



**Dennis M. Walcott**  
*Chancellor*

### **Public Comment Analysis**

Date: April 25, 2012

Topic: The Proposed Temporary Co-Location of Mott Hall Charter School (84XTBD) with P.S. 63 Author's Academy (09X063) in Buildings X063 and X862 in 2012-2013 and 2013-2014

Date of Panel Vote: April 26, 2012

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### **Summary of Proposal**

The New York City Department of Education ("DOE") is proposing to temporarily co-locate grades six and seven of Mott Hall Charter School (84XTBD, "MHCS") in buildings X063 and X862, where the school will be co-located with P.S. 63 Author's Academy (09X063, "P.S. 63"), for a two-year period starting in the 2012-2013 school year. Building X063 and annex building X862 are both located at 1260 Franklin Avenue, Bronx, NY 10456, in Community School District 9 ("District 9"). If this proposal is approved by the Panel for Educational Policy ("PEP"), P.S. 63 will retain all of its classroom and administrative space in building X063, and MHCS will occupy classroom and administrative space in building X862 only. However, P.S. 63 and MHCS will both use shared spaces in the X063 building. Additionally, P.S. 2 Morrisania (09X002, "P.S. 2"), a district elementary school, is currently co-located with P.S. 63 in buildings X063 and X862. P.S. 2 is currently in the process of phasing out and will close at the end of the 2011-2012 school year. A "co-location" means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, libraries, and cafeterias.

MHCS is a new public charter school that is authorized to serve students in grades six through eight at scale. Its mission is to provide rigorous academics and strong supports to prepare students for success in high school, college, and their future careers. The school's charter was approved by the New York State Education Department ("SED") in December 2010. According to this charter, MHCS will admit students through a charter lottery, giving preference to middle school students who reside in District 9.

As noted, this proposal only addresses grades six and seven of MHCS. If this proposal is approved, MHCS will be co-located with P.S. 63 in buildings X063 and X862 for a two-year period starting in the 2012-2013 school year. In 2012-2013, during the first year of implementation, MHCS will serve a total of 80-105 sixth-grade students. In 2013-2014, during the second and final year of implementation, MHCS will serve a total of 160-210 sixth- and seventh-grade students. MHCS will be located in buildings X063 and X862 until the end of the 2013-2014 school year, at which point the school will relocate to its long-term leased private facility, located in District 9, which is currently under construction that is scheduled to be completed by September 2014. Thereafter, the school will continue to grow in its private space until it reaches its full grade-span of grades six through eight in 2014-2015.

Buildings X063 and X862 have a combined target capacity of 995 students. During the current 2011-2012 school year, the buildings are serving a combined total of 661 students, yielding a target utilization rate of 66%. This means that the buildings are underutilized and the space could be used more efficiently to serve more students.

If this proposal is approved, during the first year of its implementation, in 2012-2013, there will be a total of 706-791 students served collectively by P.S. 63 and MHCS across both buildings. This yields a projected target utilization rate of 71-79%. During the final year of this proposal, in 2013-2014, P.S. 63 and MHCS will serve a total of 801-911 students across both buildings. This yields a projected target utilization rate of 81-92%. Therefore, the buildings have sufficient space to accommodate both schools during the period of this proposal. As noted above, MHCS will relocate to its long-term private facility at the end of 2013-2014.

The details of this proposal have been released in an Educational Impact Statement (“EIS”) and Building Utilization Plan (“BUP”) which can be accessed here: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/April2012Proposals.htm>.

Copies of the EIS and BUP are also available in the main office of P.S. 63.

### **Summary of Comments Received at the Joint Public Hearing**

A Joint Public Hearing regarding this proposal was held at school building X063 on April 16, 2012. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 60 members of the public attended the hearing, and 17 people spoke. Present at the meeting were: Recy Dunn, Executive Director of the Division of Portfolio Management’s Charter School Office; Jamal Young from the State Education Department; Reinaldo Díaz, Principal of P.S. 63; Agustin Rosa, President of the P.S. 63 Parent Association; P.S. 63 School Leadership Team (“SLT”) representatives Melody Perez, Gracie Abrigo, Carmen Jacobo, and Velma Gonzalez; Marlene Wilks, Children’s First Network Leader for P.S. 63; and Yolanda Orbegoso, Keisha Womack, and Rosa Fernández from the Division of Portfolio Planning. Marilyn Espada, Community Education Council President for District 9, confirmed prior to the hearing that she would attend but was not in attendance.

**The following comments and remarks were made at the Joint Public Hearing**

1. Several parents stated that P.S. 63 is the highest performing elementary school in District 9. They stated that their children have received a great education from the school.
2. Several commenters suggested that P.S. 63 expand to serve middle school grades. They believe that expanding the school instead of co-locating a new middle school in the building would better serve their community.
3. A commenter stated that P.S. 63 would lose classrooms as a result of the proposed co-location.
4. Several parents contended that the “proposed” co-location has already been decided by the DOE.
5. Several commenters expressed concern about safety in the building, specifically that P.S. 63 elementary school students would be bullied by the new middle school students. They were also concerned about elementary and middle school students sharing the same bathrooms and hallways.
6. Several commenters stated that there is only one safety agent in the building and more are needed if the middle school is to move into the building next September.
7. A commenter stated that her daughter, who graduated from P.S. 63 as valedictorian, applied to a charter school and was rejected. She contended that not everyone is welcome at charter schools.
8. A commenter stated that P.S. 63 does not have a computer room and that its library has no books. They therefore contended that the DOE should allocate the new charter school’s funds to P.S. 63.
9. Several commenters suggested the DOE use the available space in the building for a District 75 program instead. They stated that there is a great need for more District 75 programs in District 9 as many students from the district have to travel long distances to receive appropriate services.
10. A commenter stated that Spanish-speaking families were not receiving interpretation services at the hearing.
11. Geovanti Steward, the proposed new leader of Mott Hall Charter School, discussed his experience as an educator in the Bronx and in Brooklyn and his desire to work with the P.S. 63 community to make the two-year co-location successful.
12. Bob Lesser, Executive Director of Mott Hall Charter School, expressed support for the proposal. He believes that Mott Hall will provide an excellent education focused on character

and leadership development for all students. He invited all families to apply to the school and hopes to work closely with the P.S. 63 community.

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

The DOE received one written comment through the dedicated email address for this proposal. The DOE did not receive any phone messages through the dedicated phone line for this proposal.

13. On behalf of the SLT, Agustin Rosa, President of the P.S. 63 Parent Association, submitted a written letter and signed petition dated March 27, 2012 against the proposal. The letter states the following:
- a. P.S. 63 is outperforming other schools in District 9.
  - b. Due to this success, P.S. 63 should be allowed to expand to serve students in grades kindergarten through eighth.
  - c. There is no need for a new charter middle school in the community because there are already four middle schools in the area.
  - d. The co-location will have an impact on P.S. 63's school environment.
  - e. The P.S. 63 community was promised a gymnasium in the annex after the P.S. 2 completed phasing out.
  - f. A District 75 program in the annex would be more beneficial to the community since there are not enough District 75 seats available in the district.

### **The following comments and remarks were made at the Joint Public Hearing that were not related to the proposal**

14. A commenter stated that Mayor Bloomberg's agenda is to privatize public education in New York City.
15. A commenter thanked parents for attending the hearing and encouraged parents to do the same at other school events.

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

- Comments 1 and 13(a) express support for the P.S. 63 community and the school's overall performance in relation to other district schools.

The DOE acknowledges and commends the students, staff, and leadership of P.S. 63 for their hard work, dedication, and passion for the school.

Although P.S. 63 has made progress over the past few years as indicated by its overall Progress Report grades of A's and B's from 2006 to 2009, the school scored in the 47% percentile in the district on its 2010 Progress Report and has an overall score of C. The DOE will continue to support P.S. 63 through its network for continued progress.

Nevertheless, this proposal is not a reflection of P.S. 63's performance. The DOE's proposal to co-locate Mott Hall is based on the availability of space in the building. Roughly half of DOE schools share space in a building. Because of co-locations, the DOE is able to use limited facilities efficiently while simultaneously creating additional high-quality options for New York City families. This is necessary when we have scarce facilities and a demand for more high-performing options.

- Comments 2 and 13(b) contend that P.S. 63 should expand to a kindergarten to eighth grade school instead of placing a new middle school into the building.

The DOE's Office of New School Development runs a distinct process for schools seeking to implement grade expansions. In this process, principals are asked to draft a formal grade expansion proposal at least a year before implementation, and that proposal is then evaluated through a rigorous process. These proposals are solicited yearly from principals, with the application period for the current cycle having closed approximately one month ago. More information about the new schools grade expansion process can be found at the following Web site: <http://schools.nyc.gov/community/planning/newschools/default.htm>.

At this time, P.S. 63 has not submitted a grade expansion proposal. If P.S. 63 submits a grade expansion proposal in the future, it will be considered through the evaluation process noted above.

Further, the DOE believes that MHCS will provide a high-quality middle school option for students in District 9 and therefore believes that this proposal does, in fact, meet the needs of the community.

- Comments 3 and 13(d) contend that P.S. 63 will lose classroom space and that the school's environment will be disrupted as a result of the co-location.

As described in the EIS and BUP, P.S. 63 will not lose any classroom space as a result of this proposal. MHCS will occupy the space currently utilized by P.S. 2 in annex building X862. P.S. 63 will continue to be able to use all classroom and administrative space in the main building. MHCS will only share common spaces—the cafeteria, library, auditorium, and play areas—with P.S. 63. Each school will have its own scheduled times in the common spaces that will not interfere with one another. Given that the schools will have their respective classrooms in different buildings, the DOE believes that there will be minimal disruption to P.S. 63. P.S. 63 will continue to have the space it needs, including classrooms, resource, cluster, and administrative rooms, and the time needed in public assembly spaces like the cafeteria, library, auditorium, and play areas.

- Comment 4 speculates that a decision has already been made about the proposal.

The DOE is committed to engaging with the community, including its elected representatives, for all proposals involving a significant change in school utilization, as detailed in Chancellor's Regulation A-190. Chancellor's Regulation A-190 sets out the public review and comment process that the DOE undertakes with respect to all such

proposals by the Chancellor (e.g., grade reconfigurations, re-sitings, co-location of schools, or phase-outs.) The DOE considers all of the feedback received during the community engagement process and the joint public hearing. All public comments received at the joint public hearing or through the dedicated e-mail address and phone number for the proposal are included in this document, which is made available to the PEP prior to its vote on the proposal.

There has not yet been a final decision on this proposal. The PEP will vote on this proposal at its meeting on April 26, 2012, at the Prospect Heights Educational Campus.

- In response to comments 5 and 6 which concern safety:

The DOE recognizes that safety is a concern among parents, students, and staff. The DOE is fully committed to working closely with P.S. 63 and MHCS to maintain a safe and secure environment in the building for all students.

The Office of School and Youth Development (“OSYD”) supports schools in maintaining a safe, orderly, and supportive school environment. OSYD works directly with Children’s First Network Safety Liaisons and schools to establish and implement integrated safety, discipline and intervention policies and procedures, to promote respect for diversity, and to nurture students’ pro-social behavior by providing them with meaningful opportunities for social-emotional learning. The DOE encourages all schools to seek support from OSYD to address any issues involving safety and security, including gang-related issues.

School Safety Agents (“SSAs”) are allocated to schools based on each building’s projected enrollment. The NYPD’s School Safety Division looks at a set of variables to determine the number of SSAs to deploy to a particular school building, including the crime rate, size and design of the building, enrollment, and grade span. The School Safety Division will conduct a review of the building prior to the beginning of the 2012-2013 school year and will assign SSAs based on need. If a need is identified following the approval of the proposed co-location, SSAs would be assigned to the building accordingly.

Pursuant to Chancellor’s Regulation A-414, every school/campus must have a School Safety Committee. The committee plays an essential role in the establishment of safety procedures, the communication of expectations and responsibilities of students and staff, and the design of prevention and intervention strategies and programs specific to the needs of the school. The committee is comprised of various members of the school community, including principals, charter school leaders, designees of all other programs operating within the building, the UFT Chapter Leader, a Custodial Engineer designee, and an in-house School Safety Agent Level III. The committee is responsible for addressing safety matters on an ongoing basis and making appropriate recommendations to the principals and charter school leaders when it identifies the need for additional tactics, such as security measures, intervention, or training.

Consistent with the process described above, the leader/designee of P.S. 63 and MHCS will be part of the School Safety Committee. As a member of the School Safety Committee, the

leader/designee of P.S. 63 and MHCS will participate in the development of the buildings' Safety Plans and ensure that any security-related issues or needs which may arise with respect to the co-location of P.S. 63 and MHCS will be addressed on an ongoing basis. Moreover, the Safety Plans for the P.S. 63 main school building and annex will be modified as appropriate to meet any changing security needs associated with the co-location. MHCS will enter information in the buildings' overall Safety Plans to ensure the safe operation of the school building.

- In response to the portion of comment 5 expressing concern about an elementary school being co-located with a middle school.

Due to space limitations, it is not unusual for varying grade levels to be co-located together. There are many buildings Citywide with multiple grade levels served in the same building, where the schools are functioning and co-existing successfully. One such example is the Roberto Clemente Educational Campus located in District 9 where Bronx Early College Academy for Teaching & Learning, a 6-12 school, Grant Avenue Elementary School, a K-5 school, and Science & Technology Academy, a 6-8 school, are co-located. Principals in co-located buildings work together to maximize a building's space for all schools in the building and to ensure that all schools are equitably using the shared spaces.

Furthermore, by the start of the 2012-2013 academic year, there will be 1,070 unique organizations co-located across 488 buildings Citywide. Excluding buildings where a district or charter school is solely co-located with a District 75 or District 79 school, there will be 895 unique district (793) and charter school (102) organizations co-located across 328 buildings. Among the 328 district/district and district/charter co-locations, 82 serve the same grade levels and 246 serve mixed grade levels. The DOE believes, in the context of scarce resources and competing ends, that co-locations permits us to maximize space in order to provide families with more high-performing educational options.

In this case, MHCS will only occupy classroom and administrative space in the annex and its students will utilize the hallways and bathrooms in the annex during class time. It is expected that P.S. 63 and MHCS will interact in the common spaces such as the cafeteria and auditorium as these will be shared between the schools. As in other situations where schools are co-located, the principals of P.S. 63 and MHCS will work together to create a shared space schedule that both accommodates their specific programming and allows for minimal disruption to each other's school day.

- Comment 7 contends that charter schools do not admit all children.

Public charter schools run a lottery in order to admit students fairly if the number of students who apply for admission to a class is greater than the number of seats available in that class. Lotteries select students randomly from among the applicant pool, giving preference to students who live in the community school district in which the charter school is located. Students with disabilities and English Language Learner students are treated the same as any other charter lottery applicant. If admitted, students with disabilities and English Language Learners must receive all mandated services in accordance with State law. The Charter

Schools Office within the Division of Portfolio Planning and/or the charter school's authorizer investigates all concerns about this and remedies any situation where allegations prove true. In addition, the New York State Education Department, in its role as charter authorizer for MHCS and in accordance with State law, is responsible for holding the school accountable for compliance with all aspects of its charter, including budget, student performance, bylaws, etc.

- Comment 8 contends the DOE should repurpose funds to P.S. 63:

Charter schools receive public funding pursuant to a formula created by the State legislature, and overseen by the New York State Education Department. The DOE does not control this formula, and the funding formula for charter schools is not affected by the approval or rejection of this proposal. Charter management organizations, just like any other school Citywide, may also choose to raise additional funds to purchase various resources they feel would benefit their students (e.g., Smartboards, fieldtrips, etc).

In the case of district schools in New York City, schools are funded 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/English Language Learner/Title I status). If a school’s population declines from 2,500 to 2,100 students, for example, the school’s budget decreases proportionally—just as a school with an increase in students receives more money. Principals have discretion over their budget and make choices about how to prioritize their resources, including deciding whether to purchase textbooks or invest in books for a new library.

This means that even if the charter school were not to open in a DOE building, the funds for the students would still go to MCHS, and P.S. 63 would continue to be funded in a manner equitable with all other DOE schools.

- Comments 9 and 13(f) suggest the DOE should place a District 75 program in the P.S. 63 annex.

The DOE plans for District 75 programs on a borough-wide basis, not a district-wide basis. Each District 75 site is tailored to meet the unique instructional and social-emotional needs of District 75 students and a variety of sites and options allow us to best serve these students. The DOE currently has over 6,000 seats in the Bronx for District 75 students at several sites that offer a wide spectrum of services to best serve students who have specific and unique needs. While the school community has an interest in siting a District 75 program in the P.S. 63 annex, the DOE has determined that this location would not be the best match for District 75’s current space needs. Notwithstanding, the DOE may propose other uses of the annex in the future, which may include the creation or re-siting of a District 75 program.

Additionally, the DOE is opening a new District 75 site in District 9 at the New Settlement construction in September 2012. The new building, which has state-of-the-art facilities designed to meet the particular needs of District 75 students, will offer up to 96 seats of

capacity for District 75 students. This will be another option for families in the borough, including District 9 families.

- Comment 10 contends that no interpretation services were available for Spanish-speaking families at the joint public hearing.

There were two interpreters present at the joint public hearing providing interpretation services to Spanish-speaking families. The DOE made multiple announcements at the hearing for interpretation and those who needed the services had the opportunity to receive them. In addition, copies of the EIS and BUP were available to families in Spanish at the hearing.

- Comments 11 and 12 are in support of this proposal and do not require a response.
- In response to comment 13(c) concerning the need for a new charter middle school:

The DOE believes that MHCS will be a valuable addition to the District 9 community. The school is also open to the entire district through its charter lottery, and as such will be an option for all District 9 students who may not have access to the four middle schools in the area of which the community supports.

MHCS was authorized to operate in District 9 serving grades sixth through eighth at scale by the New York State Education Department. Further, the school will move to private space within two years, and as a result this proposal does not impact whether or not the middle school will eventually open to serve District 9 students.

- In response to comment 13(e) concerning the conversion of the annex into a gymnasium.

The DOE has no record of any past plans to convert the annex building into a gymnasium, nor does it have any current plans to do so.

### **Changes Made to this Proposal**

- No changes have been made to this proposal.