



Public Comment Analysis

Date: February 8, 2012

Topic: The Proposed Opening and Co-location of New School P.S. 446 (23K446) with General D. Chappie James Elementary School of Science (23K631) and General D. Chappie James Middle School of Science (23K634) 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 a new zoned elementary school, P.S. 446 (23K446, “P.S. 446”) in school building K183 (“K183”), located at 76 Riverdale Avenue, Brooklyn, NY 11212, in Community School District 23. If this proposal is approved, P.S. 446 would be “co-located” with General D. Chappie James Elementary School of Science (23K631, “Chappie James”) and Chappie James Middle School of Science (23K634, “Chappie James Middle School”) in school building K183 for three school years. 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”) that was also published in December 2011, the DOE has proposed that Chappie James gradually phase out because of its low performance and its inability to turn around quickly to better support student needs. Chappie James is currently a zoned elementary school serving kindergarten through fifth grade and offering a pre-kindergarten program. If that proposal is approved, Chappie James would no longer admit kindergarten students after the conclusion of the 2011-2012 school year and would no longer offer a pre-kindergarten program. Multiple grades would be phased out at Chappie James in the first year of phase-out (2012-2013), and one grade would be phased out in each of the following three years. During the 2012-2013 school year, Chappie James would only serve students in third through fifth grades. Students in kindergarten through second grade would be served at P.S. 446, which will also be located in K183, if this proposal is approved. As planned, all current fifth grade students who meet promotional standards would participate in the Middle School Choice process and transition to middle school for sixth grade enrollment in September 2012. Students who do not meet promotional requirements during the phase-out plan will continue to have access to appropriate courses to support their progress toward promotion at either Chappie James or P.S. 446, depending on the student’s grade level, as described in the “Student Impact” section in Section III. In 2013-2014, Chappie James would serve students in fourth and fifth grades. In 2014-15, Chappie James would serve fifth grade students only. The school would close after June 2015.

If this proposal is approved, P.S. 446 would open in K183 as a new zoned district elementary school, serving the same zone as Chappie James, would serve kindergarten through fifth grade and would offer a pre-kindergarten program. In the 2012-2013 school year, P.S. 446 would serve 50-60 students in kindergarten, 60-70 students in first grade, and 70-80 students in second grade (including students previously at Chappie James). P.S. 446 would then grow to serve 70-80 third grade students in the 2013-2014 school year and 70-80 fourth grade students in the 2014-2015 school year. P.S. 446 is expected to reach full scale in 2015-2016 and would serve approximately 396-456 students in kindergarten through fifth grade and in its pre-kindergarten program. Beginning in 2012-2013 and continuing in the following years, P.S. 446 would serve 36 students in a full-day pre-kindergarten program (pending continued funding availability).

P.S. 446 would be co-located with Chappie James and Chappie James Middle School as Chappie James phases out. Once P.S. 446 has completed its expansion and Chappie James has completed its phase-out, P.S. 446 and Chappie James Middle School will be the only schools in K183.

In 2010-2011, K183 had a target capacity to serve 751 students, and the building enrolled 667 students, including pre-kindergarten students, yielding a target building utilization rate of 89%. Currently, 612 students, including pre-kindergarten students, are enrolled in building K183, yielding a target building utilization rate of 81%.

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 Chappie James’ and Chappie James Middle School’s main offices.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at building K183 on January 23, 2012. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 106 members of the public attended the hearing and 17 people spoke. Present at the meeting were: Chancellor’s Designee, Deputy Chancellor Marc Sternberg; District 23 Community Superintendent, Ainslie Cumberbatch; Principal of Chappie James, Margaret V. McAuley; Citywide Council on Special Education (“CCSE) Representatives, Ellen McHugh and Lucy Antoine; Chappie James School Leadership Team (“SLT”) Representative, Traci Campell; Community Education Council (“CEC”) 23 Representative, Milton Williams.

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

1. CCSE Representative Ellen McHugh expressed concern about where Special Education students will be served once Chappie James becomes P.S. 446.
2. One commenter implied that the replacement schools that the DOE proposes to open concurrent with a proposed phase-out schools turn away Special Education students.
3. One commenter implied that:

- a. New replacement schools do not receive Progress Report scores for at least four years.
 - b. The DOE claims that new schools opened under Mayor Bloomberg are better than those that have been replaced, yet in the latest round of closings 11 of the schools proposed for phase-out were opened during the mayor’s administration.
 - c. Students are turned away from newly opened schools based on reasons of poor academic achievement.
4. One commenter asked that the resources being given to the new school be given to Chappie James instead.
 5. Multiple commenters asked how the new school will be any different than Chappie James.
 6. One commenter asked how Chappie James, and the other schools in the building, will continue to perform well if a new school gets approved to open in K183.
 7. Multiple commenters spoke of previous closures that have not worked, and wonder why will the P.S. 446 replacement succeed?
 8. One commenter asked how much money are we losing with the proposed opening of a new school?

Summary of Issues Raised During Question and Answer Period:

9. What will be done differently when opening P.S. 446 than what was done in the past?
10. How will SpEd students continue to be served, and how will they be served in the new school?
11. What will you do different in four years when P.S. 446 fails?
12. What will be done differently when opening P.S. 446?

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

13. One commenter expressed confusion about the amended EIS, and did not understand what was being changed in the document.

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, 2, and 10 concern Special Education services.

Special Education students will not be adversely affected as a consequence of the proposed phase-out of Chappie James or the proposed opening and co-location of P.S. 446.

Chappie James currently offers Integrated Co-Teaching (“ICT”) classes, Self-Contained (“SC”) special education classes, and Special Education Teacher Support Services (“SETSS”). The existing ICT and SC classes, and SETSS, would continue to be provided as Chappie James phases out, and students with disabilities will continue to receive mandated services in accordance with their Individualized Education Programs (“IEPs”), whether at Chappie James or P.S. 446.

The proposed co-location of P.S. 446 will not affect the existing ICT and SC classes or the provision of SETSS at Chappie James, and students with disabilities will likewise continue to receive mandated services in accordance with their IEPs. Similarly, as P.S. 446 phases in, its students with IEPs will receive mandated services in accordance with their IEPs, including SC and ICT classes and SETSS, as appropriate.

Current Chappie James fifth grade students with IEPs will participate in the middle school admissions processes in the same manner as their non-disabled peers. Middle schools will be supported by the DOE in reviewing the students' IEPs to focus on addressing the needs of students with disabilities by providing individualized special education services models that ensure students have access to the general education curriculum to the greatest extent possible. It is expected that the middle school to which a student is matched will provide individualized special education services to meet the student's needs.

- Comment 3(a) concerns Progress Reports for new schools.

New York State English Language Arts (ELA) and Mathematics Tests are administered to students in third through eighth grade. Therefore, P.S. 446 will receive its first Progress Report score once it has served a third grade class, and once that third grade class is administered to New York State ELA and Mathematics Test. As described in the EIS, during the 2012-2013 school year, P.S. 446 would begin serving students in kindergarten through second grade. During the 2013-2014 school year, P.S. 446 would begin serving third grade, and would grow to full scale in 2015-2016. Progress cannot be determined without two years of test data for a student. Therefore, P.S. 446 would receive its first progress report during the 2015-2016 school year. Full information on the Elementary and Middle School Progress Report can be found here: http://schools.nyc.gov/NR/ronlyres/A82481C5-A351-47BA-BF8C-9F353E9CFB22/0/EducatorGuide_EMS_2011_10_03.pdf.

- Comments 4 and 8 concern funding.

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

New schools are funded in the same manner as other schools: funding follows the students and is based on need (incoming proficiency level and special education/ELL/Title I status). 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 an elementary or middle school and \$34,000 for a high school. These annual amounts are not even large enough to cover the salary of a first year teacher.

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

- Comment 6 concerns the effect of the proposed co-location of an additional school in K183 on Chappie James and Chappie Jamies Middle school.

There are currently hundreds of schools in buildings across the City that are co-located; some of these co-locations are multiple DOE schools while others are DOE and public charter schools sharing space. In all cases, the Instructional Footprint is applied to both DOE and public charter schools to ensure equitable allocation of classroom, resource and administrative space.

The DOE seeks to fully utilize all its building capacity to serve students. The DOE does not distinguish between students attending public charter schools and students attending DOE schools. In all cases, the DOE seeks to provide high quality education and allow parents/students to choose where to attend.

Although K183 has the capacity to serve 751 students, currently, there are 612 students, including pre-kindergarten students, enrolled in K183, yielding a utilization rate of 81% of target capacity. Once P.S. 446 has completed its expansion and Chappie James has completed its phase-out, there will be approximately 606-696 students served in the building, including the pre-kindergarten enrollment. Projected utilization for 2015-2016 is 81-93%. Therefore, the DOE believes there is sufficient space to accommodate Chappie James Middle School, Chappie James during the course of its phase-out, P.S. 446 during the course of its phase-in.

Further, according to the building walk-through conducted by the Office of Space Planning on December 9, 2011, K183 has a total of 49 full-size rooms, including 1 full-size science laboratory, 3 half-size rooms, and the equivalent of 2.5 full-size rooms of designed administrative/office space. Thus, building K183 has a total of 53 full-size

equivalent (“FSE”) rooms for instructional and administrative use. The building also has the following rooms, which are currently shared amongst the co-located schools: a cafeteria, an auditorium, a library, and a gymnasium. The School-Based Support Team (“SBST”) is housed in 1 full-size room; the nurse’s office is housed in 1 full-size room of designed administrative/office space, and the custodian’s office is housed in 1 half-size room. The science lab, which is currently allocated to Chappie James Middle School, will remain allocated to Chappie James Middle School.

Per the Footprint, Chappie James Middle School should be allocated 9 full-size rooms, 4 half-size rooms, and the equivalent of 2.5 full-size rooms for administrative use, which totals 13.5 FSE rooms. The DOE has adjusted Chappie James Middle School’s baseline Footprint allocation because building K183 does not have a sufficient number of half-size rooms. Chappie James Middle School’s adjusted baseline Footprint allocation, which corresponds to the rooms that exist in the building, includes 12 full-size rooms, 1 half-size room, and the equivalent of 2.5 full-size rooms for administrative use, which totals 15 FSE rooms. Chappie James Middle School’s total baseline Footprint allocation will remain constant over the course of this proposal and beyond as the school’s total student enrollment is projected to remain constant.

Per the Footprint, Chappie James should be allocated 21 full-size rooms, 5 half-size rooms, and the equivalent of 3.0 full-size rooms for administrative use, which totals 26.5 FSE rooms. The DOE has adjusted Chappie James’s baseline Footprint allocation because building K183 does not have a sufficient number of half-size rooms. Chappie James’s adjusted baseline Footprint allocation, which corresponds to the rooms that exist in the building, includes 25 full-size rooms and 3.0 full-size rooms for administrative use. Therefore Chappie James’s total adjusted baseline Footprint allocation is 28.0 FSE rooms.

If the proposal to phase out Chappie James is approved, the enrollment and grade levels served will decrease each year. Beginning in 2012-2013, the first year of phase out, Chappie James’ adjusted baseline Footprint allocation will decrease by three full-size rooms each year. The space vacated by Chappie James will be back-filled by P.S. 446 as P.S. 446 phases in.

Per the Footprint, in 2012-2013, during the first year of this proposal, P.S. 446 will be allocated 14 full-size rooms for instructional use and the equivalent of 2.5 full-size rooms for administrative use. Each subsequent year, up to the 2014-2015 school year, P.S. 446 will be allocated four additional full-size rooms to accommodate its increased enrollment and grade span.

In 2011-2012, there were 10 full-size rooms in excess above the total combined baseline footprint allocations of the organizations in the building. In 2012-2013, after each school has received its adjusted baseline Footprint allocation there will be 3 full-size rooms and 1 half-size excess rooms remaining in the building. These excess rooms will be divided among the schools by the Building Council. In the last year of Chappie James’ phase out and P.S. 446’s phase-in, in 2014-2015, there will be 9 full-size rooms and 1 half-size

excess rooms remaining in the building. These excess rooms will be divided among the schools by the Building Council.

The table below provides the adjusted baseline Footprint allocations of full-size instructional rooms for each school throughout Chappie James’ phase out and the phase in of P.S. 446:

Total Adjusted Baseline Footprint Allocation of Full-Size Rooms					
School Name	2011-12 (current)	2012-13	2013-14	2014-15	2015-16
Chappie James	25	14	8	5	N/A
Chappie James Middle School	12	12	13	13	13
P.S. 446	N/A	14	18	20	21
Total	37	40	39	38	34

During the course of Chappie James’s phase out and P.S. 446’s phase-in, the number of excess rooms will decrease as P.S. 446’s baseline Footprint allocation increases to reflect its larger population and full grade span.

The Office of Space Planning will work with the Building Council to ensure an equitable allocation of the excess space. In determining an equitable allocation, the Office of Space Planning may consider factors such as the relative enrollments of the co-located schools, the instructional and programmatic needs of the co-located schools, and the physical location of the excess space within the building.

The DOE does not anticipate that there will be any immediate proposed changes to available academic or extracurricular programs currently offered at Chappie James. 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.

With respect to academics, Chappie James would continue to offer all necessary classes to support current students as they work to meet promotional requirements. As total enrollment at the school shrinks, the school may scale back its special programs and initiatives or enrichment classes. It is difficult to predict how those changes might be implemented as decisions will rest with school administrators and will be made based on student demand as well as staff and budget conditions at the school.

The DOE does not anticipate that the proposed co-location of P.S. 446 will impact admissions, current or future student enrollment, instructional programming, or academic or extra-curricular programs and partnerships at Chappie James Middle School. Chappie James Middle School would continue to offer extracurricular programs based on student interests, available resources, and staff support for those programs. The proposed co-location would not impact those opportunities. Students would continue to have the opportunity to participate in a variety of extracurricular programs, though the specific

programs offered at a given school are subject to annual change based on student demand and available resources.

Additionally, the DOE does not anticipate that this proposal will affect the ability of Chappie James Middle School to meet the needs of its current or future students with disabilities. Chappie James Middle School currently offers SETSS, SC, and ICT classes

- Comments 3(b, c), 5, 7, 9, 11, and 12 concern success of the new school, and notable differences from Chappie James.

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 a 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 our kids when it knows it can—and it must—do better. New York City’s new schools strategy has helped the DOE to deliver on the core promise it makes to NYC families to provide *all* students with an excellent education.

The DOE new schools are overwhelmingly getting the job done for students, and when they are not, and a school is struggling, it follows the same process to phase out and replace that school.

As with all DOE schools, P.S. 446 would serve *all* students. In terms of inherent differences between Satellite Three and the proposed new middle school, P.S. 446 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.

Further, all teachers, administrative and non-pedagogical staff at Chappie James would be excessed over the course of the phase-out. 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.

New schools follow the hiring process consistent with the procedures set forth in the collective bargaining agreement between the DOE and UFT. New 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.

- Comment 13 concerns confusion surrounding amendments to the proposal.

The DOE did not amend the EIS. On December 22, 2011 the DOE published an amended Panel on Educational Policy Notice to correct an error in the address where the joint public hearing was being held.

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.