 and the new District 75 program will share building support staff such as the School Based Support Team, custodians, lunch staff, and security guards.

Comment 13 pertains to collaboration between co-located schools.

The DOE supports collaboration between co-located schools. In an effort to improve collaboration and dialogue, co-located schools will create a Building Council, which is a campus structure for administrative decision-making for issues impacting all schools in the building. Principals from both schools in the building serve on the Building Council and meet once a month to discuss and resolve issues related to the smooth daily operation of all schools in the building and the safety of the students they serve.

Additionally, the DOE supports serving students with special needs in the least restrictive environment possible and encourages collaboration between P.S. 42 and the new District 75 program.

Comment 15 asks whether or not the new District 75 program will serve pre-kindergarten.

Currently, there are no plans for the District 75 program to offer a pre-kindergarten program.

Comment 16 pertains to limited parking space in the area.

Limited parking is a concern Citywide. Unfortunately, increased parking spaces are not expected to result from this proposal.

Comments 17 and 27 are related to the Panel for Educational Policy vote.

The PEP will vote on this proposal which has not yet been approved, along with others, at its May 29, 2014 meeting. All community members are invited to attend this meeting which will be held at Murry Bergrbaum located at 411 Pearl Street New York, NY 10038.

Comment 19 pertains to school uniforms.

Currently, there are no plans for the District 75 program to require school uniforms.

Comment 26 and 33 pertain to the practice of co-locating District 75 programs with general education schools.

The mission of District 75 is to provide appropriate standards-based educational programs, with related service supports, to approximately 23,000 students with severe challenges, commensurate with their abilities. District 75 seeks to accomplish its mission and to support students while developing and expanding options, within the least restrictive environments, for the participation of students with severe disabilities in school and community settings.

The DOE also believes that schools may benefit from co-locations by sharing best practices and participating in additional professional development.

Comment 31(d) is related to parent and community involvement with respect to the proposal.

The DOE encourages all families and community members to participate in this process and support their schools. When families are involved in education, schools and students benefit. The DOE acknowledges the efforts made by P.S. 42 as well as CEC 9 and the larger community and encourages continued parental involvement in the school community.

Comment 32 inquires about employment opportunities related to this proposal.

Employment opportunities at new schools proposed and/or approved for September 2014 can be accessed at the DOE's Web site:

<http://schools.nyc.gov/community/newschools/newschooltypes/workatanewschool/default.htm>.

Comment 34 expresses general opposition to the proposal.

Although the DOE recognizes that some in the community may oppose this proposal, the DOE believes that, if this proposal is approved, the school communities in X042 will be able to create productive and collaborative partnerships. The DOE strongly believes in the importance of offering high quality options to the 1.1 million students in New York City, including those recommended for placement in District 75.

Changes Made to the Proposal

No changes were made to the proposal.