



### **Public Comment Analysis**

Date: January 31, 2011  
Topic: The Proposed Closure of KAPPA II (05M317)  
Date of Panel Vote: February 1, 2011

---

### **Summary of Proposal**

KAPPA II (05M317, “KAPPA II”) is an existing choice middle school located at 144-176 East 128 Street, New York, NY, 10035, in Community School District 5, in Building M030. It currently serves students in sixth through eighth grade. P.S. 30 Hernandez/Hughes (05M030, “P.S. 30”), an existing zoned elementary school; P.S. 138 (05M138, “P138M”), an existing District 75 school which serves students in multiple locations; and Harlem Success Academy 2 Charter School (84M384, “HSA 2”), an existing public charter school, are also located at M030. The New York City Department of Education (“DOE”) is proposing to close KAPPA II based on its poor performance and the DOE’s assessment that the school lacks capacity to turn around quickly to better support student needs.

If this proposal were approved, KAPPA II would close at the conclusion of the 2010-2011 school year. Current students would be offered seats at other District 5 schools, or could apply to public charter schools in District 5 or throughout the City. (Students who do not meet promotional requirements following the closure would continue to have access to appropriate courses to support their progress toward promotion. For example, if a current sixth grader does not meet promotion standards to enter seventh grade in 2011-12, he/she may repeat sixth grade at his/her new school.)

The DOE’s proposal to close KAPPA II at the conclusion of the 2010-2011 school year, rather than phase KAPPA II out over two years, is driven by the fact that enrollment at KAPPA II is too low to be sustained over a two-year phase out. KAPPA II currently enrolls a total of 65 students, including 13 sixth graders, 23 seventh grade students and 29 eighth grade students. There is sufficient capacity in District 5 schools and the public charter schools that give preference to District 5 students to provide these students with seats in another school in their community for 2011-2012.

The Office of Student Enrollment would inform parents of current sixth- and seventh-grade students about middle school transfer options in Spring 2011.

P.S. 30, P138M, and HSA 2 would remain “co-located” in M030 once KAPPA II is closed. 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. Once HSA2 has completed its expansion and KAPPA II has closed, there would be approximately 1,000 students served in the building and projected utilization would be 95% of target capacity.

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

A joint public hearing regarding this proposal was held at Building M030 on January 11, 2011. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 55 members of the public attended the hearing, 4 people spoke and 4 questions were submitted. Present at the meeting were District 5 Community Education Council Representative Ta-Tanisha Rice; KAPPA II PTA President Angela Clemens; P.S. 30 School Leadership Team Chair Douglas La Pierre; Deputy Chancellor Marc Sternberg; District 5 Superintendent Gale Reeves.

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

1. Ta-Tanisha Rice, Vice President of District 5’s CEC, expressed the opinion that the school’s struggles are due to a lack of support from the Department of Education—specifically, that the DOE should have intervened when the school first began to face challenges. Ms. Rice also stated that she was not opposed in general to the proposed expansion of a charter school, but thought that charters should be given their own building space rather than be co-located. Finally Ms. Rice expressed concern about whether there would be enough middle school seats to accommodate students might have attended KAPPA II, if it is phased out.
2. KAPPA II PTA President Angela Clemens offered her support to parents through the coming process – in enrollment decisions and conversations with students – should a phase-out occur.
3. One commenter expressed concern that three different middle schools in District 5 have been proposed for phase-out, and speculated that this pattern could be attributed to a lack of support from the DOE. The commenter noted the high turnover in principals and staff at KAPPA II, and blamed the DOE for failing to notice problems early on.
4. One attendee asked why KAPPA II students have not yet been given middle school choice applications.
5. One attendee asked why the DOE has not yet proceeded to phase out KAPPA II, given that it has already signaled its intent to do so.
6. One attendee inquired into designating space in the building to meet student needs for adaptive physical education for current students with disabilities, including cerebral palsy.
7. One attendee asked whether HSA would expand within the building to become a K-8 school, or whether it would remain as K-4.
8. One attendee asked whether it would be possible for P.S. 30 to expand to grade 6.

**The DOE received comments at the Joint Public Hearing which did not directly relate to the proposal**

9. P.S. 30 SLT Chair Douglas La Pierre noted a large decline in enrollment at PS 30 in recent years, coupled with an increase in the number of public charter school students.

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

10. The DOE received a comment concerning all phase-out proposals calling for a moratorium on school closings, which stated that the DOE is the servant of the people and is not acknowledging the community's opposition to these proposals. The commenter suggested a facilitated discussion process which would work towards consensus.

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

With regard to comments 1 and 3, the DOE offered numerous supports to KAPPA II in response to low Progress Report scores and Quality Review rating. Due to these scores and rating, the DOE initiated a comprehensive review of the school with the goal of determining what intensive supports and interventions would best benefit its students and the community. The support covered needs in the areas of Leadership, Instruction, Operations, Student Support, and Safety and Security. Details on these supports are provided in the EIS. Moreover, the DOE supports all schools, including those that face challenges, specifically through the Children First Network; thus, these instances of support were not the first time the school ever received support.

Finally, excluding the seats currently available at KAPPA II or other District 5 middle schools proposed for phase out or closure, which include Academy for Collaborative Education and I.S. 195, there are 4,632 total sixth- through eighth-grade seats in District 5 including DOE and public charter schools. In 2009-2010, there were only 3,471 sixth- through eighth-grade students enrolled in District 5 schools, including those at ACE, KAPPA II and I.S. 195. This means that there is extra space in existing District 5 schools at the sixth- through eighth-grade level after the proposed closures or phase out of ACE, KAPPA II, and I.S. 195.

Comment 2 does not raise issues that require a response.

With regard to comment 4, the Office of Student Enrollment will inform parents of current sixth- and seventh-grade students about middle school transfer options in Spring 2011.

With regard to comment 5, KAPPA II was proposed for phase-out last year; that proposal was approved in January 2010, but a lawsuit prevented the DOE from implementing that plan. It is not possible to phase-out or close the school prior to a vote by the PEP, which is scheduled to occur on February 1, 2011.

With regard to comment 6, subsequent conversation with the Principal of P138M has indicated a request to schedule space for adaptive physical education to meet student needs due to the

difficulty of scheduling time in the gymnasium for these students. This request has been communicated to the Office of Space Planning. The Office of Space Planning will review the proposed shared space schedule for the gymnasium and the indoor play area; we believe adaptive physical education needs can be addressed through these shared resources. If these needs cannot be addressed through existing shared spaces, the Office of Space Planning will designate space for this purpose.

With regard to comment 7, the current plan for HSA 2 in the M030 building includes HSA2 adding one grade per year until it serves students in Kindergarten through fourth grade. Should HSA 2 apply to expand to serve grades K-8, the fifth through eighth grades would be located in a different building.

With regard to comment 8, middle school grades for DOE schools have been standardized as grades six through eight. All District 5 schools follow one of the following models: K-5, K-8, 6-8, 9-12 or 6-12 in order to provide choice options for all students and standard grades for school admissions and transfers.

With regard to comment 10, the central goal of the Children First reforms is to create a system of great schools. 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. To ensure that as many students as possible have access to the best possible education, since 2003 New York City has replaced 91 of our lowest-performing schools with better options and opened 474 new schools: 365 district schools and 109 public charter schools. As a result, we’ve created more high-quality choices for families.

Based on feedback from communities in 2009 and 2010, the DOE made improvements to its timeline and process for communicating with schools and families early and often throughout the investigation and decision making process. This year, we talked to school leadership, parents, SLTs, CECs, elected officials, and local CBOs about our ideas about how to improve struggling schools. We convened these meetings to discuss our proposals and to hear feedback and new ideas.

The Department developed and distributed “Fact Sheets” for each school we talked with. These fact sheets described proposals, the rationale behind them, included relevant data, and provided clear instructions for how to offer feedback. They were posted on our website and distributed at meetings.

When we announced the Department’s recommendation to propose the school for phase out, dedicated teams of educators and engagement specialists spent several days back in these schools meeting with teachers, parents, and students.

In January, Joint Public Hearings were held for all proposals and public feedback was collected at these meetings and through dedicated email and phone numbers. The Department’s analysis of public comment will be available on-line prior to the vote.

#### **Changes Made to the Proposal**

No changes to the proposal itself were made in response to public feedback. However, as noted above, the DOE will work with the Building Council as it establishes a final shared space schedule, in order to schedule space for adaptive physical education.