

Public Comment Analysis

Date: March 19, 2013

Topic: The Proposed Opening and Co-location of New District Middle School 28Q287 with Existing Schools J.H.S. 8 Richard S. Grossley (28Q008) and York Early College Academy (28Q284) in Building Q008 Beginning in 2013-2014

Date of Panel Vote: March 20, 2013

Summary of Proposal

On January 22, 2013, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) describing a proposal to co-locate a new district middle school, 28Q287 (“28Q287”), in building Q008 (“Q008”) located at 108-35 167th Street, Queens, NY 11433, in Community School District 28 (“District 28”).¹ If this proposal is approved, 28Q287 will be co-located in Q008 with J.H.S. 8 Richard S. Grossley (28Q008, “J.H.S. 8”), an existing middle school serving students in grades six through eight, and York Early College Academy (28Q284, “YECA”), an existing secondary school serving students in grades six through twelve. A community based organization (“CBO”), Southern Queens Park Association Beacon (“SQPA Beacon”), is also located in Q008.² 28Q287 will serve students in sixth through eighth grade. If this proposal is approved, 28Q287 will begin enrolling sixth grade students in 2013-2014 and will add one grade level per year until it reaches full scale and serves students in sixth through eighth grade in 2015-2016.

In consultation with the school’s leader, cluster, network support, and community, the DOE is planning to reduce the enrollment at J.H.S. 8 beginning in September 2013 over a period of three years. J.H.S. 8 will admit fewer sixth grade students after the end of the 2012-2013 school year and will continue to admit a reduced number of sixth grade students in subsequent years. By 2015-2016, enrollment at J.H.S. 8 will decrease by approximately 350-380 students so that, at scale, it will serve 315-345 students in sixth through eighth grades.

The proposed co-location of 28Q287 in building Q008 is part of the DOE’s central goal to create new school options that will better serve current and future students and the community at large. J.H.S. 8 currently admits students through the District 28 Middle School Choice Process through an unscreened admissions method, with a priority to students residing within the Q008 zone.

If this proposal is approved, both 28Q287 and J.H.S. 8 will be unscreened middle schools that will admit students through the District 28 Middle School Choice process and offer priority to students residing in the Q008 zone. Students will then be matched to a school in District 28 based on student preference and the school selection criteria through a matching process managed by the Office of Student Enrollment.

¹ 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.

² More information about the Beacon program is available at:
http://www.nyc.gov/html/dycd/html/afterschool/beacon_program.shtml.

According to the 2011-2012 Enrollment Capacity Utilization Report (“Blue Book”), Q008 has the capacity to serve 1,671 students.³ In 2012-2013, the building is serving 1,273 total students,⁴ yielding a target utilization rate of 76%.⁵

If this co-location proposal is approved, 28Q287 will gradually phase into Q008 while J.H.S. 8 simultaneously scales back its enrollment. The new school will serve students in sixth grade in the 2013-2014 school year and will add one grade level every year until the school reaches its full grade span of sixth through eighth grades in the 2015-2016 school year, serving approximately 315-345 students. In 2015-2016, once J.H.S. 8 has completed its enrollment reduction and 28Q287 is at full scale, it is projected that there will be approximately 1,205-1,335 students served in Q008, thereby yielding an estimated building utilization rate of approximately 72%-80%.

If this proposal to co-locate 28Q287 is approved, the middle school seats that will be lost as a result of the enrollment reduction at J.H.S. 8 will be largely recovered by the new seats created by the opening of 28Q287. 28Q287 will provide a new educational option for families in District 28.

Summary of Comments Received

A joint public hearing regarding this proposal was held at building Q008 on March 5, 2013. Members of the School Leadership Team (“SLT”) from every school organization in the Q008 building were invited to participate. At that hearing, interested parties had an opportunity to provide input on the proposal. While representatives from the District 28 Community Education Council (“CEC 28”), Citywide Council for Special Education and Citywide Council for English Language Learners were invited, they did not choose to participate in the hearing. Approximately 104 members of the public attended the hearing and 26 people spoke. Present at the meeting were: District 28 Superintendent Beverly Ffolkes-Bryant; Angela Green, Principal of J.H.S. 8; Deborah Burnett-Worthy, Principal of YECA; J.H.S. 8 SLT Representatives Philip Henry, Aisha Haye, Patricia Richards, Jennifer Mundy, Sidney McNeil, Rosemund Martin, Cassandra Kennedy, Sharon Odwin, Dionne McNeill, Jeantette Rivers, and Beverly McCleod; YECA SLT Representative Joanne Franco; Derrick Davis, a representative from New York City Council Member Leroy Comrie’s office; Nathaniel Hezekiah, a representative from Congressman Gregory Meeks office; and Allen Miller and Savita Iyengar from the Division of Portfolio Planning.

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

1. J.H.S. 8 SLT Representative Philip Henry expressed opposition to the proposed opening and co-location of a new middle school.

³ 2011-2012 Enrollment Capacity Utilization Report (“Blue Book”).

⁴ 2012-2013 Unaudited Register (as of October 26, 2012).

⁵ All references to building utilization rates in this document are based on target capacity data from the 2011-2012 Blue Book and enrollment data from the 2012-2013 Unaudited Register (as of October 26, 2012) or charter headcount as of October 1, 2012. 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.

- a. Representative Henry said that he was proud of the staff at J.H.S. 8 and happy to see that they attended the hearing to express their support for J.H.S. 8.
- b. Representative Henry said that the teachers at J.H.S. 8 cared very much for the students at J.H.S. 8 and that collectively they did not believe a new school would serve the best interests of the students.
- c. Representative Henry stated that the DOE does not care about the students and treat them as their own students like the teachers at J.H.S. 8 do.
- d. Representative Henry stated that the District 28 CEC boycotted the hearing for a reason—because they did not feel that the DOE cared about what the community had to say.
- e. Representative Henry asked how spaces such as the cafeteria, gym, etc., would be shared.
2. J.H.S. 8 SLT Representative Aisha Haye expressed opposition to the proposed opening and co-location of a new middle school.
 - a. Representative Haye argued that there were not enough resources in the Q008 building for three schools.
 - b. Representative Haye urged that the money that would be used to pay the new teachers be put towards resources for the students.
3. J.H.S. 8 SLT Representative Sydney McNeil expressed opposition to the proposed opening and co-location of a new middle school.
 - a. Representative McNeil stated that it would be ridiculous to add a third school to the Q008 building as the school was built for one school not more than one.
 - b. Representative McNeil stated that he does not care about the data that the DOE presents. All he cares about is how much his children have benefitted from being at J.H.S. 8.
4. J.H.S. 8 SLT Representative Cassandra Kennedy expressed opposition to the proposed opening and co-location of a new middle school.
 - a. Representative Kennedy said that Q008 may be underutilized but that the building was not envisioned for more than one school. The building is already divided into two schools and adding a third school would provide every school with less space.
 - b. Representative Kennedy said that the students are already squeezed into classrooms with 32 students. She expressed her desire to see smaller class sizes.
 - c. Representative Kennedy stated that schools are not business models. She argued that statistics do not work when we are talking about student lives.
5. J.H.S. 8 SLT Representative Sharon Odwin expressed opposition to the proposed opening and co-location of a new middle school.
 - a. Representative Odwin stated that the DOE was missing all of the qualitative data. Namely that the teachers at J.H.S. 8 work hard to build relationships with students and families. She questioned why the DOE would want to break those relationships.
 - b. Representative Odwin stated that there was not enough space for a new middle school.

- c. Representative Odwin said that students are currently eating as early as 10:45 am and as late as 2:30pm. This is already not an ideal schedule—Representative Odwin asked why the DOE would want to make this worse.
 - d. Representative Odwin urged the DOE to put more resources into the building and into J.H.S. 8.
 - e. Representative Odwin stated that many of the teachers at the school would be overworked. She further stated that this would be problematic because the students at J.H.S. 8 like their teachers and do not want new teachers.
6. J.H.S. 8 SLT Representative Dionne McNeill expressed opposition to the proposed opening and co-location of a new middle school.
 - a. Representative McNeill stated her belief that Q008 is a building meant to house one school—adding a third school would create a fire hazard.
 - b. Representative McNeill asked how the classrooms would be divided up for the three schools given the limited space.
 - c. Representative McNeill stated that some of the students in J.H.S. 8 were having lunch very late in the day and that she did not appreciate that.
7. J.H.S. 8 SLT Representative Beverly McCleod expressed opposition to the proposed opening and co-location of a new middle school.
 - a. Representative McCleod said that adding a third school would create problems in the school building and that there was no need for another school.
8. YECA SLT Representative Joanne Franco expressed opposition to the proposed opening and co-location of a new middle school.
 - a. Representative Franco said that the new school would be a zoned school, which would take away from J.H.S. 8's enrollment.
 - b. Representative Franco claimed that \$150,000 would be allocated to the new school. Representative Franco stated that this money should be put into J.H.S. 8.
 - c. Representative Franco stated that putting another school in Q008 would break the culture that has been created in the building.
 - d. Representative Franco asked how security would be provided for 3 schools when Q008 already has 5 security guards who are already over-worked.
 - e. Representative Franco asked what the phrase “anticipated impact” in the EIS meant.
 - f. Representative Franco stated that class sizes were not decreasing with the proposed opening and co-location of a new middle school.
 - g. Representative Franco said that the proposal was creating havoc for parents, teachers and students. She argued that the community was suffering as a result.
 - h. Representative Franco argued that CEC 28 supported J.H.S. 8, and that the DOE had no connection to J.H.S. 8 or the surrounding community.
9. Derrick Davis, a representative from New York City Council Member Leroy Comrie's office, expressed opposition to the proposed opening and co-location of a new middle school.

- a. Mr. Davis said that as an alumnus of J.H.S. 8, Council Member Comrie believed J.H.S. 8 should be given more resources and funding.
 - b. Mr. Davis stated that co-locations are very problematic and hinder students' education. Mr. Davis argued that the DOE should keep the building the way it is now.
10. Multiple commenters stated that the strong performing arts tradition (including music, dance, chorus, art and theater) at J.H.S. 8, which benefits many students, would be destroyed with the entrance of a new middle school.
 11. Multiple commenters said that there were already many issues with regards to space and that adding a third school to building Q008 would not be possible due to a lack of space.
 12. Multiple commenters stated that the proposed co-location of a third school would create a safety and/or fire hazard.
 13. One commenter stated that J.H.S. 8 has undergone too many changes in the last ten years without any of the changes being given enough time to take effect.
 14. Multiple commenters stated that J.H.S. 8 may lose gym or lunch time, which is not fair.
 15. One commenter stated that basing decisions on test scores is not a good way to make a decision about bringing in a new school to Q008.
 16. One commenter stated that a new school does not guarantee success for the students in the community. The commenter asked what would be different about the new middle school.
 17. Multiple commenters applauded the staff and leadership at J.H.S. 8. These commenters stated that the teachers at J.H.S. 8 have strong relationships with their students.
 18. Multiple commenters stated that the DOE focused too much on data and statistics. These commenters argued that the DOE should focus on the success teachers at J.H.S. 8 have had in building relationships with students.
 19. Multiple commenters expressed their belief that class sizes were too large at J.H.S. 8.

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

20. CEC 28 President Sandra Williams voiced her opposition to the proposed opening and co-location of a new middle school.
 - a. CEC President Williams stated that CEC 28 was in agreement that any new middle school coming into District 28 should be on the middle school application process giving the same opportunities to all District 28 middle school applicants.
 - b. CEC President Williams stated that the parents of District 28 received a second application for Middle School selection (which included the proposed new middle school as an option for District 28 students) before the Joint Public Hearing and Panel for Education Policy vote occurred. She argued that this was a violation of New York City Education Law §2590 and a complete disregard for the District 28 community since the

- hearing and vote for the new middle school had not occurred as of the release of the second application.
- c. CEC President Williams said that the DOE did not provide any transparency during the creation of the proposal.
 - d. CEC President Williams asked which school would a new locally zoned student attend— J.H.S. 8 or the new middle school.
 - e. CEC President Williams stated that space was a big concern with a third school coming in to the building and that she did not believe all three schools would have enough space for activities such as physical education.
 - f. CEC President Williams wanted to know whether the basement level in building Q008 was calculated as part of the unused space outlined by the DOE. She stated that the basement level was not a good place to put students.
 - g. CEC President Williams stated that the new middle school was a bad fit for District 28.
 - h. CEC President Williams asked why there were no signs at the front of the school building or in the lobby of Q008 indicating that YECA was in the building.
 - i. CEC President Williams questioned if and how the proposal would affect Beacon's use of space.
 - j. CEC President Williams state that the DOE does not care about students and had no accountability for its actions.
 - k. CEC President Williams expressed frustration that the DOE would continue with the Joint Public Hearing despite the planned boycott of the hearing by the CEC.
21. CEC 28 Representative Denise Nelom voiced her opposition to the proposed opening and co-location of a new middle school.
- a. Representative Nelom said that the date the EIS for J.H.S. 8 was publicly posted was after the CEC's scheduled January 3rd meeting. Therefore the CEC did not discuss and/or did not take any action on the proposal at that meeting.
 - b. Representative Nelom stated that on May 19, 2010, CEC 28 unanimously passed Resolution #12 for Middle School Choice Process. The Middle School Choice Process for school year 2013 was closed before the joint public hearing regarding the new middle school. Resolution #12 states that the DOE will generate a single application process for D28 middle schools. Representative Nelom argued that the proposal for opening a middle school in September 2013 after the middle school choice process has been closed is not aligned with CEC Resolution #12.
22. CEC 28 passed Resolution 00-3 voicing their opposition to the proposed opening of a new middle school in Q008 and their intent to boycott the joint public hearing scheduled for March 5th 2013.
- a. The resolution stated that the DOE did not adequately consult or act transparently with the CEC or District 28 community during the process of creating the proposal to open and co-locate a new middle school in the Q008 building.

- b. The CEC stated that the proposal did not lead to a gain in middle school seats as the total number of seats in District 28 would remain approximately the same.
 - c. The CEC raised concerns that the three schools would struggle to share the very limited space in Q008.
 - d. The CEC stated that the generation of another application process for Middle School Choice would not benefit all current middle school applicants in District 28.
23. CEC 28 passed Resolution 00-4 voicing their opposition to the proposed opening of a new middle school in Q008 and their request that the proposal be withdrawn.
- a. The resolution stated that application for 28Q287 was never brought to CEC 28 for review and that the educational program for 28Q287 does not match the “character building” theme that was communicated to the CEC.
 - b. The resolution stated that no formal written proposal/presentation on 28Q287 was given to the CEC and District 28’s parent community at a monthly meeting.
 - c. The resolution stated that the new school application went out to District 28 parents prior its approval by the PEP.
 - d. The resolution stated that there is no analysis on how 28Q287 would better suit the needs of the community in improving student performance and progress than what was already being provided by J.H.S.8.
 - e. The resolution stated that a co-location of 28Q287 with J.H.S. 8 and YECA in Building Q008 would result in a phase-out or reconfiguration of J.H.S. 8;
 - f. The resolution stated that enrollment in school size would result in an adjustment to the J.H.S. 8 school budget thereby jeopardizing school programming which could inhibit programs and ultimately affect student progress.
 - g. The resolution stated the CEC and parent community have not been afforded their right to adequate community input.
 - h. The resolution stated that prior practice by the Department of Education Division of Portfolio Planning to come out into the community to involve the CEC and parents sets a precedent of which they are now dismissing.
 - i. The resolution stated that it is still deemed appropriate to present to District 28’s CEC and parent community before continuing with the opening of a new school.
24. Multiple commenters said that there were already many issues with regards to space and that adding a third school to building Q008 would not be possible due to a lack of space.
25. Multiple commenters expressed general opposition to co-locations.
26. One commenter stated that students at J.H.S. 8 are already eating lunch very late due to the limited access to the cafeteria.
27. Multiple commenters stated that the strong performing arts programs at J.H.S. 8, which benefit many students, would be destroyed with the entrance of a new middle school.
28. Multiple commenters stated that the proposed co-location of a third school would create a safety hazard.
29. Multiple commenters expressed their belief that class sizes were too large at J.H.S. 8.

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

Comments 9(b) and 25 expresses general opposition to co-locations.

Roughly half of our schools share space in a building. Co-locations allow us to use our limited facilities efficiently while simultaneously creating additional educational options for New York City families. This is necessary because we have scarce resources and a demand for more options.

Due to space limitations, it is not unusual for varying grade levels to be co-located in a building together. There are numerous examples of mixed grade co-located school buildings or campuses in New York City where the schools are functioning and co-existing successfully.

These examples include:

- The Julia Richman Educational Complex, which houses four small high schools, a K-8 school, and a District 75 program;
- Building M113 currently houses three schools: STEM Institute of Manhattan, a district elementary school, Harlem Success Academy 4, a charter elementary school, and Opportunity Charter School, which serves sixth through twelfth grade in District 3;
- Building M092 currently houses three schools: St. Hope Leadership Academy Charter School, a charter middle school serving students in grades fifth through eighth, P.S. 92, a district elementary school which serves students in grades K-5, and Democracy Prep Charter School, a charter middle school serving students in sixth through eighth grade.
- Building K324 currently houses three schools: M.S. 267, an existing middle school serving students in grades sixth through eighth, La Cima Charter school, a charter elementary school serving students in grades K-5, and Bedford Stuyvesant Collegiate, an existing charter secondary school, which is currently in the process of growing to serve students in grades 5-12. Members of the building council worked together to secure financing from KaBOOM to resurface the schoolyard and playground for all of the children at K324.

Comments 2(b), 5(d), 8(b) and 9(a) relate to the allocation of resources to J.H.S. 8, YECA and the new middle school, whether there would be enough resources for all three schools, and whether more resources could be given to J.H.S. 8 rather than opening a new middle school.

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.

Fair Student Funding (FSF) dollars – approximately \$5.0 billion in the 2012-2013 school year based on projected registers – are used by all district schools to cover basic instructional needs and are allocated to

each school based on the number and need-level of students enrolled at that school. All money allocated through FSF can be used at the principals' discretion, such as hiring staff, purchasing supplies and materials, or implementing instructional programs. As the total number of students enrolled changes, the overall budget will increase or decrease accordingly, allowing the school to meet the instructional needs of its student population. In addition to the FSF student-need based dollars a school receives, all schools receive a fixed lump sum of \$225,000 in FSF foundation and \$50,000 in Children First Network Support to cover administrative costs.

New schools receive Fair Student Funding in the same manner as other schools. Funding follows the students and is based on pupil academic needs (i.e., special education, ELL, poverty, and/or proficiency status).

New district schools are provided with additional funds to cover start-up costs such as supplies and textbooks that may be required. This Other than Personal Services (OTPS) for new schools funding allocation is based on a fixed per-school amount, and a per-pupil allocation. A new school in year one of implementation at a newly constructed site will receive \$22,000 and a new school in a newly leased or existing site will receive \$51,000 in OTPS per school. Thereafter, the school will receive \$100 per-student in OTPS based on projected registers for the newly added grade. In the case where there is no new grade phasing-in, the school will not receive an allocation in that year.

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.

Comments 2(a), 3(a), 4(a-b), 5(b), 6(b), 7(a), 8(f), 11, 19, 20(e), 22(c), 24 and 29 concern the availability of space in Q008 and the allocation of space between the three schools.

There are currently hundreds of schools in buildings across the City that are co-located. In all cases, the allocation of classroom, resource, and administrative space is guided by the Citywide Instructional Footprint (the "Footprint") which is applied to all schools in the building.

The DOE seeks to fully utilize all its building capacity to serve students. In all cases, the DOE seeks to provide high quality education and allow parents/students to choose where to attend school.

The Footprint is the guide used to allocate space to all schools based on the number of class sections the school programs and the grade levels of the school. The number of class sections at each school is determined by the Principal based on enrollment, budget, and student needs; there is a standard guideline of target class size (i.e., number of students in a class section) for each grade level. At the middle school and high school levels, the Footprint assumes every classroom is programmed during every period of the school day except one lunch period. The full text of the Instructional Footprint is available at http://schools.nyc.gov/NR/rdonlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.pdf.

During and after all schools in the building are fully phased in or have completed phasing out, each school will receive its baseline footprint allocation which indicates that there is enough room in the building to support all four schools. There will also be excess space in the building. 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.

Furthermore, the utilization of Q008 is currently 76%. During the first year of the proposed co-location of 28Q287, the utilization of the building will be between 75%-81%. Once all schools in the building are fully phased in or have completed phasing out, utilization in the building will be between 72%-80%. This means that Q008 has adequate capacity to all of the schools in the building and that there will be sufficient space to accommodate an increase in student enrollment if demand is above the current projections for the new school.

In terms of class sizes and the impact on J.H.S. 8, class size is primarily determined by how principals choose to program students at their school within their budget. The DOE will continue to work with P.S. J.H.S. 8 to ensure that class sizes remain within the United Federation of Teachers contractual class sizes, which vary by grade level.

Comments 1(e), 5(c), 6(c), 14 and 26 concern the use of shared spaces (cafeteria, gym, etc.)

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. The Office of Space Planning will also work with all schools in building Q008 to ensure a smooth transition, if necessary, of any rooms currently being used by J.H.S. 8 and YECA.

The DOE does not anticipate that this proposal will affect the extracurricular programs or partnerships currently offered at J.H.S. 8 and YECA.

If conflicts emerge and progress is impaired, the Building Council will follow the dispute resolution procedures outlined in the Campus Policy Memo available at the following link:

<http://schools.nyc.gov/community/campusgov/KeyDocuments/CampusMemo.htm>.

Comment 20(i) questions whether there will be any impact to the space in Q008 used by Beacon.

The DOE does not expect the proposed co-location of 28Q287 to impact the continued siting of or space allocations for the SQPA Beacon program.

Comment 20(f) questions the suitability of the basement for instruction and why it is calculated as part of the useable space by the DOE.

Rooms located in the basement were included in the DOE's calculation of available space and building utilization rate, which is consistent with the fact that those rooms are currently used by the schools.

Comments 6(a), 8(d), 12 and 28 suggest that adding a 3rd school into building Q008 would create a fire and/or safety hazard.

As described in the EIS, if this proposal is approved, there will be sufficient space to serve J.H.S. 8, YECA, and 28Q287 pursuant to the Citywide Instructional Footprint (the "Footprint") while J.H.S. 8 reduces enrollment and 28Q287 phases-in. After all three schools receive their baseline footprint allocations, there will continue to be excess space in the building. More details can be found in the EIS.

Every school has a fire safety plan which includes plans for fire drills and evacuations in case of emergencies. J.H.S. 8, YECA, and 28Q287 should work with the Office of Safety and Youth Development ("OSYD") to address any concerns or modify the fire safety plan as needed.

Additionally, the School Safety Committee, described in detail below, is 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. The School Safety Plan is updated annually by the Committee 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 it is necessary to address security concerns. The Committee will also address safety matters on an ongoing basis and make appropriate recommendations to the principals when it identifies the need for additional security measures.

As mentioned above, there are hundreds of schools in buildings across the City that are co-located. Pursuant to Chancellor's Regulation A-414, every school/campus is mandated to form a School Safety Committee, which is 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. In this case, the schools in building Q460 would develop a safety and security plan for Q460 prior to the first day of school in September 2013. The School Safety Plan is updated annually by the Committee to meet changing security needs, changes in organization and building conditions and any other factors; these updates could also be made at any other time when it is necessary to address security concerns. The Committee will also address safety matters on an ongoing basis and make appropriate recommendations to the Principal(s) when it identifies the need for additional security measures

As mentioned in the EIS, the DOE makes available the following supports to schools relating to safety and security:

- Providing "Best Practices Standards for Creating and Sustaining a Safe and Supportive School," as a resource guide;
- Reviewing and monitoring school occurrence data and crime data (in conjunction with the Criminal Justice Coordinator and the New York City Police Department);
- Providing technical assistance via the Borough Safety Directors when incidents occur;
- Providing professional development and support to Children's First Network (CFN) Safety Liaisons;
- Providing professional development and kits for Building Response Teams; and

- Monitoring and certifying School Safety Plans annually.

Comments 5(a), 5(e), 8(c) and 8(g) concern the impact this proposal could have on the J.H.S. 8 school culture—especially on the teachers and students who have existing relationships that could be disrupted if the proposal is approved.

The DOE has confidence in the abilities of J.H.S. 8, YECA and the new school to create strong cultures supportive of student progress and high quality performance. The DOE understands the emotions involved in the prospect of changes to a long-standing school and that J.H.S. 8 is considered a home and community for all of its stakeholders. However, as noted throughout this Public Comment Analysis, the DOE believes the enrollment reduction will benefit J.H.S. 8 students by providing an opportunity for J.H.S. 8 to improve by narrowing its focus to a smaller number of students. Additionally, many DOE schools are successfully co-located and Building Councils are established to allow school leaders to collaborate in sharing common space, facilitating administrative decision-making and ensuring that all schools in a building operate smoothly and safely.

Comments 1(d), 20(k) and 21(a) concern CEC 28's decision to boycott the Joint Public Hearing on March 5, 2013.

Pursuant to Chancellor's Regulation A-190, the DOE extended an invitation to CEC 28 to re-schedule the hearing date, but CEC 28 did not respond. The DOE continued to welcome alternative scheduling suggestions for dates within the hearing window, 2/21-3/6, that were also feasible for the other mandatory hearing participants. However, CEC 28 did not propose an alternative J.H.S. 8 hearing date. As such, the hearing proceeded as it was scheduled. The DOE continued to urge CEC 28 to participate in the joint public hearing prior to the hearing, which would have provided opportunities for CEC 28 to share the CEC's views on the proposals. However, the CEC chose to not attend the Joint Public Hearing.

Comments 10, 23(f) and 27 concern the possible loss in programming that J.H.S. 8 could experience, particularly in music, dance, chorus, art and theater, if the proposal is approved.

The DOE does not anticipate that this proposal will affect the extra-curricular programs or partnerships currently offered at J.H.S. 8. J.H.S. 8 will continue offering student athletics and other extracurricular programs options, but the number and range of programs offered may gradually diminish due to declining student enrollment as a result of the enrollment reduction. Again, it is difficult to predict precisely how those changes might be implemented as decisions will rest with school administrators and will be made based on student interests and available resources. That is true for any City school as all schools modify extra-curricular offerings annually based on student demand and available resources.

With respect to academics, J.H.S. 8 will continue to offer all necessary classes to support current students as they work to meet promotional requirements. As total enrollment at the school shrinks, J.H.S. 8 may need to scale back its elective course offerings. 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. However, the school will still have 315-345 students by the end of the enrollment reduction, and this is a sufficient size to continue offering a wide array of academic offerings.

Comment 8(e) questions the meaning of the phrase “anticipated impact” throughout the Educational Impact Statement.

The DOE uses the phrase “anticipated impact” to refer to the expected impact of a proposal. It is often not possible to predict particular impacts of a proposal with absolute certainty given the possibility of unforeseen events or unexpected changes in circumstances.

Comment 8(a) and 20(d) question the admissions process of the new school and whether students currently zoned to J.H.S. 8 would attend J.H.S. 8 or the new school.

If this proposal is approved, 28Q287 will be an unscreened middle school that will admit students through the District 28 Middle School Choice process and offer priority to students residing in the Q008 zone. Students will then be matched to a school in District 28 based on student preference and the school selection criteria through a matching process managed by the Office of Student Enrollment (“OSE”).

Students residing in the Q008 zone may apply to either J.H.S. 8, 28Q287, or other District 28 choice middle schools through the District 28 Middle School Choice Process. Students residing in the zone will have priority to both schools and are admitted based on their preference and seat availability.

Comments 8(h), 16, 20(c), 20(g), 20(j), 22(a), 23(a-b), 23(d) and 23 (g-i) relate to why there was no community input in the selection of 28Q287 and how the new middle school would actually improve upon J.H.S. 8 to help students succeed and better address the needs of the community.

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

The DOE appreciates all feedback from the community regarding a proposal. When the Educational Impact Statement was issued, it was made available to the staff, faculty and parents at J.H.S. 8 and YECA, on the DOE’s Web site, and in each school’s respective main office. In addition, the DOE dedicates a proposal-specific website and voicemail to collect feedback on this proposal. Furthermore, all schools’ staff, faculty and parent communities were invited to the Joint Public Hearing to provide further feedback.

In addition, the relevant options for providing feedback are listed below. Commentary received through these venues as well as at the joint public hearing is addressed in this analysis of public comment which is made available to the Panel in advance of its vote.



Email: D28Proposals@schools.nyc.gov

Phone: 212-374-7621

Website: <http://schools.nyc.gov/community/planning/changes/queens/feedback?id=244>.

Additionally, there is an opportunity for members of the public to provide comments at the March 20 PEP meeting at which this proposal will be considered. That meeting is scheduled to take place on Monday March 20, 2013 at 6:00 PM. The meeting will take place at Brooklyn Technical High School, located at 29 Fort Greene Place, Brooklyn, NY 11217.

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. The proposed co-location of 28Q287 in building Q008 is part of the DOE's central goal to create new school options that will better serve current and future students and the community at large.

The DOE believes that closing or reducing enrollment at 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. To ensure that as many students as possible have access to the best possible education, under this Administration New York City has replaced 142 of the lowest-performing schools with better options and opened 576 new schools: 427 districts schools and 149 public charter schools. The new schools have outperformed schools in phase out both in ELA and Math in grades three through eight by wide margins. In ELA, new schools had 14.2 percentage points higher proficiency than schools in phase out, with 37.7% proficient in new schools and only 23.5% in schools in phase out in 2012. In Math, new schools had 23.2 percentage points higher proficiency than schools in phase out, with 50.8% proficient in new schools and only 27.6% in schools in phase out in 2012.

The DOE believes that reducing the enrollment of J.H.S. 8 beginning in September 2013 and providing a new option for middle school students in the Q008 building will benefit current and future students in District 28. The enrollment reduction is intended to provide an opportunity for J.H.S. 8 to improve by narrowing its focus to a smaller number of students, and allow for new school options to develop in building Q008.

Although the DOE recognizes that people in the community may have strong feelings against this proposal, the DOE believes that, if this proposal is approved, the school communities at 28Q287, J.H.S. 8, and YECA will be able to create productive and collaborative partnerships.

Comment 20(a-b), 21(b), 22(d) and 23(c) relate to the District 28 middle school choice application process and the creation of a second application that included the new school as an option for District 28 middle school students prior to the Joint Public Hearing and Panel for Education Policy vote.

As discussed in the EIS, the DOE is aware that the proposal to co-locate a new middle school ("28Q287") in J.H.S. 8 will not be voted upon by the PEP until after the deadline to submit middle school choice applications for the 2013-2014 school year has passed. District 28 students will not be penalized by the

outcome of this proposal, and the DOE will ensure that all impacted students are accommodated throughout the Middle School Choice Process. New schools, including 28Q287, were available for eligible students who choose to submit a “new schools” application.

Students received and submitted middle school applications in the fall for their placement for the 2013-2014 school year. In districts across the city with proposed new schools, students received a supplementary application last week for any new options for which they are eligible. The new school application is optional. Students who choose to participate may receive a new school placement in addition to their placement from the original application process. Both placements will be provided on the same notification letter and families choose which placement they would like for the 2013-14 school year.

In order to give families the broadest possible pool of choices and to ensure students receive both placements at the same time on their notification letters, we included many schools that have been proposed but not yet approved by the PEP, including proposed new school 28Q287. However, we clearly indicate that the schools have not yet been approved, both in the directory and in connection with this new school round application. Should the proposal not be approved, students would not receive a new school placement.

Comments 1(a-c), 3(b), 4(c), 13, 15, 17 and 18 express support for J.H.S. 8 under its current leadership, citing ways the staff has helped students and asking for time to improve.

Although the DOE acknowledges the successes that J.H.S. 8 has had, at this time, we believe that reducing the enrollment of J.H.S. 8 beginning in September 2013 and providing a new option for middle school students in the Q008 building will benefit current and future students in District 28. The enrollment reduction is intended to provide an opportunity for J.H.S. 8 to improve by narrowing its focus to a smaller number of students, and allow for new school options to develop in building Q008.

J.H.S. 8 received an overall C grade on its Progress Report in 2011-2012 for the third consecutive year. The school received a “Developing” on its most recent Quality Review in 2010-2011, indicating deficiencies in the way that the school is organized to support student learning. The school was also designated a Priority school, defined by the New York State Education Department as one of the bottom 5% of schools in the state.

As a result of J.H.S. 8’s poor performance, the DOE initiated a comprehensive review of J.H.S. 8 in the fall of 2012, with the goal of determining what intensive supports and interventions would best benefit its students and the J.H.S. 8 community. During that review, the DOE looked at recent historical performance and demand data from the school, consulted with superintendents and other experienced educators who have worked closely with the school, and gathered community feedback.

Leadership, while very important, is still only one component of a school. The school culture and conditions have not enabled increased student achievement. While the DOE recognizes that J.H.S. 8 staff members have worked hard to improve the school, even with support, the school has not produced

adequate outcomes for students. It is our belief that reducing enrollment at J.H.S. 8 and bringing in a high quality school will provide better options for the community and families in the future.

Comment 22(b) concerns the total number of middle school seats in District 28 and the fact that the total number of seats is not increasing in District 28 as a result of the proposal.

Although this proposal does not increase the number of middle school seats in District 28, the DOE believes that additional high quality options in District 28 will benefit the community. Every child in New York City deserves the best possible education. This starts with a great school – led by a dedicated leader with a vision for student success.

The available District 28 choice middle schools open to J.H.S 8 students, along with their peers throughout the district, include:

DBN	School Name	Address	Grade Span 2012-2013	Grade Span at Scale	Admissions Method ⁶
DISTRICT Options					
28Q008	J.H.S. 008 Richard S. Grossley	108-35 167 STREET	6-8	6-8	Unscreened
28Q072	Catherine & Count Basie Middle School 72	133-25 GUY R BREWER BOULEVARD	6-8	6-8	Unscreened
28Q157	J.H.S. 157 Stephen A. Halsey	63-55 102ND STREET	6-9	6-9	Screened, Unscreened
28Q167	Metropolitan Expeditionary Learning School	91-30 METROPOLITAN AVENUE	6-9	6-12	Limited Unscreened
28Q190	J.H.S. 190 Russell Sage	68-17 AUSTIN STREET	6-8	6-8	Unscreened
28Q217	J.H.S. 217 Robert A. Van Wyck	85-05 144 STREET	6-8	6-8	Unscreened
28Q284	York Early College Academy	108-35 167 STREET	6-12	6-12	Limited Unscreened
28Q310	Queens Collegiate: A College Board School	167-01 GOTHIC DRIVE	6-12	6-12	Limited Unscreened
28Q680	Queens Gateway to Health Sciences Secondary School	160-20 GOETHALS AVENUE	6-12	6-12	Screened
28Q896	Young Women's Leadership School, Queens	150-91 87 ROAD	6-12	6-12	Screened

⁶ Admission Method data exists for all programs that utilize the MS Choice admission process and are listed for every program at the school.

As in the past, District 28 students may also apply to borough-wide and citywide middle schools.

Approximately 2,596 sixth-grade students in District 28 are projected to need seats in the 2013-2014 school year. The projected sixth grade seat capacity would be 2,612. This means that District 28 middle schools would still be able to serve the 2,596 sixth grade students projected for the 2013-2014 school year.

Comment 23(e) concerns future plans to changes to building Q008 that may occur in the future. In particular, the comment suggests that the co-location proposal is part of a larger plan to phase out or reconfigure J.H.S. 8.

The DOE works to ensure that students and families in every community have high-quality educational options. In an effort to increase choice and access to high-quality educational options, but due to space limitations, roughly half of our schools share space in a building. Co-locations allow us to use our limited facilities efficiently while simultaneously creating additional educational options for New York City families. This is necessary because we have scarce resources and a demand for more options. Many school buildings successfully house co-located schools.

In reference to locating 28Q287 as a means to phase-out J.H.S. 8, the DOE anticipates that there will be sufficient space in building Q008 to accommodate both school organizations. The utilization of Q008 is currently 76%. During the first year of the proposed co-location of 28Q287, the utilization of the building will be between 75%-81%. Once all schools in the building are fully phased in or have completed phasing out, utilization in the building will be between 72%-80%. This means that Q008 has adequate capacity to house all of the schools in the building and that there will be sufficient space to accommodate an increase in student enrollment if demand is above the current projections for the new school.

Comment 20(h) is not directly related to the proposal and thus does not require a response.

Changes Made to the Proposal

No changes have been made to the proposal.