



Revised Public Comment Analysis

Date: February 24, 2010

Topic: Proposed Grade Expansion of KIPP Infinity Charter School (84M336) in School Building M195

Date of Panel Vote: February 24, 2010

The analysis of public comment regarding the proposed grade expansion of KIPP Infinity Charter School (“KIPP Infinity”) was revised on February 24, 2010, to reflect additional comments that had not been captured in the analysis that was posted on the New York City Department of Education’s (“DOE”) Web site on February 23, 2010.

One advocacy organization submitted general comments objecting to all proposed co-locations of charter schools with existing district schools. Although the comments did not address any one co-location proposal in particular, the DOE has appended these comments to the public comment analysis for each of the proposed charter co-locations.

Summary of Proposal

In the 2010-2011 school year, KIPP Infinity, an existing school that now serves grades five through nine, will gradually begin expanding its grade configuration to serve students from Kindergarten through grade 12. KIPP Infinity is currently housed in school building M195, located at 625 West 133 Street in District 5, where it is co-located with I.S. 195 Roberto Clemente, a middle school serving grades six through eight.

Under this proposal, KIPP Infinity will ultimately expand to serve grades K-8 in M195 and will continue to co-locate with I.S. 195. The grade 9 class at KIPP Infinity will move to a separate facility that will ultimately house grades 9-12. This proposal will be addressed in a future educational impact statement. The net affect of this change will result in four additional grades of KIPP Infinity students being served in M195 when KIPP Infinity grows to scale.

The expansion of KIPP Infinity will achieve several key goals.

First, upon full phase-in, KIPP Infinity will create approximately 400 additional elementary and middle school seats in District 5. While admission to KIPP Infinity will be via lottery, District 5 students will be given preference in that lottery, resulting in a net gain of Kindergarten-4 seats for District 5 children.

Second, the expansion will also provide an additional high-quality elementary school option to District 5 families. KIPP Infinity has a solid track record of serving its students well. KIPP Infinity received an “A” grade on both its 2007-08 and 2008-09 Progress reports. Last year, 88.4 percent of KIPP Infinity students scored a Level 3 or Level 4 on State English Language Arts exams; 98.9 percent of KIPP Infinity students scored a Level 3 or Level 4 on State Math exams. These outcomes are well above both district-wide and city-wide student achievement levels. Moreover, KIPP Infinity achieves these results while serving a high-need student population. Eighty-five percent of KIPP Infinity students are eligible for free or reduced-price lunch and 99 percent of students are African-American or Hispanic. KIPP Infinity enrolls a higher proportion of special education students than other District 5 schools, with 12.8 percent of KIPP Infinity students having Individualized Education Plans compared to 9.0 percent throughout the District. KIPP Infinity serves a slight, but not significantly lower, proportion of English language learners than District 5; 8.4 percent of KIPP Infinity students are English language learners compared to 11.8 percent throughout District 5. Expanding the grades served by KIPP Infinity will build on the school’s existing success, allowing more students to benefit from a school that fully prepares them for success in college and careers.

Also, the current analysis suggests that there is sufficient space in M195 for KIPP Infinity to continue to add one grade per year until it reaches its full K-8 grade span in 2014-2015. In 2009-10, there are 887 students enrolled in KIPP Infinity and I.S. 195 combined, representing a target utilization rate of 71 percent relative to the building’s target capacity of 1,283 students.¹ Available underutilized space should permit both schools to operate at scale while ensuring that both schools maintain adequate space, facilities, and resources to support all students, including those with special needs. As KIPP Infinity’s reconfiguration plan is implemented, the schools and the Department of Education (“DOE”) will revisit this analysis to determine whether M195 will be able to accommodate KIPP Infinity’s full expansion alongside I.S. 195’s operational capacity. In addition, M195 currently houses KIPP Infinity’s ninth-grade class. As part of this expansion, the ninth-grade class would relocate to a separate facility that will eventually serve students in grades 9-12. That recommendation will be addressed in a separate educational impact statement and will be voted upon at a future Panel meeting.

An Educational Impact Statement on this proposal was posted on the DOE’s Web site on January 8, 2010.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing was held at M195 on February 8, 2010, and all interested parties had an opportunity to provide input on the proposal. Five members of the public spoke in opposition to the proposal, citing concerns about sharing space in the cafeteria and auditorium,

¹ Please note that the Educational Impact Statement posted on January 8, 2010 reported incorrect 2008-09 utilization and capacity rates of 66 percent and 1,372, respectively. The correct numbers are listed throughout this document. Taking into account the updated numbers, there is still sufficient space in M195 for the grade expansion of KIPP Infinity, and, in fact, these are the figures that the DOE used to determine that there is sufficient space in the building for KIPP Infinity’s grade expansion. The Educational Impact Statement has been updated to reflect the correct figures.

and the general concern about sacrificing school space for a charter school. Thirty-two members of the public spoke in favor of the proposal, stating how satisfied they were the high quality education KIPP schools provide, that the school has changed students' lives, and that this opportunity should be expanded to more people.

Summary of Issues Raised in Written and Oral Comments and Significant Alternatives Suggested

In the original version of this analysis, forty-eight comments were submitted in support of the proposal. They noted the academic, emotional, academic and social support that KIPP Infinity's staff has provided students, equipping students with the right skills to be successful in high school, college and beyond. Commenters, including KIPP Infinity staff, faculty, students, and parents, were enthusiastic about KIPP Infinity's expansion. Originally, no comments were in opposition to the proposal. No significant alternatives were originally proposed.

In this revision, an additional comment in support of the proposal and two comments in opposition to the proposal were submitted. Thus, a total of fifty-one comments were submitted. One additional comment from a parent of a KIPP Infinity student in support of the proposal, which raises the number of comments in support to forty-nine, reiterated enthusiasm about KIPP Infinity's expansion. Two comments from the general public were in opposition to the proposal, and they stated that they did not wish for Kindergarten students and teenagers to share space in M195. The three additional comments did not propose any significant alternatives.

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

Regarding concerns about KIPP and I.S. 195 sharing space in the cafeteria and auditorium at M195, the instructional footprint indicates that sufficient space is available in M195 for KIPP Infinity to continue to add one grade per year until it reaches its full K-8 grade span in 2014-2015. As stated above, in 2009-10, there are 887 students enrolled in KIPP Infinity and I.S. 195 combined, representing a target utilization rate of 71 percent relative to the building's target capacity of 1,283 students. Available underutilized space should permit both schools to operate at scale while ensuring that both schools maintain adequate space and facilities resources to support all students, including those with special needs.

Furthermore, the DOE is working with the building council to develop a space plan for M195 that will include options to meet both schools' needs. Given that the high school will be relocating from the building, it is likely that KIPP Infinity will retain that space for the elementary school grades, although that will be based on the agreement of the Building Council. Also, the DOE has escalated the request to repair rooms on the first floor of school building M195 that are currently uninhabitable due to water damage. The DOE will continue to work to resolve this matter as quickly as possible and in advance of the date when those spaces will be needed to accommodate growing building enrollment levels.

Regarding the general concern about sacrificing school space for a charter school, KIPP Infinity has a proven track record of helping students perform well academically, socially, and

emotionally. Charter schools like KIPP Infinity will allow more students to benefit from a school that fully prepares them for success in college and careers.

No changes to the proposal have been made. The proposal will be presented to the Panel for Educational Policy as it is currently posted.

A copy of the educational impact statement for this proposal can be obtained at <http://schools.nyc.gov/NR/ronlyres/585A6F4E-316F-45AF-A1C4-0F38AC7260E8/75240/M195KIPPInfinityEISFinal1810.pdf>.

Summary of Issues Raised and Significant Alternatives Suggested

One advocacy organization submitted general comments objecting to all proposed co-locations of charter schools with existing district schools. In opposing the DOE's proposed co-locations, the comments cited the following reasons: (1) the DOE did not use accurate data in analyzing the utilization and capacity of school buildings; (2) the utilization formula used by the DOE is inadequate and assumes inappropriate target class sizes; (3) charter schools enroll fewer high needs students than district and citywide averages, leading to higher concentrations of high needs students in district schools; and (4) the expansion of charter schools has eliminated critical space from district schools.

The comments suggest a moratorium on any new charter co-locations, or expansions of existing charter schools within shared public school space, until an independent review is conducted to assess the capacity in existing public school buildings and make determinations about the amount of space required to reduce class size to mandated levels.

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

The comments assert that the DOE did not use accurate data in analyzing utilization and capacity of school buildings. The data used in analyzing the utilization and capacity of school buildings comes from "The Enrollment, Capacity and Utilization Report" (also known as the "Blue Book"), which is the standard by which the DOE measures the maximum capacity of a school building compared to the enrollment. These calculations are based on information provided by principals in the Annual Facilities Survey conducted by the School Construction Authority. In addition to considering the Blue Book information, the DOE conducts a physical survey of school buildings and takes into consideration current programming prior to proposing a change in utilization.

With regard to the comment regarding the use of inappropriate target class sizes, the DOE does use aspirational targets for school buildings but feels that these goals are appropriate for ensuring a quality education for all students. The DOE understands that building usage varies by schools and leaves programming decisions to school leaders. However, it is important to have a standard means of assessing the use of our limited physical plant resources consistently across the city. The class size targets used for the 2008-2009 Blue Book calculations of target capacity and utilization are lower than those used for determining historical capacity and utilization.

The comments assert that charter schools enroll fewer high needs students than the citywide and district averages, thereby leading to higher concentrations of high needs students in district schools. It is important to note that charter school admissions are done by lottery as required by State Education Law. Charter schools do in fact serve the full range of public school students.