

## **EDUCATIONAL IMPACT STATEMENT: The Proposed Phase-Out of P.S. 140 Edward K. Ellington (28Q140) Beginning in 2013-2014**

### **I. Summary of Proposal**

The New York City Department of Education (“DOE”) is proposing to phase out P.S. 140 Edward K. Ellington (28Q140, “P.S. 140”), an existing zoned elementary school in building Q140 (“Q140”) and temporary classroom unit (“TCU”) Q954<sup>1</sup> located at 166-01 116<sup>th</sup> Avenue, Queens, NY 11434, in Community School District 28 (“District 28”). It currently serves students in grade kindergarten through fifth and offers a pre-kindergarten program.<sup>2</sup> The DOE is proposing to phase out P.S. 140 based on its poor performance and the DOE’s assessment that the school lacks the capacity to improve quickly to better support student needs. In a separate Educational Impact Statement (“EIS”) also posted on January 11, 2013, the DOE is proposing to co-locate a new zoned elementary school 28Q218 (“28Q218”) in building Q140. That proposal can be found here: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>

If this proposal is approved, P.S. 140 will no longer admit new kindergarten students and will no longer offer kindergarten, first grade, and second grade after the conclusion of the 2012-2013 school year. Additionally, at the end of this year, P.S. 140 will not offer its pre-kindergarten program. Beginning in the 2013-2014 school year, after P.S. 140 no longer serves students in kindergarten, first grade, and second grade, P.S. 140 will serve one less grade in each subsequent year until it completes its phase-out and closes at the completion of the 2015-2016 school year. Current students in grades two, three, and four who meet promotional standards at the end of this year will continue to be served by P.S. 140 and be supported as they progress toward completion of elementary school at P.S. 140. Current students in kindergarten and first grade who meet promotional standards at the end of this year will be served by 28Q218, to be opened in Q140 and proposed in a separate EIS which can be found here: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>.

Current fifth grade students who meet promotional standards at the end of this year will apply to middle school via the District 28 Middle School Choice process. Students currently in kindergarten, first grade, and second grade who do not meet promotional standards at the end of this year will be served at 28Q218. Students currently in third, fourth, and fifth grades who do not meet promotional standards at the end of this year will continue to be served at P.S. 140 as it phases out and will be supported as they progress toward completion of elementary school. In cases where fifth grade students do not meet promotional requirements by June 2016, those students will be served by 28Q218.

In a separate proposal described in another EIS, also posted on January 11, 2013, the DOE has proposed to co-locate a new zoned district elementary school, 28Q218, which will serve students in kindergarten through fifth grade when it reaches full scale in Q140 in 2016-2017. A pre-

<sup>1</sup> The School Construction Authority (“SCA”) has plans for removal of TCU Q954 after the 2012-2013 school year. The building capacity for 2013-14 and beyond is calculated for building Q140 only.

<sup>2</sup> Pre-kindergarten (“PK”) is a program that can be offered both half-day or full-day.

kindergarten program will also be offered by 28Q218 in Q140 (pending availability of funding). The proposal can be found at: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>. If the proposal to co-locate 28Q218 in Q140 is approved, it will provide a new zoned elementary school option for District 28 families and replace the seats lost by the proposed phase-out of P.S. 140. 28Q218 will be co-located in Q140 with P.S. 140 as it phases out. P.S. 140 is currently the only school located in Q140.

### *Background on the DOE Decision-Making Process*

Schools are identified for possible phase-out for any of the following three reasons: (1) they received poor grades on their annual Progress Report; (2) they received a poor score on their most recent Quality Review; or (3) they have been identified by the New York State Education Department (“SED”) as a Priority School, defined by SED as one of the bottom 5% of schools in the state.<sup>3</sup> Specifically, under the DOE’s accountability framework, all schools that receive a grade of D, F, or a third consecutive C grade or lower on their annual Progress Report and all schools that receive a rating of Underdeveloped on the Quality Review are evaluated for intensive support or intervention, including the possibility of phase-out. Progress Reports are released by the DOE each fall and evaluate schools on a scale of A through F based on Student Progress, Student Performance, School Environment, and new to the Progress Report in 2011-2012, College and Career Readiness.<sup>4</sup> During Quality Reviews, experienced educators visit a school over several days, observing classrooms and talking with students, staff, and families. Schools are rated on the following four-point scale: “Underdeveloped” (the lowest possible rating), “Developing,” “Proficient,” and “Well Developed” (the highest possible rating).

P.S. 140 received an overall F grade on its Progress Report in 2011-2012. The school received overall C grades for the 2010-2011 and 2009-2010 school years.

As a result, the DOE initiated a comprehensive review of P.S. 140, with the goal of determining what intensive supports and interventions would best benefit its students and the P.S. 140 community. During that review, the DOE looked at recent historical performance and demand data from 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-out and eventual closure of P.S. 140—will address the school’s performance struggles and allow for new school options to develop in building Q140. The DOE believes that this will better serve future students and the broader community.

### *Performance and School Environment at P.S. 140*

As noted above, P.S. 140 has struggled, and the school’s performance during the 2011-2012 school year confirmed the DOE’s assessment that the school lacks capacity to improve quickly to better support student needs.

- The overwhelming majority of P.S. 140 students remain below grade level in English Language Arts and Math. Only 31% of students were performing on grade level in English—putting the school in the bottom 16% of elementary schools Citywide. Only 37% of students were performing on grade level in math—putting the school in the bottom 9% of elementary schools Citywide.

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<sup>3</sup> In August 2012, SED identified 221 Priority Schools across the State, including 122 in New York City. Elementary schools are identified as Priority based on the school’s state test performance.

<sup>4</sup> This measure applies to New York City High Schools only.

- The Progress Report measures the progress and performance of students in a school, as well as the school environment, compared to other schools serving similar student populations. P.S. 140 earned an F grade on its 2011-2012 annual Progress Report, including F grades for Student Progress, Student Performance, and School Environment. P.S. 140 has a history of low performance, including a C grade in 2010-2011, and a C grade in 2009-2010.
- Safety issues have been a concern at the school. On the 2011-2012 New York City School Survey, only 29% of teachers believed that discipline and order were maintained at P.S. 140.
- P.S. 140 is a zoned school, but only 66% of students residing in the P.S. 140 zone chose to attend the school, suggesting that families are seeking better options.

The chart below summarizes key performance data for P.S. 140 over the past three years:

<b>P.S. 140 Edward K Ellington</b>	2009-2010	2010-2011	2011-2012
<b>School Performance and Progress</b>			
Overall Progress Report Grade	C	C	F
Progress Report Progress Grade	B	C	F
Progress Report Performance Grade	D	C	F
Progress Report Environment Grade	C	C	F
Quality Review Score <sup>5</sup>	P	N/A <sup>6</sup>	N/A
<b>Performance Data</b>			
English Language Arts % Proficient (Levels 3 and 4)	33%	37%	31%
Math % Proficient (Levels 3 and 4)	36%	45%	37%
<b>Other Key Performance Indicators</b>			
Attendance Rate	92%	92%	93%
<b>2012-2013 State Accountability Status</b>			
In Good Standing <sup>7</sup>			

<sup>5</sup> For more information about Quality Reviews, please visit the DOE Web site at <http://schools.nyc.gov/Accountability/tools/review>.

<sup>6</sup> Not all schools receive a Quality Review every year.

<sup>7</sup> This status is determined by SED under the New York State waiver for the No Child Left Behind Act. For more information, please visit the SED Web site at <http://www.p12.nysed.gov/accountability/ESEADesignations.html>.

### *Overview of Past Strategic Improvement Efforts at P.S. 140*

As noted above, P.S. 140 has struggled for years and the school's performance during the 2011-2012 school year further demonstrates that the school lacks the capacity to turn around quickly to better support student needs.

The DOE acknowledges that staff members have worked hard to improve P.S. 140, but even with support the school has not produced adequate outcomes for students. To help the school's efforts to improve performance, the DOE offered numerous supports including:

#### **Leadership Support:**

- Coaching the principal and assistant principals on the use of accountability data to identify areas in need of improvement in order to develop action plans to strengthen school-wide performance.
- Providing professional development and continued support to the principal and assistant principals in the use of classroom observations and feedback to enhance teacher effectiveness.
- Supporting school leadership in aligning curriculum to Citywide instructional expectations to raise standards for teacher practice and student learning.

#### **Instructional Support:**

- Participating in classroom walk-throughs with school leadership teams and providing targeted feedback on ways to raise academic rigor and increase student engagement.
- Providing direct coaching to the school to support the principal, assistant principals and teachers in improving curriculum, pedagogy and assessment.
- Facilitating workshops for school staff focused on differentiating instruction and targeting academic support to English Language Learners and special education students.

#### **Operational Support:**

- Supporting the school in exploring grant funding opportunities and capital investments, and acquiring technological upgrades.
- Advising school staff on budgeting, human resources, staff recruitment and building management.
- Training school staff in student data tracking systems to ensure efficient and effective monitoring of student attendance and academic programming.
- Providing support to the school in the management of mandates and compliance requirements for students with disabilities and English Language learners.

#### **Student Support:**

- Providing school with guidance and information regarding extra-curricular programs and partnerships to support student engagement and learning.

- Supporting the principal in the development of strategies to reduce suspensions and improve the school’s culture and learning environment.

P.S. 140 has received individualized support plans, as well as centralized services that the DOE provides to all schools—yet despite this extensive assistance, the school has failed 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 P.S. 140 community about strategies to better support students and improve outcomes at the school. This fall, the District 28 Community Superintendent Dr. Beverly Ffolkes-Bryant held meetings—with parents at the school, with the teachers, and with the School Leadership Team (“SLT”)—on October 24, 2012 to discuss what is and is not working at P.S. 140 and how joint efforts could serve students better.

Approximately 53 people attended the staff meeting, 11 people attended the SLT meeting and approximately 282 people attended the parent meeting.

At the parent meeting, parents had some positive feedback about the extended day programming and the Saturday Academy Program available to students. However, parents also expressed several concerns:

- While after-school programs and the Saturday Academy are positive for the school, some parents expressed concern that these programs are not always available at convenient times for all students.
- Parents raised concern about the need for more technology, arts, and athletic programs for the students.
- Parents expressed concern about a lack of supervision in the lunchroom and discipline in the school, which they felt may be attributed to limited recess or outdoor activities.

At the staff meeting, teachers had positive feedback about school leadership and the new initiatives that have been brought to the school under the current administration. The staff also expressed several concerns:

- While many new initiatives, programs, and resources have recently been brought to the school, some staff members expressed the need for more resources, enrichment activities, and technology at the school.
- Staff members suggested the need for increased specialized teachers. As an example, the teachers mentioned that the addition of learning specialists in ELA and Math, a Science and Technology teacher, and a School Psychologist would have a positive impact on the school community.

At the SLT meeting, SLT members commented that there is a strong action plan in place; however, the SLT members also expressed several concerns:

- Members suggested that increased parental involvement is necessary and that consistent workshops will help engage parents.
- Members raised concerns that there is a need for more staff members and more support programs, such as academic and behavioral interventions (SAVE rooms, suspensions, and pull-out services for small group instruction during the day).

The DOE also solicited community feedback via phone and email, including creation of a dedicated Web page for this purpose at:

<http://schools.nyc.gov/community/planning/changes/queens/feedback?id=245>.

While some members of the P.S. 140 community objected to the possibility of phasing out the school, the DOE believes that drastic action must be taken given the school’s performance struggles and the lack of evidence that the school is poised to quickly turn around to better support students. The DOE plans to incorporate community feedback as it continues to support current P.S. 140 students and to develop plans to replace P.S. 140 with a new school that better meets student and community needs.

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

Q140 and TCU Q954<sup>8</sup> have the capacity to serve 1,017 students.<sup>9</sup> (The concept of “target capacity” is described below.) In 2012-2013, the buildings are serving 637 total students,<sup>10</sup> yielding a target utilization rate of 63%.<sup>11</sup> Beginning in 2013-2014, TCU Q954 will no longer serve students, and only Q140 will be used to serve students. Q140 has the capacity to serve 793 students.<sup>12</sup>

If this proposal is approved, in the 2013-2014 school year P.S. 140 will no longer serve students in kindergarten, first grade, and second grade, P.S. 140 will then phase out one grade at a time each subsequent year. The phase-out will be complete at the end of the 2015-2016 school year. As part of the replacement strategy for P.S. 140, the DOE has also issued a separate EIS proposing to co-locate a new elementary school, 28Q218, in the Q140 building, beginning in the 2013-2014 school year. If that proposal and this phase-out proposal are both approved, the new school will open with kindergarten, first grade, and second grade during the 2013-2014 school year, and then phase in one grade at a time beginning in the 2014-2015 school year and the new school will reach full scale during the 2016-2017 school year. The proposal to co-locate this school is detailed in a separate EIS, also posted on January 11, 2013. The proposal can be found here:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>.

Over five years, the proposed grade spans and enrollments for each proposed and existing school

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<sup>8</sup> As mentioned in a previous footnote, TCU Q954 is included in the 2012-2013 total capacity and the utilization percentages. Since SCA has determined that the TCU’s will be removed after the 2012-2013 school year, the capacity and utilization only reflects building Q140 for 2013-2014 and beyond.

<sup>9</sup> 2011-2012 Enrollment Capacity Utilization Report (“Blue Book”).

<sup>10</sup> 2012-2013 Unaudited Register (as of October 26, 2012).

<sup>11</sup> All references to building utilization rates in this document are based on target capacity data from the 2011-2012 Blue Book and enrollment data from the 2012-2013 Unaudited Register (as of October 26, 2012) or charter headcount as of October 1, 2012. This methodology is consistent with the manner in which the DOE conducts planning and calculates space allocations and funding for all schools. In determining the space allocation for co-located schools, the Office of Space Planning will conduct a detailed site survey and space analysis of the building to assess the amount of space available in the building.

<sup>12</sup> 2011-2012 Enrollment Capacity Utilization Report (“Blue Book”).

and projected building utilization rate are as follows:

<b>Grade Spans</b>						
<b>DBN</b>	<b>School Name</b>	<b>2012-2013</b>	<b>2013-2014</b>	<b>2014-2015</b>	<b>2015-2016</b>	<b>2016-2017</b>
28Q140	P.S. 140 Edward K Ellington	K-5	3-5	4-5	5	-
28Q218	New School	-	K-2	K-3	K-4	K-5

<b>DBN</b>	<b>School Name</b>	<b>2012-2013 Enrollment</b>	<b>2013-2014 Projected Enrollment</b>	<b>2014-2015 Projected Enrollment</b>	<b>2015-2016 Projected Enrollment</b>	<b>2016-2017 Projected Enrollment</b>
28Q140	P.S. 140 Edward K Ellington	637	300 - 330	195 - 215	95 - 105	-
28Q218	New School	-	321 - 351	416 - 456	511 - 561	606 - 666
<b>Total Building Enrollment</b>		637	621 - 681	611 - 671	606 - 666	606 - 666
<b>Utilization<sup>13</sup></b>		63%	78% - 86%	77% - 85%	76% - 84%	76% - 84%

If approved, the elementary school, 28Q218, will serve approximately 606-666 students in pre-kindergarten through fifth grade at full scale in 2016-2017, yielding an estimated utilization rate of 76%-84%.<sup>14</sup> Therefore, building Q140 has adequate capacity to accommodate the full expansion of 28Q218 during and after the phase-out of P.S. 140.

As described in more detail in the Blue Book, which is available at [http://www.nycsca.org/Community/CapitalPlanManagementReportsData/Enrollment/2011-2012\\_Classic.pdf](http://www.nycsca.org/Community/CapitalPlanManagementReportsData/Enrollment/2011-2012_Classic.pdf), a building’s target utilization rate is calculated by dividing the aggregated enrollment of all the school organizations in the building by the aggregated “target capacities” of those organizations. Each school organization’s “target capacity” is calculated based upon the scheduled use of individual rooms as reported by principals during an annual facilities survey, the DOE’s goals for maximum classroom capacities (which are lower than the United Federation of Teachers (“UFT”) contractual class sizes and differ depending on grade level), and the efficiency with which classrooms are programmed (i.e., the frequency with which classes are scheduled in a given classroom).

The most recent year for which target capacity has been calculated for buildings is 2011-2012. The DOE’s projected utilization rates for the 2012-2013 school year and beyond are based on the

<sup>13</sup> TCU Q954 is included in the 2012-2013 utilization percentages. Since SCA has determined that the TCU will be removed after the 2012-2013 school year, the capacity and utilization only reflects building Q140 for 2013-2014 and beyond.

<sup>14</sup> Enrollment projections for the new school, 28Q218, are based on a standard phase-in plan of four sections per entry grade in the first year. Actual enrollment for 2013-2014, however, depends on applicant demand.

2011-2012 target capacity, which assumes that the components underlying that target capacity (scheduled use of classrooms, maximum classroom capacity, etc.) remain constant. Thus, projected utilization rates for 2012-2013 and beyond provide only an approximation of a building's usage because each of the factors underlying target capacity may be adjusted by principals from year to year to better accommodate students' needs. For example, changing the use of a room from an administrative room to a homeroom at the high school level will increase a building's overall target capacity because for high schools administrative rooms are not assigned a capacity. Holding enrollment constant, this change would result in a lower utilization rate. Similarly, if a room previously used as a kindergarten classroom is subsequently used as a fifth grade classroom, the building's target capacity would increase because we expect that a fifth grade class will have more students than a kindergarten class. This is reflected in the fact that the DOE's goal for maximum classroom capacity is higher for fifth grade classrooms than for kindergarten classrooms. In this example, as well, assuming enrollment is constant, the utilization rate would decrease.

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

#### **A. Students**

If this proposal is approved, P.S. 140 will gradually stop serving elementary school students. After the 2012-2013 school year, P.S. 140 will no longer enroll kindergarten, first, or second grade students and will no longer offer a pre-kindergarten program. After the 2013-2014 school year, P.S. 140 will no longer enroll kindergarten, first, second, or third grade students. After the 2014-2015 school year, P.S. 140 will no longer serve kindergarten, first, second, third, or fourth students. After the 2015-2016 school year, P.S. 140 will close.

In each of those years, there may be students who do not meet promotional standards and are required to repeat a grade that the school will no longer serve. These students will be enrolled in 28Q218 in the grade which the student is repeating. This applies to current second graders in 2012-2013, third graders in 2013-2014, fourth graders in 2014-2015, and fifth graders in 2015-2016.

#### *Enrollment Options for Current P.S. 140 Students*

Under this proposal, all current P.S. 140 students (except current pre-kindergarten students) would either be served in the new zoned elementary school, 28Q218, or would continue at P.S. 140, and they would be supported as they progress towards completion of elementary school and transition to middle school.

#### *Current Pre-Kindergarten, Kindergarten and First Grade Students in P.S. 140*

Current kindergarten and first grade students at P.S. 140 will be guaranteed a seat in 28Q218, which will open in September 2013 in building Q140. Current pre-kindergarten students at P.S. 140 will have priority for kindergarten admissions at 28Q218 in 2013-2014.

#### *Current Second, Third, Fourth, and Fifth Graders in P.S. 140*

Current second, third, and fourth grade students at P.S. 140 would continue to be enrolled at P.S. 140. This includes students in these grades who enter New York City Public Schools during the school year. During their fifth-grade year, students will participate in the District 28 Middle School Choice process to enroll in sixth grade at a middle school of their choice. Each fifth-grade student would also be guaranteed a seat at his or her zoned school, provided that he or she ranks that school on his or her middle school application.

Many P.S. 140 students are zoned to J.H.S. 8 Richard S. Grossley (28Q008, “J.H.S. 8”) for middle school. Currently, P.S. 140 fifth grade students who are zoned to J.H.S. 8 are given priority to J.H.S. 8. Similarly, P.S.140 students who are zoned to other District 28 middle schools are given priority to their respective zoned middle school. This will continue to be true if this proposal is approved. P.S. 140 students may also apply to other middle schools within District 28 through the Middle School Choice process, and they may also apply to district-wide, borough-wide, and citywide choice schools. The list of these schools can be found in the Middle School Directory distributed to schools or online at:

<http://schools.nyc.gov/ChoicesEnrollment/Middle/Publications/Queens/default>.

If this proposal is approved, P.S. 140 will gradually stop serving elementary school students. After the 2012-2013 school year, P.S. 140 will no longer enroll students in kindergarten through second grade. After the 2013-2014 school year, P.S. 140 will no longer enroll third-grade students. After the 2014-2015 school year, P.S. 140 will no longer enroll fourth-grade students. After the 2015-2016 school year, P.S. 140 will close.

In each of those years, there may be students who do not meet promotional standards and are required to repeat a grade that the school will no longer serve. These students will be enrolled in 28Q218 in the grade which the student is repeating. This applies to current second graders in 2012-2013, third graders in 2013-2014, fourth graders in 2014-2015, and fifth graders in 2015-2016.

### *Impact on Academic and Extracurricular Offerings at P.S. 140*

The DOE does not anticipate that this proposal will prevent P.S. 140 from continuing to offer any particular academic or extra-curricular program currently offered at the school. That said, the availability of certain offerings at the school will inevitably be impacted as the school phases out, serves a decreasing student population, and eventually closes.

With respect to academics, P.S. 140 will 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.

The DOE remains focused on helping P.S. 140 students to succeed. If this proposal is approved, P.S. 140 will be provided targeted, customized, and intensive supports aimed at the unique needs of the school and its students. This support will be in the areas of budget, staffing, programming, community engagement, guidance, and enrollment.

P.S. 140 currently offers Integrated Co-Teaching (“ICT”) classes, Self-Contained (“SC”) classes, and Special Education Teacher Support Services (“SETSS”). It also offers an English as a Second Language (“ESL”) program for English Language Learners (“ELLs”). Current students will be able to continue in their existing ICT and SC classes and SETSS will continue to be provided as P.S. 140 phases out, and students with disabilities will continue to receive mandated services in accordance with their Individualized Education Programs (“IEPs”). Current students at P.S. 140 who receive ELL services will continue to receive their mandated services as the school phases out.

P.S. 140 currently offers the following special programs and initiatives, and partnerships:<sup>15</sup>

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<sup>15</sup> The 2011-12 Comprehensive Educational Plan can be found here: [http://schools.nyc.gov/documents/oaosi/cep/2011-12/cep\\_Q140.pdf](http://schools.nyc.gov/documents/oaosi/cep/2011-12/cep_Q140.pdf)

- **Special Programs:** ESL-targeted Saturday Academy, Parent Academy and Parent Book Club and Reading Partners
- **Partnerships:** Literacy Link, Inc., Math Mentors and Jamaica Public Library

This proposal will not prevent P.S. 140 from continuing to offer any of 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 school, as all schools modify extra-curricular offerings annually based on student demand and available resources.

As the school phases out, the DOE will work with P.S. 140 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 P.S. 140 students in the past.

### *Enrollment Impact on Current and Future Students at Existing Schools in Q140*

P.S. 140 is not co-located with any other schools in the Q140 building. Therefore, no other existing schools would be affected by this proposal.

The impact of the proposed co-location of 28Q218 in the building is described in detail in a separate EIS that was posted on January 11, 2013. Please visit the DOE Web site to access that EIS: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>

### *Impact on Enrollment for Future Elementary School Students*

P.S. 140 is a zoned elementary school. A student's zoned school is determined by his or her home address. For more information about school zoning and admissions processes to enroll in a zoned elementary school, please visit the DOE Web site: <http://schools.nyc.gov/choicesenrollment/elementary>.

As stated above, in a separate EIS released on January 11, 2013, the DOE proposed the co-location of 28Q218, a new zoned elementary school, in Q140 that will serve the same zone as P.S. 140. If both this phase-out proposal and the proposal to open and co-locate 28Q218 are approved, the 601 kindergarten through fifth-grade seats and 36 pre-kindergarten seats eliminated by P.S. 140's phase-out and eventual closure will be recovered through the phase-in of 28Q218 at Q140.

Incoming kindergarten students who reside in the P.S. 140 zone will be zoned to the new elementary school that will open next September in the building where P.S. 140 is located. Building Q140 has the capacity to serve 793 students. If both this phase-out proposal and the proposal to co-locate 28Q218 are approved, 28Q218 will accept and serve students zoned for P.S. 140 including students requiring SC or ICT classes, students who are ELL students, and students requiring SETSS services. Based on historical enrollment patterns at P.S. 140, the DOE anticipates that 28Q218 will be able to accommodate all zoned students who wish to attend the new school, although zoned families' demand may fluctuate.

The proposal to co-locate 28Q218 in Q140 is not expected to impact the admissions process at P.S. 140. P.S. 140 will continue to serve approximately four class sections in building Q140 in the coming years to accommodate its zoned students. P.S. 140 will continue to give priority to students who live in its zone, as it has in the past and in accordance with Chancellor's Regulation A-101. The full details of A-101 can be found at: <http://schools.nyc.gov/RulesPolicies/ChancellorsRegulations/default.htm>.

Zoned schools are obligated to serve all students residing in their zone, space permitting, regardless of when families show up to register. Applicants must be admitted to zoned schools in the following order of priority:

- a. Zoned students whose verified siblings are pre-registered or enrolled at the time of application submission and will be enrolled in grades K-5 in the school at the start of the following school year in September;
- b. Zoned students other than those in (a) above applying to the zoned school;

If space allows, and if the Office of Student Enrollment deems appropriate based on district needs, offers may be authorized for the following priority groups, in the below order. Only the Office of Student Enrollment may authorize the placement of non-zoned students out of this priority order; for example, for students who cannot be accommodated at their zoned school, or for special programs such as dual language or inclusion classes for students with Autism Spectrum Disorders.

- c. Students whose verified siblings are pre-registered or enrolled at the time of application submission and will be enrolled in grades K-5 in the school at the start of the following school year in September who are not zoned to the school but are residents of that district;
- d. Students whose verified siblings are pre-registered or enrolled at the time of application submission and will be enrolled in grades K-5 at the start of the following school year in September who are residents of another district;
- e. Students currently attending the school's pre-kindergarten program who reside outside the school's zone but in the school's district, *without* a sibling who will be in grades K-5 at the school in the following school year;
- f. Students currently attending the school's pre-kindergarten program who reside outside the school's zone and district, *without* a sibling who will be in grades K-5 at the school in the following school year;
- g. Students other than those in (c) and (e) above who are residents of that district; and
- h. Students other than those in (d) and (f) who are residents of another district.

Elementary school students with IEPs with the exception of those recommending placement in District 75 schools are admitted to schools in the same manner as general education students. Schools will create programs that meet the needs of all students, ensuring students with IEPs access to learn alongside their non-disabled peers to the greatest extent possible.

In accordance with DOE policy, ELL students will also be admitted to elementary schools in the same manner as their peers who are not ELL students. Any students requiring ELL services will continue to receive appropriate services at the school.

### *Future Pre-Kindergarten Students*

If the proposal to open and co-locate 28Q218 is approved, 28Q218 will offer a pre-kindergarten program equivalent to the one currently offered at P.S. 140. The DOE anticipates that the new school will offer two sections (a total of 36 seats) of a full-day pre-kindergarten program.

Incoming pre-kindergarten students can apply to the pre-kindergarten program through the centralized pre-kindergarten admissions process. Verified zoned siblings of students enrolled at either 28Q218 or P.S. 140 will have first priority for admission to the pre-kindergarten program at 28Q218. Students who reside in the P.S. 140 zone who do not have siblings enrolled at either 28Q218 or P.S. 140 will have second priority for admission. As with all pre-kindergarten programs, the availability of pre-kindergarten at 28Q218 will be subject to continued funding availability and demand.

## **B. Schools**

If this proposal is approved, there will be sufficient space in Q140 to accommodate all of the school organizations currently located in the building, pursuant to the Citywide Instructional

Footprint (the “Footprint”), throughout the period during which P.S. 140 phases out and 28Q218 phases in (if that proposal is also approved). There will also be sufficient space to offer a pre-kindergarten program. (Please visit the New York City Department of Education web site to access the Instructional Footprint, which guides space allocation and use in City schools: [http://schools.nyc.gov/NR/rdonlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011\\_FINAL.pdf](http://schools.nyc.gov/NR/rdonlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.pdf)).

The Footprint sets forth the baseline number of rooms that should be allocated to a school based on the grade levels served by the school and number of classes per grade. For existing schools, the Footprint is applied to the current number of classes and class size a school has programmed and is confirmed by a desk survey of the building by the Borough Director of Space Planning and the school’s principal.

For elementary schools serving grades kindergarten through five the Footprint assumes that classes are self contained. Therefore, the Footprint allocates one full-size room for each general education or Integrated Co-Teaching (“ICT”) section and a full-size or half-size room to accommodate each Self Contained (“SC”) special education section served by the school. In addition to these rooms, schools serving grades kindergarten through five receive an allocation of cluster or specialty rooms proportionate to the number of students enrolled. These spaces can be used at the principal’s discretion for purposes such as art and/or music instruction, among other things.

As in other situations where schools are co-located, the schools in Q140 need to share large common and specialty rooms in the building, such as the cafeteria, the gymnasium, and the library. Specific decisions regarding the allocation of the shared spaces are made by the Building Council, consisting of principals from both co-located schools, in conjunction with the DOE’s Office of Space Planning.

The details of the proposal to open and co-locate 28Q218 in Q140 are discussed in a separate EIS that is available at <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>.

### **C. Community**

P.S. 140 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 a better option for families in the community. Under this proposal, the Q140 building will remain open, but will offer a new educational option that is intended to better support the learning needs of current and future elementary school students in District 28. The DOE is proposing to open a new zoned elementary school in Q140, which would better serve the needs of the community and replace the seats lost by the phase-out of P.S. 140. The proposal to phase out P.S. 140 is not expected to yield a net deficit of seats in Q140. P.S. 140 is the only elementary school in District 28 that the DOE has proposed to phase out this year.

This proposal is not expected to impact the ability of community members to apply for or receive permits to use the building outside of school hours.

## IV. Enrollment, Admissions, and School Performance Information

### *P.S. 140*

#### Admissions Data

<b>Current Admissions</b>	K-5:Zoned
<b>Admissions During and After Proposed Phase-out of P.S. 140</b>	N/A

#### Enrollment Data<sup>16</sup>

	PK <sup>17</sup>	Grade KG	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Total Enrollment
2012-2013 (unaudited)	36	89	103	101	105	109	94	637
2013-2014 (projections)	-	-	-	-	95-105	100-110	105-115	300-330
2014-2015 (projections)	-	-	-	-	-	95-105	100-110	195-215
2015-2016 (projections)	-	-	-	-	-	-	95-105	95-105
2016-2017 (projections)	-	-	-	-	-	-	-	-

#### Demographic Data<sup>18</sup>

Percentage of Students Receiving ICT or SC Services	8%
Percentage of Students with IEPs	14%
Percentage of ELL Students	2%
Percentage of Students Eligible for Free or Reduced Lunch	80%

#### School Performance Data

<b>P.S. 140 Edward K Ellington</b>	2009-2010	2010-2011	2011-2012
<b>School Performance and Progress</b>			
Overall Progress Report Grade	C	C	F
Quality Review Score <sup>19</sup>	P	N/A <sup>20</sup>	N/A
<b>Performance Data</b>			

<sup>16</sup> All figures are from the 2012-2013 Unaudited Register (as of October 26, 2012).

<sup>17</sup> PK is a program that can be offered both half-day or full-day; The projection figures represent the full day equivalency.

<sup>18</sup> All figures are as a percentage of total students from the 2012-2013 Unaudited Register (as of October 26, 2012).

<sup>19</sup> For more information about Quality Reviews, please visit the DOE Web site at <http://schools.nyc.gov/Accountability/tools/review>.

<sup>20</sup> Not all schools receive a Quality Review every year.

English Language Arts % Proficient (Levels 3 and 4)	33%	37%	31%
Math % Proficient (Levels 3 and 4)	36%	45%	37%
<b>Other Key Performance Indicators</b>			
Attendance Rate	92%	92%	93%
<b>2012-2013 State Accountability Status</b>			
In Good Standing <sup>21</sup>			

## V. Initial Impact on Budget and Cost of Instruction

If this proposal is approved, once the phase-out of P.S. 140 is fully implemented, the DOE would cease to allocate funds to P.S. 140 and repurpose all remaining funds previously allocated to the school.

Most funding in schools' budgets is allocated on a per-pupil basis, based on current Fair Student Funding ("FSF") per capita allocation levels, which 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.

In addition, 28Q218's basic operating budget will be determined by the Fair Student Funding ("FSF") formula used at all other New York City district public schools. Under FSF, schools receive City tax levy funding on a per pupil basis. Each student receives a per-pupil entitlement based on the grade level of the student.

As a result of the phase-out, the total number of students enrolled at P.S. 140 would decline each year, meaning that the school's budget would decrease each year, and the school would 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 would 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 refer to the FSF Guide and FY13 School Allocation Memoranda for additional information on cost of instruction and how the changes to FSF funding and other school allocations will be impacted as a result of register changes at P.S. 140. The FSF Guide is available at: [http://schools.nyc.gov/offices/d\\_chanc\\_oper/budget/dbor/allocationmemo/fy12\\_13/FY13\\_PDF/FSF\\_Guide.pdf](http://schools.nyc.gov/offices/d_chanc_oper/budget/dbor/allocationmemo/fy12_13/FY13_PDF/FSF_Guide.pdf).

The FY13 School Allocation Memoranda is available at: [http://schools.nyc.gov/offices/d\\_chanc\\_oper/budget/dbor/allocationmemo/fy12\\_13/AM\\_FY13\\_CAT.html](http://schools.nyc.gov/offices/d_chanc_oper/budget/dbor/allocationmemo/fy12_13/AM_FY13_CAT.html).

Staffing changes are at the discretion of the school within the limits of contractual and mandated obligations.

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<sup>21</sup> This status is determined by SED under the New York State waiver for the No Child Left Behind Act. For more information, please visit the SED Web site at <http://www.p12.nysed.gov/accountability/ESEADesignations.html>.

## **VI. Effect on Personnel Needs, Administration, Transportation and Other Support Services**

### **A. Personnel**

If this proposal is approved, all teachers, administrative, and non-pedagogical staff at P.S. 140 will be excessed over the course of the phase-out.<sup>22</sup> This process will 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 will be conducted in accordance with existing labor contracts. For example, the current UFT contract would require excessing to take place in reverse seniority order within each given teaching license area.

Barring system-wide layoffs, excessed teachers will be eligible to apply for other City positions, and any teachers who did not find a permanent position will be placed in the ATR pool, meaning that they will continue to earn their salary while serving as substitute teachers 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 will have a right of return to the school, consistent with applicable contractual provisions regarding teachers' seniority.

Students who would otherwise have enrolled in P.S. 140 will now enroll in new school 28Q218 which the DOE has proposed to phase into Q140 and that school might need to hire additional staff. That replacement school would follow the hiring process consistent with the procedures set forth in the collective bargaining agreement between the DOE and UFT, and hire no less than 50% of their staff from the most senior qualified staff from P.S. 140, if sufficient number of staff applies, until the impacted school has completed its phase-out.

New staff positions will also be created due to the phase-in of new or replacement schools Citywide. Consequently, this proposal would not necessarily result in an overall loss of teaching positions within the Citywide system.

### **B. Administration**

If this proposal is approved, all school supervisor and/or administrator positions assigned to P.S. 140 will eventually be excessed when the school is closed. Some positions will likely be excessed as the school gradually phases out, as administrative needs will decrease as the school serves a decreasing student population. Again, all excessing will take place in accordance with existing labor contracts.

### **C. Transportation**

If this proposal is approved, transportation would continue to be provided according to Chancellor's Regulation A-801: <http://schools.nyc.gov/NR/rdonlyres/21A1B11A-886B-4F74-9546-E875EE82A14C/40303/A801.pdf>. There will be no change to existing transportation practices at P.S. 140 as a result of this proposal.

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<sup>22</sup> Excessing of staff occurs when a school requires fewer positions than the number of staff currently in the license area or job title.

#### D. Other Support Services

The provision of certain support services is described above. Other support services would continue to be provided consistent with Citywide policy if this proposal is approved. This proposal is not expected to impact the support services of the other organizations located in the Q140 building.

### VII. Building Information

<b>Building</b>		Q140
<b>Type of Building</b>		PS
<b>Year Built</b>		1929
<b>Overall BCAS rating</b>		2.46
<b>2011-2012 Target Building Utilization</b>		81%
<b>2011-2012 Target Building Capacity</b>		793
<b>FY 2012 Maintenance Costs</b>	<b>Labor</b>	\$3,337
	<b>Materials</b>	\$1,499
	<b>Maintenance and repair contracts</b>	\$25,249
	<b>Service contracts</b>	\$0
	<b>Custodial operations costs— Materials</b>	\$5,175
	<b>Custodial operations costs— Custodial Allocation</b>	\$243,679
<b>FY 2012 Energy Costs</b>	<b>Electric</b>	\$124,678
	<b>Gas</b>	\$56,613
	<b>Oil</b>	N/A
<b>Projects completed during the current or prior school year</b>		Asphalt in Playground, Parapets, FY13 Reso A Technology
<b>Projects proposed in the capital plan</b>		Classroom Connectivity, New/Retrofit Telephone/Intercom Systems
<b>Accessibility of the building</b>		Building is not functionally programmatically accessible
<b>Building attributes</b>		Art Rooms, Auditorium, Cafeteria, Computer Rooms, Gymnasium, Library, Nurse's Office