

Public Comment Analysis¹

Date: March 8, 2013

Topic: The Proposed Opening and Co-location of New High School, 02M139, with Murry Bergtraum High School for Business Careers (02M520) in School Building M520, Beginning in 2013-2014

Date of Panel Vote: March 11, 2013

Summary of Proposal

The New York City Department of Education (“DOE”) is proposing to open and co-locate 02M139, a new district high school, in school building M520 (“M520”) with existing school Murry Bergtraum High School for Business Careers (02M520, “Bergtraum”) beginning in the 2013-2014 school year. M520 is located at 411 Pearl Street, Manhattan NY 10038, within the geographical confines of Community School District 2 (“District 2”). The proposed new high school, 02M139, will offer a rigorous academic program with a career and technical education component that will prepare students for post-secondary education and work. If this proposal is approved, 02M139 will be co-located with Bergtraum, an existing high school serving students in grades nine through twelve. Separately, Bergtraum will undergo a planned enrollment reduction beginning in September 2014. Between the 2014-2015 and 2017-2018 school years, Bergtraum’s enrollment will decline by approximately 400-450 students. This enrollment reduction will take place regardless of whether the proposal to co-locate 02M139 is approved. 02M139 will occupy under-utilized space in M520 as well as the space vacated by Bergtraum’s enrollment reduction.

The proposed opening and co-location of 02M139 in M520 is part of the DOE’s central goal to create new school options that will better serve future students and the community at large. 02M139 would offer a rigorous academic program with a career and technical education (“CTE”) component that would be open to students through the Citywide High School Admissions Process and would have a limited unscreened admissions method giving priority to students residing in Manhattan.

According to the 2011-2012 Enrollment, Capacity, Utilization Report (“Blue Book”), M520 has a target capacity of 2,134 students. However the building is currently serving only 1,806 students, yielding a building utilization rate of 85%.

In addition, M520 houses three community-based organizations (“CBOs”): Young Women's Christian Association (“YWCA NYC”), APEX Inc., and Baruch/BMCC College, as well as offices of the United Federation of Teachers (“UFT”). This proposal is not expected to impact the continued siting of the CBOs or the UFT offices. M520 also houses hearing educational services, which is a self-contained program under the direction of District 75, serving students who are deaf or hard of hearing. This proposal is not expected to impact the hearing educational services currently offered in the M520 building.

If this proposal is approved, 02M139 would open in the 2013-2014 school year, when it would serve approximately 105-115 students in the ninth grade. 02M139 would gradually phase in by adding one grade per year. The school is expected to reach full scale in 2016-2017 and would serve approximately 420-460 students in grades nine through twelve.

¹ The DOE will continue to accept comments concerning this proposal up to 24 hours prior to the Panel for Educational Policy’s (“PEP”) vote on March 11, 2013. Any additional comments will be addressed in an amended Public Comment Analysis which will be made available to the PEP before it votes on this proposal.

In 2017-2018, once Bergtraum has completed its enrollment reduction and 02M139 is at full scale, it is projected that there will be approximately 1,775-1,850 students served in M520, thereby yielding an estimated utilization rate of approximately 83%-87%.

The DOE is proposing to create a new educational option in M520 beginning in September 2013 that will replace the seats lost due to Bergtraum's enrollment reduction beginning in September 2014. 02M139 will offer a rigorous academic program with a CTE component designed to equip students with the skills necessary to achieve post-secondary success. The DOE believes that co-locating a new high school in M520 will create a better educational option in the community and borough-wide. Additionally, the DOE is committed to providing high quality CTE programming to students in Manhattan. As such, the new high school proposed for M520 will offer a CTE component, described in greater detail below.

Summary of Comments Received

A joint public hearing regarding this proposal was held at building M520 on February 28, 2013. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 31 members of the public attended the hearing, and 2 people spoke. Present at the meeting were Marisol Bradbury, Superintendent for District 2 high schools; Shino Tanikawa, president of the Community Education Council for District 2 ("CEC 2"); Paola DeKock, president of the Citywide Council on High Schools; Lottie Almonte, principal of Murry Bergtraum and member of the school's leadership team; and Jennifer Peng and Drew Patterson of the Office of Portfolio Management.

Below is a summary of the comments received:

1. Paola DeKock, president of the Citywide Council on High Schools, asserted the following:
 - a. Bergtraum was once one of the best non-specialized high schools in NYC.
 - b. Bergtraum's performance has declined because of the shifting of troubled and needy students from closing high schools.
 - c. The consequences of school closures were recognized by a study by the Milano School.
 - d. The gradual enrollment reduction is just a prelude to a phase-out.
 - e. In September 2011, Bergtraum was the site of a UFT press conference to protest overcrowded high schools.
 - f. The plan for the new school should be described in the EIS.
 - g. Over-the-counter enrollment ("OTC") is the kiss of death for a CTE school.
 - h. Bergtraum was flooded with OTC students just over a year ago.
 - i. How do the CTE pathways of the new school fit together?
 - j. Is Bergtraum's pathway no longer in demand? Isn't it strange to switch this school's pathway to carpentry?
 - k. Why isn't Bergtraum a part of the mayor's initiative to invest in computer science education?
 - l. There are no mechanisms for making sure spaces are shared equitably – the EIS kicks the can down the road by saying the schools will work out a specific plan for the shared spaces.
2. Shino Tanikawa, president of CEC 2, asserted the following:
 - a. A benefit of having a large high school is that enrollment brings resources to a school.
 - b. She is disheartened to see such a stellar high school's decline.
 - c. She doesn't understand what went wrong at Bergtraum - how did it get the way it did?
 - d. What if it's not the size of the school that's causing its decline? What if it's something else?
 - e. She needs to know more before she can comment on the proposal.
 - f. If a student enters 9th grade at a 6th grade level, it's not reasonable to expect the high school to be able to get that student up to grade level in just 4 years.
 - g. Maybe the blame shouldn't be placed on the high school, but rather on the middle school or elementary school.

3. One SLT member of Bergtraum asserted the following:
 - a. His concern is losing the legacy of Bergtraum.
 - b. Bergtraum used to mean something in the business world.
 - c. His concern is about losing the legacy and the vision for what Bergtraum stood for.
 - d. How do we maintain what Bergtraum used to stand for?
4. One staff member at Bergtraum asserted the following:
 - a. She is disappointed about the proposed change.
 - b. She has watched the business department change from more than 32 teachers to 7.
 - c. The student population has changed.
 - d. Social services for kids have evaporated, all of our social workers are gone when the kids needed someone to talk to.
 - e. She doesn't know that an enrollment reduction will help because the kids are still going to come in with the same problems.

The DOE received no comments via phone.

The DOE received no comments via email.

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

Comments 1f, 1i, and 2e concern 02M139 and ask for more information about its pathways and planning.

The EIS for the new high school provides ample information about the new school including its projected enrollment and planned offerings. New schools in New York City are largely defined by the vision of the principal, and the new high school proposed for M520 is no exception. The DOE cannot yet provide an exact list of the classes the new school will offer, as the specific slate of offerings will be developed and determined by the school's leadership team. We anticipate those offerings will change and evolve in response to student needs and demands.

If this proposal is approved, 02M139 would open in the 2013-2014 school year, when it would serve approximately 105-115 students in the ninth grade. 02M139 would gradually phase in by adding one grade per year. The school is expected to reach full scale in 2016-2017 and would serve approximately 420-460 students in grades nine through twelve. 02M139 is proposed to be a CTE school, with Career Pathways in Carpentry, Masonry, Landscaping and Decorative Finishing. The pathways of the new high school were selected in response to overall demand from students applying to CTE programs, demand from industry partners interested in hiring graduates with CTE endorsed diplomas, as well as labor trends and analysis of workforce needs.

For more information about the proposed new school, please refer to the EIS available at <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>.

Comments 1j and 1l concern the new high school's co-location with Bergtraum.

The CTE offerings of Bergtraum are not switching or changing due to this proposed new school. The new high school's CTE offerings are separate from Bergtraum's offerings and do not compete or conflict with Bergtraum's business focus.

There are currently hundreds of schools in buildings across the City that are co-located; some of these co-locations are multiple DOE schools while others are DOE and public charter schools sharing space. In all cases, allocation of classroom, resource, and administrative space is guided by the Citywide Instructional Footprint (the "Footprint") which is applied to all schools in the building. Co-locations allow us to use our limited facilities efficiently while simultaneously creating additional educational options for New York City families. This is necessary because we have scarce resources and a demand for more options.

The final shared space schedule will be collaboratively drafted by the Building Council if the proposed co-location is approved by the Panel for Education Policy. Decisions made at the Building Council level typically best capture the needs and nuances of multiple school communities. The DOE Office of the Supervising Superintendent will help resolve conflicts as needed to keep the work of school improvement and successful cohabitation moving forward. If conflicts emerge and progress is impaired, the Building Council will follow the dispute resolution procedures outlined in the Campus Policy Memo available at the following link:

<http://schools.nyc.gov/community/campusgov/KeyDocuments/CampusMemo>.

Comments 1a, 1e, 1k, 2a, 2b, 2c, and 2d concern the perceived decline of Bergtraum and comments 1b, 2f, 2g, 4c, and 4e assert that an increase of high needs students in Bergtraum's enrollment has been the cause of Bergtraum's performance decline.

The overall Progress Report grade is designed to reflect each school's contribution to student achievement, no matter where each child begins his or her journey to career and college readiness. The methods are designed to be demographically neutral so that the final score for each school has as little correlation as possible with incoming student characteristics such as poverty, ethnicity, disabilities, and English learner status. To achieve this, the Progress Report emphasizes year-to-year progress, compares schools mostly to peers matched based on incoming student characteristics, and awards additional credit based on exemplary progress with high-need student groups. Each school's performance is compared to the performance of schools in its peer group, which is comprised of New York City public schools with a student population most like the school's population, according to the peer index. The peer index is used to sort schools on the basis of students' academic and demographic background, and the formula to calculate a school's peer index includes the percentage of students eligible for free lunch, the percentage of students with disabilities, the percentage of Black/Hispanic students, and the percentage of English Language Learner ("ELL") students at the school.

For high schools like Murry Bergtraum, each school has up to 40 peer schools, up to 20 schools with peer index immediately above it and up to 20 with peer index immediately below it. Thus, Murry Bergtraum is grouped in its peer group with other New York City public schools with similar student academic and demographic background.

Poor performance report grades thus indicate that a school is not serving its students well, both objectively and by comparison to other schools serving similar students.

Comments 4b and 4d concern the change in staff and decline in services at Murry Bergtraum.

In New York City, we fund schools through a per pupil allocation. That is, funding "follows" the students and is weighted based on students' grade level and need (incoming proficiency level and special education/ELL/Title I status). If a school's population declines from 2,500 to 2,100 students, the school's budget decreases proportionally—just as a school with an increase in students receives more money. Even if the Department of Education had a budget surplus, a school with declining student enrollment would still receive less per pupil funding each year enrollment falls.

Fair Student Funding (FSF) dollars – approximately \$5.0 billion in the 2012-2013 school year based on projected registers – are used by all district schools to cover basic instructional needs and are allocated to each school based on the number and need-level of students enrolled at that school. All money allocated through FSF can be used at the principals' discretion, such as hiring staff, purchasing supplies and materials, or implementing instructional programs. As the total number of students enrolled changes, the overall budget will increase or decrease accordingly, allowing the school to meet the instructional needs of its student population. In addition to the FSF student-need based dollars a school receives, all schools receive a fixed lump sum of \$225,000 in FSF foundation and \$50,000 in Children First Network Support to cover administrative costs.

Principals have discretion over their budget and make choices about how to prioritize their resources.

Comment 1d asserts that Bergtraum’s enrollment reduction is a prelude to a proposal for phase-out.

The planned enrollment reduction for Bergtraum beginning in 2014-2015 is not an indication of further planned interventions. The DOE and Bergtraum’s SLT are committed to an enrollment reduction to give Bergtraum’s current and future students more individualized attention to ensure they are receiving the support they need to succeed and graduate. The school’s admissions process will not be affected by the enrollment reduction.

Comment 1b and 1c concern the perceived consequences of school phase-outs and closures City-wide.

We have found the strategy of closing large, underperforming high schools and replacing them with multiple high quality new schools to be very successful. It’s evidenced in the data - graduation rates at new schools are higher than at the high schools they replaced. In 2006, all phasing-out high schools had a graduation rate of 38.0%. In 2011, all new high schools had a graduation rate of 70.1%.

The claim that the closure of large comprehensive high schools results in an over-concentration of high needs students in existing large high schools is not supported by the data. For example, Citywide, the percentage of ELLs enrolled in the previously existing school and the new school replacement were almost identical (1 percentage point different).

- Of the 22 schools that were in progress of phasing out in 2011, the majority (63% = 14 schools) are actually below the Borough Average ELL enrollment, and therefore does not suggest an over-concentration at the schools that we phase out.
- Of the schools that are above the Borough ELL average, the majority are New schools with ELL focused programs or International Schools.

Furthermore, new schools in Manhattan and the Bronx had higher rates of ELL students compared to the phasing out school. New schools in Brooklyn, Queens, and Staten Island showed minor decreases in ELL students compared to the previous phasing out school, (only 2 percentage points lower in each case).

Comments 1g and 1h concern over-the-counter enrollment at Murry Bergtraum and future over-the-counter enrollment at the new district high school.

In addition to the High School Admissions Process, some students may receive a placement at 02M139 and Murry Bergtraum through the over-the-counter (“OTC”) process. This is an enrollment process that occurs City-wide. The number of potential OTC seats is based on a school’s enrollment projection and the results of the admissions process. All of our schools are expected to serve all of their enrolled students, irrespective of how those students enrolled in the school.

If the Division of Portfolio Planning determines that additional OTC seats may be needed, the number of seats available are reviewed and – if space allows – adjusted in those schools where the admissions methods are limited unscreened, educational option, or unscreened.

When a student arrives for an OTC placement, his/her school assignment is determined by his/her interest, home address and which schools have available seats, and, where applicable, transfer guidelines.

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. Most of these students fall into one of four 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); or
- Students who did not participate in the High School Admissions Process for some other reason.

The student visits a Borough Enrollment Office where he/she meets with a counselor who reviews options that will meet the student's needs. Bergtraum's OTC enrollment in grades nine through twelve has declined as a percent of total enrollment over the past four years. Bergtraum has traditionally accepted OTC students, although it will likely accept fewer students after its planned enrollment reduction.

Comments 3a-d and 4a concern the perceived legacy and reputation of Murry Bergtraum.

The DOE acknowledges the value and legacy of Murry Bergtraum. The DOE has not proposed this co-location in order to punish or reject Murry Bergtraum. Rather, the DOE believes that the excess space existing in the M520 building is suitable for an additional option to New York City high school students.

Changes Made to the Proposal

No changes have been made to the proposal in response to public feedback.