

## **Public Comment Analysis**

Date: October 29, 2013

Topic: The Proposed Opening and Co-location of New District Middle School 19K760 with Existing School I.S. 171 Abraham Lincoln (19K171) in Building K171 Beginning in 2014-2015

Date of Panel Vote: October 30, 2013

### **Summary of Proposal**

On August 30, 2013, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) describing a proposal to co-locate a new district middle school, 19K760 (“19K760”), in building K171 (“K171”) located at 528 Ridgewood Avenue, Brooklyn, NY 11208, in Community School District 19 (“District 19”). If this proposal is approved, 19K760 will be co-located in K171 with I.S. 171 Abraham Lincoln (19K171, “I.S. 171”), an existing middle school serving students in grades six through eight. I.S. 171 currently admits students through an unscreened admissions method, with a priority to students residing within the K171 zone. Two community based organizations (“CBOs”), Cypress Hills Local Development Corporation (“CHLDC”) and City Year, are also located in K171. If this proposal is approved, 19K760 will serve students in sixth through eighth grade and will begin enrolling sixth grade students in 2014-2015. 19K760 will add one grade level per year until it reaches full scale and serves students in sixth through eighth grade in 2016-2017.

If this proposal is approved, both 19K760 and I.S. 171 will admit students through the middle school admissions process using an unscreened admissions method and offer priority to students residing in the K171 zone.

This EIS has been amended to include information concerning the CBO City Year, which is located in K171; to reflect that I.S. 171 offers two additional programs, I Will Graduate and the Middle School Student Success Center; to provide corrected information concerning certain shared spaces, instructional and administrative space allocations, and the availability of excess space within K171; and to correct typographical errors.

Currently, the DOE is planning to reduce the enrollment at I.S. 171 over a period of three years beginning in September 2014. Details of the year-by-year reduction are included in Section III.B of the EIS. I.S. 171 will admit fewer sixth grade students after the end of the 2013-2014 school year and will continue to admit a reduced number of sixth grade students in subsequent years. By 2016-2017, enrollment at I.S. 171 will have decreased by approximately 320-350 students to stabilize at a new, lower total enrollment of 420-450 students in sixth through eighth grade. The DOE believes that a planned enrollment reduction will allow I.S. 171 to focus on a smaller student body and better address the needs of its students.

The proposed opening and co-location of 19K760 in building K171 is part of the DOE's central goal to create new school options that will better serve future students and the community at large and to provide another option in the K171 building.

If this proposal to open and co-locate a new district middle school is not approved, the DOE will not proceed with the planned enrollment reduction at I.S. 171 to meet the enrollment needs of the K171 zone.

According to the 2011-2012 Enrollment Capacity Utilization Report (“Blue Book”), K171 has a target capacity to serve 1,140 students. In 2013-2014, the building is serving 772 total students, yielding an estimated utilization rate of 68%.

If this co-location proposal is approved, 19K760 will gradually phase into K171 while I.S. 171 simultaneously scales back its enrollment. The new school will serve students in sixth grade in the 2014-2015 school year and will add one grade level every year until the school reaches its full grade span of sixth through eighth grade in the 2016-2017 school year, serving approximately 345-375 students. In 2016-2017, once I.S. 171 has completed its enrollment reduction and 19K760 is at full scale, it is projected that there will be approximately 765-825 students served in K171, thereby yielding an estimated building utilization rate of approximately 67%-72%.

If this proposal to co-locate 19K760 is approved, the middle school seats that will be lost as a result of the enrollment reduction at I.S. 171 will be recovered by the new seats created by the opening of 19K760.

### **Summary of Comments Received at the Joint Public Hearing**

A joint public hearing regarding this proposal was held at K171 on October 8, 2013. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 500 members of the public attended the hearing, and approximately 31 people spoke. Present at the meeting were Senior Superintendent Elaine Gorman; District 19 Community Superintendent Joyce Stallings-Harte, who acted as Chancellor’s Designee for the hearing; I.S. 171 School Leadership Team (“SLT”) representatives Principal Dr. Barbara Kendall and Mary-Lou Rodriguez; and President of Community Education Council (“CEC”) 19 President Erica Perez. The following elected officials were present at the meeting: New York State Senator Martin Dilan; and representatives for Assemblyman Raphael Espinal and Congresswoman Nilda Velasquez. Estelle Acquah and Drew Patterson from Division of Portfolio Planning were also in attendance.

#### **The following comments and remarks were made at the Joint Public Hearing on October 8, 2013:**

- 1) CEC 19 President, Erica Perez, stated the following:
  - a) The CEC formally rejects the proposal.
  - b) The DOE did not sufficiently engage with the I.S. 171 parent community.
  - c) The building’s floor plans are outdated and do not reflect current facilities issues including: only two floors with functioning bathrooms, lack of functioning science demo rooms, lack of sufficient water fountains, the need for students to use the same room for gym and cafeteria purposes, the presence of dumpster in the cafeteria, and the need to place the guidance counselor in a computer server room that is extremely cold in order to preserve the server.
  - d) Bringing additional children into the building will exacerbate safety issues.
  
- 2) I.S. 171 Principal Barbara Kendall stated the following:
  - a) The Educational Impact Statement indicated a building utilization rate of 68% for K171, based on students on register; however this is not practical with regards to how the school realistically needs to use the space.
  - b) The cafeteria and gym occupy the same spaces, and students do not have the opportunity to fully utilize those spaces for physical education. It would be highly difficult to share the cafeteria/gymnasium space with an additional school.
  - c) This co-location will negatively impact programming at I.S. 171. I.S. 171’s attendance has increased as students are attracted to the new performing arts program implemented by school

- leadership. Due to the Middle School Success Center, eighth graders are now receiving college and career readiness coaching. These programs will be eliminated if a new school comes into the building.
- d) If this proposal is approved, qualified teachers will leave and good students will no longer be willing to come to I.S. 171. This will negatively impact performance at I.S. 171 and the school will totally decay.
- 3) I.S. 171 SLT Representative and Parent Association Member Mary-Lou Rodriguez stated the following:
- a) This co-location will negate all the positive progress that has been made at I.S. 171, particularly over the past three years. School leadership, including Principal Kendall, has worked tirelessly to better the school and ensure that all students' dreams are able to come true.
- b) If a new school comes into the building, our dreams will be crushed, our accomplishments taken away, and we will be forced to start all over again. The DOE does not want us to accomplish our dreams or feel proud of our children's accomplishments and progress.
- c) We do not want this co-location and we beg the DOE not to allow a new school to share the limited space we have.
- 4) New York State Senator Martin Dilan expressed the following:
- a) Senator Dilan has written a letter to Chancellor Walcott in opposition to any proposed co-location at I.S. 171.
- b) The DOE needs to clarify the purpose of this hearing and whether the final decision has been made prior to this hearing. If so, this hearing is just a standard legal procedure that the DOE would like to check off its list.
- c) The decision to co-locate two schools in the building, without any parent involvement, is wrong and capricious.
- d) The DOE tried to close this school previously, but the school got a second chance. It is in its first year of positive progress and should be given a chance to continue to improve.
- e) Our community does not want I.S. 171 to change from its current structure. The Cypress Hills Local Development Corporation has enrichment programs that are essential to the school and co-location will mean loss of programs at the school.
- f) The educators and parents should be able to determine what happens to this school, as opposed to bureaucrats or an administration that is in its twilight days. We look forward to a having an administration that supports our school.
- g) Mayoral control has had a negative impact on our schools and I plan to work with my state colleagues to revisit school governance laws so that parents can have greater input on what happens in their schools.
- 5) A representative from the office of Assembly Member Raphael Espinal stated the following:
- a) The school uses the same space for cafeteria and gymnasium services.
- b) Downsizing I.S. 171's space will negatively affect academic services.
- c) The building will become overcrowded.
- d) We strongly urge the DOE to look for other locations to house this new school because of the adverse effects this co-location will have on students and the school administration.
- 6) A representative from Congresswoman Nydia Velazquez's office stated the following:
- a) Congresswoman Velazquez is continuing to fight for our children and working class families.

- b) The community has united once again to fight this proposal; however we are tired of fighting the DOE, which needs to end the madness of co-location and reconsider this proposal.
  - c) The Cypress Hills community should be demanding a moratorium on co-location until we have the new mayor in office to make those decisions.
  - d) Co-locating schools will take away resources from existing schools such as I.S. 171. These changes cannot be implemented at children's expense; the neediest students will lose the most.
  - e) District 19 schools have been historically underserved by the NYC DOE. The community has had to advocate for resources without assistance from the DOE.
  - f) We need a mayor that is going to engage community stakeholders and make decisions with transparency.
  - g) The new schools implemented under the current mayor have not performed any better than the previous administration.
  - h) The CHLDC is a community based organization with vocal parents and good teachers who provide services to the school; these services will be negatively impacted.
  - i) The DOE cannot squeeze another school into a building with no cafeteria and no science labs.
  - j) It is always the bureaucrats, who are crunching numbers, that make the decisions; however; the community needs to be a part of this decision.
- 7) CEC 19 Vice President Dennis Camacho stated the following:
- a) Having two schools in one building does not make sense.
  - b) The co-location will cause safety issues in the school by causing segregation in school and an increase in bullying and fights.
  - c) In co-located buildings, the inequalities are clear, with some classes looking better than others.
  - d) The DOE said the school is not providing quality education; however if the DOE wants the school to improve it should bring in more resources instead of co-locating another school.
  - e) Three years ago, the DOE tried to close the school but parents fought back.
- 8) CEC 19 member Gregory Grant stated the following:
- a) K171 is set up for elementary school students and is not even big enough for I.S. 171; as such, it does not make sense to bring another school in here.
  - b) It has not been declared whether the new school will be a charter or district school.
  - c) The charter school will get the best students and I.S. 171 will then struggle again.
  - d) The DOE should give the new school its own building.
  - e) It is not sanitary that students have to use the same rooms for lunch and a gymnasium. The lunchroom should not be the gym as it is not sanitary that students are playing while staff is preparing food.
  - f) The DOE should provide support to fix the school now.
  - g) We will continue to fight this proposal to keep the school from being co-located.
- 9) Larry Acosta of the CHLDC and School Leadership Team stated:
- a) We will turn our back on the DOE like it has turned its back on this school.
  - b) In 1999, we fought to have P.S. 7 taken out of K171 and have the DOE build P.S. 7 its own building, which is located on Crescent Street and Jamaica Avenue. Now the DOE would like to impose another middle school in K171.
  - c) Just like they want us to be shut up, the DOE should be shut down. During the PEP vote, we are going out on buses to voice our opinions.
- 10) An SLT member stated the following:

- a) We are already crowded and do not need another school.
- b) In 1999 the DOE tried to bring in another school and it failed then; this co-location will also fail.

11) SLT member Mercedes Perez stated:

- a) The DOE is trying to take from our school and community, and get rid of teachers.
- b) If the DOE was interested in helping us, they would give us money for resources like library and laptops.
- c) We are in adamant opposition to this co-location.
- d) On the PEP vote day, we will fight against this.

12) A student speaker stated:

- a) We do not have space and sixth graders do not even have formal gym currently.
- b) Co-locating a new school in the building will cause overcrowding.
- c) We do not want to share our school.

13) A student stated the following:

- a) The community really came out to support us today.
- b) We do not have the space to have another school in here.
- c) We eat in our gym; we do not have enough bathrooms on each floor.
- d) Do not take away our school.

14) A student stated the following:

- a) It does not make any sense to put two schools in here; it will be hazardous and we do not have enough rooms.
- b) We will have less learning resources available to us.

15) A student stated:

- a) As a current 8th grader, my classmates and I are leaving, but our younger siblings will be pushed out.
- b) The DOE will put in a new principal of a new school in this building, but won't give I.S. 171 additional money to fix our resources.
- c) Students have to use the same spaces as a gym and a cafeteria.

16) A student stated:

- a) Even though this school is huge, it is still overcrowded and another school will worsen overcrowding.
- b) Teachers will have to divide the gym in half and there will be fights over which school gets which side. There will also be fights in classrooms because kids will be angry with one another and it will be too crowded to learn.

17) A commenter stated:

- a) Parents and teachers are clearly stating that this school is overcrowded.
- b) The DOE does not follow rules and regulation and is not concerned with the safety of our children. A building that is overcrowded can't fit any more people because it is a fire hazard.
- c) Do not endanger the welfare of our school and our children.
- d) I was in the Gulf War and I put my life in danger because I love my country, my neighborhood, and my children. I do not want my children to be in a combat zone when they go to school.

- e) I did 27 years in the Army reserves and worked at the Department of Sanitation so I could raise my son and send him to school; he is now a doctor.
  - f) I am here to fight for my granddaughter.
  - g) The DOE will close our schools that we need for our children and our neighborhood.
- 18) A parent of a former I.S. 171 student stated that the community is ready to fight against the proposal.
- 19) A current parent stated:
- a) The community should be able to decide what happens to its schools.
  - b) If we have overcrowded classrooms, we should not allow other students to come here.
  - c) When hosting students during Hurricane Sandy, there were fights amongst students.
- 20) A current parent stated:
- a) This proposal will create overcrowded classrooms, making it difficult for children to get the education and resources they deserve.
  - b) The DOE should take its proposal and new school somewhere else.
- 21) A current teacher stated:
- a) There are some days that I spend more time with these children than my own kids. I have been here for 15 years and I love these kids.
  - b) The kids need to be at the forefront of our thoughts when making decisions.
  - c) We are a strong school and a strong community, with strong teachers that are dedicated and want to be part of these children's lives; we are not broken.
  - d) It is reprehensible that the DOE would discriminate against our children, take away their resources and create a "have and have nots" situation.
  - e) How can the DOE prove that it will not discriminate against our bilingual, special education, and high needs students; they need more not less.
  - f) The DOE needs to show us how this co-location will work when it did not work 18 years ago with P.S. 7.
- 22) A commenter stated:
- a) The DOE is trying to take away our kids' creativity, minds and souls. If you put another school in here, you are throwing away all these children's hopes and dreams.
  - b) The school is already overcrowded and has inadequate facilities such as the bathroom, cafeteria and gymnasium.
  - c) The school does not have a library and books for the kids.
  - d) The DOE needs to stand up for our kids; parents are crying and pleading that we do not need another school in here and the DOE needs to listen.
  - e) DOE can D-I-E and will pay for this if this goes through.
- 23) A parent stated the following:
- a) This school has come a very long way. I previously did not want my daughter to come to this school because it previously had a bad reputation, but I have seen a change in the school over the years. The uniforms have been great and students are fighting and bullying less.
  - b) Principal Kendall has a plan for this school and she needs resources; we support her and the DOE has to support her. We need better academic programs and sports programs.
  - c) Bringing in a new school will do our kids a disservice and create chaos; it is not the answer.

- 24) A commenter stated:
- I.S. 171 already does not have space to grow.
  - The CEC president and Senator Dilan are here to support the community and oppose this proposal.
- 25) A parent stated the following:
- Bringing another school here is not good and we do not need it.
  - We need more money to better the school and help the children.
  - Mayor Bloomberg is behind the proposal and it is the wrong decision.
- 26) A parent stated the following:
- There has been a huge change in the school since Principal Kendall started.
  - There has been so much progress and improved safety, particularly less gang activity and fighting.
  - We have so far to go and bringing another school will rob the kids of their resources and limit their potential.
  - We need more activities and extra-curricular programs.
- 27) A parent stated the following:
- I want to make clear to the DOE that our school is fine and we do not need a new school; we have good personnel, our programs run well, and we are a family.
  - Our children need to feel like one family.
  - We do not even know what this new school will be, nor do we know its administration.
  - The school does not have the space to admit another school.
  - The DOE needs to think about our children.
- 28) Michelle Neugebauer, CHLDC Executive Director, stated the following:
- The CHLDC stands with faculty, parents, the CEC, and elected officials in opposing this co-location.
  - Our organization has lived through a phase out at the Lane campus and the current phase out of I.S. 302, and we fear a repeat of what is happening in those schools: the best teachers will leave first; funding and budgets will decrease along with enrollment, leading to elimination of enrichment and special programming that prepare students to compete for specialized high schools.
  - This community mobilized to get a new facility for P.S. 7; the DOE should not repeat the mistakes of the past.
  - The DOE needs to invest in the future of this school.
- 29) A commenter stated the following:
- The DOE has given us the same rhetoric for years.
  - These students have earned this building.
  - Our kids come with baggage already and an additional school will bring in more with their own baggage, thus creating disparities and inequalities.
- 30) A commenter stated the following:
- This school has worked so hard for resources such as grants to fix the outside play yard and the library; we did not get these items from the DOE.

- b) We are now being told to share what we have worked for, but we deserve the chance to keep these things.
- c) If I.S. 171 is a smaller school, there will be fewer resources for our special needs kids.

31) A commenter stated the following:

- a) Research shows that a teacher cannot be effective, nor are students comfortable when there are 36 students in a classroom.
- b) Our community is still struggling with the aftermath of Hurricane Sandy and we do not need more changes.
- c) Research shows that charter schools are not better
- d) The DOE needs to focus on what our school really needs. Students and teachers here need more money for resources such as books.

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

32) State Senator Martin Dilan submitted a copy of a letter written to Chancellor Walcott. The letter stated the following:

- a) Senator Dilan urged the DOE to reconsider the co-location.
- b) In 2010-2011 school year, I.S. 171 received a Quality Review Rating of “Developing” and gains were made in student performance and progress; however as opposed to addressing performance issues, the EIS only refers to providing new school options as rationale for the proposal.
- c) A proposed co-location is preemptive as, shown in recent reports; I.S. 171 is on the path to success as a result of its previous grade truncation to serve grades students in grade six through eight. The school has surpassed all measurable standards related to past poor performance and was graded “Proficient” in its ability to “make strategic organizational decisions to support the school’s instructional goals and meet student’s learning needs as evidenced by meaningful student work products.”
- d) A co-location would undo the school’s progress and prevent additional improvements.
- e) A co-location is unnecessary and I cannot support this proposal.

33) A commenter wrote in opposition to the proposal.

34) PTA President Mariluz Rodriguez, UFT Chapter Chair Mercedes Perez, and CHLDC Executive Director Michelle Neugebauer submitted an e-mail to Chancellor Walcott opposing the proposal on the following grounds. (On October 28, 2013, I.S. 171 staff and students hand delivered the same letter to the Chancellor’s office):

- a. I.S. 171 is making academic progress.
- b. The proposal will disrupt the Middle School Success Center.
- c. K171’s facilities cannot support a co-location, which will result in overcrowding.

35) A parent submitted a written comment opposing the proposal on the grounds that it will exacerbate overcrowding at K171, increase class size, and that the new principal is improving I.S. 171.

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

Comments 6(a), 17(e), 21(a), 21(b), 21(c), 27(e), and 29(a) are not directly related to the proposal and thus do not require a response.

Comments 1(a), 3(b), 4(a), 4(f), 6(b), 6(c), 7(a), 8(g), 9(a), 9(c), 11(c), 11(d), 12(c), 13(a), 13(d), 17(c), 17(f), 18, 22(a), 22(d), 22(e), 23(c), 24(b), 25(a), 25(c), 27(a), 27(c), 28(a), 29(b), 30(b), 31(b), 32(a), 32(d), 32(e), 33 and 35 voiced general opposition to the proposal.

Although the DOE recognizes that some members of the community may have strong feelings against this proposal, the DOE believes that, if this proposal is approved, the school communities at K171 will be able to create productive and collaborative partnerships.

The DOE notes there is a need for increased options for students in the Brooklyn, including those students located in District 19. The DOE strives to ensure that all students in New York City have access to various educational options at every stage of their education. This proposal aims to provide a new option for these students. The proposed opening and co-location of 19K760 in building K171 is part of the DOE's central goal to create new school options that will better serve future students and the community at large and to provide another option in the K171 building.

Comment 4(b) states that the DOE should clarify the purpose of the Joint Public Hearing, given the perception that a final decision has already been made.

This proposal will be voted on by the Panel for Educational Policy at its October 30, 2013 meeting. Only then will a final decision be rendered. The DOE welcomes all feedback from the community regarding a proposal. When the EIS is issued, it is made available to the staff, faculty and parents on the DOE's Web site, and in each school's respective main office. In addition, the DOE dedicates a proposal-specific website and voicemail to collect feedback on this proposal. Furthermore, all schools' staff, faculty, and parent communities are invited to the Joint Public Hearing to provide further feedback.

Comment 32(b) concerns the rationale behind the proposal.

The DOE believes that a planned enrollment reduction will allow I.S. 171 to focus on a smaller student body and better address the needs of its students. Planned enrollment reductions typically are coupled with a new replacement school providing students with immediate access to high quality options in that district. If this proposal to open and co-locate a new district middle school is not approved, the DOE will not proceed with the planned enrollment reduction at I.S. 171 to meet the enrollment needs of the K171 zone.

As stated in the EIS, the enrollment reduction of I.S. 171 is driven by I.S. 171's performance and applicant demand for the school. I.S. 171 received an overall D grade on its Progress Report in 2011-2012. In 2010-2011, I.S. 171 received an overall F grade on its Progress Report and in 2009-2010, I.S. 171 received an overall C grade on its Progress Report. In addition, the school received a D in Performance on the 2011-2012 Progress Report and an F grade in this sub-category for two consecutive years prior. The school received a "Developing" on its most recent Quality Review in 2012-2013. Moreover, demand for I.S. 171 is low. In 2012-2013, I.S. 171 received 2.3 applications per seat. For the 2013-2014 school year, this decreased and the school received 1.8 applications per seat, as compared to the District 19 average of 2.9 applications per seat in middle schools, with only 39% of applicants ranking it as their first choice.

Comments 6(e), 7(d), 8(f), 11(b), 14(b), 15(b), 25(b), 26(d), 28(d), 30(a), and 31(d) suggest that the DOE should provide more support and resources to I.S. 171, rather than co-locate a new school in K171.

Fair Student Funding (“FSF”) dollars – approximately \$5.0 billion in the 2012-2013 school year based on projected registers – are used by all district schools to cover basic instructional needs and are allocated to each school based on the number and need-level of students enrolled at that school. All money allocated through FSF can be used at the principals’ discretion, such as hiring staff, purchasing supplies and materials, or implementing instructional programs. As the total number of students enrolled changes, the overall budget will increase or decrease accordingly, allowing the school to meet the instructional needs of its student population. In addition to the FSF student-need based dollars a school receives, all schools receive a fixed lump sum of \$225,000 in FSF foundation and \$50,000 in Children First Network Support to cover administrative costs.

Principals have discretion over their budget and make choices about how to prioritize their resources. New schools may choose to hire fewer administrative staff (e.g. only a single assistant principal) freeing up dollars to be directed toward other priorities

Furthermore, all schools receive support and assistance from their superintendent and Children First Network, a team that delivers operational and instructional support directly to schools. Struggling schools receive supports as part of system-wide efforts to strengthen all schools; and they also receive individualized supports to address their particular challenges. We do everything we can to offer struggling schools leadership, operational, instructional, and student supports that can help turn a struggling school around. The DOE will continue to provide various supports to I.S. 171 whether or not this proposal is approved.

Comments 3(a), 4(d), 7(e) 23(a), 23(b), 26(b), 32(c), 34(a), and 34(b) assert that I.S. 171 has made improvements, should be given an opportunity to continue to progress, and contend that a co-location will reverse the school’s advancement.

The DOE acknowledges that the community feels that school performance and culture is improving at I.S. 171, and DOE does not anticipate that the proposal will impact the progress that is being made. The DOE expects that allowing I.S. 171’s school administration to focus on a smaller cohort of students will help support the school’s positive trajectory. Furthermore, as described in more detail in the response to comments 2(a), 3(c), 5(c), 10(a), 12(b), 13(b), 16(a), 14(a), 17(a), 17(b), 19(b), 20(a), 22(b), 27(d), 24(a), and 31(a) below, I.S. 171 will continue to receive its baseline allocation of space throughout the implementation of the proposal, and CHLDC will continue to be allocated dedicated space in the building.

Comments 1(c), 2(b), 5(a), 6(i), 8(a), 8(e), 12(a), 13(c), 15(c) and 34(c) contend that I.S. 171’s facilities, particularly the science labs and the multipurpose rooms used for gym instruction and cafeteria space, cannot support the co-location.

The DOE is working with the Division of School Facilities to ensure that equipment in science demonstration rooms is operational and non-functional bathrooms are repaired as requested by the school administration. Although K171 does not have a designed gymnasium, the DOE believes that all students across the co-located schools will be able to meet their physical education requirements in the two multipurpose rooms that function as gymnasium and cafeteria and in the playground. In 2013-2014, I.S. 171 is projected to enroll 772 students in building K171, yielding a building utilization rate of 68%. In 2016-2017, when I.S. 171 has completed its enrollment reduction and 19K760 is fully phased in, there will be approximately 765-825 students in K171, yielding a building utilization rate of

67%-72%. Therefore, building K171 will serve approximately the same number of students before and after the implementation of the proposal.

Comments 1(b), 4(c), 6(f), 6(j), and 19(a) suggest the DOE's engagement with the I.S. 171 community on the proposal.

The DOE embarked upon extensive engagement with the I.S. 171 community in connection with this proposal. In June 2013, the DOE contacted Principal Kendall regarding the potential for a co-location proposal impact K171. The DOE updated Principal Kendall on the progress of the proposal's development in August 2013. In anticipation of issuing the proposal, the DOE reached out to CEC 19 and the I.S. 171 SLT to jointly schedule a public hearing about the proposal. On August 30, 2013, the DOE issued the EIS describing the proposal. The DOE also requested to meet with the CEC. Notice of the proposal was distributed to the impacted CEC, SLT, community board, as well as elected officials, among others. In addition, a parent letter briefly describing the proposal and a notice of the joint public hearing were backpacked home to I.S. 171 families. The DOE solicited comments about the proposal via a dedicated e-mail address and phone line, and invited interested parties to attend the joint public hearing.

In September 2013, the DOE met with several different stakeholders to discuss the proposal: the DOE met with I.S. 171's SLT, elected officials at the Brooklyn Portfolio briefing, and superintendents at the monthly superintendent's meeting. In October, the DOE met with community members at a meeting convened by the CHLDC, and also attended a meeting with the District 19 Leadership Team, which also included CEC 19 leadership.

Moreover, the joint public hearing was well-attended with approximately 500 participants and thirty-one speakers, which demonstrates that the community had ample notice of, and an opportunity to comment on, the proposal.

Comments 2(d) and 11(a) concern the proposal's impact on staffing and enrollment at I.S. 171.

As stated in the EIS, as a result of the enrollment reduction, the total number of students enrolled at I.S. 171 would decline each year, meaning that the school's budget would decrease each year, and the school would need fewer teachers and fewer supplies to meet the needs of its smaller student population. If the overall school enrollment grows again, the overall budget would increase accordingly. In any case, funding will be provided in accordance with enrollment levels, allowing the school to meet the instructional needs of its student population. This is how funding is awarded to all schools throughout the City, with budgets increasing or decreasing as enrollment fluctuates from year to year. Regardless of enrollment shifts, students will be able to take the necessary courses staffed with appropriately licensed teachers to satisfy their graduation requirements.

As student enrollment at I.S. 171 declines, the school's staffing needs may be reduced. All excessing would be conducted in accordance with existing labor contracts. For example, the current United Federation of Teachers contract would require excessing to take place in reverse seniority order within each given teaching license area. Barring system-wide layoffs, excessed teachers would be eligible to apply for other City positions, and any teachers who did not find a permanent position would be placed in the Absent Teacher Reserve ("ATR") pool, meaning that they would continue to earn their salary while serving in the capacity of a substitute teacher in other City schools. Should there be a vacancy in the school in a teacher's license area within one year of the teacher being excessed, the teacher would have a right of return to the school, consistent with applicable contractual provisions regarding teachers' seniority.

The enrollment reduction will allow I.S. 171's administration to focus on a smaller cohort of students. The DOE does not anticipate that this will have a material impact on school culture.

Comments 2(c), 4(e), 5(b), 6(d), 6(h), 21(e), 26(c), 28(b) and 30(c) suggest that if approved, the proposal will negatively impact I.S. 171's instructional programming for general education, special education, and English Language Learners ("ELL") and decrease the resources available for school's performing arts program and special enrichment and extracurricular programming provided by the CHLDC.

The DOE understands that I.S. 171 students and parents and the community in general are enthusiastic about the academic structure and performing arts and extracurricular programming offered at the school. The enrollment reduction may impact some of the educational options of students currently attending I.S. 171. With respect to academics, I.S. 171 will continue to offer all necessary classes to support current students as they work to meet promotional requirements. As total enrollment at the school decreases, I.S. 171 may need to scale back its elective course offerings. It is difficult to predict how those changes might be implemented as decisions will be made based on student demand and available resources. However, the school will still serve 420-450 students once it reaches stable enrollment in 2016-2017, which is a sufficient size to continue offering a wide array of academic offerings.

The existing Integrated Co-Teaching ("ICT"), Self-Contained classes, and Special Education Teacher Support Services ("SETSS") will continue to be provided at I.S. 171 if this proposal is approved. Students with disabilities will continue to receive mandated services in accordance with their Individualized Education Programs ("IEPs"). Current students at I.S. 171 who receive ELL services will continue to receive all mandated ELL services.

The DOE does not expect the proposed co-location of 19K760 to impact the continued siting or space allocations for CHLDC.

Comments 8(b), 8(c), and 31 (c) suggest that the new school proposed for co-location in K171 is a charter school.

This proposal is for the opening and co-location of a new district middle school in K171. There is no charter school proposed to be sited in K171.

Comment 6(g) contends that new schools implemented under the current Bloomberg Administration have not performed any better than the previous administration.

To ensure that as many students as possible have access to the best possible education, under this Administration, New York City has replaced 140 of our lowest-performing schools with better options and opened 654 new schools: 478 districts schools, 3 District 75 schools, and 173 public charter schools. As a result, we've created more high-quality choices for families. In particular, we've found closing large, underperforming high schools and replacing them with multiple high quality new schools to be very successful. It is evidenced in the data - graduation rates at new schools are higher than at the high schools they replaced. For example, in 2012, the schools on the Van Arsdale campus in Brooklyn had a graduation rate of 87.2%—more than 40 points higher than the former Harry Van Arsdale High School's graduation rate of only 44.9% in 2002. (Van Arsdale High School completed its phase-out in 2007.)

Further, a recently published report by MDRC found that our new, small schools, "which serve mostly disadvantaged students of color, continue to produce sustained positive effects, raising graduation rates by 9.5 percentage points. This increase translates to nearly 10 more graduates for every 100 entering ninth-

grade student.” There is more work to do, but the recently released MDRC report shows our policies are effective and serving those who matter most: our students.

Comment 22(c) suggests that Building K171 does not have a library.

According to a walkthrough done by the Office of Space Planning on August 10, 2012 and feedback received from school leadership, K171 does have a library.

Comments 2(a), 3(c), 5(c), 10(a), 12(b), 13(b), 14(a), 16(a), 17(a), 17(b), 19(b), 20(a), 22(b), 24(a), 27(d), 35 and 31(a) suggest that building K171 does not have adequate space to house co-located schools and a co-location will lead to overcrowding in K161.

In general, the DOE has found that most buildings with co-locations are under-utilized. Based on a report published by the NYC Charter School Center, for the 2011–2012 school year, the average utilization in buildings that have co-locations was 89%. By comparison, the average utilization in buildings with only one school was 101%.

As noted in the EIS, K171 has a target capacity to serve 1,140 students. In 2013-2014, the building is projected to serve 772 students, yielding an estimated utilization rate of 68%. In 2016-2017, after I.S. 171 completes its enrollment reduction and 19K760 completes its phase-in, the DOE projects that K171 will have an estimated building utilization rate of 67%-72%. With respect to concerns that the utilization rate does not accurately reflect the availability of space in K171, the DOE also assessed the allocation of instructional and administrative space based on the Citywide Instructional Footprint (the “Footprint”).

The Footprint is the guide used to allocate space to all schools based on the number of class sections the school programs and the grade levels served by the school. The number of class sections at each school is determined by the Principal based on enrollment, budget, and student needs and there is a target class size based on the 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 for lunch period. The full text of the Instructional Footprint is available at [http://schools.nyc.gov/NR/ronlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011\\_FINAL.pdf](http://schools.nyc.gov/NR/ronlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.pdf).

The EIS sets forth the baseline number of rooms to be allocated to each school pursuant to the Footprint, as well as the total number rooms in a building to provide a more complete picture of the availability of space in a building. As demonstrated in the EIS, there will continue to be a substantial number of full size instructional rooms in excess of each school’s respective baseline allocations once the proposal has been fully implemented.

Nothing leads us to believe that the proposed co-location will impact I.S. 171’s enrollment or class sizes. The enrollment projections in the EIS are based on current enrollment at I.S. 171 at the entry point grade level, and assume that the same number of students will articulate up and that there will be stable incoming enrollment at the entry point grade.

Comments 9(b), 10(b), 21(f), and 28(c) suggest that this co-location proposal will fail for the same reasons that I.S. 171’s co-location with P.S. 7 failed. Similarly, comments 5(d), 8(d), and 20(b) suggest that the DOE site the new district school in its own separate building.

Given the finite number of buildings available in New York City, the DOE attempts to use all of its school buildings as efficiently as possible. Co-location is therefore very common in New York City schools – with 33% of all DOE buildings housing more than one school organization – as there are not sufficient school buildings to allow each school organization to operate its own building. While they share common spaces like auditoriums, gymnasiums, and cafeterias, each school is allocated particular classrooms and spaces for its own students’ use. The DOE is confident that I.S. 171 and 19K760’s principals will be able to create a collaborative and mutually respectful environment for all students, staff, and faculty members in K171.

The DOE has no reason to believe that the Building Council will not be able to resolve issues related to the co-location as they arise. Regarding the previous co-location with P.S. 7, the proposed co-location of 19K760 involves a very different set of circumstances, including new leadership at I.S. 171 and different grade levels, and the DOE anticipates that leadership at both I.S. 171 and 17K760 will work at the Building Council level to ensure that the needs of both schools are met. Furthermore, if the Building Council, which is comprised of the principals of the co-located schools, is unable to resolve an issue, it should engage in the dispute resolution process outlined in the Campus Policy Memo, which is available at <http://schools.nyc.gov/community/campusgov>.

Comments 1(d), 7(b), 16(b), 17(d), and 19(c) suggest that the co-location would exacerbate safety issues in the building, particularly with regards to an increase in student fighting and bullying.

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.

Comment 17(g) suggests that the DOE is closing I.S. 171.

The DOE is proposing to gradually decrease I.S. 171’s enrollment by approximately 320-350 students over a period of three years. The DOE is not proposing to phase-out or close the school. I.S. 171 will remain open as an option for future middle school students.

Comment 15 (a) suggests that students will be pushed out of I.S. 171 due to the proposal.

As stated in the EIS, if this co-location proposal is approved, 19K760 will gradually phase into K171 while I.S. 171 simultaneously reduces its enrollment. All students currently enrolled at I.S. 171 will have the option to graduate from I.S. 171, assuming that all promotional requirements have been satisfied. The new school will serve students in sixth grade in the 2014-2015 school year and will add one grade level every year until the school reaches its full grade span of sixth through eighth grade in the 2016-2017 school year, serving approximately 345-375 students. In 2016-2017, once I.S. 171 has completed its enrollment reduction and 19K760 is at full scale, it is projected that there will be approximately 765-825 students served in K171. If this proposal to co-locate 19K760 is approved, the middle school seats that

will be lost as a result of the enrollment reduction at I.S. 171 will be recovered by the new seats created by the opening of 19K760.

Comments 23(b), 26(a), and 35 express support for Principal Kendall and suggest that her leadership has facilitated improvements in school culture and programming.

The DOE acknowledges the support Principal Kendall has from the community and is pleased to receive feedback about school improvement. The DOE anticipates that this proposal will allow school leadership to concentrate on a smaller cohort of students and continue to support the development of a strong school culture.

Comments 7(c), 21(d), 27(b), and 29(c) suggest that the proposal will result in an inequitable distribution of resources between the co-located schools.

As discussed in the response to comments 6(e), 7(d), 8(f), 11(b), 14(b), 15(b), 25(b), 26(d), 28(d), 30(a), and 31(d) above, district schools receive funding based on the Fair Student Funding formula, which is based on the number and need-level of students enrolled at that school (i.e., special education, ELL, poverty, and/or proficiency status).

New district schools are provided with additional funds to cover start-up costs such as supplies and textbooks that may be required. This Other than Personal Services (OTPS) for new schools funding allocation is based on a fixed per-school amount, and a per-pupil allocation. A new school in year one of implementation at an existing site will receive \$51,000 in OTPS per school. Thereafter, the school will receive \$100 per-student in OTPS based on projected registers for the newly added grade. In the case where there is no new grade phasing-in, the school will not receive an allocation in that year.

Principals have discretion over their budget and make choices about how to prioritize their resources. New schools may choose to hire fewer administrative staff (e.g. only a single assistant principal) freeing up dollars to be directed toward other priorities.

### **Changes Made to the Proposal**

No changes have been made to the proposal.