



Amended Public Comment Analysis

Date: March 22, 2010

Topic: Proposed Co-location of a New School, Eagle Academy for Young Men III (29Q327) with Existing Schools in Q059

Date of Panel Vote: March 23, 2010

The original analysis of comments for this proposal was posted on the New York City Department of Education's Web site on February 23, 2010. The analysis was amended on February 24, 2010, to reflect additional comments submitted by members of the public that had not been captured in the February 23 analysis. Erroneous enrollment information was included in these February documents and has been corrected below. On March 19, 2010, the public notice and educational impact statement for this proposal were redistributed to invite additional public comment.

Summary of Proposal

In the 2010-2011 school year, Eagle Academy III (29Q327) will open in building Q059, located at 132-55 Ridgedale Street in Queens. Eagle Academy III is a new, all-male school that will serve grades 6-12. Eagle Academy III would phase in gradually, starting with a sixth-grade class in September 2010 and adding an additional grade annually until operating at full scale. Eagle Academy III will co-locate with I.S. 59, an existing middle school serving students in grades 6-8. This proposal will not displace any students from I.S. 59.

This proposal will achieve several key goals.

First, opening Eagle Academy III in underutilized space in District 29 will add 567 additional middle and high school seats to the District when the school is operating at full scale. There will not be academic criteria for admissions. Building Q059 has available space to accommodate Eagle Academy III without displacing any students at IS 059. The 2008-2009 target capacity for the building was 1,483 students. The target utilization rate was 55%.¹ Current enrollment at I.S. 59 is 838 students, yielding a target utilization rate of only 59 percent. Available underutilized space should permit both schools to operate at scale while ensuring that

¹ The educational impact statement incorrectly cited the 2008-2009 target utilization and target capacity figures as 1,460 and 57 percent, respectively. The correct figures provided above, 1,483 and 55 percent, were used by the DOE in making the decision to propose this co-location and, in fact, indicate that there is more space in the building than the educational impact statement shows. The educational impact statement has been updated to reflect the correct figures.

both schools maintain adequate space and facilities resources to support all students, including those with special needs.

Second, the school will increase the availability of high-quality middle and high school options for students and families in District 29. Eagle Academy has a demonstrated track record of success in serving young men in the City's most disadvantaged communities. In 2008-09, Eagle Academy I—located in District 9 in the Bronx—earned an A grade on its progress report and achieved a 74.4 percent four-year graduation rate, well above the Citywide average even though the school serves a very high-need population. Eagle Academy II, a middle school located in District 23 in Brooklyn, is only two years old and has not yet received a progress report grade.

An Educational Impact Statement on this proposal was posted on the Department of Education's Web site on January 8, 2010.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing was held at Q059 on February 9, 2010, and all interested parties had an opportunity to provide input on the proposal. Two hundred and eight people attended the hearing, and forty-eight people spoke, including State Assembly Member William Scarborough, Representative Gregory Meeks, Council Member Leroy Comrie, and Timothy James, who spoke on behalf of State Senator Shirley Huntley. Thirty members of the public opposed the proposal, noting their belief that Q059 is not the most appropriate site for Eagle Academy III because they were concerned about possible interactions between Eagle Academy III's future high school male students and I.S. 59's middle school female students, potential overcrowding in Q059 as Eagle Academy III grows to scale, and potential safety concerns arising from high school students using the same facilities as middle school students. Commenters also expressed concern that Eagle Academy III students will receive more resources than I.S. 59 students, that the school serves only male students, and that the sharing of space would have a negative impact I.S. 59. It was also questioned whether Q470 (Jamaica High School) and Q490 (Campus Magnet) were considered or could be considered to be alternate siting options for Eagle Academy III.

Eighteen members of the public, including David Banks, Philip Banks, Jr., representatives of 100 Black Men of America, Inc., a student from Eagle Academy for Young Men (09X231), parents of students from existing Eagle Academies, and members of the board of directors of the Eagle Academy Foundation attended the meeting and spoke in favor of the proposal. They noted that the Eagle Academies in the Bronx and Brooklyn have had a record of student academic success, that the community needs a school that will focus on the needs of male students, that Eagle Academy III students will be able to mentor I.S. 59 students, and that the Eagle Academies' mentorship program with the 100 Black Men of American, Inc., will be extended to I.S. 59 students.

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

Since the educational impact statement on the proposal to co-locate Eagle Academy III was published on January 8, 2010, forty-seven written and three oral comments have been submitted. Twenty-five written comments and all three oral comments were opposed to the proposal. Those in opposition to the proposal stated their concerns about possible interactions between Eagle Academy's future high school male students and I.S. 59's middle school female students, the erroneous belief that Eagle Academy III would be a transfer school, and that expanding I.S. 59 would serve more students than siting Eagle Academy III in Q059. Twenty-two comments supported the proposal and noted the existing Eagle Academies' positive reputations and their students' academic success.

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. In addition to making general comments about co-locations of schools, this submission included a specific comment about the Eagle Academy III proposal. It stated that that class size at Q059 could be lowered if the DOE did not use existing space in the building to co-locate another school.

As an alternative to siting Eagle Academy III in Q059, commenters originally suggested that the school be sited in Q470, Q490, or Springfield Gardens.

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

It had been erroneously communicated to the District 29 community that Eagle Academy III would be a charter school and that the Eagle Academies' population would consist of "at-risk" students. Eagle Academy III will not be a charter school, and Eagle Academy III will draw its student population from all male students in District 29 and throughout Queens.

In response to the suggestion that Eagle Academy III should consider alternate siting options in District 29 and/or Queens, the DOE acknowledges that there are other under-utilized buildings with excess capacity. Several other buildings were considered, including Q470 (Jamaica High School) and Q490 (Campus Magnet). The DOE determined that Q059's neighborhood's needs are best aligned with Eagle Academy III's mission and vision. The Springfield Gardens campus was named as one option with space. However, the new schools on that campus are not at their planned enrollments. The capacity is 2,341, and the current total enrollment is 1,605 students. Once the schools are at capacity, the campus would contain 1,863 students, and it would not have space to house a school the size of Eagle Academy III. Another option named was the August Martin campus, which currently has 687 extra seats. The DOE plans to use these seats to alleviate overcrowding at other Queens high schools. Eagle Academy III, which would span grades 6-12, would not be an appropriate use for those seats. Lastly, the seats made available by Jamaica High School's and Business, Computer Applications, and Entrepreneurship High School's phase-outs and eventual closures in Q470 and Q490 are also intended to alleviate overcrowding at other Queens high schools. Thus, siting Eagle Academy in either campus would not be an appropriate use for those seats.

Queen of Peace, a lease site, was also suggested. This currently houses a transfer school and would not have sufficient space to house Eagle Academy III

A number of sites that are not owned by the DOE were also suggested. The DOE currently does not have funding for new lease sites in District 29, and there would not be sufficient time to negotiate a lease and build out the space to DOE standards if funding were available.

Commenters also suggested that co-locating Eagle Academy III in Q059 would detract from I.S. 59's small learning communities and have a negative impact on I.S. 59's enrollment. No I.S. 59 students will be displaced by Eagle Academy III's presence, and I.S. 59 will be able to maintain its small learning community model. Given that Eagle Academy III would be open to all Queens incoming male grade six students, the impact on I.S. 59's enrollment will be minimal. Even if we assumed that a third of Eagle Academy III's incoming grade six class would have otherwise attended IS 59, that represents a register loss of only 27 students each year, for a total enrollment decline of 81 students.

While each of the three learning communities at I.S 59 currently has its own floor, this is not an efficient use of space given demand for seats across District 29 and throughout Queens. Public DOE space is not allocated upon academic achievement or a specific program model; it is allocated based on a school's enrollment. Moreover, space planners will develop a phased-in space plan for Eagle that will still allow IS 59 to thrive and maintain its current small learning community model. While each learning community may not have its own floor, I.S. 59's small learning communities has been successful not because each program has its own floor, but rather because of the individual attention on students and the increased academic focus on the thematic areas. These facets will not be affected by the co-location. Finally, space planners will work with the two principals to ensure that space is divided and shared proportionally, and that attention is paid to issues such as separate entrances and hallway usage, if deemed necessary.

Commenters also stated that they were concerned with problems that could arise from the co-location of an all-male school with a traditional, co-educational school and when Eagle Academy III grows to include high school students while I.S. 59 only serves younger students in grades 6-8. It should be noted that Eagle Academy for Young Men II (23K644) currently shares space with Mott Hall IV (23K522), a traditional dual-gender middle school, and there have been no issues whatsoever involving the Eagle Academy boys causing problems with the other school's young women. Also, Eagle Academy for Young Men (09X231) is located in a building with P.S. 35 Franz Siegel, which serves grades Kindergarten-4 students, and there have been no issues there. Across the City, high school students share buildings with middle school students; potential problems are mitigated by the planning and leadership of the principals involved. There also have been concerns that parents of female I.S. 59 students will feel that their daughters are unsafe and will flee the school. This is based on false rumors and a misperception that Eagle Academy III is a transfer or vocational school for troubled young men.

One commenter suggested that class size at I.S. 59 could be lowered if the DOE did not use existing space in the building to co-locate another school. However, Q059 had a 2008-2009

target utilization rate of 55%, indicating that there is existing unused space in the building. The co-location of an additional school would not prevent the lowering of average class size.

Finally, regarding concerns with engagement and alternate proposals for utilization of excess capacity in Q059, this past fall, representatives from the DOE consulted with I.S. 59's principal and network leader as well as the Community Education Council (CEC) for District 29. The DOE shared utilization data for the building, and asked for feedback and suggestions concerning the prospect of siting another school or program in the building, but no feedback was provided. More recently, the DOE has engaged with the I.S. 59 principal and network leader as well as the District 29 CEC to discuss the specific possibility of co-locating Eagle Academy III in Q059. After the proposed co-location was announced, representatives from the DOE's Office of Portfolio Planning and the proposed school leader for Eagle Academy III attended the District 29 CEC meeting to answer questions about the proposal.

The DOE has chosen not to accept the alternatives proposed. 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-A1C4-0F38AC7260E8/77819/Q059_NewSecondarySchool_EIS_Final22310.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.