

## **EDUCATIONAL IMPACT STATEMENT: The Proposed Phase out of Middle School for the Arts (17K587) Beginning in 2012-2013**

### **I. Summary of Proposal**

The New York City Department of Education (“DOE”) is proposing to phase out and close Middle School for the Arts (17K587, “MS for the Arts”), an existing middle school housed in Building K391 (“K391”), located at 790 East New York, Brooklyn, NY 11203, in Community School District 17, because of its low performance and its inability to turn around quickly to better support student needs. MS for the Arts currently serves students in sixth through eighth grades and admits students through the District 17 Middle School Choice Process through a screened academic selection method,<sup>1</sup> with priority to students residing in MS for the Arts’ residential zone. If this phase-out proposal is approved, MS for the Arts would no longer admit sixth grade students after the conclusion of the 2011-2012 school year. One grade will then be phased out in each subsequent year and MS for the Arts will close after June 2014. Current sixth and seventh grade students, and eighth grade students who do not meet promotional standards at the end of this school year, will continue to be served and supported by MS for the Arts as they progress toward completion of middle school. Current eighth grade students who meet promotional standards at the end of this school year will be supported as they select a high school through the Citywide High School Admissions Process for enrollment in the 2012-2013 school year.

MS for the Arts is currently “co-located” in K391 with the kindergarten through eighth grade classes of Achievement First Crown Heights Charter School (84K356, “AF Crown Heights”), an existing charter school. AF Crown Heights is phasing in to serve students in ninth through twelfth grade in separate private space in another building. AF Crown Heights is managed by the charter management organization (“CMO”) Achievement First Network (“AF”). K391 also houses two community-based organizations (“CBOs”), CAMBA and Brooklyn Center. A “co-location” means that two or more school organizations are located in the same building and may share large, common spaces like the auditoriums, gymnasiums, and cafeterias.

In a separate EIS posted in December of 2011, the DOE has also proposed to open and co-locate a new middle school (17K722, “I.S. 722”) in K391, which would serve students in sixth through eighth grade when it reaches full scale in 2014-2015. This new middle school would give priority to students residing in MS for the Arts’ zone, and then admit sixth grade students through the District 17 Middle School Choice Process through a limited unscreened selection method.<sup>2</sup> If both this proposal and the proposal to co-locate I.S. 722 in K391 are approved, I.S. 722 will provide a new middle school option for District 17 families and replace the seats lost by this proposed phase-out of MS for the Arts. I.S. 722 would be co-located in K391 with MS for the Arts and AF Crown Heights as MS for the Arts phases out and I.S. 722 phases in. The DOE does not anticipate that the proposed phase-out and replacement of MS for the Arts will impact the permanent co-location of AF Crown Heights in K391 or the two CBOs.

#### *Background on the DOE’s Decision-Making Process*

Schools are identified for possible phase-out for the following three reasons: (1) they received poor grades

<sup>1</sup> Selection criteria for a screened academic program includes: a review of student’s attendance and punctuality, in addition to a review of an essay/writing sample.

<sup>2</sup> Limited unscreened programs give priority to students who demonstrate interest in the school by attending a school’s Information Session or Open House events or visiting the school’s exhibit at any one of the Middle School Fairs.

on their annual Progress Report; (2) they received a poor rating on their annual Quality Review; or (3) they have been identified by the New York State Education Department (“SED”) as Persistently Low Achieving (“PLA”). Specifically, under the DOE’s accountability framework, all schools that receive a D or F, or a third consecutive grade of C or lower on their annual Progress Report and all schools that received a rating of Underdeveloped on their most recent Quality Review are evaluated for intensive support or intervention, including the possibility of phase-out.<sup>3</sup> Progress Reports are released by the DOE each fall and evaluate schools based on Student Progress, Student Performance, and School Environment, which includes attendance and survey feedback from parents, teachers, and sixth- to twelfth-grade students, where applicable. During Quality Reviews, experienced educators visit a school over several days, observe classrooms and talk with students, staff and families. Schools are rated on a four-point scale, with “Underdeveloped” as the lowest possible rating and “Well Developed” as the highest. A school’s Progress Report and its Quality Review may initially suggest a school should be considered for intervention, but no single criterion leads to a phase-out decision.

To identify the appropriate action that will best serve the student community, the DOE reviews school data, consults with superintendents and other experienced educators who have worked closely with the school, as well as gathers community feedback.

MS for the Arts earned an overall D grade on its 2010-2011 Progress Report. On the 2009-2010 Progress Report, MS for the Arts earned a C grade, and on the 2008-2009 Progress Report, MS for the Arts earned an A grade.<sup>4</sup>

As a result, the DOE initiated a comprehensive review of MS for the Arts with the goal of determining what intensive supports and interventions would best benefit the MS for the Arts community. During that review, the DOE looked at recent and historical performance, consulted with superintendents and other experienced educators who have worked closely with the school, and gathered community feedback.

After completing that review, the DOE believes that only the most serious intervention—the gradual phase-out and eventual closure of MS for the Arts—will best serve students and the community. Phasing-out and closing MS for the Arts will allow for new school options to develop in K391 that are intended to provide better options for families.

### *Performance and School Environment at MS for the Arts*

MS for the Arts has struggled to improve, and its performance during the last few years confirms the DOE’s assessment that the school lacks the capacity to turn around quickly to better support student needs.

- The Progress Report measures the progress and performance of students in a school, as well as the school environment, compared to other schools serving similar student populations. MS for the Arts earned an overall D grade on its 2010-11 Progress Report, including F grades for Student Progress and Student Performance and a C grade for School Environment.
- In 2010-2011, the majority of MS for the Arts’ students remained below grade level in English and Math. In 2010-2011, only 13% of students were performing on grade level in English, putting the school in the bottom 11% of middle schools Citywide in terms of English proficiency. Only 11% of students were performing on grade level in Math, putting the school in the bottom 1% of middle schools Citywide in terms of Math proficiency.
- In 2010-2011, MS for the Arts was not adequately helping students to make progress as demonstrated

<sup>3</sup> Elementary and middle schools that have average math and English Language Arts (“ELA”) proficiency rates that are higher than the district average, which earned a Well Developed or Outstanding rating on the quality review, which received an A or B on the 2010-2011 Progress Report or which are receiving a Progress Report for the first time are not considered for phase-out.

<sup>4</sup> 84% of elementary/middle schools Citywide received an A (97% received an A or B) on the 2008-09 Progress Report. This school’s 2008-09 Progress Report overall score was in the bottom 45% citywide.

by the fact that MS for the Arts was in the bottom 5% of middle schools Citywide in terms of learning growth in English and the bottom 4% in terms of learning growth in Math. Learning growth measures annual student growth on State English Language Arts (“ELA”) and Math tests relative to similar students. Thus, if these results persist, MS for the Arts students will fall further behind their peers in other schools.

- Low student performance at MS for the Arts has been a persistent trend. In 2009-2010, the school earned an overall C grade, including F grades for Student Progress and Student Performance. Only 9% of students were performing on grade level in English, putting the school in the bottom 3% of middle schools Citywide in terms of English proficiency. Only 10% of students were performing on grade level in Math, putting the school in the bottom 1% in Citywide Math proficiency.
- In 2008-2009, 50% of students were performing on grade level in English, putting the school in the bottom 21% of middle schools Citywide in terms of English proficiency. 48% of students were performing on grade level in Math, putting the school in the bottom 4% in Citywide Math proficiency.
- Safety issues have been a concern at the school. On the 2011 New York City School Survey, only 56% of teacher respondents agreed that discipline and order were maintained at MS for the Arts and only 60% of student respondents agreed that they felt safe at MS for the Arts.
- The school’s attendance rate is one of the lowest among middle schools Citywide. The 2010-2011 attendance rate was 87% compared to the Citywide middle school average attendance rate of 94%, putting MS for the Arts in the bottom 5% of New York City middle schools in terms of attendance.
- In addition, demand for seats at MS for the Art is low. District 17 middle schools admit students through the District 17 Middle School Choice process. Of the 576 students who applied through the District 17 Middle School Choice Process, only 118 students, or 20% of the applicants, ranked MS for the Arts as their top choice.<sup>5</sup> This indicates that MS for the Arts is not a desirable school option to rising sixth grade students in District 17.
- Additionally, Middle School for the Arts provides a priority to students residing in the zoned, but only 25% of students residing in the Middle School for the Arts zone chose to attend the school, suggesting that families are seeking better options.<sup>6</sup>
- Enrollment at MS for the Arts has steadily declined over the years. In the 2006-2007 school year, MS for the Arts served 440 students in sixth through eighth grade.<sup>7</sup> By 2010-2011, there were only 370 students enrolled in sixth through eighth grade, representing a 16% decrease in enrollment.<sup>8</sup>

All of these concerns suggest that the school is ill-equipped to turn around quickly to better support students.

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<sup>5</sup> The pool of applicants consist of 2010-2011 fifth grade students in District 17 applying to middle school for the 2011-2012 school year.

<sup>6</sup> 2011-2012 unaudited register as of October 31, 2011.

<sup>7</sup> 2006-2007 audited register

<sup>8</sup> 2010-2011 audited register

The chart below summarizes key performance data for MS for the Arts over the past three years:

Middle School for the Arts	2008-2009	2009-2010 <sup>9</sup>	2010-2011
<b>School Performance and Progress</b>			
Overall Progress Report Grade	A	C	D
Quality Review Score	UPF <sup>10</sup>	P	P
<b>Performance Data</b>			
English Language Arts % Proficient (Levels 3 and 4)	50%	9%	13%
Math % Proficient (Levels 3 and 4)	48%	10%	11%
<b>Other Key Performance Indicators</b>			
Attendance Rate	90.1%	88.6%	86.9%
<b>2010-2011 State Accountability Status<sup>11</sup></b>	Corrective Action (year 1) Comprehensive		

### *Overview of Past Strategic Improvement Efforts at MS for the Arts*

Staff members have worked hard to improve MS for the Arts, but even with support the school has not produced adequate outcomes for the students. To help the school's efforts to improve performance, the DOE offered numerous supports. The DOE:

#### **Leadership Support:**

- Provided extensive leadership training and mentoring for the principal and assistant principals to help them set clear goals for the school while developing the school's Comprehensive Education Plan and Language Allocation Plan.
- Coached and trained leadership on implementing plans in support of Citywide instructional initiatives and teacher effectiveness.
- Advised leadership in developing strategies around students with disabilities and English Language Learner ("ELL") students' compliance and supports.
- Trained leadership on the development of comprehensive art programming and infusing art into the core curriculum.

#### **Instructional Support:**

- Supported and trained teachers in creating curriculum maps, strategies aimed at addressing various students' entry points into content, and other instructional tools to raise teacher practice and improve student achievement.

<sup>9</sup> In 2010, the New York State Education Department adjusted the "cut scores" on annual mathematics and English Language Arts exams, raising the score required for students to achieve proficiency on the exam. As a result, the percent of students achieving proficiency fell significantly at schools statewide, including most New York City schools. While the percent of students achieving proficiency declined, on average, New York City students' scale scores on the tests remained largely unchanged relative to the prior year.

<sup>10</sup> Per the Quality Review, WD = Well Developed, P = Proficient, UPF = Under Developed with Proficient Features, U = Under Developed. MS for the Arts Quality Review can be found here: [http://schools.nyc.gov/OA/SchoolReports/2010-11/Quality\\_Review\\_2011\\_K587.pdf](http://schools.nyc.gov/OA/SchoolReports/2010-11/Quality_Review_2011_K587.pdf)

<sup>11</sup> <http://www.p12.nysed.gov/irs/accountability/>.

- Facilitated training for teachers in assessment design and the creation of rigorous tasks and rubrics aligned to Citywide instructional initiatives.
- Provided professional development opportunities for teachers on literacy instruction and the development of best practices within the ELA curriculum, including lesson models, questioning strategies, and lesson planning.
- Worked with teacher teams to support their work in establishing protocols for reviewing student data, evaluating strategies, and analyzing student work and growth.
- Coached art teachers to develop and implement literacy strategies into their lesson plans to enable students to access interdisciplinary learning.

### **Operational Support:**

- Advised school staff on budgeting, human resources issues, teacher recruitment, and building management.
- Supported staff in analyzing and improving attendance through best practices geared at strengthening school culture and the learning environment.

### **Student Support:**

- Trained the School Based Support Team in comprehensive guidance programs and evidence-based counseling strategies targeted at developing and improving the capacity for social and emotional supports at the school level.
- Developed strategies and comprehensive plans aimed at improving student achievement and developing the quality of services targeted to support students at risk of not being promoted.
- Facilitated the development of meaningful and rich relationships with various CBOs, including Above the Curve, Creative Outlet, Counseling in Schools, CAMBA, and Brooklyn Center in order to impact student achievement and deepen the rigor within the classroom.

Given MS for the Arts' lack of success, despite the availability of these supports, it is apparent that MS for the Arts has failed to develop the proper infrastructure to meet the needs of its students and families.

### *Summary of Community Feedback*

Prior to issuing this proposal, the DOE sought and received feedback from the MS for the Arts community regarding strategies to better support students and improve outcomes at the school. The DOE held meetings with the Parent Teacher Association and the School Leadership Team on October 11, 2011, to discuss possible outcomes for MS for the Arts due to its continued poor performance. The DOE also solicited community feedback via telephone and e-mail, and created a dedicated website to provide information to the public: (<http://schools.nyc.gov/community/planning/changes/brooklyn>).

While many members of the MS for the Arts community objected to the possibility of phasing-out the school, the DOE believes that this action must be taken given the school's longstanding performance struggles and the very low demand for seats at the school. The DOE will incorporate community feedback as it continues to support current MS for the Arts students working toward promotion and as it develops plans to replace MS for the Arts with other schools that better meet student and community needs.

The DOE also welcomes community feedback while this proposal is under consideration by the Panel for

Educational Policy (“PEP”).

## II. Potential Use of Building

According to the 2010-2011 Enrollment, Capacity, Utilization Report (“Blue Book”), the building in which MS for the Arts is located, K391, has the capacity to serve 1,622 students. K391 is a fully accessible building for students with physical disabilities. In 2010-2011, the building served only 1,151 students,<sup>12</sup> yielding a utilization rate of just 71%.<sup>13</sup> In 2011-2012, the building serves 1,028 students,<sup>14</sup> yielding a utilization rate of 63%.<sup>15</sup> This is one indicator that the building is “underutilized” and has extra space to accommodate additional students.

In a separate EIS that was posted in December of 2011, the DOE proposed to open and co-locate a new middle school, I.S. 722, in K391. If both this proposal and that proposal are approved, the proposed grade spans that will be served in K391 as MS for the Arts phases out and I.S. 722 phases in are as follows:

DBN	School Name	2011-12	2012-13	2013-14	2014-15
17K587	MS for the Arts	06-08	07-08	08	-
17K722	I.S. 722	-	06	06-07	06-08
84K356	AF Crown Heights	K-08	K-08	K-08	K-08

The table below demonstrates enrollment across all existing organizations and I.S. 722 during the course of the phase-out of MS for the Arts and the phase-in of I.S. 722:

School Name	2010-2011 Audited Register	2011-2012 Unaudited Enrollment	2012-2013 Projected Enrollment	2013-2014 Projected Enrollment	2014-2015 Projected Enrollment
MS for the Arts <sup>16</sup>	370	344	235 - 255	100 - 110	-
I.S. 722 <sup>17</sup>	-	-	105 - 115	210 - 230	315 - 345
AF Crown Heights Charter School <sup>18</sup>	781	684	654 - 835	654 - 835	654 - 835

<sup>12</sup> 2010-2011 audited register.

<sup>13</sup> All references to building utilization rates in this document are based on target capacity data from the 2010-2011 Blue Book. Utilization rates referenced for the 2010-2011 school year only include the number of students estimated to be regularly attending the school, and do not include Long Term Absences (“LTAs”), students who have been absent continuously for 30 days or more as of October 31, 2010.

<sup>14</sup> 2011-2012 unaudited register as of October 31, 2011.

<sup>15</sup> The utilization rate reported here may differ from that published in the 2010-2011 Blue Book because the building enrollment figures referenced throughout this EIS and used in the calculation of utilization rates is based on the unaudited enrollment as of October 31, 2011. This methodology is consistent with the manner in which the DOE conducts planning and calculates space allocations and funding for all schools. In determining the space allocation for co-located schools, the Office of Space Planning will conduct a detailed site survey and space analysis of the building to assess the amount of space available in the building.

<sup>16</sup> All projections referenced for the 2012-2013 school year and beyond reflect the forward promotion of cohorts by grade using the 2011-2012 unaudited register as of October 31, 2011.

<sup>17</sup> Enrollment projections are based on a standard phase-in plan of 4 general education sections and 1 self-contained special education section per entry grade in the first year. Actual enrollment in 2012-2013, however, will depend on applicant demand.

<sup>18</sup> All projections referenced for the 2012-13 school year and beyond reflect the charter school’s authorized enrollment pursuant to its Charter application.

<b>Total Building Enrollment</b>	1,151	1,028	994 – 1,205	964 – 1,175	969 – 1,180
<b>Utilization</b>	71%	63%	61% - 74%	59% - 72%	60% - 73%

In 2014-2015, once MS for the Arts has phased-out, and I.S. 722 is phased in, there would be approximately 969-1,180 students served in K391. The projected utilization rate for K391 at that point is approximately 60-73%. This means that K391 has adequate capacity to accommodate the new middle school.

As described in more detail in the Blue Book, which is available at <http://www.nycsca.org/Community/CapitalPlanManagementReportsData/Enrollment/2010-2011-BlueBook.pdf>, a building's target utilization rate is calculated by dividing the aggregated enrollment of all the school organizations in the building by the aggregated "target capacities" of those organizations. Each school organization's "target capacity" is calculated based upon the scheduled use of individual rooms as reported by principals during an annual facilities survey, the DOE's standards for maximum classroom capacities (which are lower than the United Federation of Teachers ("UFT") contractual class sizes and differ depending on grade level), and the efficiency with which classrooms are programmed (i.e., the frequency with which classes are scheduled in a given classroom).

The most recent year for which target capacity has been calculated for buildings is 2010-2011. As described earlier in this EIS, the DOE's projected utilization rates for the 2012-2013 school year and beyond are based on the 2010-2011 target capacity, which assumes that the components underlying that target capacity (scheduled use of classrooms, maximum classroom capacity, etc.) remain constant. Thus, projected utilization rates for 2012-2013 and beyond provide only an approximation of a building's usage because each of the factors underlying target capacity may be adjusted by principals from year to year to better accommodate students' needs. For example, changing the use of a room from an administrative room to a homeroom at the high school level will increase a building's overall target capacity because for high schools administrative rooms are not assigned a capacity. Holding enrollment constant, this change would result in a lower utilization rate. Similarly, if a room previously used as a kindergarten classroom is subsequently used as fifth grade classroom, the building's target capacity would increase because we expect that a fifth grade class will have more students than a kindergarten class. This is reflected in the fact that the DOE's standard for maximum classroom capacity is higher for fifth grade classrooms than for kindergarten classrooms. In this example, as well, assuming enrollment is constant, the utilization rate would decrease.

### III. Impact of the Proposal on Affected Students, Schools, and Community

#### A. Students

##### *Enrollment Options for Current MS for the Arts Students*

If this proposal is approved, MS for the Arts will be phased out gradually over the next several years and will no longer admit new sixth grade students after the end of this school year. Current sixth and seventh grade students who meet promotional standards at the end of this school year, and current eighth grade students who do not meet promotional standards at the end of this year, will be supported at MS for the Arts as they progress towards completion of middle school and transition to high school. Current eighth grade students who meet promotional requirements at the end of this year will apply to high school through the Citywide High School Admissions Process. Current sixth grade students who do not meet promotional standards at the end of this school year will have the opportunity to enroll as a sixth grade student at I.S.

722.

If this proposal is approved, in 2012-2013 MS for the Arts would only serve students in seventh and eighth grades, and in 2013-2014 it would only serve students in eighth grade. MS for the Arts would close after June 2014. Students who do not meet promotional requirements during the phase-out period will continue to have access to appropriate courses, support, and instruction to support their progress toward promotion and will continue to be enrolled at MS for the Arts. This may include accommodating them in existing classes, bridge classes, or pull-out classes.<sup>19</sup> Specific instructional decisions on how to serve these students will be made by school administrators and instructional staff. At the end of the 2013-2014 school year when the school is scheduled to close, any MS for the Arts students who do not meet promotional standards will be placed at another District 17 middle school or at a middle school in the district in which the student resides..

### *Impact on Academic, Extracurricular Programs, and Community Partnerships at MS for the Arts*

If this proposal is approved, MS for the Arts is not required to make any immediate proposed changes to its available academic, artistic, or extracurricular programs. That said, the availability of certain offerings at the school would inevitably be impacted as the school phases out, serves an increasingly smaller student population, and eventually closes.

The DOE remains focused on helping MS for the Arts students to succeed. If this proposal is approved, MS for the Arts would be provided targeted, customized, and intensive supports aimed at the unique needs of the school and its students. This support would be in the areas of budget, staffing, programming, community engagement, guidance, and enrollment including, but not limited to:

- Helping the school provide students with options that support their advancement, and fully prepare students for their next transition point;
- Working with school staff to foster a positive culture; and
- Supporting school leadership in efficiently and strategically allocating resources to ensure a consistent and coherent school environment focused on student outcomes

MS for the Arts currently offers Integrated Co-Teaching (“ICT”) classes, Self-Contained (“SC”) Special Education classes, and Special Education Teacher Support Services (“SETSS”). It also has a English as a Second Language (“ESL”) program for ELL students and Dual Language Programs for both Haitian/Creole and Spanish speakers. The existing ICT and SC classes and SETSS would continue to be provided as MS for the Arts phases out and students with disabilities will continue to receive mandated services in accordance with their Individualized Education Plans (“IEPs”). K391 will continue to be fully accessible. Current students at MS for the Arts who receive ELL services and participate in a Dual Language Program will continue to do so as the school phases-out.

According to the District 17 Middle School Directory, MS for the Arts currently offers the following special programs and initiatives, extracurricular activities, and partnerships:<sup>20</sup>

**Academic:** Spanish Language Instruction

**Artistic:** Visual Arts, Dance, Choral Music

**Clubs:** Dance, Choir, Drama, Capoeira Dance

<sup>19</sup> A bridge class refers to instances where a small number of students from multiple grade levels are served in the same class by one or more teachers. A pull out class refers to instances where a small group of students may be provided with targeted instruction apart from their peers for a class period. Instructional decisions are made by school leaders.

<sup>20</sup> <http://schools.nyc.gov/ChoicesEnrollment/Middle/Publications/Brooklyn/default.htm>

**Partnerships:** Public Education Needs Civic Involvement in Learning (PENCIL), Creative Outlet, Counseling in Schools, Above the Curve, CAMBA, and Brooklyn Center

MS for the Arts may continue offering these options, including a special program in the arts, but the number and range of programs offered may gradually diminish due to declining student enrollment as the school phases out. Again, it is difficult to predict precisely how those changes might be implemented as these decisions will rest with school administrators and will be made based on student interests and available resources. That is true for any City students as all schools modify extracurricular offerings annually based on student demand and available resources.

CAMBA Renaissance is housed in K391 and offers an after school program that currently serves 180 students. The program features supper and socialization, conflict resolution activities, student-selected clubs and elective activities, creative arts workshops, gender breakout sessions, homework assistance and career awareness activities. Similar to other existing partnerships, the DOE will work with MS for the Arts in an effort to provide for current students served by the CAMBA after school program, in addition to fostering similar opportunities for students served by I.S. 722 as it phases in.

Also housed within K391 is Brooklyn Center, also referred to as Brooklyn Psychotherapy Center. There is a psychotherapist on site who works with approx. 25 MS for the Arts, four days a week. Brooklyn Center has been located within K391 for some time, and used to serve M.S. 391 Mahalia Jackson (17K391, “M.S. 391”) students before the school was phased out in 2006.

As the school phases out, the DOE will work with MS for the Arts’ staff to enhance existing partnerships or develop new partnerships if specific, new student needs emerge during the phase-out period. The DOE will work with other school organizations in the building to foster opportunities for them to work with the CBOs that have supported MS for the Arts’ students in the past. As appropriate, the DOE will work with MS for the Arts to introduce or expand partnerships with the community organizations that currently support MS for the Arts’ students and other District 17 middle school students.

#### *Impact on Current and Future Students at AF Crown Heights*

AF Crown Heights is an existing charter school whose kindergarten through eighth grades are co-located with MS for the Arts in K391. Currently, AF Crown Heights is phasing in to serve students in ninth through twelfth grade in a separate, private space. The DOE does not anticipate that the proposed phase-out and eventual closure of MS for the Arts will impact admissions, current or future student enrollment, or instructional programming at AF Crown Heights.

If this proposal is approved, students may continue to apply to AF Crown Heights through the school’s charter lottery process, which gives preference to District 17 residents.<sup>21</sup> While the primary entry point for AF Crown Heights’ lottery is in kindergarten, the school may admit students in other grades from the school’s waitlist if seats become available.

The impact on AF Crown Heights of the proposed co-location of I.S. 722 in K391 is described in detail in a separate EIS and Building Utilization Plan that are available at:  
<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals>

#### *Admissions Impact for Future District 17 Middle School Students*

MS for the Arts is an academic screened middle school, which admits students through the District 17 Middle School Choice process, where fifth grade students rank order their middle school preferences on a

<sup>21</sup> For more information about the charter school lottery application process, please consult the DOE’s Directory of NYC Charter Schools, which can be accessed on the DOE’s website: <http://schools.nyc.gov/community/planning/charters/For+Parents>. Applicants who reside in the district in which a charter is located receive preference for admission.

centralized application and are matched to schools through a computer-based matching process. If this proposal is approved, though students would no longer be able to attend MS for the Arts, students would continue to have access to a broad range of middle school options through the District 17 Middle School Choice process, including I.S. 722, as outlined in the tables at the end of this section.

Middle school admissions applications will be due on December 16, 2011. If this proposal is approved by the PEP, the school will be removed from the matching process for the 2011-2012 District 17 middle school choice application process, and no current fifth grade students would be matched to MS for the Arts for the 2012-2013 school year. For example, if a current fifth grade student has submitted his or her application and selected MS for the Arts as a third-choice school, the matching process will automatically skip to the fourth choice school. Additionally, new middle schools designated to open throughout the City for the 2012-2013 school year will be available for students to consider because after the PEP votes on the proposals to open new schools, students will have the opportunity to submit a “new schools” application.

Under the District 17 Middle School Choice process, students will rank their preferences from among District 17 choice middle schools.<sup>22</sup> These options include:

- Un-zoned middle schools with a screened application process;<sup>23</sup>
- Un-zoned middle schools with unscreened<sup>24</sup> or limited-unscreened application<sup>25</sup> processes;
- A zoned middle school in the zone where the student resides (zoned students have priority for placement to their zoned school).

Through the Middle School Choice process, students receive priority admission into their zoned middle school when they rank that school on their District 17 Middle School Choice application. After a zoned school admits all zoned students matched during the middle school choice process, the school’s remaining spaces are open to out-of-zone District 17 students who indicated a preference for that school.

There is one existing District 17 middle school with an admissions method (screened academic) comparable to that of MS for the Arts, specifically the School for Democracy and Leadership (17K531). In addition, screened and audition middle schools exist and alternative programs are offered through referrals. In this way, the DOE is able to offer individual students the widest breadth of options across a large number of schools.

The table below outlines District 17, Borough-wide, and Citywide middle schools’ performance, the percentage of special education students, the percentage of ELL students, the admissions process, target utilization rate, and site accessibility.<sup>26</sup> Additional information regarding special programs and courses offered by the schools listed here is available in the Middle School Directory, which is updated yearly.<sup>27</sup>

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<sup>22</sup> <http://schools.nyc.gov/ChoicesEnrollment/Middle>.

<sup>23</sup> Screened schools admit students based on specific criteria they designate for admission.

<sup>24</sup> Unscreened schools admit all students who are eligible to apply to the school.

<sup>25</sup> Limited-unscreened schools admit students on the same basis as unscreened schools with the exception that they give preference to students who have attended a school information session.

<sup>26</sup> Target Organizational Capacity and Target Utilization Rates are from the 2010-2011 Enrollment Capacity Utilization Report.

<sup>27</sup> <http://schools.nyc.gov/ChoicesEnrollment/Middle>.

DBN	School Name	Building Code	Address	Grade Span 2011-12	Grade Span at Scale	Building Utilization	2010-2011 Progress Report Grade	% SE	% ELL	Admission Method	Site Accessibility
<b>DISTRICT Choice</b>											
17K002	M.S. 002	K002	655 PARKSIDE AVENUE	06-08	06-08	39%	B	13%	12%	Test Outcome, Zoned	Fully Programmatical ly accessible
17K061	M.S. 061 Dr. Gladstone H. Atwell	K061	400 EMPIRE BOULEVARD	06-08	06-08	80%	C	10%	5%	Screened, Test Outcome, Zoned	Not functionally accessible
17K161 <sup>28</sup>	P.S. 161 The Crown	K161	330 CROWN STREET	0K-08	0K-08	91%	D	4%	2%	Screened	Not functionally accessible
17K181	P.S. 181 Brooklyn	K181	1023 NEW YORK AVENUE	0K-08	0K-08	90%	B	9%	9%	Screened	Fully Programmatical ly accessible
17K189	P.S. 189 Lincoln Terrace	K189	1100 EAST NEW YORK AVENUE	0K-08	0K-08	120%	A	3%	21%	Screened	Not functionally accessible
17K246	M.S. 246 Walt Whitman	K246	72 VERONICA PLACE	06-08	06-08	51%	B	15%	17%	Screened	Fully Programmatical ly accessible
17K340	I.S. 340	K874	227 STERLING PLACE	06-08	06-08	85%	C	5%	0%	Test Outcome	Not functionally accessible
17K353	Elijah Stroud Middle School	K316	750 CLASSON AVENUE	06-08	06-08	43%	B	16%	6%	Unscreened	Not functionally accessible
17K354	The School of Integrated Learning	K390	1224 PARK PLACE	06-08	06-08	54%	B	20%	7%	Unscreened	Not functionally accessible
17K382	Academy for College Preparation and Career Exploration: A College Board School	K465	911 FLATBUSH AVENUE	06-12	06-12	81%	B	11%	5%	Screened	Fully Programmatical ly accessible
17K394	M.S. K394	K210	188 ROCHESTER AVENUE	0K-08	0K-08	81%	B	6%	4%	Screened	Not functionally accessible
17K484	Ronald Edmonds Learning Center II	K012	430 HOWARD AVENUE	06-08	06-08	57%	A	13%	5%	Limited Unscreened	Fully Programmatical ly accessible
17K531	School for Human Rights	K470	600 KINGSTON AVENUE	06-12	06-12	72%	C	6%	10%	Screened	Not functionally accessible
17K533	School for Democracy and Leadership	K470	600 KINGSTON AVENUE	06-12	06-12	72%	D	4%	15%	Screened	Not functionally accessible
<b>BOROUGH-WIDE Choice</b>											

<sup>28</sup> In a separate EIS, the DOE is proposing to truncate grades six through eight at P.S. 161.

13K336 <sup>29</sup>	Academy of Business and Community Development	K258	141 MACON STREET	06-12	06-12	55%	D	13%	3%	Screened	Fully Programmatical ly accessible
13K527	Urban Assembly Institute of Math and Science for Young Women	K313	283 ADAMS STREET	06-11	06-12	100%	B	13%	1%	Screened	Not functionally accessible
13K592 <sup>30</sup>	Khalil Gibran International Academy	K287	50 NAVY STREET	07-08	09-12	55%	N/A	9%	21%	Screened	Not functionally accessible
14K614	Young Women's Leadership School of Brooklyn	K049	223 GRAHAM AVENUE	06-09	06-12	65%	A	10%	3%	Limited Unscreened	Not functionally accessible
17K543	Science, Technology and Research Early College High School at Erasmus	K465	911 FLATBUSH AVENUE	06-12	06-12	81%	B	2%	0%	Screened	Fully Programmatical ly accessible
17K590	Medgar Evers College Preparatory School	K590	1186 CARROLL STREET	06-12	06-12	114%	C	0%	0%	Screened	Fully Programmatical ly accessible
18K235	P.S. 235 Lenox School	K235	525 LENOX ROAD	0K-08	0K-08	88%	A	2%	1%	Screened	Partially Programmatical ly accessible
20K609	Urban Assembly School for Criminal Justice	K223	4200 16 AVENUE	06-10	06-12	66%	A	13%	15%	Unscreened	Not functionally accessible
22K555	Brooklyn College Academy	K555	2900 BEDFORD AVENUE	07-12	07-12	222%	A	0%	0%	Screened	Fully Programmatical ly accessible
23K493 <sup>31</sup>	Brooklyn Collegiate: A College Board School	K055	2021 BERGEN STREET	06-12	06-12	65%	F	5%	2%	Screened	Fully Programmatical ly accessible
23K518	Kappa V	K275	985 ROCKAWAY AVENUE	06-08	06-08	70%	A	2%	19%	Screened	Not functionally accessible
23K522	Mott Hall IV	K271	1137 HERKIMER STREET	06-08	06-08	52%	F	2%	5%	Screened	Not functionally accessible
23K644	Eagle Academy for Young Men II	K271	1137 HERKIMER STREET	06-09	06-12	52%	B	3%	16%	Limited Unscreened	Not functionally accessible
23K697	Teachers Preparatory High School	K175	226 BRISTOL STREET	06-12	06-12	89%	B	2%	7%	Screened	Fully Programmatical ly accessible

<sup>29</sup> In a separate EIS, the DOE is proposing the closure of Academy of Business and Community Development at the end of the 2011-2012 school year.

<sup>30</sup> Khalil Gibran International Academy will be resited to building K806 in District 15 beginning in the 2012-2013 school year.

<sup>31</sup> In a separate EIS, the DOE is proposing to truncate Brooklyn Collegiate.

32K383	J.H.S. 383 Philippa Schuyler	K383	1300 GREENE AVENUE	05-08	05-08	77%	B	1%	4%	Screened	Fully Programmatical ly accessible
<b>CITY-WIDE Choice</b>											
01M539	New Explorations into Science, Technology and Math High School	M022	111 COLUMBIA STREET	0K-12	0K-12	99%	A	0%	0%	Screened	Not functionally accessible
02M407	Institute for Collaborative Education	M475	345 EAST 15TH STREET	06-12	06-12	146%	B	0%	0%	Screened	Not functionally accessible
02M408	Professional Performing Arts High School	M017	328 WEST 48 STREET	06-12	06-12	97%	B	2%	0%	Screened	Not functionally accessible
02M442	Ballet Tech, NYC Public School for Dance	M905	890 BROADWAY	04-08	04-08	60%	B	3%	0%	Screened	Not functionally accessible
03M334	The Anderson School	M044	100 WEST 77 STREET	0K-08	0K-08	103%	A	0%	0%	Screened	Fully Programmatical ly accessible
03M859	Special Music School	M932	129 WEST 67 STREET	0K-08	0K-08	57%	A	1%	0%	Screened	Not functionally accessible
04M012	Tag Young Scholars	M117	240 EAST 109 STREET	0K-08	0K-08	76%	B	0%	0%	Screened	Fully Programmatical ly accessible
21K239	Mark Twain I.S. 239 for the Gifted & Talented	K239	2401 NEPTUNE AVENUE	06-08	06-08	79%	A	1%	2%	Test Outcome	Not functionally accessible

In addition, District 17 students have several charter middle school options. The table below lists charter schools currently located in District 17 that serve middle school grades, admit students through a lottery application process, and provide a preference for District 17 students.<sup>32</sup> All students in District 17 will continue to have the opportunity to participate in these respective charter lotteries.

DBN	School	Grade Span 2011-12	Grade Span at Scale	2011-12 Total Enrollment <sup>33</sup>	Admissions Method
84K356	AF Crown Heights	K-11	K-12	791	Lottery
84K357	KIPP AMP Charter School	5-11	5-12	294	Lottery
84K704	Explore Charter School	K-8	K-8	486	Lottery
84K726	Fahari Academy Charter School	5-7	5-12	223	Lottery
84K742	Explore Empower Charter School	K-4	K-8	290	Lottery

<sup>32</sup> For more information about the charter school lottery application process, please consult the DOE's Directory of NYC Charter Schools, which can be accessed on the DOE's website: <http://schools.nyc.gov/community/planning/charters/For+Parents>.

<sup>33</sup> Based on headcount as of October 1, 2011.

Detailed information about charter schools will be published annually and will be available in print or on the DOE's website here: <http://schools.nyc.gov/community/planning/charters/For+Parents>.

Students with IEPs will participate in the middle school admissions processes in the same manner as their non-disabled peers. The DOE will support middle schools in reviewing students' IEPs to focus on addressing the needs of students with disabilities by providing individualized service models that ensure students have access to the general education curriculum to the greatest extent possible. The middle school to which a student is matched is expected to develop a program to meet the student's needs. This process applies to students with IEPs transitioning to middle school in the same manner as it applies to all other students. All students with IEPs will continue to receive mandated services.

In accordance with DOE policy, ELL students participate in the middle school admissions processes in the same manner as their peers who are not ELL students. Thus, students who are ELLs are placed according to the same placement criteria as their English-speaking peers. All ELL students will continue to receive mandated services.

### *Admissions Impact for Future Students Enrolled Through Over-the-Counter Placement*

Over-the-counter ("OTC") placement is a term that refers to the method of enrolling students who need a school assignment because they were not part of any admissions process for entry grades and/or were not enrolled in a NYC school at the time school started. These students fall into one of four categories:

- New to the New York City school system; or
- Left the New York City school system and have returned; or
- Are seeking transfers (based on the guidelines outlined in Chancellor's Regulation A-101).<sup>34</sup>
- Students who did not participate in the Middle School Choice Process for some other reason.

When a middle school eligible student arrives for an OTC placement, his/her school assignment is determined by his or her interest, home address and which schools have available seats, and where applicable, transfer guidelines. Students are eligible to attend middle school based on the district of elementary school attendance or the district to which the student's address is zoned for middle school. In un-zoned districts, the student visits a Borough Enrollment Office where he or she meets with a counselor who reviews options that will meet the student's needs. However, in many districts, students may simply report to their zoned middle school at the start of the year.

If the Division of Portfolio Planning determines that additional OTC seats may be needed, the number of available seats is reviewed and—if space allows—adjusted in those schools where the admissions methods are limited unscreened, educational option or unscreened. Should a zoned school reach capacity, the school may be "capped," in which case OTC arrivals may be directed to a different district middle school. Should sufficient space open at the capped school, the student has the right to return if the student so chooses.

If both this proposal and the proposal to open and co-locate I.S. 722 are approved, during the period of MS for the Arts' phase-out and I.S. 722's phase-in, MS for the Arts will serve students enrolled through an OTC placement in the grades it still serves and I.S. 722 will serve students enrolled through an OTC placement in the grades it serves.

In total, 75 students were admitted to sixth grade through the Middle School Choice process at MS for the Arts during the 2010-2011 school year for September 2011 enrollment. Sixteen students did not meet promotional standards at the end of the 2010-2011 school year and had to repeat the sixth grade, and approximately 21 sixth grade students were admitted to MS for the Arts through the OTC placement

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<sup>34</sup> Per Chancellor's Regulation A-101, students have the "right to return" to their prior school following discharge within one calendar year of discharge, subject to available seats. Therefore, it is possible that non-zoned students arriving for an OTC placement may be granted admission to a zoned school.

process. Similarly, 16 students were admitted to MS for the Arts for seventh grade through the OTC process and 16 students were admitted for eighth grade through the OTC process.

During the 2011-2012 school year, 20 schools in District 17 accepted a total of 894 students in grades six through eight through the OTC placement process, reflecting an average of approximately 45 students per school. Since I.S. 722 will also accept students through the OTC process if that proposal is approved, all students who would have been placed at MS for the Arts through the OTC process will be placed at I.S. 722.

## **B. Schools**

MS for the Arts currently enrolls 344 sixth through eighth grade students.<sup>35</sup> If this proposal and the proposal to open and co-locate I.S. 722 are approved, MS for the Arts will phase out gradually, but the middle school seats lost as a result of that phase-out will be replaced as I.S. 722 phases in to K391.

In 2014-2015, once MS for the Arts has phased-out and I.S. 722 is at full scale, there would be approximately 969-1,180 students served in K391, yielding a projected utilization rate of approximately 60-73%. This means that K391 has adequate capacity to accommodate the new middle school. The estimated enrollment for all organizations currently housed in K391 over a four year period can be found in Section IV.

In addition, there will be sufficient space to serve MS for the Arts, I.S. 722, and AF Crown Heights pursuant to the Citywide Instructional Footprint (the “Footprint”) throughout the period while MS for the Arts phases-out and while I.S. 722 gradually phases-in until 2014-2015. Please visit the DOE’s Website to access the Footprint, which guides space allocation and use in City schools:  
<http://schools.nyc.gov/community/planning/default.htm>.

The Footprint sets forth the baseline number of rooms that should be allocated to a school based on the grade levels served by the school and number of classes per grade. For existing schools, the Footprint is applied to the current number of sections per grade, assuming class size will remain constant. The Borough Director of Space Planning then confirms both the baseline and current space allocation totals during a walk-through of the building where he/she is accompanied by a school representative.

For elementary schools serving grades kindergarten through five (and for all pre-kindergarten programs), the Footprint assumes that classes are self contained. Therefore, the Footprint allocates one full-size room for each general education or ICT section and a full-size or half-size room to accommodate each SC special education section served by the school. In addition to these rooms, schools serving grades kindergarten through five receive an allocation of cluster or specialty rooms proportionate to the number of students enrolled. These spaces can be used at the principal’s discretion for purposes such as art and/or music instruction, among other things.

For grades six through twelve, the Footprint assumes that students move from class to class and that classrooms should be programmed at maximum efficiency. The Footprint does not require that every teacher have his or her own designated classroom. Principals are asked to program their schools efficiently so that classrooms can be used for multiple purposes throughout the course of the school day. The Footprint allocates the number of baseline classrooms for student support services, resources rooms, and administrative space based on the grades a school serves and its enrollment at scale. Any excess space will be allocated by the Building Council. Any space remaining beyond the baseline shall be allocated equitably among the co-located schools. In determining an equitable allocation, the DOE may consider factors such as the relative enrollments of the co-located schools, the grade levels served, the instructional and programmatic needs of the co-located schools, and the physical location of the excess space within the building.

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<sup>35</sup> Based on 2011-2012 unaudited register as of October 31, 2011.

As described in more detail in the attached Building Utilization Plan (“BUP”) that accompanies the EIS proposing the opening and co-location of I.S. 722, both of which are available at: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/Feb2012Proposals>, there will be sufficient instructional space in K391 to co-locate I.S. 722 with the schools and programs currently located in K391. As in other situations where schools are co-located, the schools would need to share large common and specialty rooms in the building, such as the cafeteria, the gymnasium, and the library. Specific decisions regarding the allocation of the shared spaces will be made by the Building Council, consisting of principals from all co-located schools. A Shared Space Committee will also meet a minimum of four times a year and report back to the Building Council regarding the BUP and the scheduling of shared spaces.

### **C. Community**

MS for the Arts has struggled with low performance despite the considerable support that the DOE has offered to the school. As a result, there is a need to provide better options for families in the community. Under this proposal, the K391 building will remain open, but will offer a new educational option that is intended to better support the learning needs of future middle school students in District 17. In addition, the chart in Section A above lists current middle school choice options in District 17 along with specific information on each school.

The DOE is proposing to open a new middle school in K391, which is intended to better serve the needs of the community and to replace the seats lost by the phase-out of MS for the Arts. The seats eliminated by MS for the Arts’ phase-out and eventual closure in District 17 would be recovered by the phase-in of I.S. 722.

As a result, the proposal to phase out MS for the Arts is not expected to yield a net loss of middle school seats in K391 or in District 17 and there will continue to be an excess seat capacity in District 17:

- Excluding the seats currently available at MS for the Arts, there are 3,056 sixth grade seats in District 17 public middle schools and 353 sixth grade seats in public charter schools located in District 17. In 2011-2012, there were only 2,404 sixth grade students enrolled in District 17 middle schools. Therefore, even after excluding the seats that are offered at MS for the Arts, there is still an excess in seat capacity of 1,005 in District 17 middle schools.
- The proposed opening of I.S. 722 in K391 is projected to create 105-115 sixth grade seats in District 17. The sixth grade seats in District 17 eliminated by MS for the Arts phase-out and eventual closure would be recovered through the phase-in of I.S. 722.

The DOE is also proposing to truncate grades six through eight at P.S. 161 The Crown (17K161, “P.S. 161”), located in building K161 beginning in the 2012-2013 school year. The DOE is not proposing any plans to directly replace the seats eliminated by this truncation. However, even if both this proposal and the proposal to truncate P.S. 161’s middle school are approved, there will continue to be an excess in seat capacity in District 17 middle schools.

Finally, this proposal is not expected to impact the ability of community members and organizations to obtain school building use permits at K391. This proposal is not expected to impact the site accessibility (fully accessible) of K391.

## IV. Enrollment, Admissions and School Performance Information

### Middle School for the Arts

#### Admissions Data

<b>Current Admissions</b>	6-8: District 17 Middle School Choice Application Process – Academic Screened Selection Method
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#### Enrollment Data

	Grade 6	Grade 7	Grade 8	Total Enrollment
2011-12 (unaudited)	107	140	97	344
2012-13 (proj.)	-	100 - 110	135 - 145	235 - 255
2013-14 (proj.)	-	-	100 - 110	100 - 110
2014-15 (proj.)	-	-	-	-

#### Demographic Data

Percentage of Students Receiving ICT or SC Services <sup>36</sup>	17%
Percentage of Students with IEPs <sup>37</sup>	23%
Percentage of ELL Students <sup>38</sup>	5%
Percentage of Students Eligible for Free or Reduced Lunch <sup>39</sup>	96%

#### School Performance Data

Middle School for the Arts	2008-2009	2009-2010	2010-2011
<b>School Performance and Progress</b>			
Overall Progress Report Grade	A	C	D
Quality Review Score	UPF	P	P
<b>Performance Data</b>			
English Language Arts % Proficient (Levels 3 and 4)	50%	9%	13%
Math % Proficient (Levels 3 and 4)	48%	10%	11%
<b>Other Key Performance Indicators</b>			

<sup>36</sup> Students receiving ICT and SC services as percentage of total students from the 2011-2012 unaudited register as of October 31, 2011.

<sup>37</sup> Students with IEPs as percentage of total students from the 2011-2012 unaudited register as of October 31, 2011.

<sup>38</sup> ELL students as percentage of total students from the 2011-2012 unaudited register as of October 31, 2011.

<sup>39</sup> Percentage of students eligible for free or reduced lunch from School Allocation Memorandum No. 8, FY12, July 5, 2011.

Attendance Rate	91%	89%	87%
<b>2010-2011 State Accountability Status</b>	Corrective Action (year 1) Comprehensive		

## Achievement First Crown Heights

### Admissions Data

<b>Current Admissions</b>	Charter Lottery for K-11, school is in the process of phasing-in to serve additional K-12.
<b>Admissions after Phase-out of MS for the Arts</b>	No change

### Enrollment Data

	Grade KG	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Total Enrollment
2011-12 (unaudited)	75	88	85	69	71	82	79	74	61	684
2012-13 (proj.)	79-101	79-101	77-99	72-92	67-85	77-98	72-92	68-86	63-81	654-835
2013-14 (proj.)	79-101	79-101	77-99	72-92	67-85	77-98	72-92	68-86	63-81	654-835
2014-15 (proj.)	79-101	79-101	77-99	72-92	67-85	77-98	72-92	68-86	63-81	654-835

### Demographic Data

Percentage of Students Receiving ICT or SC Services	0%
Percentage of Students with IEPs	10%
Percentage of ELL Students	0%
Percentage of Students Eligible for Free or Reduced Lunch <sup>40</sup>	75%

### School Performance Data

Achievement First Crown Heights	2008-2009	2009-2010	2010-2011
<b>School Performance and Progress</b>			
Overall Progress Report Grade	A	C	A
Quality Review Score	N/A	N/A	N/A
<b>Performance Data</b>			
English Language Arts % Proficient (Levels 3 and 4)	78%	42%	53%
Math % Proficient (Levels 3 and 4)	95%	70%	82%
<b>Other Key Performance Indicators</b>			
Attendance Rate	98%	97%	96%
<b>2010-2011 State Accountability Status</b>	In Good Standing		

<sup>40</sup> Percentage of Students Eligible for Free or Reduced Lunch from the 2011 Unaudited Register as of October 31, 2011.

## V. Initial Costs and Savings

Once the phase-out is fully implemented, the DOE will cease to allocate funds to MS for the Arts and repurpose all remaining funds previously allocated to the school.

Most funding in school budgets is allocated on a per-pupil basis. For each student no longer on the MS for the Arts roster as the phase-out is implemented, the school is expected to receive approximately \$4,412.45 less in base per pupil funding annually for middle school students. These estimates are based on current Fair Student Funding (“FSF”) per capita allocation levels and are subject to annual variation. FSF covers basic instructional expenses and FSF funds may, at the school’s discretion, be used to hire staff, purchase supplies and materials, or implement instructional programs.

As a result of the phase-out, the total number of students enrolled at MS for the Arts will decline each year, meaning that the school will need fewer teachers and fewer supplies to meet the needs of its smaller student population. 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 naturally increasing or decreasing as enrollment fluctuates from year to year.

Please note that increased or reduced per capita funds allocated to the school as a result of this proposal do not represent net/incremental system costs. Potential additional costs to the system may occur, however, if teachers and other school staff, no longer needed at the school due to declining enrollments, are unsuccessful in finding other employment opportunities in the department and revert to the Absent Teacher Reserve (“ATR”). Additionally, as pupil enrollment declines, the school may face below average class sizes due to the inability to fill every seat in each classroom. Under pupil-based funding, empty classroom seats result in fewer funds available to support the cost of classroom operations. All dollar amounts are based on FY 12 allocations and are subject to annual variation based on adjustments to the DOE's overall operating budget. All costs related to opening a new school will be included in the separate EIS proposing the co-location of MS for the Arts with I.S. 722.

## VI. Effect on Personnel Needs, Costs of Instruction, Administration, Transportation and Other Support Services

### A. Personnel Needs

All teachers, administrative and non-pedagogical staff at MS for the Arts would be excessed over the course of the phase-out.<sup>41</sup> This process would take place gradually as student enrollment declines with each successive graduating class. With fewer students, the school’s staffing needs will naturally be reduced. All excessing would be conducted in accordance with existing labor contracts. For example, the current UFT 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 teacher who did not find a permanent position would be placed in the 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.

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<sup>41</sup> Excessing of staff occurs when a school requires fewer positions than the number of staff currently in the license area or job title.

It is also important to understand that the students who would otherwise have enrolled in MS for the Arts may enroll in I.S. 722 or other new schools opening borough-wide, and those schools might hire additional staff. New staff positions also would be created due to the phase-in of new or replacement schools Citywide. Consequently, this proposal would not necessarily result in a net loss of teaching positions within the Citywide system.

New district schools follow the hiring process consistent with the procedures set forth in the collective bargaining agreement between the DOE and UFT. New district schools hiring that have an impact on a school that is closing or phasing out, shall be required to hire no less than 50% of the most senior qualified staff from the closing or phasing out school, if sufficient number of staff apply, until the impacted school is closed.

There is no anticipated impact on the personnel needs of AF Crown Heights.

## **B. Cost of Instruction**

As a result of the phase-out, the total number of students enrolled at MS for the Arts will decline each year, meaning that the school will need fewer teachers and fewer supplies to meet the needs of its smaller student population. 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 naturally increasing or decreasing as enrollment fluctuates from year to year.

In addition, FSF awards supplemental allocations on a per pupil basis to students who have additional needs and therefore cost more to educate. For example, during the 2011-2012 school year, middle schools received an additional \$2,043.69 per pupil for each ELL student they enrolled.

As with all other schools Citywide, MS for the Arts may receive additional “categorical” funding based on student characteristics and needs. For example, federal Title I funding is awarded to schools based on the proportion of low-income students they enroll. MS for the Arts is currently a Title I school. Assuming that the school continues to meet Title I criteria, the school’s Title I funding award will adjust as the size of the school population changes.

While schools do receive supplemental support for students with disabilities through FSF, that only represents part of the funding provided to support those students. Schools are budgeted to meet the needs of their students with disabilities as defined by their IEPs. Even as MS for the Arts is phased out, funding will continue to be provided to meet the needs of all students with disabilities in accordance with their IEPs.

There is no anticipated impact on the cost of instruction for the other existing organizations in the building.

## **C. Administration**

All school supervisor and/or administrator positions assigned to MS for the Arts would eventually be excessed when the school is closed. Some positions would likely be excessed as the school gradually phases out, as administrative needs would decrease as the school serves an increasingly smaller student population. Again, all excessing would take place in accordance with existing labor contracts.

There is no anticipated impact on the administration of the other existing organizations in building K391.

## **D. Transportation**

There will be no change to existing transportation practices at MS for the Arts or AF Crown Heights throughout its phase-out. Transportation will be provided according to Chancellor’s Regulation A-801: <http://schools.nyc.gov/NR/rdonlyres/21A1B11A-886B-4F74-9546-E875EE82A14C/40303/A801.pdf>.

There is no anticipated impact on the transportation of the other existing organizations in the building.

#### E. Other Support Services

The provision of certain support services is described above. Other support services will continue to be provided consistent with Citywide policy.

### VII. Building Information

<b>Building</b>		K391
<b>Type of Building</b>		Junior High-Intermediate-Middle
<b>Year Built</b>		1976
<b>Overall BCAS rating</b>		2.56
<b>2010-2011 Target Building Utilization</b>		65%
<b>2010-2011 Target Building Capacity</b>		1,622
<b>FY 2011 Maintenance Costs</b>	<b>Labor</b>	\$27,200
	<b>Materials</b>	\$15,438
	<b>Maintenance and repair contracts</b>	\$61,425
	<b>Service contracts</b>	\$4,830
	<b>Custodial operations costs— Materials</b>	\$11,774
	<b>Custodial operations costs— Custodial Allocation</b>	\$341,110
<b>FY2011 Energy Costs</b>	<b>Electric</b>	\$215,117
	<b>Gas</b>	\$360
	<b>Oil</b>	\$63,624
<b>Projects completed during the current or prior school year</b>		CIP- Ansul system, IP surveillance
<b>Projects proposed in the capital plan</b>		IP surveillance camera installation
<b>Accessibility of the building</b>		Fully Programmatically accessible
<b>Building attributes</b>		Art room, Auditorium, Cafeteria, Computer rooms, Gymnasium, Library, Nurse's office & Science Lab (CRs)