

Public Comment Analysis

Date: February 8, 2012

Topic: The Proposed Opening and Co-location of a New Middle School (32K562) with Existing Schools The Anna Gonzalez Community School (32K296), Achievement First Bushwick Charter School (84K538), and P053K@I296K (P053K@I296K) in Building K296, Beginning in 2012-2013

Date of Panel Vote: February 9, 2012

A copy of the Educational Impact Statement (“EIS”) pertaining to this proposal can be found at the main office of The Anna Gonzalez Community School, Achievement First Bushwick Charter School, and 75K053, as well as online at the following website:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/Feb2012Proposals>.

Summary of Proposal

The New York City Department of Education (“DOE”) is proposing to open and site a new middle school, I.S. 562 (32K562, “I.S. 562”), at 125 Covert Street, Brooklyn, NY 11207, in Community School District 32, in Building K296 (“K296”). I.S. 562 would be a new zoned District 32 middle school that would serve students in sixth through eighth grades. If this proposal is approved, in 2012-2013, I.S. 562 will begin enrolling 115-125 students in sixth grade; it would add one grade per year until it is full scale and serves sixth through eighth grades in 2014-2015.¹

If this proposal is approved, I.S. 562 would be “co-located” in the K296 building with the following schools: The Anna Gonzalez Community School (32K296), Achievement First Bushwick Charter School (84K538, “Achievement First Bushwick”); an existing charter school managed by the Achievement First network (“AF”), a charter management organization (“CMO”); and 75K369, a District 75 program (75K369, “P053K@I296K”).² 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.

On February 7, 2012, the DOE amended the EIS to correct the grade span that P053K@I296K serves at K296. The original EIS incorrectly stated that P053K@I296K serves students in grades four through eight. The amended EIS clarifies that P053K@I296K serves students in grades six through eight.

¹ Enrollment projections are based on a standard phase-in plan of four 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.

² 75K053 is located at seven sites, including K296. The other six sites are: P053K@P838K located at 720 Livonia Ave., Brooklyn NY 11207; P053K@1088K located at 544 Seventh Ave., Brooklyn NY 11215; P053K@P104K located at 9115 Fifth Ave., Brooklyn NY 11209; P053K@Abraham Lincoln HS located at Ocean Parkway & West Ave., Brooklyn NY 11235; P053K@Kingsboro High School (Leon M. Goldstein) located at 1830 Shore Blvd., Brooklyn NY 11235; and P053K@P384K located at 242 Cooper St., Brooklyn NY 11207. This proposal will only impact P053K@I296K.

The Anna Gonzalez Community School is an existing zoned middle school that also admits students through three screened academic programs. The school currently serves sixth through eighth grade students. Achievement First Bushwick is an existing charter school that serves students in grades kindergarten through nine, but only serves students in grades kindergarten through four at K296. P053K@I296K is a District 75 program serving students in grades six through eight with intellectual disabilities and autism in 12:1:1 and 6:1:1 settings.³

In a separate EIS published on December 19, 2011, and amended on February 7, 2012, the DOE has proposed to gradually phase out and eventually close The Anna Gonzalez Community School because of its low performance and inability to turn around quickly to better support student needs.⁴ If the phase-out proposal is approved, The Anna Gonzalez Community School would no longer admit sixth grade students after the conclusion of the 2011-2012 school year. One grade would then be phased out in each subsequent year. During the 2012-2013 school year, The Anna Gonzalez Community School would serve students in seventh and eighth grades. In 2013-2014, The Anna Gonzalez Community School would serve students in eighth grade. The Anna Gonzalez Community School would close after June 2014.

In 2010-2011, K296 had a target capacity of 1,388 students, but the building enrolled a total of 998 students,⁵ yielding a building utilization rate of 72%.⁶ In the current 2011-2012 school year, the building serves a total of 848 students,⁷ yielding a utilization rate of 61%.⁸

In 2014-2015, once The Anna Gonzalez Community School has completed its phase out and I.S. 562 is at full-scale, there will be approximately 748-889 students served in the building, which would yield a projected building utilization rate of approximately 54%-64%. If approved, I.S. 562 would replace the middle school seats that would be lost as a result of the phase-out and closure of The Anna Gonzalez Community School and would provide a new educational option for families in District 32.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at K296 on February 1st, 2012. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 168 members of the public attended the hearing, and approximately 14 members of the public spoke. Present at the meeting were Principal Maria Barreto, Adrian Thomas, B. Simms, A.

³ 12:1:1 and 6:1:1 refer to the ratio of students to teachers and paraprofessionals.

⁴ <http://schools.nyc.gov/AboutUs/Leadership/PEP/publicnotice/2010-2011/Feb32011Proposals>

⁵ 2010-2011 audited register

⁶ All references to building utilization rates in this document are based on target capacity data from the 2010-2011 Enrollment, Capacity, Utilization Report ("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.

⁷ 2011-2012 unaudited register as of October 31, 2011

⁸ The utilization rate reported here may differ from that published in the 2010-2011 Blue Book because the building enrollment figures referenced throughout this document and used in the calculation of utilization rates are 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.

Hector, G. Bonas, and O. Oyelakin of the Anna Gonzalez Community School school leadership team (“SLT”), Kit Brauer of the Achievement First Bushwick SLT, and Victoria Lugo, Dianne Williams, and Lewis Tillman of the District 32 Community Education Council (“CEC”). Deputy Chancellor for Talent, Labor and Innovation David Weiner served as the Chancellor’s Designee. Also present were Network Leader Daniel Purus, Yvonne Soto, Carrie Marlin, Melissa Torres, and Toby Shepherd from the DOE. 75K053’s SLT was invited to participate in the hearing but it did not send a representative.

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

1. Victorina Lugo, the President of the CEC 32, made the following statements:
 - a. She is requesting that the DOE will pay close attention to the unique needs of community and work closely with parent leaders to provide best possible options for future success.
 - b. If this proposal is approved, CEC 32 wants to have input in to what I.S. 562 will offer children. For example, The Anna Gonzalez Community School currently offers transitional bilingual programming and maintains unique technological equipment and CEC 32 would like to see that these programs and resources continue to be made available to students at The Anna Gonzalez Community School and I.S. 562.
2. A commenter asked why the DOE is not supporting and giving extra resources to The Anna Gonzalez School instead of replacing it with yet another new school.
3. A commenter asked about the possibility of students who are currently enrolled at The Anna Gonzalez School to enroll at I.S. 562.

Additionally, a number of questions and comments were submitted in writing to DOE at the Joint Public Hearing:

4. What is the selection procedure for opening a new school and/or identifying a leader for a new school? And why has a copy of the new school application not been forwarded to the CEC council for their review and input?
5. The existing bilingual programs at The Anna Gonzalez School are very important for the community and the community wants to ensure that these programs will continue and be strengthened to meet the needs of our newly arrived English Language Learner so that they are successful.
6. Will the middle school application be open again for students to apply to I.S. 562. If so, when?
7. How will the parents and the community have input on the leadership and proposed decisions (I.S. 562)?
8. How will the parents and the community be involved in determining the best options (I.S. 562)?

In addition to collecting feedback at the Joint Public Hearing referenced above, the DOE solicited feedback on this proposal via email, telephone and an internet feedback form.

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

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, b), 4, 5, 7 and 8 pertain to the process of engaging the community regarding the proposed phase-out of The Anna Gonzalez Community School and opening of I.S. 562, including community involvement in deciding what programs will be offered at I.S. 562.

The DOE is committed to engaging with the community, included its elected representatives, for all proposals that require a significant change in school utilization, as detailed in Chancellor’s Regulation A-190.

Prior to this Joint Public Hearing, the DOE held “early-engagement” meetings with staff and families of The Anna Gonzalez Community School on October 21, 2011. Additionally, the DOE has solicited feedback regarding this proposal via a dedicated phone line, a dedicated email address, and a dedicated online feedback form.

The DOE will continue to engage the community at every possible point regarding this and other proposals for the 2012-2013 school year.

The DOE’s Office of New Schools (“ONS”) works throughout the year to recruit educators interested in opening new district schools. The process is rigorous and lengthy. More information on the ONS recruitment and selection process can be found on the ONS website: <http://schools.nyc.gov/community/planning/newschools/NewSchoolsProposalProcess/default.htm>. Ultimately, the school leader of I.S. 562 will be empowered to make decisions regarding programming at the new school.

Some of these new leaders will ultimately open schools designed to replace failing schools the DOE proposes to phase-out. If the Panel for Educational Policy approves the DOE’s proposal to phase out and replace The Anna Gonzalez Community School, the DOE can move ahead with

matching a new leader with I.S. 562. At that point, a new leader can begin engaging with the community, including the CEC, regarding the design and proposed programming for the new school.

Additionally, the proposed school leader of I.S. 562 will hold parent meetings at elementary schools that typically enroll students at The Anna Gonzalez Community School regarding the programs to be offered at I.S. 562. This is another opportunity for parents to learn about this new school option and determine if it is an appropriate fit for their child.

Finally, the DOE notes that all school leaders are subject to the hiring process for principals outlined in Chancellor's Regulation C-30.

Comment 2 questions why the DOE is proposing to invest resources in a new school as opposed to investing the same resources in supporting the existing school.

The DOE is committed to providing a portfolio of high quality school options to students and families. A part of that strategy involves identifying the City's lowest performing schools and determining whether they can turn around quickly to better serve their student population. For those schools that the DOE determines lack the capacity to turn around quickly to better serve their student population, the DOE recommends the most serious intervention: gradually phasing-out a school over time by no longer enrolling new students.

The Anna Gonzalez Community School is a school that the DOE has determined warrants this intervention. As noted in the EIS proposing to phase-out The Anna Gonzalez Community School:

- The majority of students at The Anna Gonzalez Community School remain below grade level in English and Math. Last year, only 14% of students were performing on grade level in English, putting the school in the bottom 14% of middle schools Citywide in terms of English proficiency. Only 20% of students were performing on grade level in Math, putting the school in the bottom 6% of middle schools Citywide in terms of Math proficiency. In 2009-2010, the school scored in the bottom 12% of schools Citywide in English Language Arts proficiency and the bottom 9% in Math proficiency.
- The Anna Gonzalez Community School is not helping students to make adequate progress. The school is in the bottom 1% of middle schools Citywide in terms of learning growth in English and the bottom 9% of middle schools Citywide in terms of learning growth in Math. Learning growth measures annual student growth on State English Language Arts and Math tests relative to similar students. If those outcomes persist, students will fall further behind their peers in other schools.
- 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. On the 2010-2011 Progress Report, The Anna Gonzalez Community School received an overall grade of F, including F grades for Student Progress, Student Performance, and School Environment. The Anna Gonzalez Community School was the

only middle school in the district to earn an F grade on its 2010-2011 Progress Report.⁹ Additionally, in 2010-2011 the school was designated by the State as Persistently Lowest Achieving, which means that The Anna Gonzalez Community School was in the bottom 5% of Title I schools in the State in terms of student performance.

- The school's attendance rate remains below most middle schools. The 2010-2011 attendance rate at the school was 88%, compared to the Citywide middle school average of 92.6%, putting the school in the bottom 11% of all middle schools Citywide in terms of attendance.
- The Quality Review uses a four-tiered rubric (well-developed, proficient, developing, underdeveloped) to measure how well a school is organized to support student achievement.¹⁰ The Anna Gonzalez Community School was rated "Developing" on its most recent Quality Review in 2010-2011, indicating deficiencies in the way that the school is organized to support student learning.
- Safety issues have been a concern at the school. On the 2011 New York City School Survey, only 22% of teacher respondents believed that order and discipline are maintained at the school and only 50% of student respondents believed that they were safe in the hallways, bathrooms, and locker rooms.
- Demand for seats at The Anna Gonzalez Community School is low. Only 30% of students in grades six through eight who were zoned to the school chose to attend the school in 2011-2012. Additionally, during the 2010-2011 school year, only 11% of students who applied to The Anna Gonzalez Community School ranked the school as their top choice.¹¹

For these reasons, the DOE believes that The Anna Gonzalez Community School lacks the capacity to turnaround quickly to better serve its students and, therefore, future investments in the students in District 32 can be better leveraged for student achievement through a new school organization.

Moreover, the DOE believes that closing a struggling school and opening a new school with new leaders and staff is a successful strategy to provide all students with an excellent education. In June 2010 MDRC, an independent research group, issued a report on New York City'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).

⁹ P.S. 377 Alejandrina B. De Gautier (32K377), which serves students in grades kindergarten through eight, also received an overall Progress Report score of F in 2010-2011.

¹⁰ <http://schools.nyc.gov/NR/ronlyres/7EEB3889-6DC1-4867-9EC6-D684ADC31DD8/0/201112QRRubricwheader.pdf>

¹¹ 2010-2011 fifth grade applicants applying to middle school for the 2011-2012 school year.

The DOE counts on each of its schools to provide a high-quality education to its students—and it hold all schools of them all 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.

Comments 3 and 6 pertain to enrollment options for families currently enrolled at The Anna Gonzalez Community School.

As noted in the EIS describing this proposal, I.S. 562 will serve students currently zoned to attend The Anna Gonzalez Community School in addition to offering a limited: unscreened admissions option to students outside of the zone. Current sixth and seventh grade students will continue to be enrolled at The Anna Gonzalez Community School as it phases out and I.S. 562 phases in.

I.S. 562 will open with a founding cohort of sixth grade students in 2012-2013. Current District 32 fifth grade students will be eligible to apply for admission to I.S. 562. On March 26, 2012 the application for new schools will be disseminated to current fifth grade students. On April 4, 2012 applications to enroll in new middle schools must be returned to elementary schools. In May of 2012, notifications will be mailed to families and in June of 2012 families will have a second opportunity to apply to new middle schools by appealing the enrollment decisions, if they choose.

More information can be obtained by contacting the Borough Enrollment Office, located at 1665 St. Mark's Ave., Brooklyn NY 11233, by calling 718-935-2340 or by visiting the DOE's Office of Student Enrollment online at: <http://schools.nyc.gov/ChoicesEnrollment/default.htm>.

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

In response to public feedback, the following changes to the proposal were made:

- No changes have been made.