



Date: March 22, 2010

Topic: Proposed Co-location of a New School, P.S. 267 (02M267), with Existing Schools in School Building M158

Date of Panel Vote: March 23, 2010

Summary of Proposal

The Department of Education proposes to open a new District 2 elementary school called P.S. 267 to alleviate overcrowding in the Upper East Side neighborhood of Manhattan. P.S. 267 will temporarily incubate in M158, located at 1458 York Avenue, Manhattan, for the 2010-2011 and 2011-2012 school years. P.S. 267 will co-locate with P.S. 158 until its permanent site is available.

The permanent site for P.S. 267 will be M267 – a DOE owned facility - which is located at 213 East 63 Street. M267 currently houses P.S. 59. P.S. 59 is expected to move into a newly constructed building - an Educational Construction Fund project - in September 2012, at which time P.S. 267 will take occupancy of M267.

Demand for zoned elementary schools on the Upper East Side has grown significantly in recent years. In 2009-2010, three schools in the area—P.S. 59, P.S. 183, and P.S. 290—maintained waiting lists for kindergarten enrollment. P.S. 59 and P.S. 183 were ultimately capped and had to assign a percentage of zoned students to alternative schools in surrounding neighborhoods.

In 2010-2011, P.S. 267 will give priority seating to students who are zoned for P.S. 59, P.S. 290 and P.S. 183 to help to alleviate the overcrowding at those schools. The DOE will propose rezoning for 2011 to create an official zone for P.S. 267 that will be designed to alleviate overcrowding in the adjacent zones.

This proposal was developed in consultation with the Upper East Side community. The DOE presented several options for expanding elementary capacity in the area, including expanding P.S. 158 to utilize its full building capacity. Through several CEC public meetings, the community expressed strong preference for incubating a new elementary school to be moved to the M267 building, and this proposal was put forward in response to those preferences.

Building M158 has adequate capacity to permit the incubation of P.S. 267. East Side Middle School will be moving out of M158 into its own facility at 331 East 91st Street prior to

the start of the 2010-2011 school year. As a result of this move, new space will be available in building M158. P.S. 267 is expected to serve three sections per grade in grades K-5 at full scale, but will phase-in gradually, serving Kindergarten students starting next fall, and K-1 students the year thereafter. East Side Middle School currently occupies 15 full-size rooms and six half-size rooms in the building. This footprint offers sufficient space for P.S. 267 to enroll three sections of students in grades K-3, allowing two years of cushion beyond the anticipated completion date for P.S. 59's new building.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing was held at M158 on March 9, 2010, and all interested parties had an opportunity to provide input on the proposal. Twenty-five members of the public attended the hearing. Nine members of the public and representatives of State Senator Liz Krueger, Assembly Member Jonathan Bing, and City Council Members Jessica Lappin and Daniel Garodnick all spoke in favor of the proposal. They noted that the DOE has demonstrated that it has responded to the community's concerns by opening a new elementary school to relieve elementary school overcrowding in the District.

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

A total of three written comments regarding this proposal have been received; no oral comments have been received. Two comments were from parents who were interested in learning more about P.S. 267 and who supported the proposal. Assembly Member Micah Z. Kellner also submitted written comments in support of the proposal.

One advocacy organization submitted general comments objecting to all proposed co-locations of schools being considered by the Panel on March 23, 2010. A summary and analysis of these comments is included in the attached appendix.

No significant alternatives were proposed.

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

No members of the public have opposed the proposal and no significant alternatives have been offered. 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/rdonlyres/676176D9-06BC-42A9-9C45-C5D3C5110CD3/76852/M158_PS267EIS_Final1.pdf.

Appendix: Response to General Comments Regarding Proposed Co-locations of Schools

Summary of Issues Raised and Significant Alternatives Suggested

One advocacy organization submitted general comments objecting to all proposed co-locations of 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 and the DOE's new small 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 charters and new small schools has eliminated critical space from existing district schools.

The comments suggest a moratorium on any new co-locations 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.

Specific reference was made to targets in the City's Contracts for Excellence (CFE) class size reduction plan. DOE proposals for the co-locations of schools are based on current class sizes and the available space in each applicable building according to the citywide instructional footprint which prescribes the number of classrooms needed for each school. Proposals are not based on the space needed for a school to achieve class size reduction targets. The CFE targets are aspirational, are predicated upon levels of State CFE funding that may not occur due to the national recession, and do not reflect current class sizes. The DOE does not believe that the proposed co-locations will increase class size.

The comments assert that charter schools and the DOE's new small 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 as do the DOE's new small schools. The new small schools that have been created over the last six years are serving English language learners and special education students at a higher rate than schools citywide, with better outcomes. On average the new schools have a graduation rate of 75%. During the 2008-2009 school year, ninth-grade enrollment at new schools included 14.2 percent special education students and 13.6 percent English language learners, compared to 12.8 percent special education students and 10.3 percent English language learners citywide. When looking across a school's entire population, they also serve more special education students and ELL students than the citywide average. In 2008-2009, new schools served an average of 12.3 percent special education students and 12.6 percent English language learners compared with 11.6 percent and 10.8 percent, respectively, citywide.