



Public Comment Analysis

Date: February 8, 2012

Topic: The Proposed Opening and Co-location of a New Middle School (23K423) with Existing School P.S. 298 Dr. Betty Shabazz (23K298) in Building K298, 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 open and site a new middle school, 23K423 (“23K423”), at 85 Watkins Street, Brooklyn, NY 11212, in Community School District 23, in building K298 (“K298”). 23K423 would be a new District 23 middle school that would serve sixth through eighth grades and would admit students through the District 23 Middle School Choice application process with a limited unscreened selection method. If this proposal is approved, in 2012-2013, 23K423 will begin enrolling 85-95 students in sixth grade; it will add one grade per year until it is full scale and serves sixth through eighth grade in 2014-2015.

23K423 would be “co-located” in the K298 building with P.S. 298 Dr. Betty Shabazz (23K298, “P.S. 298”). 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.

In a separate Educational Impact Statement (“EIS”) published on December 19, 2011 the DOE has proposed to gradually truncate the middle school grades of P.S. 298 because of its low performance and inability to turn around quickly to better support student needs in the middle school grades. If the truncation proposal is approved, P.S. 298 will no longer admit sixth grade students after the conclusion of the 2011-2012 school year. The DOE is proposing to open a new middle school to back-fill the space that would be vacated by the truncation of P.S. 298’s middle school grades. If the proposal to truncate P.S. 298 and the proposal to open 23K423 are approved, the middle school grades of P.S. 298 will be phased out as 23K423 phases in to building K298. During the 2012-2013 school year, P.S. 298 will serve students in kindergarten through fifth grade, and seventh and eighth grade; 23K423 will serve sixth grade. In 2013-14, P.S. 298 will serve students in kindergarten through fifth grade, and eighth grade; 23K423 will serve students in sixth and seventh grade. In 2014-15, P.S. 298 will only serve kindergarten through fifth grade; 23K423 will be at full-scale and serve sixth through eighth grade. P.S. 298 currently serves 3 full-day sections of pre-kindergarten. Pending continued demand and funding availability, the DOE does not expect any impact on the existing pre-kindergarten programs

served at P.S. 298.

In 2010-2011, K298 had a target capacity of 821 students, but the building enrolled a total of 572 students, yielding a building utilization rate of 70%. In 2011-2012, the building serves a total of 512 students, yielding a utilization rate of 62%.

In 2014-2015, once P.S. 298 has completed its truncation and 23K423 is at full-scale, there will be approximately 589-679 students served in the building, which would yield a target building utilization rate of approximately 72-83%.

If approved, 23K423 would replace the middle school seats that would be lost as a result of the truncation of P.S. 298 and would provide a new middle school option for families in District 23. This new middle school would admit sixth grade students through the District Middle School Choice Process with a limited unscreened selection method.

The details of this proposal have been released in an 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 P.S. 298's main office.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at building K298 on January 20, 2012. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 63 members of the public attended the hearing and 10 people spoke. Present at the meeting were: the Chancellor's Designee, Deputy Chancellor Marc Sternberg; District 23 Community Superintendent Ainslie Cumberbatch; P.S. 298 School Leadership Team ("SLT") representative, Natasha Capers; and District 23 Community Education Council ("CEC") representative, Ianetta Jeffers.

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

1. The SLT representative opposed the proposal and expressed:
 - a. Her belief that middle school students should not be served in the same building as elementary school and pre-kindergarten students;
 - b. Her question about whether a new elementary school could have opened in K298 instead of a new middle school;
 - c. Her skepticism about a replacement middle school's ability to perform better than P.S. 298's middle school grades because the new school would be serving a similar student population.
2. The CEC representative expressed that the CEC president supports the decision to not phase out P.S. 298 and to truncate P.S. 298's middle school grades.
3. A commenter questioned:
 - a. whether the new middle school's students would be from District 23;
 - b. what new security measures would be put in place for the new middle school;
 - c. how students would be admitted to the new middle school.

4. Multiple commenters expressed their belief that the decision to open a new middle school in K298 has already been made.
5. A commenter asked how and when parents were notified about the proposal.
6. A commenter expressed her belief that middle school students should not be served in the same building as elementary school and pre-kindergarten students.
7. A commenter stated that the resources that would be used to open a new middle school in K298 should instead be used to support P.S. 298.
8. A commenter asked how the replacement middle school is expected to perform better than P.S. 298's middle school grades if the new school would be serving a similar student population.
9. A commenter stated that the proposed co-location would create problems as all co-locations create problems for the co-located schools.

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

No written or oral comments regarding this proposal were received during the comment period.

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 Enrollment Capacity Utilization Report ("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.

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

- Comments 1(a), 3(b), 6, and 9 are related to the proposed co-location of a new middle school in K298.

There are currently hundreds of schools that are co-located in buildings throughout the City; some of these are multiple DOE schools and some are DOE and public charter schools. In all cases, the Instructional Footprint is applied to both DOE and public charter schools to ensure equitable allocation of classroom, resource, and administrative space. There are several tools in place to support co-located schools in working collaboratively to use shared building resources to meet student needs, including the Building Council, made up of the Principals of each co-located school, the Campus Policy Memo, which outlines procedures for the Building Council, including situations where Building Councils are unable to resolve disagreements, and the annual Campus Audit. The DOE seeks to fully utilize all its building capacity to serve students while simultaneously creating additional options for New York City families.

Furthermore, it is not unusual for varying grade levels to be co-located together. P.S. 298 currently serves both elementary and middle school students. Truncating P.S. 298's middle school grades and adding a new middle school to the building would not change the composition of the grade levels served in the building.

If this proposal is approved, the DOE will support P.S. 298 and 23K423 and ensure that the building is safe at all times. The DOE makes available the following supports to schools around safety and security:

- Best Practices Standards for Creating and Sustaining a Safe and Supportive School as a resource guide;
- Review and monitoring of school occurrence data and crime data (in conjunction with the Criminal Justice Coordinator and NYPD);
- Technical assistance when incidents occur via the Borough Safety Directors;
- Professional development and support to CFN Safety Liaisons;
- Professional development and kits for Building Response Teams;
- Monitoring and certification of School Safety Plans annually.

Also, pursuant to Chancellor's Regulation A-414, every school/campus is mandated to form a School Safety Committee. The committee plays an essential role in the establishment of safety procedures, the communication of expectations and responsibilities of students and staff, and the design of prevention and intervention strategies and programs specific to the needs of the school. The committee is comprised of various members of the school community, including parents, and shall include at a minimum: principal(s) of the co-located schools; designee of all other programs operating within the building; UFT Chapter Leader; custodial engineer/designee; in-house School Safety Agent Level III/designee; local law enforcement officials; Parent Association President/designee; Dietician/designee of food services for the site; community members; local ambulance or other emergency response agencies; representative of the student body (when appropriate); and any other persons deemed appropriate by the Principal(s). The committee is responsible for addressing safety matters on an ongoing basis and making appropriate recommendations to the Principal(s) when it identifies the need for additional security measures, intervention, training, etc. The committee is also responsible for developing a comprehensive School Safety Plan which defines the normal operations of the site and what procedures are in place in the event of an emergency. Thus, if this proposal is approved, the DOE Office of Space Planning and building K298's School Safety Committee would collaborate to ensure the safety of students during arrival, dismissal, and transition between classrooms and shared spaces such as the cafeteria.

- Comment 1(b) asked whether a new elementary school could have been opened in K298 instead of a new middle school.

The DOE has proposed to open 23K423 in K298 in order to create a new middle school option, which would better meet the needs of District 23, would provide a middle school option for families who would have considered P.S. 298's middle school grades, and is intended to better serve the families of District 23.

- Comments 1(c) and 8 asked how 23K423 would succeed.

This year, the Department is proposing to phase out 7 schools and truncate 3 schools that were opened under this Administration (since 2002). These 10 schools represent less than 3% of the schools opened since 2002.

The DOE counts on each of its schools to provide a high-quality education to its students—and the DOE holds all of them to the same high standard. If a school is not getting the job done for students – whether it was opened recently or not – the DOE is compelled to take serious action to ensure its students do not fall even further behind.

In June 2010 MDRC, an independent research group, issued a report on NYC’s new small schools strategy. MDRC concluded: “it is possible, in a relatively short span of time, to replace a large number of underperforming public high schools in a poor urban community and, in the process, achieve significant gains in students’ academic achievement and attainment. And those gains are seen among a large and diverse group of students — including students who entered the ninth grade far below grade level and male students of color, for whom such gains have been stubbornly elusive.” (MDRC, “Transforming the High School Experience,” June 2010).

New York City was ahead of the curve in complying with President Obama’s call to close or turnaround the lowest 5% of schools nationwide and provide better options to families. The DOE simply cannot stand by and allow schools to keep failing New York City students when it is acknowledged that schools can and must do better. New York City’s new schools strategy has helped the DOE to deliver on the core promise to NYC families to provide *all* students with an excellent education.

The DOE’s new schools have successfully provided additional high quality options for students families. When they are not, and a school is struggling, the DOE follows the same process to phase out and replace that school.

As with all DOE schools, 23K423 would serve all students. In terms of inherent differences between P.S. 298 and the proposed new middle school, 23K423 would be led by a new Principal. The Office of New Schools (“ONS”) selects new school leaders using a rigorous, four phased process that assesses aspiring principals around core areas of Personal Leadership, Instructional Leadership, Community Leadership, and Student Support.

Once ONS approves new leaders and matches them to school sites, ONS will subsequently work with each Principal during the New Schools Intensive, an ongoing workshop that equips these leaders with the necessary tools so that they are ready to open a new school. As a part of the New Schools Intensive, ONS leads weekly workshops focused on different aspects of school startup, and matches new leaders with visits to exemplary schools so that these leaders can see, firsthand, examples of existing successful schools that are implementing specific aspects of their school models. ONS also provides a set of deliverables that the new leaders must produce and community

engagement that they must see through, in addition to providing them with various other new school start up tools in an effort to ensure that each new leader is well prepared to open his or her new school come September.

- Comment 2 supports the proposal and does not need to be addressed.
- Comments 3(a) and 3(c) relate to the proposed new middle school's admissions and enrollment policies.

As stated in the EIS, 23K423 would be a new District 23 middle school that would admit students through a limited unscreened admissions method. 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.

- Comment 4 expresses the opinion that the decision to open a new middle school in K298 has already been made.

This is incorrect; the proposal is to be voted on by the Panel for Educational Policy at its meeting on February 9, 2012.

- Comment 5 relates to when parents were engaged about the proposal.

Consistent with the DOE's approach in the 2010-2011 school year and its desire to incorporate school and community input in its decision-making process, meetings were held with schools that were eligible for an intensive support plan or intervention. In these conversations, representatives of the DOE shared information about the school's performance and talked with the community members about their reflections of the school's strengths and weaknesses. The District 23 Community Superintendent, Ainslie Cumberbatch, met with P.S. 298's SLT, Parent Teacher Association, and faculty in three separate meetings respectively on October 11, 2011 to discuss possible outcomes for P.S. 298 due to its continued poor performance. The District 23 Community Superintendent met with P.S. 298's parent community on December 16, 2011 to convey the decisions to propose the truncation of P.S. 298's middle school grades and to open and co-locate 23K423 with P.S. 298 in K298 beginning in 2012-2013. The EISs for both proposals were published on December 19, 2011. A notice to parents and a letter to parents about the proposal and the scheduled joint public hearing were distributed on December 22, 2011 to students to take home.

- Comment 7 expresses the opinion that the resources that would be used to open 23K423 should instead be used to support P.S. 298.

The DOE strives to ensure that all students in New York City have access to a high-quality school at every stage of their education. Continuing to allocate space and resources to schools that are unable to significantly improve student performance is neither efficient nor equitable.

While it is true that new schools receive start-up funding, the start-up funding they receive is an average of \$30,000 per year over the first five years for a middle school. Otherwise, new schools are funded in the same manner as other schools, according to the Fair Student Funding formula that is used at all New York City district public schools. Under Fair Student Funding, schools receive City tax levy funding on a per pupil basis and supplemental allocations on a per-pupil basis for students who have additional needs, such as special education or English Language Learner needs.

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.

Changes Made to the Proposal

No changes have been made to this proposal.