

Public Comment Analysis

Date: October 29, 2013

Topic: The Proposed Co-location of Grades Six Through Eight of Girls Preparatory Charter School of the Bronx (84X487) with Existing Schools M.S. 301 Paul L. Dunbar (08X301) and P.S. X188 (75X188) in Building X120, Beginning in 2014-2015

Date of Panel Vote: October 30, 2013

Summary of Proposal

On September 12, 2013, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) and a Building Utilization Plan (“BUP”) describing a proposal to co-locate grades six through eight of Girls Preparatory Charter School of the Bronx (84X487, “Girls Prep Bronx”) in building X120 (“X120”), located at 890 Cauldwell Avenue, Bronx, NY 10456, in Community School District 8 (“District 8”), beginning in the 2014-2015 school year. If this proposal is approved, Girls Prep Bronx will be co-located with existing schools M.S. 301 Paul L. Dunbar (08X301, “M.S. 301”), a zoned middle school that serves sixth through eighth-grade students; and one site of P.S. X188 (75X188, “P188X@I301X”), a multi-sited District 75 school that serves students in grades six through eight at this site. 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.

Girls Prep Bronx is an existing charter school that currently serves students in kindergarten through fifth grades in building X052, located at 681 Kelly Street, Bronx, NY 10455 in District 8, 0.8 miles away from X120. If this proposal is approved, Girls Prep Bronx will serve students in sixth grade in X120 in the 2014-2015 school year, and will add one grade level each year until it reaches full scale serving sixth through eighth grade students in X120 by the 2016-2017 school year. As discussed in further detail in Section III.A of the EIS, this proposal is not anticipated to have an impact on M.S. 301’s or P188X@I301X’s admissions processes, enrollment, instructional programming, partnerships, or extra-curricular offerings.

Public Prep is a charter management organization (“CMO”) that currently operates two public charter schools in New York City, including Girls Prep Bronx. In addition, Public Prep will open another public charter elementary school, Boys Preparatory Charter School, which will admit students beginning in the 2014-2015 school year in building X107, also located in District 8. In August 2013, Girls Prep Bronx submitted an application to renew and expand its charter to include grades six through eight to the State University of New York Trustees (“SUNY”). The proposal to co-locate the middle school grades of Girls Prep Bronx in X120 as described in the EIS and the BUP is contingent upon SUNY’s approval of Girls Prep Bronx’s application for charter renewal and expansion. Only SUNY has the authority to approve or deny Girls Prep Bronx’s application for renewal and expansion. For the purposes of this proposal, it is assumed that SUNY will approve Girls Prep Bronx’s application.

If this proposal is approved, Girls Prep Bronx will begin serving approximately 70-85 sixth-grade students in X120 in September 2014 and will add one grade each year until it reaches full scale in X120 in 2016-2017. At that time, Girls Prep Bronx will serve approximately 210–255 students in sixth through eighth grades. The school will admit students via its charter lottery application process, with preference given to current students, siblings of current students, and District 8 residents.

X120 has the capacity to serve 740 students, but in the 2013-2014 school year, M.S. 301 and P188X@I301X are only serving approximately 407 students. This yields a building utilization rate of approximately 55%, which demonstrates that the building is “underutilized” and has space to accommodate additional students. As such, X120 has been identified as an underutilized building. If this proposal is approved, when Girls Prep Bronx reaches full scale in 2016-2017, Girls Prep Bronx, M.S. 301, and P188X@I301X will collectively serve approximately 575-658

students in the building, which yields a projected utilization rate of 78%-89%. As discussed in Section II.B of the EIS and in the BUP, all schools will receive at least their baseline (or adjusted baseline) footprint allocation of space.

The DOE supports the co-location of grades six through eight of Girls Prep Bronx in X120 beginning in 2014-2015. The proposal is intended to create a long-term site for Girls Prep Bronx's middle school students and allow Public Prep to continue providing educational opportunities for students in the Bronx.

The details of this proposal have been released in an EIS and BUP which can be accessed here:
<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2013-2014/Oct30SchoolProposals>.

Copies of the EIS and BUP are also available in the main offices of M.S. 301 and P188X@I301X.

Summary of Comments Received at the Joint Public Hearings

A joint public hearing regarding this proposal was held at the X120 building on October 22, 2013. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 68 members of the public attended the hearing, and 13 people spoke. Present at the meeting were M.S. 301 Principal Benjamin Basile; P.S. X188 School Leadership Team ("SLT") representative Nancy Storms; Community Education Council ("CEC") 8 representatives Bryan D'Ottavi, Eduardo Hernandez, and Janet Bosch; Xanthe Jory from the DOE's Office of New Schools; and Rebecca Rawlins, Adrien Siegfried, Ashley Davies, and Annabelle Eliashiv from the DOE's Office of Portfolio Planning.

The following questions, comments, and remarks were made at the joint public hearing on October 22, 2013:

1. Bryan D'Ottavi, CEC 8 President, commented that:
 - a. He went through this process with two other co-location proposals in District 8.
 - b. He is against co-locating a middle school with an elementary school.
 - c. He is opposed to early and late lunch times that result from multiple schools having to share the cafeteria.
 - d. One of the schools in the X120 building is a District 75 school and it should get the attention and space it needs to function properly.
 - e. He is frustrated that the Panel for Educational Policy ("PEP") vote is in Brooklyn, not in District 8 or the Bronx.
 - f. He asked the community to organize itself and advocate for the community so that it can have a voice in this process.
 - g. A proposal in Staten Island was withdrawn from the PEP vote because hundreds of parents organized themselves against the proposal.

2. Eduardo Hernandez, CEC 8 Treasurer, asserted that:
 - a. It does not matter how many parents are opposed to this proposal because the DOE already made its decision.
 - b. Even after many people spoke against the proposals at the last PEP vote, every proposal was approved.
 - c. He explained that eight of the thirteen Panel members are appointed by the mayor and that he believes they follow an agenda created by Mayor Bloomberg and Chancellor Walcott.
 - d. He does not believe that long waitlists for entry into charter schools is a convincing measure of need or demand for charter schools.
 - e. He believes that charter schools are more successful than district schools because charter schools select higher performing students.
 - f. He claimed that the buildings proposed for co-location are already over-crowded, not under-utilized.

The BUP puts forth a proposed shared space schedule for the co-located schools that is feasible and demonstrates that the co-located schools may be treated equitably and comparably in the use of shared spaces. For example, the proposed shared space plan in the BUP allocates 45 minutes in the cafeteria to each of the schools beginning between the hours of 11:00 a.m. and 1:00 p.m. The final shared space schedule will be collaboratively drafted by the Building Council if the proposed co-location is approved by the Panel for Education Policy.

If conflicts emerge and progress is impaired, the Building Council will follow the dispute resolution procedures outlined in the Campus Policy Memo available at the following link:

<http://schools.nyc.gov/community/campusgov/KeyDocuments/CampusMemo>.

Comment 1(d) voices concern that P188X@I301X, the District 75 school in the building, would not have enough space if this co-location is approved.

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. In all cases, 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 Footprint is the guide used to allocate space to all schools based on the number of class sections they program and the grade levels of the school. 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 Instructional 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.

The BUP details the number of class sections each school is expected to program each year and allocates the number of classrooms accordingly. The assignment of specific rooms and location for each in the building, including those for use in serving students with Individualized Education Programs (“IEPs”) or special education needs, will be made in consultation with the Building Council, which is comprised of the principal of each school, and the Office of Space Planning if the proposal is approved. The BUP for this proposal demonstrates that there is sufficient space in the building to accommodate the proposed co-location.

Furthermore, as outlined in the BUP, P188X@I301X’s space allocation does not change during or after Girls Prep Bronx’s phase-in in building X120. P188X@I301X’s space allocation remains at 18 full-size rooms and 15 half-size rooms. This allocation includes 1 full-size room and 1 half-size room in excess of its adjusted baseline footprint allocation.

Comments 1(e) and 11(c) express frustration that the PEP vote on the proposal is in Brooklyn and not in the Bronx.

The PEP votes on several proposals impacting schools across the city and the monthly meeting locations vary from month to month. Throughout the school year, PEP meetings rotate amongst locations throughout all five boroughs. For example, the August meeting was held in Manhattan, the September meeting was held in Queens, and the October meetings are being held in Brooklyn. Additionally both the December 2013 and June 2014 meetings will be

held in the Bronx. Locations are chosen based on the schools' ability to accommodate large public meetings and convenience to public transportation as well as accessibility. Travel directions to the meetings can be found here: <http://schools.nyc.gov/AboutUs/leadership/PEP/meetings/Directions/default.htm>.

Comment 1(f) relates to parental and community involvement in the PEP process.

The DOE supports parent involvement in all aspects of their students' education. When families are involved in education, schools and students benefit. The DOE acknowledges the efforts being made by families and encourages continued parental participation in the school community and at the PEP meeting on October 30th.

Comments 1(g), 2(d, g), and 10 are not directly related to the proposal and thus do not require a response.

Comments 2(a, b, c) question whether parents have a voice in the decision-making process.

The DOE appreciates all feedback from the community regarding a proposal. When the EIS and BUP were issued on September 12, 2013, they were made available to the staff, faculty and parents of M.S. 301, P188X@I301X, and Girls Prep Bronx's elementary school. The documents were also placed in M.S. 301's and P188X@I301X's offices in the X120 building, and posted on the DOE Web site. In addition, the DOE dedicates a proposal-specific website and voicemail to collect feedback on this proposal. Furthermore, all schools' communities are invited to the Joint Public Hearing to provide further feedback. In the case of this proposal, the DOE solicited feedback from community members at the hearing, as well as through voicemail and email since the proposal was posted on September 12, 2013. Each school distributed parent letters and notices provided by the DOE in English and Spanish to all students informing parents of the proposal and the various ways in which they could provide feedback. All feedback received from the community via email, phone, or at the hearing is included in this document, which has been provided to the PEP and is publicly available on the DOE Web site.

The DOE's public review process is governed by Chancellor's Regulation A-190 and this process was followed for this proposal.

While the DOE supports the co-location of grades six through eight of Girls Prep Bronx in the X120 building beginning in the 2014-2015 school year, the DOE notes that no decision has yet been made on this proposal. Any such proposed change to school utilization must be approved by the PEP before it can take effect. The PEP will vote on this proposal at its October 30, 2013 meeting. Interested stakeholders are welcome to provide additional comments that that PEP meeting.

Although the DOE recognizes that people in the community may have strong feelings against this proposal, the DOE believes that if this proposal is approved, the school communities at M.S. 301, P188X@I301X, and Girls Prep Bronx will be able to continue developing productive and collaborative partnerships that will maximize the opportunities available to students.

Comments 2(e) and 6 pertain to the way charter schools admit students.

Any child eligible for admission to a district public school is eligible for admission to a public charter school. If the number of applicants exceeds the number of available seats at a charter school, a random selection process, such as a lottery, must be used. Lotteries select students randomly from among the applicant pool. In contrast, screened schools are able to select their students based on factors including academic achievement, attendance, teacher recommendation, and admissions tests.

Zoned schools, unlike charter schools, admit students based on home address, which is frequently correlated with income and parental education levels.

Charter schools give preferences to students based on various factors, including, but not limited to, whether the applicant has a sibling already enrolled in the charter school, lives in the charter school's community school district,

and/or is eligible for free or reduced price lunches. Charter may also include additional preferences for students that may be considered at-risk of academic failure (as defined by the school).

Application rules, procedures, and deadlines for charter schools vary, but most charter schools accept applications for the following school year until April 1 and conduct admissions lotteries during the second week of April. Interested parents should contact each charter school individually to obtain an application. Many schools also post applications on their websites. For a full list of public charter schools in New York City and additional information about admissions please visit: <http://schools.nyc.gov/community/planning/charters/Directory.htm>.

Comment 2(f) relates to concerns of overcrowding in the X120 building.

As articulated in the EIS, building X120 has the capacity to serve 740 students, but in the 2013-2014 school year, M.S. 301 and P188X@I301X are only serving approximately 407 students. This yields a building utilization rate of approximately 55%, which demonstrates that the building is “under-utilized” and has space to accommodate additional students. As such, X120 has been identified as an under-utilized building.

If this proposal is approved, when Girls Prep Bronx reaches full scale in 2016-2017, Girls Prep Bronx, M.S. 301, and P188X@I301X will collectively serve approximately 575-658 students in the building, which yields a projected utilization rate of 78%-89%. The DOE does not believe that this proposal will lead to overcrowding in the X120 building.

Comments 3 (a, b) relate to M.S. 301’s budget decreasing as its enrollment declines and its potential impact on programming and staff.

As articulated in the EIS, M.S. 301’s enrollment is projected to decline, as it has in the past. This decline would not be a result of the proposal to co-locate Girls Prep Bronx’s middle school grades, but rather reflects an ongoing decline in demand for the school. Over the past five years, M.S. 301’s enrollment has declined naturally by 38%.

In New York City, we fund schools through a per pupil allocation. That is, funding “follows” the students and is weighted based on students’ grade level and need (incoming proficiency level and special education/ELL/Title I status). If a school’s population declines from 2,500 to 2,100 students, the school’s budget decreases proportionally—just as a school with an increase in students receives more money. Even if the DOE had a budget surplus, a school with declining student enrollment would still receive less per pupil funding each year enrollment falls.

Prior to the beginning of the year, principals hire staff to begin on Day 1 with the expectation that the school will enroll a certain number of students with particular funding attributes. If a school admits a substantial number of students or specific cohort of students below its anticipated target, it could have a material impact on the school’s budget (e.g., 15 general education students = ~\$63,000, whereas 15 high school students with IEP services in an integrated classroom setting = ~\$171,000). (Students with greater educational needs generate a higher pupil per capita in the Fair Student Funding allocation formula.)

Once enrollments have stabilized in late September, principals will work with their Networks to prioritize their budgets for the year and ensure there are adequate funds to pay for staff salaries and other resources. The pupil counts are considered final after the Office of the Auditor General finalizes the register audit in January, based on register data as of October 31. Schools are responsible for the financial impact of the change in register between the projection and the audited register.

Comments 4, 7, and 9 generally support the proposal to co-locate Girls Prep Bronx’s middle school grades with M.S. 301 and P.S. X188 and do not require a response.

Comment 5 pertains to Girls Prep Bronx’s high caliber of teaching.

The DOE acknowledges and commends the students and staff of Girls Prep Bronx for their hard work, dedication, and passion for the school.

Comment 11(a) expresses general opposition to this co-location proposal.

Although some members of the District 8 community object to the idea of co-locating the middle school grades of Girls Prep Bronx in the X120 building, the DOE believes that the X120 community and District 8 as a whole will benefit from the placement of this charter school in the X120 building, as it is expected to represent a new high-quality middle school option for students and will allow many current Girls Prep Bronx students to continue their education in Girls Prep Bronx.

Changes Made to the Proposal

No changes have been made to this proposal.