



Public Comment Analysis

Date: February 8, 2012

Topic: The Proposed Expansion and Co-location of P.S. 008 Robert Fulton (13K008) with Existing Schools George Westinghouse Career and Technical Education High School (13K605), City Polytechnic High School of Engineering, Architecture, and Technology (13K674), and a D75 School (75K369@K580) in Building K580 Beginning in 2012-2013

Date of Panel Vote: February 9, 2012

Summary of Proposal

The New York City Department of Education (“DOE”) is proposing to allow P.S. 008 Robert Fulton (13K008, “P.S. 8”) to expand to serve students in kindergarten through eighth grade and to serve the students in grades six through eight in Building K580 (“K580”), located at 105 Johnson Street, Brooklyn, NY 11201 in Community School District 13, beginning in the 2012-2013 school year. P.S. 8 is an existing elementary school that currently serves students in kindergarten through fifth grade, and offers a full-day pre-kindergarten program in Building K008 (“K008”), located at 37 Hicks Street in Community School District 13. P.S. 8 is currently the only school located in K008.

If this proposal is approved, P.S. 8 would expand to serve students in grades six through eight. Those middle school grades would be co-located in K580 with two Career and Technical Education (“CTE”) high schools: George Westinghouse Career and Technical Education High School (13K605, “Westinghouse”), an existing DOE limited unscreened high school serving students in grades nine through twelve, and City Polytechnic High School of Engineering, Architecture, and Technology (13K674, “City Poly”), an existing DOE limited unscreened high school, which is currently phasing in and will be at full scale serving students in grades nine through twelve in 2012-2013. CTE programs integrate rigorous academic study with workforce skills in specific career pathways. Students participate in programs that meet business and industry standards. Students receive instruction in an industry-related area and have the opportunity to graduate high school with industry-specific competencies and skills that lead to postsecondary education, further industry training and/or entry into the workforce. P.S. 8 would also be co-located with an existing District 75 School (“75K369@K580”), which serves students in grades nine through twelve with a range of learning and emotional disabilities. 75K369 @K580 is an inclusion program, and its students are enrolled in Westinghouse’s general education classes, and, depending on their individual needs, receive Special Education Teacher Support Services (“SETSS”). K580 also houses a Community Based Organization (“CBO”),

Counseling in Schools, and a Young Adult Borough Center (“YABC”) program, Downtown Brooklyn YABC (13K657). Under this proposal, P.S. 8 would continue to serve its kindergarten through fifth grade students at K008.

K008 has a target capacity of 353, but in 2010-2011, P.S. 8 served 552 students, yielding a utilization rate of 156%. As such, K008 does not have adequate space to accommodate P.S. 8’s expansion to include middle school grades. Therefore, the DOE is proposing to split-site and co-locate P.S. 8’s sixth through eighth grades in K580. A “split-site” means that a single organization serves some grade levels in one building and other grade levels in another building. A “co-location” means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, and cafeterias. If this proposal is approved, in 2012-2013 P.S. 8 would expand to serve sixth grade students in K580 and, in the following years, would expand by one grade each year until it reaches full scale in 2014-2015.

K580 has adequate capacity to accommodate the co-location of P.S. 8’s middle school grades with Westinghouse, City Poly, and 75K369@K580 at full operational capacity. In the 2011-2012 school year, K580 had a target capacity to serve 1,614 students but served only 1,279 students, yielding a building utilization rate of 79%. During the 2014-2015 school year, when P.S. 8 will be fully phased in if this proposal is approved, K580 is projected to serve approximately 1,445-1,560 students, yielding an approximate building utilization rate of 90-97%. Thus, K580 has the capacity to accommodate the proposed expansion of P.S. 8.

If this proposal is approved, P.S. 8 will grow to serve students in sixth through eighth grade in a split-site at K580, where it will be co-located with Westinghouse, City Poly, and 75K369@K580. P.S. 8 will begin serving sixth grade in building K580 in 2012-2013, and will add one grade each year until it reaches full scale in 2014-2015.

The details of this proposal have been released in an Educational Impact Statement (“EIS”) which can be accessed here: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/Feb2012Proposals>.

Copies of the EIS are also available in the main offices of P.S. 8, Westinghouse, City Poly, and 75K369@K580.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at K580 on February 6, 2012. Members from the School Leadership Teams (“SLT”) at 75K369@K580, Westinghouse, City Poly, and P.S. 8 were invited to attend. The DOE also invited the Citywide Council for High Schools, the Citywide Council for Special Education, and the Citywide Council for English Language Learners. At the hearing, interested parties had an opportunity to provide input on the proposal. Approximately 85 members of the public attended the hearing and 35 people spoke. Present at the meeting were: Chancellor’s Designee, Brooklyn High School Superintendent Karen Watts; District 13 Community Education Council (“CEC”) Representative, David Goldsmith; Westinghouse Principal, Janine Kieran; Westinghouse SLT Representative, Earline Mensah; City Poly Principal, Chris Aguirre; City Poly SLT Representative, Armando Echeverry; P.S. 8

Principal, Seth Phillips; and P.S. 8 SLT Representative, Maura Balaban. The 75K369@K580 SLT representative did not attend.

The following comments and remarks were made at the joint public hearing:

1. CEC Representative David Goldsmith expressed his support for the proposal. He also stated:
 - a. The CEC and community are not involved in the DOE's decision-making process.
 - b. Principals Kieran, Aguirre, and Phillips met for the first time only a few days ago on a tour of K580.
 - c. The DOE has not met with the CEC to discuss expanding quality options for all District 13 students.
2. P.S. 8 Principal Seth Phillips spoke in support of the proposal.
3. P.S. 8 SLT Representative Maura Balaban spoke in support of the proposal.
4. Westinghouse SLT Representative Earline Mensah does not support the proposal for the following reasons:
 - a. The small schools initiative is failing to achieve student goals. Many schools are placed in large struggling schools with pre-existing safety and space issues, resulting in conflicts between police officers, teachers, and students.
 - b. Negative consequences arise from co-locations of too many schools in one building.
 - c. The principals of the existing school organizations in K580 are still working out space issues, and a co-location will complicate this process. Furthermore, K580 does not have an auditorium, there are not enough bathrooms to support current students in the building, and the cafeteria space is not adequate for dining.
 - d. There are other under-utilized buildings in District 13 that are more age-appropriate for middle school students.
 - e. The needs of Westinghouse and City Poly students and parents were not taken into consideration. Current high school students in the building need to focus on being college ready, not contend with issues arising from a co-location.
5. City Poly SLT Representative Armando Echeverry expressed his opposition to the proposed co-location of P.S. 8's middle school grades in K580 for the following reasons:
 - a. Safety will be a concern because of the varying age levels of students in the building.
 - b. The proposal feels like a done deal and City Poly parents were not involved in the process.
6. Belinda Cape, a representative for State Senator Daniel Squadron, read remarks prepared by the Senator who expressed his support for the proposal.
7. City Council Member Steven Levin spoke in support of the proposal.
8. Multiple commenters spoke in support of the proposal.
9. Multiple commenters expressed concern about student safety should another school be co-located in the building and raised the necessity of adding additional safety agents to the building.
10. Multiple commenters expressed concern about student safety based on the varying age levels in the building, should the proposal be approved.
11. Multiple commenters raised the issue of inadequate bathroom facilities in K580.
12. Multiple commenters raised concern over how schools would share spaces such as the cafeteria, gymnasium, and bathrooms.

13. One commenter stated that there is not enough space in K580 for current Westinghouse students and expressed concern over shared space issues that would arise from the co-location of another school in the building.
14. CEC Representative Khem Irby stated her belief that no schools should be co-located. She expressed her opposition to this proposal for the following reasons:
 - a. Parent Teacher Association representatives were not on the most recent walk-through of K580, exemplifying that this is not an inclusive process.
 - b. The DOE is deliberately reducing Westinghouse's enrollment by 200 students in an effort to create more space in the building. Because funding is related to enrollment, this will have a negative effect on Westinghouse.
 - c. How can the DOE ensure that an elementary school principal is equipped to start and lead a successful middle school?
 - d. The varying age levels of students in K580 will be detrimental to the safety of students in the building.
 - e. The Urban Assembly Academy of Arts and Letters community expressed interest in expanding and the DOE should have expanded that school to serve middle school grades.

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

15. The DOE received a letter from multiple P.S. 8 parents who supported the proposal.
16. The DOE received an email in support of the proposed expansion, but asked that the DOE resolve the following issues prior to approval of the proposal:
 - a. The provision of an adequate number of school safety agents.
 - b. All students should have access to adequate bathroom facilities, as sixth grade students should not be sharing bathrooms with twelfth grade students.
17. The DOE received a letter from Assembly Member Joan Millman in support of the proposal.
18. The DOE received two oral comments stating that P.S. 8 elementary school students should not be in a building with high school students.
19. Class Size Matters ("CSM"), submitted written comments objecting to all of the proposed phase-outs and truncations proposed by the DOE. In opposing the DOE's proposal to phase-out and eventually close these schools, the CSM comments cited the following reasons: (1) none of the Educational Impact Statements for the proposals include discussion of how the proposed phase-outs or, where applicable, the co-locations would affect class size; (2) the Citywide Instructional Footprint does not include class size standards; (3) the Educational Impact Statements use utilization figures from the DOE's Blue Book, which does not take into account the need to reduce class sizes in schools Citywide; (4) the community members, faculty, and families of schools that have been proposed for phase-out have opposed the proposed phase-outs and truncations; (5) the schools that have been proposed for phase-out and/or truncation have high concentrations of "at-risk" students, as defined as English Language Learner students, students with disabilities, and economically disadvantaged students.
 - a. CSM specifically suggests that there is a proposal for co-location of elementary and high schools in K580.

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

- Comments 2, 3, 6, 7, 8, 15, and 17 expressed support for the proposal and therefore do not require a response.
- Comments 1(a, c), 4(e), and 5(b) concern the public input process and comments 1(b) and 14(a) relate specifically the recent tour of K580.

The DOE appreciates all feedback from the community regarding a proposal. When the EIS was issued, it was made available to the staff, faculty and parents of P.S. 8, Westinghouse, City Poly, and 75K369@K580 on the DOE's Web site, and in each school's main office. The DOE dedicated a proposal-specific Web site and voicemail to collect feedback on this proposal. All schools' staff, faculty, and parent communities were invited to the Joint Public Hearing to solicit further feedback.

Although the DOE recognizes that people in the community may opposed this proposal, the DOE believes that, if this proposal is approved, the school communities at P.S. 8, Westinghouse, City Poly, and the 75K369@K580 will be able to create productive and collaborative partnerships.

The proposed co-location of P.S. 8's middle school grades in K580 is not yet final because it has not yet been voted on by the Panel on Educational Policy ("PEP") at its February 9, 2012 meeting. All of the commentary gathered at the joint public hearing, and all oral and written comments received in advance of the February 9, 2012 PEP meeting, were compiled into this analysis of public comment document. PEP members will receive a copy of this document in advance of the PEP meeting and will be able to read the public's feedback on the proposal. At the February 9, 2012 PEP meeting, which will be held at Brooklyn Tech High School, PEP members will vote on the proposed co-location of P.S. 8's middle school grades in K580.

Because the proposal has not yet been approved, it would be premature to initiate elaborate space planning and meetings between the current the staff at K580 and P.S. 8. Should the PEP approve the proposed co-location, the Office of Space Planning would shortly thereafter being space planning with the P.S. 8, City Poly, Westinghouse, and 75K369@K580 principals.

With respect to the recent tour of K580, at the request of local elected officials, the DOE organized a campus tour of the building. All Principals impacted by the proposed co-location proposal were invited to attend.

- Comments 4(a, b, c), 9, 11, 12, and 13 express concern over whether there is adequate space in K580 to accommodate all the co-located students, as well as sharing of common spaces.

As stated in the EIS, K580 has adequate capacity to accommodate the co-location of P.S. 8's middle school grades with Westinghouse, City Poly, and 75K369@K580 at full operational capacity. In the 2011-2012 school year, K580 had a target capacity to serve 1,614 students but served only 1,279 students, yielding a building utilization rate of 79%. During the 2014-2015 school year, when P.S. 8 will be fully phased in if this proposal is approved, K580 is projected to serve approximately 1,445-1,560 students, yielding an approximate building utilization rate of 90-97%.

There is also sufficient space to accommodate this proposed co-location pursuant to the Citywide Instructional Footprint (the "Footprint"). Please visit the DOE's Web site 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 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.

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, in conjunction with the DOE's Office of Space Planning. If the Principals are unable to agree upon a schedule for shared spaces, there is a mediation process outlined in the Campus Policy Memo, which is available at <http://schools.nyc.gov/community/campusgov>.

According to a building walkthrough and survey performed on October 5, 2011 by the Office of Space Planning, K580 has a total of 73 full-size rooms, including 5 science laboratories, 4 science demonstration rooms, 5 computer laboratories, the library, and 13 extra-large shop classrooms, 16 half-size rooms, 6 quarter-size rooms, and 7.5 full-size equivalent rooms of designed administrative/office space. K580 also contains a gymnasium and a cafeteria. The proposed allocation of these spaces between the co-located schools is described in the EIS.

After each school has received its baseline Footprint allocation, there is an excess of 18

full-size, 5 half-size, and 3 quarter-size spaces in K580. Therefore, there is sufficient space in K580 to accommodate the co-location of P.S. 8 with City Poly, Westinghouse, and 75K369@K580 in K580. Each school will continue to receive at least its baseline Footprint allocation, and any excess space above the space allocated by the Footprint will be divided equitably among the schools as decided by the Building Council in conjunction with the DOE Office of Space Planning. In addition, the Office of Space Planning will also work with the schools in K580 to ensure a smooth transition, if necessary, of any rooms currently being used above the Footprint allocation.

The DOE notes that the addition of another co-located organization does not require additional toilets, as buildings are designed to accommodate the number of occupants indicated in their target capacities.

In many buildings where schools are co-located, each school is assigned bathrooms on the floors or hallways of their classrooms and specific stairways for students to use. These measures are taken to cultivate cohesive cultures within each school. Separation between schools is intended to limit any issues that might arise from groups of students who may not know each other well and to nurture school unity. If the assignment of specific bathrooms is not working or is inadequate, Building Council can discuss an alternative arrangement.

- Comment 4(d) concerns under-utilized (“UU”) space in District 13.

While there are numerous buildings in District 13 on the UU list, the DOE feels confident that K580 is a good match for the proposed co-location of P.S. 8’s middle school grades. The DOE considered multiple buildings from the UU list and did multiple building walkthroughs and space reviews, in conjunction with other planning priorities. K580 was ultimately selected due to the adequate space and proximity to the main PS 8 building, which would help ease the administration of overseeing a split-sited organization.

- Comment 14(b) concerns the enrollment reduction at Westinghouse.

As stated in the EIS, the DOE plans to introduce a strategic reduction to Westinghouse’s enrollment over the course of four years, with the goal of focusing academic instruction and school support services on a smaller number of students. Beginning in the year 2012-2013, Westinghouse will reduce the number of incoming ninth grade students. By 2015-2016, the DOE projects that Westinghouse will serve 200 fewer students in total. This refined focus on a smaller student body is intended to better position Westinghouse to improve student achievement, particularly with struggling students and students with disabilities. The basic operating budget for those schools is determined by the same Fair Student Funding (“FSF”) formula used at all other New York City District public schools. Under FSF, schools receive City tax levy funding on a per pupil basis. Therefore, as Westinghouse’s enrollment declines, its FSF funding will decline. As the DOE is projecting a reduction in Westinghouse’s total enrollment, the school may also choose to scale back its special programs and initiatives or enrichment classes.

This reduction is not related to the proposed co-location of P.S. 8's middle school grades in K580.

- Comment 14(c) concerns P.S. 8's transition from serving elementary to middle school students.

The DOE strives to ensure that all students in New York City have access to a diverse range of high-quality schools at every stage of their education. The proposal to expand P.S. 8's grade span was initiated by the school, and was made with the support of many of the school's parents and members of the broader community surrounding the school. This suggests a high level of satisfaction with the school and parent confidence that an expanded P.S. 8 would continue to provide a supportive environment and suit the needs of future middle school students.

The grade expansion application submitted by P.S. 8 demonstrated its ability to address the individual needs of students and to ensure that all students meet their potential and are held to high academic and behavioral expectations.

While the DOE acknowledges that there are notable differences between an elementary school and a middle school, the DOE is confident that P.S. 8 is well-positioned for the proposed grade expansion based on the school's strong culture and leadership, performance history, and solid connections to the community.

- Comments 4(a), 5(a), 10, 13, 14(d), and 18 concern safety issues resulting from varying age levels of students sharing a building and the number safety agents assigned to the school.

Comment 18 incorrectly states that elementary students will be served in K580. P.S. 8 will continue serving students in kindergarten through fifth grade in K008.

Due to space limitations in New York City, it is not unusual for varying grade levels to be co-located together. There are successful examples of kindergarten through twelfth grade buildings or campuses, including:

- Leadership Prep Bedford Stuyvesant Charter School, an elementary school, which shares a building with the Academy of Business and Community Development, a school serving six through twelfth grade;
- The Julia Richman Educational Complex, which houses four small high schools, a kindergarten through eighth grade school, and a District 75 program;
- Mott Hall IV, a middle school, which shares a building with Eagle Academy for Young Men II, which currently serves sixth through eighth grade, and Leadership Preparatory Ocean Hill Charter School, which currently serves kindergarten and first grade;
- Harlem Success Academy 4, an elementary school, which shares a building with Opportunity Charter School, which serves sixth through twelfth grade in District 3; and

- J.H.S. 13 Jackie Robinson, a middle school, which shares a building with Central Park East I, an elementary school, and Central Park East High School.

With respect to safety agents, pursuant to Chancellor’s Regulation A-414, every school/campus must have a School Safety Committee (“the Committee”). The Committee is responsible for addressing safety matters on an on-going basis and making appropriate recommendations to the principal when it identifies the need for additional security measures, intervention, training, etc. The Committee is also 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. School Safety Plans are updated annually to meet the changing security needs, changes in organization and building conditions and any other factors. These updates could also be made at any other time when necessary to address security concerns.

The Office of School and Youth Development (“OSYD”) works collaboratively with the New York Police Department on the deployment of extra safety agents. Principals are encouraged to contact their Borough Safety Director to adjust the deployment needs of a school. Additionally, all principals of the co-located schools in K580 will work together to re-write the Campus Safety Plan in an effort to accommodate arrival times, dismissal times, and any other operational issues that may arise.

- Comment 14(e) is not related to this proposal, and does not require further analysis. It should be noted, though, that the Urban Assembly Academy of Arts and Letters currently does serve middle school grades and was approved in 2010-2011 to expand to serve kindergarten through eighth grades in its current location.
- Comment 19 concerns class size.

Class size is primarily determined by how principals choose to program students at their school within their budget. Thus, no particular proposal, in and of itself, necessarily impacts class size. The Citywide instructional footprint relies upon the current programming at a school (number of sections) to determine the baseline footprint allocation. Decisions to co-locate schools are not based solely on the utilization figures in the Blue Book. The DOE also considers the total number of classrooms in the building and the number of sections currently programmed at all schools in the building or projected to be programmed to determine the availability of excess space and the baseline footprint for each school.

The DOE acknowledges that there some members of the schools’ communities that are opposed to the proposal, and/or prioritize smaller class sizes. However, given the schools’ longstanding performance struggles, we believe that phasing out certain schools and/or creating new educational options by co-locating new schools will best serve the families in these communities.

With respect to CSM's comments regarding the particular types of students who attend phase-out schools, it should be noted that schools progress report grades are based in part on a comparison of the school with peer schools serving similar populations of students. Poor performance report grades thus indicate that a school is not serving its students well, both objectively and by comparison to other schools serving similar students. Moreover, the new schools proposed to open are anticipated to serve student populations similar to the phasing out school.

In response to comment 19 (a), this proposal is for expansion and co-location of middle school grades with two high schools. We are not proposing any elementary schools grades in the building.

Changes Made to the Proposal

No changes have been made to this proposal.