

EDUCATIONAL IMPACT STATEMENT: The Proposed Phase-out of M.S. 571 The Bergen Upper School (13K571)

I. Summary of Proposal

M.S. 571 The Bergen Upper School (13K571, “M.S. 571”) is an existing middle school located at 80 Underhill Avenue, Brooklyn, NY, 11238, in Community School District 13, in Building K009 (“K009”). It currently serves students in sixth through eighth grade. M.S. 571 is co-located with P.S. 9 Teunis G. Bergen (13K009, “P.S. 9”), an existing zoned elementary school that serves students in kindergarten through fifth grade, and offers three full-day pre-kindergarten classes with a total of 54 seats. “Co-location” refers to instances where two or more school organizations are located in the same building, often sharing common spaces such as cafeterias, auditoriums, gymnasiums, libraries, or outdoor recreation areas. The New York City Department of Education (“DOE”) is proposing to phase out and eventually close M.S. 571 based on its poor performance and the DOE’s assessment that the school lacks the ability to turn around quickly to better support student needs.

If this phase-out proposal is approved, M.S. 571 would no longer admit sixth-grade students after the conclusion of the 2010-2011 school year. One grade would then be phased out in each subsequent year. During the 2011-2012 school year, M.S. 571 would serve students in grades seven and eight. In 2012-2013, M.S. 571 would serve students in eighth grade. The school would close after June 2013.¹ Current students in grades six and seven will continue to be served by M.S. 571 and will be supported as they progress toward completion of middle school. Consistent with current practice, students in grade eight will be supported throughout the High School Admissions Process as they select a high school.

In 2009-2010, K009 had a target capacity to serve 1,192 students, and the building enrolled 751 students, yielding a target building utilization rate of 63%.² K009 currently enrolls 713 students, yielding a target building utilization rate of 60%.³ In a separate Educational Impact Statement (“EIS”), the DOE is proposing to re-site an existing charter middle school, Brooklyn East Collegiate Charter School (84K780, “Brooklyn East Collegiate”), from its current temporary location in District 17 to K009.⁴ Brooklyn East Collegiate currently serves approximately 80 students in fifth grade and will gradually grow to serve fifth through eighth grade when it is fully phased in at K009.⁵ If the proposal to re-site and co-locate Brooklyn East Collegiate is approved, Brooklyn East Collegiate would continue phasing in at K009 and would admit fifth-grade students through the charter lottery application process with a preference for District 13 students. Beginning in the 2011-2012 school year, Brooklyn East Collegiate will expand to serve

¹ Students who do not meet promotional requirements during the phase out plan will continue to have access to appropriate courses to support their progress toward promotion.

² All references to building utilization rates in this document are based on target capacity data from the 2009-10 Enrollment Capacity Utilization Report (the “Blue Book”) and accounts for students who are “Long Term Absences”. Building enrollment figures quoted are taken from the 2009-2010 Audited Register and do not include students who are Long Term Absences. Note that building capacity and utilization figures include pre-Kindergarten capacity and enrollment, and are not always a precise indicator of whether a school is over or under-utilized. Where appropriate, the Office of Space Planning will conduct a detailed walk-through of the building in order to assess the amount of available space in the building.

³ The official target capacity and utilization rates for the 2010-11 school year are not yet available. All references to building utilization rates in this document are based on target capacity data from the 2009-10 Enrollment Capacity Utilization Report (the “Blue Book”) and includes students who are “Long Term Absences (LTA)”. Building Enrollment figures quoted are taken from the November 1, 2010 unaudited register and also include any potential LTAs.

⁴ <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/default.htm>

⁵ Based on November 1, 2010 unaudited register.

approximately 80 additional students in sixth grade. When Brooklyn East Collegiate completes its expansion in 2013-2014 and achieves full scale, it will serve approximately 300-350 fifth through eighth grade students in K009.

P.S. 9, M.S. 571 and Brooklyn East Collegiate would be co-located as M.S. 571 phases out and as Brooklyn East Collegiate phases in. More details regarding the co-location is described in Section III. P.S. 9 currently enrolls 544⁶ students in kindergarten through fifth grade and offers three sections of pre-kindergarten; its enrollment is not expected to be impacted by the proposed phase out of M.S. 571 or the phase in of Brooklyn East Collegiate in K009. Once Brooklyn East Collegiate has completed its expansion and M.S. 571 has completed its phase out, there will be approximately 950-1,000⁷ students served in the building, which would yield a target building utilization rate of approximately 84%. This would allow sufficient space for K009 to accommodate any increase in student enrollment resulting from demand for the new school or an increase in the number of families residing in P.S. 9's geographic zone.

Background on the DOE's Decision-Making Process

Schools may be eligible for phase-out for three reasons: (1) they received poor grades on their annual Progress Report; (2) they received a poor rating on their annual Quality Review; or (3) they have been identified by the New York State Education Department ("SED") as Persistently Low Achieving ("PLA"). Specifically, under the DOE's accountability framework, all schools that receive a D or F, or a third consecutive grade of C or lower on their annual Progress Report and all schools that received a rating below Proficient on their most-recent Quality Review are evaluated for intensive support or intervention, including the possibility of phase-out.⁸ Progress Reports are released by the DOE each fall and evaluate schools based on Student Progress, Student Performance, and School Environment, which includes safety, attendance and survey feedback from parents, teachers and sixth-grade to twelfth-grade students. During Quality Reviews, which are also released by the DOE, experienced educators visit a school over several days, observing classrooms and talking with students, staff, and families. Schools are rated on a four-point scale, with "Underdeveloped" as the lowest possible rating and "Well Developed" as the highest.

A school's Progress Report and its Quality Review initially suggest a school be considered for intervention, but no single criteria leads to a phase-out decision. To identify the kind of action that will be best for the student community, the DOE reviews school data, consults with superintendents and other experienced educators who have worked closely with the school, and gathers community feedback.

M.S. 571 earned a D grade on its 2009-2010 Progress Report, including F grades in the Student Performance, Student Progress, and School Environment sub-sections.

Based on those conditions, the DOE initiated a comprehensive review of M.S. 571 with the goal of determining what intensive supports and interventions would best benefit its students and the community. During that review, the DOE looked at recent and historical performance, as well as demand for the school, consulted with superintendents and other experienced educators who have worked closely with the school, and gathered community feedback.

After completing that review, the DOE believes that only the most serious intervention—the gradual phase-

⁶ Unaudited register November 1, 2010, excludes Pre-Kindergarten

⁷ Estimate based on projected enrollment at Brooklyn East Collegiate and projected K-5 enrollment at P.S. 9, with the current kindergarten class size at P.S. 9 (November 1, 2010 unaudited register), used to project the size of future incoming kindergarten classes. Excludes pre-kindergarten

⁸ Elementary schools with average math and ELA proficiency rates higher than the district average, which earn a "Well Developed" rating on the Quality Review, or which are receiving a progress report for the first time are not considered for phase out.

out and eventual closure of M.S. 571—will address the school’s longstanding struggles and allow for new school options to develop in K009 that will better serve future students and the broader community.

Performance and School Environment at M.S. 571

M.S. 571’s performance during the last few years confirms the DOE’s assessment that the school lacks the capacity to turn around quickly to better support student needs.

- M.S. 571 earned an overall D grade on its 2009-2010 Progress Report, including F grades in the Student Performance, Student Progress, and School Environment sub-sections.
- M.S. 571 has struggled with low student performance as its performance has declined relative to other middle schools each year for the past three years.
 - In 2009-2010, only 8% of M.S. 571 students were performing on grade level in English Language Arts (“ELA”), putting M.S. 571 in the bottom 2% of all middle schools in New York City. That same year, only 14% of M.S. 571 students were on grade level in math, putting M.S. 571 in the bottom 4% of middle schools Citywide.
 - In 2008-09, 32% of M.S. 571 students were performing on grade level in ELA, in the bottom 2% in middle school ELA proficiency Citywide, and 55% of M.S. 571 students were performing on grade level in math, putting M.S. 571 in the bottom 10% in middle school math proficiency Citywide.
 - In 2007-08, 31% of students were on grade level in ELA, in the bottom 20% in ELA proficiency Citywide, and 49% of M.S. 571 students were performing on grade level in math, in the bottom 23% for math proficiency Citywide.
- M.S. 571 students have not shown signs of academic growth over the last three years.
 - In 2009-2010, M.S. 571 was in the bottom 5% of middle schools in terms of learning growth in ELA and the bottom 7% of middle schools in terms of learning growth in math.
 - In 2008-09, M.S. 571 was in the bottom 7% of middle schools Citywide in terms of the percent of students making one-year progress in ELA.
 - If these downward trends persist, M.S. 571 students will only fall further behind their peers in other schools.
- Attendance at M.S. 571 remains low. The 2009-2010 attendance rate was 83%, below the Citywide average of 92% for middle schools. In fact, this is the lowest attendance rate among all middle schools Citywide.
- Safety has been a concern at M.S. 571. On the 2009-2010 New York City School Survey, nearly one in three student respondents—28%—reported feeling unsafe in the hallways, bathrooms, and locker rooms at M.S. 571. Parent respondents also expressed concerns about their children’s safety, with 17% reporting that they felt their children were unsafe at school. Most teachers—64%—reported that discipline and order are not maintained at M.S. 571.
- M.S. 571 was rated “Proficient” on its most recent Quality Review in 2008-2009. Quality Reviews evaluate schools based on the way that they are organized to support student learning.⁹ While Proficient schools possess strengths and weaknesses, M.S. 571’s 2009 Quality Review cited a number of serious concerns. Specifically, the reviewer indicated that the use of data to create effective lessons and differentiated strategies is not consistent school-wide, resulting in inadequate differentiation of teaching to meet each student’s needs. The report further indicated that the school should improve by making timely adjustments to curriculum and instruction to increase student performance and implementing broader outreach to community organizations, foundations, and partnerships that could support the school environment and students’ academic, social, and emotional growth.
- Demand for seats at M.S. 571 is low. District 13 middle schools admit students through the Middle

⁹ For more information about Quality Reviews, please visit the DOE’s website at: <http://schools.nyc.gov/Accountability/tools/review>

School Choice process. During the 2009-2010¹⁰ school year, only 25% of students who applied to M.S. 571 ranked it in their top three choices. This indicates that M.S. 571 is not a desirable school option to rising sixth graders in District 13.

- Enrollment at M.S. 571 has declined steadily. In the 2005-2006 school year, M.S. 571 served a total of 281 students and had a sixth grade of 92 students. In 2009-2010 there were only 211 students enrolled in the school, and only 52 enrolled in sixth grade.

The chart below summarizes key performance data for M.S. 571 over the past three years.

M.S. 571 ¹¹	2007-2008	2008-2009	2009-2010 ¹²
School Performance and Progress			
Overall Progress Report Grade	B	B	D
Performance Grade	B	A	F
Progress Grade	B	B	F
Environment Grade	D	D	F
Quality Review Score	P	P	P
Performance Data			
English Language Arts % Proficient (Levels 3 and 4)	31%	32%	8%
Math % Proficient (Levels 3 and 4)	49%	55%	14%
Other Key Performance Indicators			
Attendance Rate	88%	88%	83%
2010-2011 State Accountability Status			
Improvement (year 1) - Comprehensive			

Overview of Past Strategic Improvement Efforts at M.S. 571

We recognize that M.S. 571 staff members have worked hard to improve the school, but the school has not yet turned around. To help the school’s efforts to improve performance, the DOE has offered numerous supports to M.S. 571 including:

Leadership Support:

- Offering leadership mentoring, training, and coaching for the principal on recruiting and retaining talented staff, setting school wide goals, and developing systems to help implement best teaching practices.
- Working with the principal to develop a detailed plan that aligned with M.S. 571’s Quality Review, outlined its strengths and areas for improvement, established a timeline, and assigned action items to individuals.
- Connecting administrators with other schools to learn effective practices that could be replicated at M.S. 571.

¹⁰ 2009-10 Fifth grade applicants applying to middle school for the 2010-11 school year.

¹¹ Source: Progress Report

¹² In 2010, the New York State Education Department adjusted the “cut scores” on annual mathematics and English Language Arts exams, raising the score required for students to achieve Level 3 (grade-level proficiency) or higher on the exam. As a result, the percent of students performing at grade level fell significantly at schools statewide, including most New York City schools. While the percent of students achieving proficiency declined, on average, New York City's students’ raw scores on the tests remained largely unchanged relative to the prior year.

Instructional Support:

- Supporting the principal in creating individual teacher goals, developing a plan-of-action for each teacher, and creating individualized training plans.
- Helping the principal analyze data to find patterns and trends in the performance of various sub-groups of students, particularly English Language Learners and students with disabilities.
- Working with the principal, assistant principal, literacy and math coaches, and a data specialist to develop a data system to project and monitor student progress.
- Offering professional development to teachers in curriculum planning, student engagement, project-based learning, and designing assessments.
- Working with the school to establish teacher teams that focus on the needs of English Language Learners, students with disabilities, and students performing below grade level.
- Arranging for on-site content experts to coach teachers in English, math, social studies and science.
- Working with M.S. 571 to ensure students with disabilities and English Language Learners receive proper services.

Operational Support:

- Guidance on implementing a \$400,000 one-time grant for capital expenditures. The school received \$50,000 to have lockers installed in classrooms and \$350,000 to use with P.S. 9 to create a library. Both projects have been completed.
- One-on-one support for the principal and staff on topics including budgeting, human resources, recruiting and retaining talented teachers, building management, and operational compliance issues.
- Guidance on managing relationships with the other school in the building to allow for efficient and coordinated use of facilities and shared spaces.

Student Support:

- Implementing the Mayor's Truancy Program, through which M.S. 571 received three mentors to help bolster student attendance and establishing a school attendance team that meets semi-weekly to analyze data and develop long-term plans to improve attendance.
- Helping M.S. 571 secure partnerships with Brooklyn Community Services, which provides after-school and academic enrichment programs, and Urban Advantage, which exposes students to science through cultural institutions.

Safety Support: The DOE makes available the following supports to schools around 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 NYPD).
- Providing technical assistance when incidents occur via the Borough Safety Directors.
- Providing professional development and support to CFN Safety Liaisons.
- Providing professional development and kits for Building Response Teams.
- Monitoring and certifying School Safety Plans annually.

Given M.S. 571's lack of success—whether as part of a centralized effort to support all schools or the individualized plans for M.S. 571—it is apparent that M.S. 571 has failed to develop the proper infrastructure to meet the needs of its students and families.

Summary of Community Feedback

Prior to issuing this proposal, the DOE sought and received feedback from the M.S. 571 community about strategies to better support students and improve outcomes at the school. The DOE held meetings with the Parent Teacher Association (“PTA”) and the School Leadership Team (“SLT”) on October 27, 2010, to discuss possible scenarios for M.S. 571 due to its continued poor performance. The meetings were attended by approximately 38 people. The DOE also solicited community feedback via telephone and e-mail, creating a dedicated website for this purpose:

<http://schools.nyc.gov/community/planning/changes/brooklyn/MS571>.

Parents expressed several concerns about M.S. 571:

- Confusion about homework and uniform requirements because school policies are inconsistent.
- Serious concerns about student safety.
- There is a lack of after-school activities, assistance with homework, and enrichment programs.
- Parental involvement is low and must be improved.

The School Leadership Team expressed some similar concerns and cited problems with low attendance and difficulties in bringing low-achieving students up to grade level. They also had positive feedback about new efforts, which include joining a new network and implementing new programs to help struggling students. However, these positive components are not enough to move M.S. 571 in the right direction.

While many members of the M.S. 571 community objected to the possibility of phasing out the school, the DOE believes that decisive action must be taken given the school’s longstanding performance struggles, the lack of evidence that the school is poised to quickly turn around to better support students, and the low demand for seats at the school.

The DOE will also continue to seek and review community feedback while this proposal is under consideration by the Panel for Educational Policy (“PEP”).

II. Proposed or Potential Use of Building

The building in which M.S. 571 and P.S. 9 are located, K009, has the capacity to serve 1,192 students. K009 is a partially accessible building for students with physical disabilities. In 2009-2010—the most recent year for which audited enrollment data is available—the building served 751¹³ students, yielding a target utilization rate of 63%.¹⁴ In 2010-2011, K009 has a current enrollment of 713, which would yield a target building utilization rate of 60%.¹⁵

In a separate EIS, the DOE will propose to re-site an existing charter middle school, Brooklyn East

¹³ 2009-2010 Enrollment Capacity Utilization Report, includes pre-kindergarten

¹⁴ The official target capacity and utilization rates for the 2010-11 school year are not yet available. All references to building utilization rates in this document are based on target capacity data from the 2009-10 Enrollment Capacity Utilization Report (the “Blue Book”) and accounts for students who are “Long Term Absences”. Building enrollment figures quoted do not include students who are Long Term Absences. Note that building capacity and utilization figures include Pre-Kindergarten capacity and enrollment, and are not always a precise indicator of whether a school is over or under-utilized. Where appropriate, the Office of Space Planning will conduct a detailed walk-through of the building in order to assess the amount of available space in the building

¹⁵ The official target capacity and utilization rates for the 2010-11 school year are not yet available. All references to building utilization rates in this document are based on target capacity data from the 2009-10 Enrollment Capacity Utilization Report (the “Blue Book”) and includes students who are “Long Term Absences (LTA)”. Building Enrollment figures quoted are taken from the November 1, 2010 unaudited register and also include any potential LTAs.

Collegiate, which will serve students in fifth through eighth grade when at scale in K009. That proposal is outlined in a separate EIS posted on December 20, 2010.¹⁶

Over the next three years, the proposed grade spans for the schools in the K009 building are as follows:

School Year	2010-11	2011-12	2012-13	2013-14
P.S. 9 ¹⁷	K, 1, 2, 3, 4, 5			
M.S. 571	6, 7, 8,	7, 8	8	NA
Brooklyn East Collegiate	-	5, 6	5, 6, 7	5, 6, 7, 8

Brooklyn East Collegiate would begin to phase in to building K009 in 2011-2012 and would serve fifth and sixth grade students for an estimated total enrollment of approximately 150-170 students. The school will serve approximately 300-350 students in fifth through eighth grades at full scale in 2013-2014.

Currently, P.S. 9 enrolls approximately 544¹⁸ students in kindergarten through fifth grade and offers three full day pre-kindergarten classes with a projected enrollment of 54 students. It is not anticipated that the proposed phase out of M.S. 571 will impact the enrollment at P.S. 9 or the pre-kindergarten classes currently located in K009.

Once M.S. 571 has completed its phase-out and Brooklyn East Collegiate has fully phased in, there will be approximately 950-1,000¹⁹ total students served in the building, yielding a building utilization rate of 84%.

III. Impact of the Proposal on Affected Students, Schools, and Community

A. Students

Enrollment Options for Current M.S. 571 Students

If this proposal is approved, M.S. 571 would be phased out gradually over the next several years and would no longer admit new sixth-grade students after the end of this school year. Current sixth and seventh grade students would be supported at M.S. 571 as they progress towards completion of middle school and transition to high school.

In 2011-2012, M.S. 571 would serve students in seventh and eighth grades. Then, in 2012-2013, M.S. 571 would only serve students in eighth grade. M.S. 571 would close after June 2013.

Students who do not meet promotional requirements during the phase-out would continue to have access to appropriate courses to support his or her progress toward promotion and will continue to be enrolled at M.S. 571. For example, if a current sixth grade student does not meet promotional standards to enter seventh grade in 2011-12, he or she will continue their enrollment as a sixth grade student at M.S. 571 even though the school would not admit any incoming sixth-grade students. Students who do not meet

¹⁶ <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals>

¹⁷ There is also a pre-kindergarten program offered at P.S. 9. It is expected that the program would be unaffected and the table does not include pre-kindergarten students.

¹⁸ As of unaudited register data on November 1, 2010, excludes pre-kindergarten

¹⁹ Excludes pre-kindergarten

promotional requirements will be accommodated in existing classes, in bridge classes or pull-out classes, and they will be provided with the appropriate support and instruction needed to meet promotion requirements. Instructional decisions on how to serve students who do not meet promotion requirements are made by school administrators and instructional staff. In June 2013 (the final year of phase-out), any eighth-grade students who do not meet graduation requirements would be served by another District 13 middle school, or a middle school in the district in which the student resides.

Impact on Academic and Extracurricular Offerings at M.S. 571

There are no immediate proposed changes to available instructional or extracurricular programs currently offered at M.S. 571. That said, the availability of certain offerings at the school would inevitably be impacted as the school phases out, serves an increasingly smaller student population, and eventually closes.

With respect to academics, M.S. 571 would continue to offer all necessary classes to support current students as they work to meet promotional requirements. As total enrollment at the school shrinks, the school may scale back its special programs and initiatives or enrichment classes. 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.

M.S. 571's special programs and courses include vocal music, integrated algebra, living environment Regents courses, and Spanish classes.

With respect to student athletics and other extracurricular programs such as the CHAMPS program, boys and girls basketball, mentoring and mediation programs, M.S. 571 would continue offering these options, but the number and range of programs offered may gradually diminish due to declining student enrollment as the school phases out. 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 students as all schools modify extracurricular offerings annually based on student demand and available resources.

M.S. 571 currently offers Collaborative Team Teaching ("CTT") classes, Special Classes ("SC"), and Special Education Teacher Support Services ("SETSS"). It also has an English as a Second Language ("ESL") program for English Language Learners ("ELLs"). The existing CTT, SC, and SETSS classes would continue to be provided as M.S. 571 phases out and students with disabilities will continue to receive mandated services in accordance with their Individualized Education Plans ("IEPs"). As noted elsewhere in this document, K009 will continue to be partially accessible. Current students at M.S. 571 who receive ELL services will continue to receive ELL services as the school phases out.

During the proposed phase-out, the DOE will build on our past efforts to help the school by:

- Providing teacher training around issues including curriculum planning, improving teaching practices, and tailoring instruction to individual student needs.
- Fostering opportunities for teachers and administrators to connect with colleagues in other more successful schools, allowing them to learn from one another, improve teaching and better support students.
- Facilitating partnerships with community-based organizations to support youth development initiatives at the school.

Impact on Community Partnerships at M.S. 571

M.S. 571 currently has partnerships with several community organizations: Achievement Via Individual Determination (AVID), which offers college-readiness preparation; Agile Mind, which offers educational resources and tools to educators and students; Cooperative, Healthy, Active, Motivated, Positive Student

(CHAMPS), which offers sports and health programs; The Noel Pointer Foundation, which offers a string musical literacy program; and Project Stretch, which offers an electronic literacy program. These partnerships will continue to support students as M.S. 571 phases out, though it is possible that the nature and scope of those partnerships will change based on shifting need and resource availability as the school moves toward closure.

As outlined in the Middle School Directory, other District 13 middle schools currently offer CHAMPS or have partnerships with similar sports or fitness organizations, such as the YMCA, Creative Outlet Dance Theater Brooklyn, and the New York Junior Tennis League. Other District 13 middle schools also have community partnerships offering a range of literacy, music, and educational technology programs, such as Joyce Theater Company, American Museum of Natural History, Marquis Studios, Urban Word, MOUSE Squad, Brooklyn Museum, Brooklyn-Queens Conservatory of Music, and the Mark Morris Dance Theater Company. Other partnerships promoting college awareness and readiness currently offered in District 13 middle schools include: PACE University, Duke University, CUNY, Medgar-Evars College, Long Island University, New York University, and Polytechnic University. Therefore, residents of District 13 will continue to have access to partnerships like those currently offered at M.S. 571 at other District 13 middle schools.

As the school phases out, the DOE will work with M.S. 571 staff to enhance existing partnerships or develop new partnerships if specific, new student needs emerge during the phase-out period. The DOE will work with other school organizations in the building to foster opportunities for them to work with the community organizations that have supported M.S. 571 students in the past. As appropriate, the DOE will work with Brooklyn East Collegiate and P.S. 9 to introduce or expand partnerships with the community organizations that currently support M.S. 571 students and other District 13 middle school students.

Admission Impact on Current and Future Students at P.S. 9

The proposed phase-out and eventual closure of M.S. 571 is not expected to impact current or future student enrollment or instructional programming at P.S. 9. Additionally, barring changes in available funding or student enrollment, the pre-kindergarten program at P.S. 9 would continue to exist and should not be affected by this proposal.²⁰ Currently, P.S. 9 offers three full-day pre-kindergarten classes with a projected total enrollment of 54 students.

The impact of the proposed co-location of P.S. 9, M.S. 571, and Brooklyn East Collegiate in K009 is described in detail in a separate EIS that was posted on December 20, 2010. Please visit the DOE website to access that EIS: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals>

Admissions Impact for Future Middle School Students

M.S. 571 is a middle school that admits students through the District 13 Middle School Choice process, where fifth grade students rank order their middle school preferences on a centralized application and are matched to schools through a computer-based matching process. If this proposal to phase out and close M.S. 571 is approved, the school will be removed from the matching process for the 2010-2011 District 13 middle school choice application process, and no current fifth-grade students would be matched to M.S. 571 for the 2011-2012 school year. For example, if a current fifth-grade student has submitted his or her application and selected M.S. 571 as a third-choice school, the matching process will automatically skip to the fourth-choice school, and so on and so forth.

²⁰ The DOE's Pre-Kindergarten programs are maintained based on available funding and student enrollment.

Students would continue to have access to a broad range of middle school options through the District 13 Middle School Choice process, as outlined in the tables on pages 12-13. In a separate EIS, the DOE will propose the re-siting of Brooklyn East Collegiate, which is temporarily located in District 17, to K009, where it would be co-located with P.S. 9 and serve District 13 middle school students.²¹

While many District 13 middle schools offer only grades six through eight, Brooklyn East Collegiate offers grades five through eight. If this proposal to phase out and close M.S. 571 is approved, and the proposal to re-site and co-locate Brooklyn East Collegiate in K009 is approved, all current fourth graders residing in District 13 will have the opportunity to enter an application through the charter application lottery in the Spring to enroll Brooklyn East Collegiate in fifth grade in September 2011.²²

In order to best anticipate the future needs of students, the DOE utilizes historical data to predict the volume and demographic of students it will need to serve as a result of a phase-out decision.

Approximately 33 students were admitted to sixth grade through the Middle School Choice process at M.S. 571 during the 2009-2010 school year for September 2010 enrollment. Seven students were held over from the previous year, and approximately 9 sixth-grade students were admitted to M.S. 571 through the “over-the-counter” (“OTC”) placement process. Similarly, 6 students were admitted to M.S. 571 through this over-the-counter process in seventh grade and 11 total students in eighth grade.

Over-the-counter (OTC) placement is a term that refers to the method of enrolling students who need a school assignment because they were not part of any admissions process for entry grades and/or were not enrolled in a NYC school at the time school started. These students fall into one of three categories:

- New to the New York City school system; or
- Left the New York City school system and have returned; or
- Are seeking transfers (based on the guidelines outlined in Chancellor’s Regulation A-101).²³

When a middle school eligible student arrives for an over-the-counter placement, his/her school assignment is determined by his or her interest, home address and which schools have available seats, and where applicable, transfer guidelines. Students are eligible to attend middle school based on the district of elementary school attendance or the district to which the student’s address is zoned for middle school. In un-zoned districts, the student visits a Borough Enrollment Office where he or she meets with a counselor who reviews options that will meet the student’s needs. However, in many districts, students may simply report to their zoned middle school at the start of the year.

If the Division of Portfolio Planning determines that additional OTC seats may be needed, the number of available seats is reviewed and—if space allows—adjusted in those schools where the admissions methods are limited unscreened, educational option or unscreened. Should a zoned school reach capacity, the school may be “capped,” in which case OTC arrivals may be directed to a different district middle school. Should sufficient space open at the capped school, the student has the right to return if they so choose.

For the 2010-2011 school year, 14 schools in District 13 accepted a total of 374 students in grades 6-8 students through the over-the-counter placement process, for an average of approximately 27 students per school. Even excluding all new and additional seats, the projected increase in average OTC students in

²¹ <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals>

²² For more information about the charter school lottery application process, please consult the DOE’s Directory of NYC Charter Schools, which can be accessed on the DOE’s website: <http://schools.nyc.gov/community/planning/charters/For+Parents>.

²³ Per Chancellor’s Regulation A-101, students have the “right to return” to their prior school following discharge within one calendar year of discharge, subject to available seats. Therefore, it is possible that non-zoned students arriving for an OTC placement may be granted admission to a zoned school.

District 13 as a result from this proposal in 2011-2012 would be less than two students per school, or an average increase of less than one student per grade.

In District 13, where there is middle school choice, students are offered the opportunity to apply to a range of middle schools within their district, and/or schools with borough-wide or city-wide eligibility. Students may also choose to apply to a number of schools that manage their own admission process. Information about all of these options is printed in each district's Middle School Choice Directory which can be found at <http://schools.nyc.gov/ChoicesEnrollment/Middle/Publications>. In District 13 Middle School Choice, students rank their preferences from among District 13 choice middle schools. These options include:

- choice middle schools with a screened application process (entrance is based on criteria designated by the school);
- choice middle schools with an unscreened or limited-unscreened application processes (Note: limited-unscreened schools admit students on the same basis as unscreened schools except that they give preference to students who have attended a school information session).

The school with a comparable admissions method (screened) to M.S. 571 is M.S. 113 (13K113; additional information on this school is listed in the chart on page 12).

In addition, screened and audition middle schools and alternative programs are offered through referrals. In this way, the DOE is able to offer individual students the widest breadth of options across a large number of schools.

Students with IEPs will participate in the middle school admissions processes in the same manner as their non-disabled peers. The DOE will support middle schools in reviewing students' IEPs to focus on addressing the needs of students with disabilities by providing individualized service models that ensure students have access to the general education curriculum to the greatest extent possible. The middle school to which a student is matched will develop a program to meet the student's needs. This process would apply to students with IEPs transitioning to middle school in the same manner as it applies to all other students. Similarly, any students with IEPs will continue to receive appropriate services at the choice school to which they are matched.

In accordance with DOE policy, ELLs participate in the middle school admissions processes in the same manner as their peers who are not ELLs. Students who are ELL are placed according to the same placement criteria as their English-speaking peers. Current students at M.S. 571 who receive ELL services will continue to receive ELL services as M.S. 571 phases out. Similarly, any students requiring ELL services will continue to receive appropriate services at the middle school to which they are matched.

In addition, future sixth-grade students will continue to have access to a broad range of middle school options through the District 13 Middle School Choice process. The table below outlines District 13 middle schools' performance, % SE, % ELL, admissions process, target organizational capacity,²⁴ target utilization rate,²⁵ total enrollment,²⁶ and site accessibility.

School	DBN	Address	Grades Served in 2010-2011	2009-2010 Progress Report Grade	% SE	% ELL	Admissions Process	Organizational Target Capacity	Target Utilization Rate	2010-11 Enrollment	Site Accessibility
Satellite Three	13K103	170 GATES AVENUE	6-8	C	9%	4%	District 13 Middle School Choice - Screened	344	81%	276	Functionally Accessible
M.S. 113 Ronald Edmonds Learning Center	13K113	300 ADELPHI STREET	6-8	C	13%	2%	District 13 Middle School Choice - Screened and Audition	1357	69%	921	Functionally Accessible
Dr. Susan S. McKinney Secondary School of the Arts	13K265	101 PARK AVENUE	6-12	C	7%	2%	District 13 Middle School Choice - Audition	1110	47%	494	Not Accessible
M.S. K266 - Park Place Community Middle School	13K266	62 PARK PLACE	6-8	C	3%	1%	District 13 Middle School Choice - Screened	0	0%	197	Not Accessible
P.S. 282 Park Slope	13K282	180 6 AVENUE	K-8	B	1%	2%	District 13 Middle School Choice - Limited Unscreened	896	99%	958	Not Accessible
Satellite East Middle School	13K301	344 MONROE STREET	6-8	D	9%	2%	District 13 Middle School Choice - Screened	283	89%	242	Not Accessible
Satellite West Middle School	13K313	209 YORK STREET	6-8	B	13%	4%	District 13 Middle School Choice - Screened	404	54%	177	Not Accessible
Academy of Business and Community Development	13K336	141 MACON STREET	6-11	D	11%	2%	District 13 Middle School Choice - Screened	592	35%	230	Functionally Accessible

²⁴ The official target capacity and utilization rates for the 2010-11 school year are not yet available. All references to building utilization rates in this document are based on target capacity data from the 2009-10 Enrollment Capacity Utilization Report (the "Blue Book"). Note that building capacity and utilization figures are not always a precise indicator of whether a school is over or under-utilized. Where appropriate, the Office of Space Planning will conduct a detailed walk-through of the building in order to assess the amount of available space in the building.

²⁵ Target Organizational Capacity and Target Utilization Rate are taken from the 2009-2010 Enrollment Capacity Utilization Report.

²⁶ Based on November 1, 2010 unaudited register, excludes pre-Kindergarten.

Urban Assembly Academy of Arts and Letters	13K492	225 ADELPHI STREET	6-8	B	13%	1%	District 13 Middle School Choice - Screened	362	80%	307	Functionally Accessible
Urban Assembly Institute of Math and Science for Young Women	13K527	283 ADAMS STREET	6-11	D	7%	1%	District 13 Middle School Choice - Screened	450	70%	398	Not Accessible
Khalil Gibran International Academy	13K592	50 NAVY STREET	6-8	C	-	10%	District 13 Middle School Choice - Screened	177	65%	111	Not Accessible
Knowledge and Power Preparatory Academy VII Middle School	13K596	300 WILLOUGHBY	6-8	D	8%	4%	District 13 Middle School Choice - Limited Unscreened	359	54%	188	Not Accessible
FORT GREENE PREPARATORY ACADEMY	13K691	100 CLERMONT AVENUE	6	-	-	-	District 13 Middle School Choice - Screened	NA	0%	104	NA

In addition, future sixth-grade students will continue to have access to a broad range of middle school options for Brooklyn borough-wide and Citywide middle schools.²⁷ Additional information regarding special programs and courses offered by the schools listed here are available in the online Middle School Directory, which is updated yearly: <http://schools.nyc.gov/ChoicesEnrollment/Middle>.

²⁷ Target Organizational Capacity and Target Utilization Rate are taken from the 2009-2010 Enrollment Capacity Utilization Report; Enrollment is based on unaudited November 1, 2010 register data and excludes Pre-Kindergarten.

School	DBN	Address	Grades Served in 2010-2011	2009-2010 Progress Report Grade	% SE	% ELL	Admissions Process	Organizational Target Capacity ²⁸	Target Utilization ²⁹ Rate	2010-2011 Enrollment ³⁰	Site Accessibility[4]
New Explorations into Science, Technology and Math High School	01M539	111 COLUMBIA STREET Manhattan	K-12	A	0%	0%	Citywide School Based Application - Screened	1560	95%	1,593	Not Accessible
Institute for Collaborative Education	02M407	345 EAST 15TH STREET Manhattan	6-12	C	0%	1%	Citywide School Based Application - Screened	357	136%	498	Partially Accessible
Professional Performing Arts High School	02M408	328 WEST 48 STREET Manhattan	6-12	A	0%	1%	Citywide School Based Application - Screened	540	86%	495	Not Accessible
Ballet Tech, NYC Public School for Dance	02M442	890 BROADWAY Manhattan	5-8	C	0%	7%	Citywide School Based Application - Screened	248	58%	148	Partially Accessible
The Anderson School	03M334	100 WEST 77 STREET Manhattan	K-8	A	0%	1%	Citywide School Based Application - Screened	431	131%	571	Not Accessible
Tag Young Scholars	04M012	240 EAST 109 STREET Manhattan	K-8	A	0%	0%	Citywide School Based Application - Screened	429	109%	504	Functionally Accessible
Academy of Business and Community Development	13K336	141 MACON STREET BROOKLYN NY	6-11	D	11%	2%	Boroughwide District Middle School Choice - Screened	592	70%	230	Functionally Accessible
Urban Assembly Institute of Math and Science for Young Women	13K527	283 ADAMS STREET BROOKLYN NY	6-10	D	7%	1%	Boroughwide District Middle School Choice	450	35%	398	Not Accessible
Khalil Gibran International Academy	13K592	50 NAVY STREET BROOKLYN NY	6-8	C	0%	10%	Boroughwide District Middle School Choice - Screened	177	65%	111	Not Accessible
Young Women's Leadership School of Brooklyn	14K614	223 GRAHAM AVENUE BROOKLYN	6-8	C	15%	6%	Boroughwide School Based Application - Limited Unscreened	516	25%	198	Not Accessible

²⁸ Target Organizational Capacity and Target Utilization Rate are taken from the 2009-2010 Enrollment Capacity Utilization Report; Enrollment is based on unaudited November 1, 2010 register data and excludes Pre-Kindergarten.

²⁹ Target Organizational Capacity and Target Utilization Rate are taken from the 2009-2010 Enrollment Capacity Utilization Report; Enrollment is based on un-audited November 1, 2010 register data and excludes Pre-Kindergarten.

³⁰ Un-audited register data November, 2010

Science, Technology and Research Early High School at Erasmus	17K543	911 FLATBUSH AVENUE BROOKLYN	6-12	C	0%	0%	Boroughwide District Middle School Choice - Screened	678	72%	517	Functionally Accessible
Medgar Evers College Preparatory School	17K590	1186 CARROLL STREET BROOKLYN	6-12	B	0%	0%	Boroughwide District Middle School Choice - Screened	753	125%	1,036	Functionally Accessible
P.S. 235 Lenox School	18K235	525 LENOX ROAD BROOKLYN	K-8	B	2%	1%	Boroughwide District Middle School Choice - Screened	680	88%	1,313	Partially Accessible
Urban Assembly School for Criminal Justice (All Girls)	20K609	4200 16 AVENUE BROOKLYN	6-9	B	6%	11%	Boroughwide District Middle School Choice - Unscreened	242	88%	295	Partially Accessible
Mark Twain I.S. 239 for the Gifted & Talented	21K239	2401 NEPTUNE AVENUE BROOKLYN	6-8	A	2%	2%	Citywide Choice (Gifted and Talented - Screened)	1686	76%	1,330	Not Accessible
Brooklyn College Academy	22K555	2900 BEDFORD AVENUE BROOKLYN	7-12	B	0%	0%	Boroughwide District Middle School Choice - Screened	488	65%	620	Functionally Accessible
Brooklyn Collegiate: A College Board School	23K493	2021 BERGEN STREET BROOKLYN	6-12	D	4%	1%	Boroughwide District Middle School Choice - Screened	1097	55%	599	Functionally Accessible
Kappa V	23K518	985 ROCKAWAY AVENUE BROOKLYN	6-8	C	14%	1%	Boroughwide District Middle School Choice - Screened	480	58%	260	Not Accessible
Mott Hall IV	23K522	1137 HERKIMER STREET BROOKLYN	6-8	C	5%	1%	Boroughwide District Middle School Choice - Screened	474	46%	258	Not Accessible
Eagle Academy for Young Men II (All Boys)	23K644	1137 HERKIMER STREET BROOKLYN	6-8	A	16%	2%	Boroughwide District Middle School Choice - Limited Unscreened	478	31%	212	Not Accessible
Teachers Preparatory High School	23K697	226 BRISTOL STREET BROOKLYN	6-12	C	7%	2%	Boroughwide District Middle School Choice - Screened	667	87%	572	Functionally Accessible
J.H.S. 383 Philippa Schuyler	32K383	1300 GREENE AVENUE BROOKLYN	5-8	C	4%	1%	Boroughwide District Middle School Choice - Screened	1277	88%	971	Functionally Accessible

B. Schools

M.S. 571 currently enrolls 169 students, of which 49 students are sixth-grade students. If this proposal and the proposal to re-locate Brooklyn East Collegiate are approved, M.S. 571 will phase out gradually as Brooklyn East Collegiate phases in to K009. In addition, as described on page 16, there is sufficient capacity to absorb students in existing District 13 middle schools.

The overall plan for K009 includes the phase-out of M.S. 571 and the re-siting of Brooklyn East Collegiate, which is projected to serve approximately 300-350 students in fifth through eighth grades at full scale in 2013-14. As mentioned previously in this document, Brooklyn East Collegiate is an existing charter school that would, beginning in 2011-12, admit fifth-grade students through the charter lottery process with priority to District 13 residents. The building would also continue to house P.S. 9, which currently enrolls approximately 544 students in kindergarten through fifth grade. In 2013-14, once Brooklyn East Collegiate is at full scale, the projected total building enrollment would be approximately 950-1,000³¹ students, or 84% building utilization. This means that the building has adequate capacity to accommodate the full expansion of Brooklyn East Collegiate and P.S. 9 in K009. The K009 building will continue to be a partially accessible building.

If this proposal is approved, there will be sufficient space to serve M.S. 571, P.S. 9, and Brooklyn East Collegiate pursuant to the Citywide Instructional Footprint (the “Footprint”) throughout the period while M.S. 571 phases out and while Brooklyn East Collegiate gradually phases in. Please visit the DOE’s website to access the Footprint, which guides space allocation and use in City schools:
http://schools.nyc.gov/NR/ronlyres/8CF30F41-DE25-4C30-92DE-731949919FC3/87633/NYCDOE_Instructional_Footprint_Final9210TNT.pdf.

According to the 2009-2010 building walk-through conducted by the Director of Space Planning, K009 has 72 total rooms, including 56 full-size rooms, 1 full-size science demonstration room, 10 half-size rooms, and 6 quarter-size rooms. K009 also has the following rooms, which will be shared by all schools during M.S. 571’s phase out and Brooklyn East Collegiate’s phase-in: a cafeteria, two gymnasiums, and the library. 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 Office of Space Planning.

If both this proposal and the proposal to phase in the new school are approved, space will be allocated to each school according to the Footprint. In 2011-2012, M.S. 571 is projected to serve 85-105 seventh and eighth grade students (including students with disabilities). M.S. 571 would receive a baseline allocation of 8 full-size classrooms. M.S. 571 would receive resource rooms and office space in accordance with the Footprint.³²

In 2011-2012, P.S. 9 is projected to serve between 600-650 students (including students enrolled in 3 pre-kindergarten and 4 Self-Contained special education classes). P.S. 9 would receive a baseline allocation of 34 full-size classrooms. This includes an allocation of 3 full-size cluster rooms. P.S. 9 would also be allocated administrative and resource room spaces in accordance with the Footprint.

³¹ Excludes pre-kindergarten

³² Half-size classrooms can be used as Self-Contained special education classrooms, as resource rooms, or as office space. They will be allocated to schools pursuant to the Footprint. When there are insufficient half-size rooms or rooms designed for administrative use in the building to satisfy a school’s Footprint allocation, the DOE may allocate additional full-size rooms to compensate a school. Similarly, full-size rooms may be allocated where there are insufficient half-size rooms for use as resource rooms or Self-Contained special education classrooms.

In 2011-2012, Brooklyn East Collegiate is projected to serve 160 fifth and sixth grade students (including students with disabilities). Brooklyn East Collegiate would receive a baseline allocation of 7 full-size classrooms. Brooklyn East Collegiate would receive resource rooms and office space in accordance with the Footprint.³³

The 2011-2012 allocation of space is detailed in the chart below, and in the Building Utilization Plan (“BUP”) that accompanies the EIS proposing the co-location of Brooklyn East Collegiate in K009:

	Full-size Room Baseline Allocation Per Footprint	Half-size Room Baseline Allocation Per Footprint	Administrative Room Baseline Allocation Per Footprint	Additional Full-size Rooms Allocated	Additional Half-size Rooms Allocated	Additional Administrative Rooms Allocated
P.S. 9	34	2	4	3	4	10
M.S. 571	8	0	2	1	0	5
Brooklyn East Collegiate	7	2	2	1	0	0

In 2013-14, when Brooklyn East Collegiate completes its expansion and achieves full scale, it will serve approximately 300-350 fifth through eighth grade students. Per the Footprint, Brooklyn East Collegiate should be allocated a baseline of 13 full-size classrooms. P.S. 9 is projected to serve 600-650 students in grade kindergarten through five and 54 students in pre-kindergarten. Per the Footprint, P.S. 9 should be allocated a baseline of 36 full-size classrooms. Each school will receive resource rooms and office space in accordance with the Footprint.³⁴ This includes an allocation of 3 full-size cluster rooms.

In order to maintain each school’s autonomy, the DOE would allocate the entire first and second floors to P.S. 9 and the third floor to Brooklyn East Collegiate. The long-term allocation of space is detailed in the chart below and in the attached BUP:

	Full-size Room Baseline Allocation Per Footprint	Half-size Room Baseline Allocation Per Footprint	Administrative Room Baseline Allocation Per Footprint	Additional Full-size Rooms Allocated	Additional Half-size Rooms Allocated	Additional Administrative Rooms Allocated
P.S. 9	36	2	4	1	6	10
Brooklyn East Collegiate	13	2	3	4	0	5

As in other situations where other schools are co-located, the schools would need to share large common and specialty rooms in the building, namely the cafeteria, the two gymnasiums, and the library. 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 Office of Space Planning. A Shared Space Committee will also meet a minimum of 4 times a year and report back to the Building Council regarding shared space questions. For additional information regarding the anticipated shared space allocation, please see the Building Utilization Plan that accompanies the EIS proposing the co-location and re-siting of Brooklyn East Collegiate in K009. Any unallocated space would be equitably distributed

³³ Same as above.

³⁴ Same as above.

among the schools based on student enrollment.

In accordance with New York State Charter Schools Act of 1998 (as amended), any expenditure over \$5,000 made by a public charter school to upgrade their facilities must be approved by the Chancellor, and must be matched by the DOE for the benefit of each of the co-located DOE schools in the building.

C. Community

M.S. 571 has struggled with low performance despite the considerable support that the DOE has offered to the school. As a result, there is a need to provide better options for families in the community. The DOE supports parent choice and strives to ensure that all families have access to high-quality schools that meet their children's needs. The proposed co-location and re-siting of Brooklyn East Collegiate is intended to meet those goals by continuing to provide high-quality middle school choice options for all students in District 13.

MS 571 is the only middle school in District 13 that the DOE is proposing to phase out this year. Based on the November 1, 2010 unaudited enrollment register, M.S. 571 is currently serving 62 sixth-grade students. The DOE is not proposing to create new seats but is instead utilizing this space to permanently place an existing, high-quality middle school. These projected 62 sixth-grade seats in District 13 eliminated by M.S. 571's phase-out and eventual closure would be recovered through the continued phase-in of new schools and absorption by existing capacity in current middle schools in District 13.

- Excluding the seats currently available at M.S. 571, there are 1,529 sixth-grade seats in District 13.³⁵
- The re-siting of Brooklyn East Collegiate will create an additional 80 sixth-grade seats in District 13 as it phases in to serve fifth through eighth grade at full scale.
- In 2010-2011, there were only 1,211 sixth-grade students enrolled in District 13 schools, including those at M.S. 571.³⁶ This means that there is additional space in existing District 13 schools in the middle school entry grade.
- On December 14, 2010, the Panel for Educational Policy approved a proposal outlined in a revised EIS posted on November 22, 2010, to expand Urban Assembly Academy of Arts and Letters ("Arts and Letters") which is co-located in K020 and currently serves sixth through eighth grades. Arts and Letters will begin serving kindergarten and first grade classes in 2011. Beginning in 2013-14, the school will decrease the incoming sixth-grade class from approximately 100 seats to 50 seats in order to make space for their additional grade levels. The incoming sixth-grade seat capacity will decrease by approximately 50 seats, for a total decrease of 150 seats across sixth, seventh, and eighth grades over a period of three years. By 2015-16, Arts and Letters would serve kindergarten through eighth grade. Even with the total decrease of 150 seats in sixth through eighth grades as a result of the approved proposal, District 13 middle schools will continue to have available capacity to accommodate any future middle schools students that would be impacted by the proposed phase out of M.S. 571.
- As mentioned previously, in a separate EIS posted on December 20, 2010, the DOE is proposing to re-site and co-locate Brooklyn East Collegiate from its temporary location in District 17 to K009. On January 26, 2010, the Panel for Educational Policy ("PEP") approved the phase-out of P.S. 332 and the co-location of Brooklyn East Collegiate in building K332. A lawsuit prevented this co-location and, therefore, Brooklyn East Collegiate was temporarily sited in building K434. Brooklyn East Collegiate is currently co-located with Uncommon Charter High School and Achievement First Charter High School. Both Uncommon Charter High School and Achievement First Charter High School are phasing in to serve grades nine through twelve.

³⁵ 2009-2010 Enrollment Capacity Utilization Report, excludes charter school seat capacity

³⁶ November 1, 2010 unaudited register

In short, the proposal to phase out M.S. 571 is not expected to yield a net deficit of seats in K009 or District 13. In 2009-2010, K009 had a utilization rate of 63%.³⁷ When Brooklyn East Collegiate is co-located with P.S. 9, completes its phase-in, and achieves full scale, the DOE projects that K009 will serve approximately 950-1,000³⁸ students, which would yield an approximate 84% building utilization rate.

As discussed in this proposal, there is one new District 13 middle school in the process of phasing in that will serve sixth through eighth grade. Also, there is one charter school phasing in middle school grades to serve kindergarten through eighth grade at scale and one charter school phasing in to serve fifth through twelfth grades at scale. Both provide priority preference to District 13 students. These schools are listed in the below table.

School Name (DBN)	Address	Enrollment ³⁹	Current Grade Served 2010-11	Projected Grades Served at Scale	Admissions Criteria	Programs/Activities
Fort Greene Preparatory Academy (13K691)	100 Clermont Avenue	104	6	6-8	District 13 Middle School Choice – Screened	Humanities Program Focus, Art, Drama, Basketball
Community Partnership Charter School (84K702)	241 Emerson Place	332	K-6	K-8	Charter Lottery – District 13 priority	Extended day, extracurricular activities
Achievement First Endeavor Charter School (84K508)	510 Waverly Avenue	332	5-9	5-12	Charter Lottery – District 13 priority	Mandatory Summer Academy, Afterschool, Extended day Basketball, Theater

Detailed information about charter schools will also be published annually and would be available in print or on the DOE website here: http://schools.nyc.gov/NR/rdonlyres/50117A5B-DB95-4231-82CC-16C853A8EE2B/0/CharterSchoolDirectory_English.pdf.

This proposal is not expected to impact the ability of community members and organizations to obtain school building use permits at K009. This proposal is not expected to impact the partial site accessibility of the K009 building.

³⁷ Includes pre-kindergarten
³⁸ Excludes pre-kindergarten
³⁹ November 1, 2010 unaudited register data

IV. Enrollment, Admissions and School Performance Information

M.S. 571

Admissions Data

Current Admissions	Grades 6-8: District 13 Middle School Choice, Screened
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Enrollment Data

Current Grades Served	6-8
2010-2011 Enrollment	169
Grades Served 2011-2012	6,7
2011-2012 Projected Enrollment	85-105
Grades Served 2012-2013	7
2012-2013 Projected Enrollment	25-50
Grades Served 2013-2014	NA
2013-2014 Projected Enrollment	0

Demographic Data

Percentage of Students Receiving CTT or SC Services⁴⁰	11%
Percentage of Students with an Individual Education Plan⁴¹	24%
Percentage of English Language Learner Students⁴²	9%
Percentage of Students Eligible for Free or Reduced Lunch⁴³	84%

⁴⁰ Students Receiving CTT and SC services as percentage of total students from the 2009-2010 Audited Register.

⁴¹ Students with Individual Education Plan as percentage of total students from the 2009-2010 Audited Register.

⁴² English Language Learner students as percentage of total students from the 2009-2010 Audited Register.

⁴³ Percentage of Students Eligible for Free or Reduced Lunch from School Allocation Memorandum No. 9, FY11, June 30, 2010

School Performance Data

M.S. 571 ⁴⁴	2007-2008	2008-2009	2009-2010 ⁴⁵
School Performance and Progress			
Overall Progress Report Grade	B	B	D
Quality Review Score	P	P	P
Performance Data			
English Language Arts % Proficient (Levels 3 and 4)	31%	32%	8%
Math % Proficient (Levels 3 and 4)	49%	55%	14%
Other Key Performance Indicators			
Attendance Rate	88%	88%	83%
2010-2011 State Accountability Status			
Improvement (year 1) - Comprehensive			

P.S. 9

Admissions Data

Current Admissions	<p>Pre-Kindergarten: Standard Universal Pre-K Admissions Process</p> <p>Grades K-5: Zoned</p>
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⁴⁴ Source: Progress Report

⁴⁵ In 2010, the New York State Education Department adjusted the “cut scores” on annual mathematics and English Language Arts exams, raising the score required for students to achieve Level 3 (grade-level proficiency) or higher on the exam. As a result, the percent of students performing at grade level fell significantly at schools statewide, including most New York City schools. While the percent of students achieving proficiency declined, on average, New York City's students’ raw scores on the tests remained largely unchanged relative to the prior year.

Enrollment Data

Current Grades Served	K-5
2010-2011 Enrollment	544
Grades Served 2011-2012	K-5
2011-2012 Projected Enrollment	550-600
Grades Served 2012-2013	K-5
2012-2013 Projected Enrollment	600-650
Grades Served 2013-2014	K-5
2013-2014 Projected Enrollment	600-650
Projected Enrollment at Scale	600-650 ⁴⁶

Demographic Data

Percentage of Students Receiving CTT or SC Services ⁴⁷	12%
Percentage of Students with an Individual Education Plan ⁴⁸	15%
Percentage of English Language Learner Students ⁴⁹	4%
Percentage of Students Eligible for Free or Reduced Lunch ⁵⁰	87%

⁴⁶ Projected enrollment based on current enrollment (November 1, 2010 unaudited register) , with the current kindergarten class size used to project future incoming kindergarten classes.

⁴⁷ Students Receiving CTT and SC services as percentage of total students from the 2009-2010 Audited Register.

⁴⁸ Students with Individual Education Plan as percentage of total students from the 2009-2010 Audited Register.

⁴⁹ English Language Learner students as percentage of total students from the 2009-2010 Audited Register.

⁵⁰ Percentage of Students Eligible for Free or Reduced Lunch from School Allocation Memorandum No. 9, FY11, June 30, 2010

School Performance Data

P.S. 009 Teunis G. Bergen ⁵¹	2007-2008	2008-2009	2009-2010 ⁵²
School Performance and Progress			
Overall Progress Report Grade	C	A	C
Quality Review Score	WD	P	
Performance Data			
English Language Arts % Proficient (Levels 3 and 4)	68%	76%	45%
Math % Proficient (Levels 3 and 4)	83%	90%	51%
Other Key Performance Indicators			
Attendance Rate	92%	92%	92%
2010-2011 State Accountability Status			
In Good Standing			

Brooklyn East Collegiate

Admissions Data

Current Admissions	Grade 5: Lottery
Admissions after Re-Siting and Full Phase-In	Grade 5: Lottery

Enrollment Data

Current Grades Served	5
2010-2011 Enrollment	80
Grades Served 2011-2012	5,6
2011-2012 Projected Enrollment	150-170
Grades Served 2012-2013	5,6,7
2012-2013 Projected Enrollment	225-255
Grades Served 2013-2014	5,6,7,8
2013-2014 Projected Enrollment	300-350
Projected Enrollment at Scale	300-350

⁵¹ Source: Progress Report

⁵² In 2010, the New York State Education Department adjusted the “cut scores” on annual mathematics and English Language Arts exams, raising the score required for students to achieve Level 3 (grade-level proficiency) or higher on the exam. As a result, the percent of students performing at grade level fell significantly at schools statewide, including most New York City schools. While the percent of students achieving proficiency declined, on average, New York City's students’ raw scores on the tests remained largely unchanged relative to the prior year.

Demographic Data

Percentage of Students Receiving CTT or SC Services ⁵³	N/A
Percentage of Students with an Individual Education Plan ⁵⁴	N/A
Percentage of English Language Learner Students ⁵⁵	N/A
Percentage of Students Eligible for Free or Reduced Lunch ⁵⁶	N/A

V. Initial Costs and Savings

Once the phase-out is fully implemented, the DOE will cease to allocate funds to M.S. 571 and repurpose all remaining funds previously allocated to the school.

Most funding in school budgets is allocated on a per-pupil basis. For each student no longer on the M.S. 571 roster as the phase-out is implemented, the school is expected to receive approximately \$4,384.81 less in base per pupil funding annually for middle school students. These estimates are based on current Fair Student Funding (FSF) per capita allocation levels and are subject to annual variation. FSF covers basic instructional expenses and FSF funds may, at the school’s discretion, be used to hire staff, purchase supplies and materials, or implement instructional programs.

As a result of the phase-out, the total number of students enrolled at M.S. 571 will decline each year, meaning that the school will need fewer teachers and fewer supplies to meet the needs of its smaller student population. If for some reason the overall school enrollment grows again, the overall budget will increase accordingly. In any case, funding will be provided in accordance with enrollment levels, allowing the school to meet the instructional needs of its student population. This is how funding is awarded to all schools throughout the City, with budgets naturally increasing or decreasing as enrollment fluctuates from year to year.

Please note that increased or reduced per capita funds allocated to the school as a result of this proposal do not represent net/incremental system costs. Potential additional costs to the system may occur, however, if teachers and other school staff, no longer needed at the school due to declining enrollments, are unsuccessful in finding other employment opportunities in the department and revert to the Absent Teacher Reserve (ATR). Additionally, as pupil enrollment declines, the school may face below-average class sizes due to the inability to fill every seat in each classroom. Under pupil-based funding, empty classroom seats result in fewer funds available to support the cost of classroom operations. All dollar amounts are based on FY 11 allocations and are subject to annual variation based on adjustments to the DOE’s overall operating budget.

In accordance with Chancellor’s Regulation A-190, any capital expenditure or facility upgrade expenditure in excess of \$5,000 made by or for the benefit of a co-located public charter school to upgrade its facilities must be approved in advance by the DOE, and an equal amount of capital expenditures or facilities upgrade expenditures must be made on each co-located DOE school. Such projects may be subject to the matching

⁵³ Students Receiving CTT and SC services as percentage of total students from the 2009-2010 Audited Register.

⁵⁴ Students with Individual Education Plan as percentage of total students from the 2009-2010 Audited Register.

⁵⁵ English Language Learner students as percentage of total students from the 2009-2010 Audited Register.

⁵⁶ Percentage of Students Eligible for Free or Reduced Lunch from School Allocation Memorandum No. 9, FY11, June 30, 2010

requirements described above depending on the situation. The DOE will analyze the eligibility of each project as it arises, and ensure that matching expenditures are made on the DOE schools in the building accordingly.

All costs related to re-siting Brooklyn East Collegiate will be included in a separate EIS that was posted on December, 20, 2010 that proposed the co-location of M.S. 571 and P.S. 9 with Brooklyn East Collegiate.

VI. Effect on Personnel Needs, Costs of Instruction, Administration, Transportation and Other Support Services

A. Personnel Needs

All teachers, administrators and non-pedagogical staff at M.S. 571 would be excessed over the course of the phase-out.⁵⁷ This process would take place gradually as student enrollment declines with each successive graduating class. With fewer students, the school's staffing needs will naturally be reduced.

All excessing would be conducted in accordance with existing labor contracts. For example, the current United Federation of Teachers ("UFT") contract would require excessing to take place in reverse seniority order within each given teaching license area.

Barring system-wide layoffs, excessed teachers would be eligible to apply for other City positions, and any teacher who did not find a permanent position would be placed in the Absent Teacher Reserve pool, meaning that they would continue to earn their salary while serving in the capacity of a substitute teacher in other City schools. Should there be a vacancy in the school in a teacher's license area within one year of the teacher being excessed, the teacher would have a right of return to the school, consistent with applicable contractual provisions and law regarding teachers' seniority.

It is also important to understand that the students who would otherwise have enrolled in M.S. 571 would be enrolled in other middle schools opening borough-wide, and those schools might hire additional staff. New staff positions also would be created due to the phase-in of new or replacement schools Citywide. Consequently, this proposal would not necessarily result in a net loss of teaching positions within the Citywide system.

New schools follow the hiring process consistent with the procedures set forth in the collective bargaining agreement between the DOE and UFT. New schools hiring that have an impact on a school that is closing or phasing out, shall be required to hire up to 50% of the most senior qualified staff from the closing or phasing out school, if sufficient number of staff apply, until the impacted school is closed.

B. Cost of Instruction

As a result of the phase-out, the total number of students enrolled at M.S. 571 will decline each year, meaning that the school will need fewer teachers and fewer supplies to meet the needs of its smaller student population. Funding will be provided in accordance with enrollment levels, allowing the school to meet the instructional needs of its student population. This is how funding is awarded to all schools throughout the City, with budgets naturally increasing or decreasing as enrollment fluctuates from year to year.

⁵⁷ Excessing of staff occurs when a school requires fewer positions than the number of staff currently in the license area or job title.

In addition, FSF awards supplemental allocations on a per-pupil basis to students who have additional needs and therefore cost more to educate. For example, during the 2010-2011 school year, middle schools received an additional \$2,030.88 per pupil for each English Language Learner they enrolled.

As with all other schools Citywide, M.S. 571 may receive additional “categorical” funding based on student characteristics and needs. For example, federal Title I funding is awarded to schools based on the proportion of low-income students they enroll. M.S. 571 is currently a Title I school. Assuming that the school continues to meet Title I criteria, the school’s Title I funding award will adjust as the size of the school population changes.

While schools do receive supplemental support for students with disabilities through FSF, that only represents part of the funding provided to support those students. Schools are budgeted to meet the needs of their students with disabilities as defined by their IEPs. Even as M.S. 571 is phased out, funding will continue to be provided to meet the needs of all students with disabilities in accordance with their IEPs.

All costs related to re-siting Brooklyn East Collegiate will be included in a separate EIS that posted on December, 20, 2010 that proposed the co-location of M.S. 571 and P.S. 9 with Brooklyn East Collegiate.

C. Administration

All school supervisor and/or administrator positions assigned to M.S. 571 would eventually be excessed when the school is closed. Some positions would likely be excessed as the school gradually phases out, as administrative needs would decrease as the school serves an increasingly smaller student population. Again, all excessing would take place in accordance with existing labor contracts.

D. Transportation

There will be no change to existing transportation practices at M.S. 571 throughout its phase out. Transportation will be provided according to Chancellor’s Regulation A-801:
<http://schools.nyc.gov/NR/ronlyres/21A1B11A-886B-4F74-9546-E875EE82A14C/40303/A801.pdf>.

E. Other Support Services

The provision of certain support services is described above. Other support services will continue to be provided consistent with Citywide policy.

VII. Building Information

Type of Building	Elementary School
Year Built	1957
Overall BCAS rating	2.68 out of 5
Target Utilization	63%
Target Capacity	1,192
FY 2009 Maintenance Costs	Labor: \$ 25,309.40 Materials: \$24,769.09 Maintenance and repair contracts: \$26,245.53 Custodial operations costs—Materials: \$8,111.88 Custodial operations costs—Custodial Allocation: \$288,102.11
FY 2009 Energy Costs	Electric: \$113,657.00 Gas: \$1,660.00 Oil: \$72,754
Projects completed during the current or prior school year	Paved area -blacktop.
Projects proposed in the capital plan	System replacements-Paved area-Blacktop. Site: Paving-Non-Vehicular area: Asphalt
Accessibility of the building	Fully Programmatic Accessible
Building attributes	Art room, Auditorium, Cafeteria, Computer room, Gymnasium, Library, Science Lab,