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Public Comment Analysis¹

Date: March 8, 2013

Topic: The Proposed Phase-Out of M.S. 203 (07X203) Beginning in 2013-2014

Date of Panel Vote: March 11, 2013

Summary of Proposal

On January 14, 2013, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) describing a proposal to phase out M.S. 203 (07X203, “M.S. 203”), an existing middle school housed in building X183 (“X183”) located at 399 Morris Avenue, Bronx, NY 10451, in Community School District 7 (“District 7”). It currently serves students in grades six through eight. The DOE is proposing to phase out M.S. 203 based on its poor performance and the DOE’s assessment that the school lacks the capacity to improve quickly to better support student needs.

On February 5, 2013, the DOE issued an amended EIS that included updated information regarding the availability of State Improvement Grants and corrects typographical errors, but did not substantially revise the proposal.

If the proposal is approved, M.S. 203 will no longer admit new sixth-grade students after the conclusion of the 2012-2013 school year. The school will continue to phase out one grade level at a time, until it closes following the 2014-2015 school year. Current students will be served and supported as they progress towards the completion of middle school while remaining enrolled at M.S. 203. Current and future M.S. 203 eighth-grade students will be supported through the Citywide High School Admissions Process as they apply to high school. In cases where students do not meet promotional requirements by June 2015, the DOE will help students and families identify alternative programs or schools that meet students’ needs so that they may continue their education after M.S. 203 completes phasing out.

M.S. 203 is co-located with The Urban Assembly Bronx Academy of Letters (07X551, “Bronx Letters”), an existing secondary school serving students in sixth through twelfth grade, Success Academy Charter School-Bronx 1 (84X493, “SA - Bronx 1”), an existing charter school that currently serves kindergarten to third grades but is growing to serve kindergarten through fourth grades in building X183, and a District 75 program (75X168, “P168X”) that provides both self-contained and inclusion classes.

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. Those additional comments will be addressed in an amended Public Comment Analysis which will be provided to the PEP before it votes on this proposal.

M.S. 203 offers a humanities-focused program that is academically screened. Bronx Letters middle school is a limited unscreened district choice middle school that admits students in sixth grade through the District 7 Middle School Choice Process. Bronx Letters high school admits students in ninth grade through the Citywide High School Admissions Process and through a Limited Unscreened Admissions Method.

P168X serves students in both an inclusion program and self-contained classes. These students are placed based on individual student needs and recommended special education services. SA-Bronx 1 enrolls kindergarten students through a lottery, giving preference to students who reside in District 7.

In a separate EIS posted on January 14, 2013, the DOE proposed to expand the co-location of SA – Bronx 1 in building X183, such that SA - Bronx 1 would grow from serving grades kindergarten through four to serve grades kindergarten through eight. SA - Bronx 1 will add one grade each year, first completing its expansion to serve grades kindergarten through four in the 2013-2014 year (an expansion that has already been approved), and then adding grades five through eight by continuing to add one grade each subsequent year until 2017-2018, at which point it will have reached full scale and will serve students in kindergarten through eighth grades. If this proposal is approved, after the phase-out of M.S. 203, which will be completed at the end of 2014-2015, there will continue to be excess District 7 district middle school seat capacity. The DOE anticipates that the expansion of SA - Bronx 1 will increase the number of high-quality middle school seats in District 7.

Copies of the EIS and related Building Utilization Plan (“BUP”) are also available in the main offices of M.S. 203, P168X, Bronx Letters, and SA – Bronx 1.

Summary of Comments Received at the Joint Public Hearings

A joint public hearing regarding this proposal was held at the X183 building on February 14, 2013. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 100 members of the public attended the hearing, and 33 people spoke. Present at the meeting were M.S. 203 Principal William Hewlett Jr.; M.S. 203 School Leadership Team (“SLT”) Representatives: Laurie Moss, Mr. Torres, and Dean Gross; Bronx Letters Principal Jeffrey Garrett; P168X Principal Maureen Fullerton; District 7 Community Superintendent Yolanda Torres; CEC 7 Representatives Neyda Franco, Tracy Woodall and Cynthia Cordo; Vice President of the United Federation of Teachers (“UFT”) Richard Farcus; Council of School Supervisors and Administrators (“CSA”) Bronx Field Director Stephen Bennett; DOE Deputy Chancellor Marc Sternberg; DOE Office of the Chancellor Representative Melissa Harris; DOE Deputy Press Secretary Devon Puglia; and Miriam Sondheimer, Yael Kalban and Stephanie Crane from the DOE’s Division of Portfolio Planning.

The following questions, comments, and remarks were made at the joint public hearing:

1. Several commenters, including members of M.S. 203’s SLT, noted M.S. 203’s many student achievements and success stories.
2. Several commenters, including M.S. 203 principal William Hewlett Jr., and members of the M.S. 203 SLT, voiced support for the teachers, staff, and students at M.S. 203.
3. Several commenters voiced general opposition to the proposal and to the practice of phasing out schools generally.
4. Several commenters, including members of M.S. 203’s SLT, raised concerns about how a phase-out could impact the socio-emotional well-being of students and asked how students will be supported if the phase-out proposal is approved.

5. Several commenters, including members of M.S. 203's SLT, asked that the DOE give M.S. 203 more time to improve student outcomes and overall school performance.
6. M.S. 203 principal, William Hewlett Jr., acknowledged that the school's performance data is concerning and that there is a need to improve the overall school performance and test scores of M.S. 203 students.
7. Several commenters, including members of M.S. 203's SLT, acknowledged the supportive and positive environment in the X183 building and voiced disagreement with the claims that there are safety issues in the X183 building.
8. Several commenters, including members of M.S. 203's SLT and Bronx Letters' SLT, voiced opposition to the re-allocation of space that is currently allocated to Bronx Letters or M.S. 203.
9. Neyda Franco, CEC 7 president and president of the Parent Association of Bronx Letters,
 - a. Voiced general opposition to the proposal.
 - b. Stated that the co-location of three schools in one building has impacted her children socio-emotionally and educationally. She further noted that the division of the schools within the building negatively impacts the feeling of community in the building.
 - c. Indicated that too many schools in the Bronx are undergoing the process of phase-out currently or are proposed for phase-out and stated that the DOE should provide more funding and resources for struggling schools.
 - d. Noted the need to support all students, especially special education and ELL students.
 - e. Voiced support for the teachers and staff in the X183 building.
 - f. Voiced opposition to taking more space away from the schools in the X183 building.
10. Tracy Woodall, a representative of CEC 7,
 - a. Encouraged increased parental involvement in each school and the larger District 7 community.
 - b. Acknowledged that District 7 has several schools with performance issues and expressed desire to see these schools improve to best support students.
 - c. Stated that there is a need for more funding to be provided to support schools in District 7 and throughout the city, in particular to ensure they are college- and career-ready.
11. Richard Farcus, Vice President of the UFT,
 - a. Stated that he believed the decisions to phase-out M.S. 203 and to give more space to the charter school that is co-located in the building have already been made.
 - b. Advocated for community members to come out to the Panel for Educational Policy ("PEP") meeting in March to continue voicing opposition to the proposal.
12. Stephen Bennett, field director of the CSA,
 - a. Noted that more than two dozen schools are currently slated for closure and that these schools have different performance grades, state statuses, and received different quality review scores.
 - b. Voiced concern that struggling students are turned away from new schools and "warehoused" in schools that are failing.
13. Several commenters, including members of M.S. 203's SLT, noted that M.S. 203 was a replacement for a school that was previously phased out from the building and inquired as to how this intervention would be different and more successful than the previous one, with one commenter wondering specifically whether this replacement plan will involve more than just staff-based changes.
14. Several commenters, including members of M.S. 203's SLT, expressed that the school lacks the needed resources to support the students and voiced preference that the DOE spend more time and resources to improve the school (e.g., one commenter requested a full-time teacher

center with highly-trained master teachers to assist in the professional development of M.S. 203's teaching staff), rather than phase it out.

15. Several commenters, including members of M.S. 203's SLT, inquired as to what supports were provided to the school and voiced concern that not enough district and network support had been provided to the school.
16. Several commenters, including members of M.S. 203's SLT, noted the high needs population served by the school and acknowledged the different challenges the students face as incoming students. These commenters also asked if the DOE considers the different populations of students served by the school—for example, overage students as well as students who have IEPs or are ELL students—in evaluating the overall performance of a school.
17. Several commenters expressed the importance of arts programming for Bronx Letters students and having the appropriate space for that programming, indicating concerns that the proposed changes in building utilization would impact that programming.
18. One commenter noted that while M.S. 203 currently has an after-school program, there should be additional after-school programming provided to support students and overall school performance.
19. Several commenters said the phase-out of M.S. 203 means that fewer educational options will be available to District 7 students.
20. One commenter asked what will happen to future sixth-graders who can no longer enroll in M.S. 203.
21. One commenter stated that the performance data noted in the EIS does not comprehensively convey the school's performance, particularly its successes.
22. One commenter acknowledged the history of the school and the legacy the school has for many families in the Bronx community.
23. One commenter claimed that while there has been an increase in student enrollment, there has been a funding decrease of over 25%.
24. A member of the Bronx Letters SLT acknowledged the strong, collaborative relationships among the leaders of the three schools co-located in the X183 building and said that these strong relationships will continue.
25. One commenter expressed concern about how the phase-out of M.S. 203 and expansion of SA – Bronx 1 could negatively impact the relationships among the co-located schools.
26. A member of the Bronx Letters SLT acknowledged the importance of giving schools equal proportions of space in the X183 building and negotiating building space in a way that positions schools for success.
27. One commenter stated that the PEP always votes in favor of the proposals presented to communities and questioned the efficacy of the public hearing process.
28. Many commenters stated that the X183 building is overcrowded.
29. One commenter stated her belief that the DOE held this joint public hearing on Valentine's Day to deter community members from attending.

The following questions, comments, and remarks were made at the Joint Public Hearing and are not related to the proposal for phase-out

30. One commenter noted the socio-economic disparities in the Bronx and the prevalence of homeless shelters in the community.
31. One commenter noted the many administrative changes that have taken place at Bronx Letters.
32. One commenter stated that there is money to be made in privatizing education and cited the salaries of Eva Moskowitz and former DOE Chancellor Joel Klein.
33. One commenter stated that many students come to school with medical issues and that the DOE should create wrap-around services at our schools to meet the medical needs of students.

34. One commenter advocated for all community members to get involved in the next mayoral election since it will likely impact the education system in New York City.
35. One commenter voice general opposition to mayoral control of the education system in New York City.

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

36. Two comments voiced support for M.S. 203 and noted the positive achievements students have made at M.S. 203.
37. Two comments voiced opposition to the proposal to phase-out M.S. 203.
38. One comment voiced support for increased parental involvement in the M.S. 203 school community.
39. One comment voiced support for the teachers, staff, and administration at M.S. 203.
40. One comment raises concern about the challenging student populations served at M.S. 203.
41. One comment raises concern about the lack of after-schooling programming available to M.S. 203 students.
42. One comment concerns the lack of resources provided to M.S. 203 and the way this impacted the school's overall performance.
43. One comment raises concern about the socio-emotional impact of a phase-out on students.
44. One comment concerns the importance and legacy of M.S. 203 in the District 7 and larger Bronx community.

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

Comments 1, 2, 9(e), 21, 36, and 39 note positive student achievements at M.S. 203 and voice general support for the administration, teachers, and school community at M.S. 203.

The DOE commends the students and staff of M.S. 203 for their hard work, and acknowledges that some M.S. 203 students may have achieved success at the school.

Comments 3, 9(a), 11(b), and 37 express general opposition to the proposal.

While many members of the M.S. 203 community object to the possibility of phasing out the school, the DOE believes that drastic action must be taken given the school's performance struggles and decline. The DOE believes that this proposal represents the right course of action for the students of New York City. The DOE will continue to support current M.S. 203 students working toward promotion.

In a concerted effort to ensure that all students have access to high-quality school programs, the DOE annually reviews the performance of all schools citywide. During the process that identifies schools that are having the most trouble serving their students, the DOE found M.S. 203 to be among these schools. As noted in the EIS proposing M.S. 203's phase-out:

- The overwhelming majority of M.S. 203 students remain below grade level in English Language Arts ("ELA") and Math. Only 7% of students were performing on grade level in ELA—putting the school in the bottom 1% of middle schools Citywide. Only 10% of students were performing on grade level in Math—putting the school in the bottom 1% of middle schools Citywide. In both ELA and Math proficiency, M.S. 203 ranks last among all District 7 middle schools.
- The Progress Report measures the progress and performance of students in a school, as well as the school environment, compared with other schools serving similar student populations. M.S. 203 earned a D grade on its 2011-2012 annual Progress Report, including a D grade for Student Progress, an F grade for Student Performance, and a C grade for School Environment. This year's Progress

Report marks a further decline in M.S. 203's performance after the school received C grades in the 2010-2011 and 2009-2010 school years.

- M.S. 203 was identified by the SED as a Priority school, defined by SED as a school within the bottom 5% of schools in the state.
- M.S. 203 was rated "Developing" on its most recent Quality Review in 2010-2011, indicating deficiencies in the way that the school is organized to support student learning.
- The school's attendance rate remains below most other middle schools. The 2011-2012 attendance rate was 88% compared to the Citywide middle school average of 93%, putting M.S. 203 in the bottom 5% of New York City middle schools for attendance.

Accordingly, the DOE believes that M.S. 203 is not providing satisfactory outcomes for its students and does not have the capacity to improve quickly to better meet student needs.

Comments 3, 9(c), and 12(a) express general opposition to the practice of phasing out schools, raise concern about the number of schools proposed for phase-out or undergoing phase-out in the Bronx, and inquire into the process of making phase-out decisions.

The central goal of the Children First reforms is simple: to create a system of great schools. Every child in New York City deserves the best possible education. Over the Mayor's eleven years in office, the DOE's average 4-year graduation rate has steadily increased to an all time high of 65.5% percent. When today's ninth-graders were entering kindergarten, 19,000 New York City high school graduates enrolled at the City University of New York ("CUNY") schools. Last fall more than 25,000 City graduates enrolled at CUNY, an increase of over 40%.

To ensure that as many students as possible have access to the best possible education, under this Administration, New York City has replaced 142 of the lowest-performing schools with better options and opened 576 new schools: 427 districts schools and 149 public charter schools. As a result, the DOE created more high-quality choices for families.

In a concerted effort to ensure that all students have access to high-quality school programs, the Department of Education annually reviews the performance of all schools citywide. This process identifies schools that are having the most trouble serving their students. Using a wide range of data and on-the-ground information, we identify our most struggling schools for intensive support or intervention.

First, we compile a preliminary set of schools that meet one or more of the following criteria:

- Received a grade of D, F, or a third consecutive C or worse on the 2011-12 Progress Report; and/or
- Received a rating on the most recent Quality Review of Developing or Underdeveloped; and/or
- Identified as Priority (bottom 5% in the state) by the New York State Education Department; and/or
- Received a recommendation on their 2011-12 Joint Intervention Team review for significant change in organizational structure or phase out/closure.

Next, we apply additional criteria to determine which schools are most in need of support or intervention. We remove from consideration schools that meet any of the following criteria:

- Elementary and middle schools that have a higher English Language Arts and Math average proficiency than their district average or the city average (whichever is lower). The city average for 2011-12 is 53.5% proficient; and/or

- High Schools that have a higher graduation rate than the citywide graduation rate. The citywide rate for 2010-11* is 65.5%; and/or
- Schools that received an A or B on the 2011-12 Progress Report; and/or
- Schools that earned a Well Developed score on a 2010-11 or 2011-12 Quality Review; and/or
- Schools receiving a Progress Report Grade for the first time in 2011-12.

**Note: 2011-12 Citywide graduation rate is not available yet.*

Schools that are removed from consideration for the most intensive support or intervention will receive differentiated support from their network team, but are not considered for phase-out.

We identify the remaining schools as struggling schools. These schools will undergo strategic action planning. These plans will identify concrete action steps, benchmarks, and year-end goals aimed at immediately improving student achievement. This plan will outline the specific support the network will provide to the school to address the most urgent areas of need, including:

- Leadership coaching;
- Professional development on instructional strategies for struggling students;
- Identifying grants aimed at specific needs of the school;
- Introducing new programs;
- Supporting the development of a smaller learning environment; and
- Possible leadership change.

Some of the struggling schools are also further investigated for more serious interventions that may include phase out/truncation and replacement. When considering whether a struggling school should be investigated as a candidate for more serious intervention – phase-out/closure/truncation – we consider a few key data points:

- Student performance trends over time;
- Demand/enrollment trends over time;
- Interventions already underway (e.g. School Improvement Grant model);
- Talent data;
- School culture / environment;
- District needs / priorities; and
- School safety data.

In addition to our investigation, we also have conversations with school staff, parents, students, communities, and networks to get a holistic sense of what is happening at the school and what supports or interventions would most likely improve student outcomes. In our early engagement meetings at these schools, we have conversations with constituents about what is working and what isn't before making a decision about the supports or interventions that can best support student outcomes. These meetings along with the joint public hearing provide opportunity for community members, elected officials, families, students, school staff to provide input and feedback regarding the proposal for phase-out.

At the end of this multi-step process, our analysis and engagement directed us to a set of schools that quantitative and qualitative indicators show do not have the capacity to significantly improve. Deciding what course of action can best support the students and community of a struggling school is not easy, but we are compelled to act based on our commitment to ensuring that every student has access to high-quality schools.

No single factor determines whether a school will phase out or not. Deciding to phase out a school is the toughest decision we make. But when we proceed, it is because we believe it is the right thing to do for the students of New York City.

MDRC, a nationally recognized nonprofit, nonpartisan education and social policy research organization, has analyzed the effect of New York City's new schools created since 2002. It has found repeated evidence that the new schools created under this administration have helped students graduate, be better prepared for college, complete required Regents exams, and earn credits at a higher rate than schools created before 2002.

In June 2010, MDRC issued a report on NYC's new small schools strategy. MDRC concluded: "it is possible, in a relatively short span of time, to replace a large number of underperforming public high schools in a poor urban community and, in the process, achieve significant gains in students' academic achievement and attainment. And those gains are seen among a large and diverse group of students — including students who entered the ninth grade far below grade level and male students of color, for whom such gains have been stubbornly elusive." (MDRC, "Transforming the High School Experience," June 2010.)

Findings released in January 2012 from MDRC showed that these schools are having a sustained effect on graduation rates with positive impacts for virtually every subgroup. In addition, the small high schools show positive impacts on five-year graduation rates and on a measure of college readiness.

Comments 4 and 43 pertain to the socio-emotional impact of phase-outs and co-locations on students.

The DOE recognizes that phasing out and closing a school is a difficult experience for students, staff, and community members.

If this phase out proposal is approved, M.S. 203 will receive support in the areas of budget, staffing, programming, community engagement, guidance, and enrollment including, but not limited to:

- Helping the school provide students with options that support their advancement and fully prepare students for their next transition point.
- Working with school staff to foster a positive culture.
- Supporting school leadership in efficiently and strategically allocating resources to ensure a consistent and coherent school environment focused on student outcomes.

In September 2013, the DOE will continue to provide differentiated and deliberate supports to M.S. 203 students.

It is important to note that decisions around the future of a school in no way reflect on the students who attend the school. We, rather than students, are responsible for the quality of a school. Whenever we make the decision to move forward with a proposal to phase out a school, we do so because students deserve a better option.

Comments 5 and 10(b) voice a preference for giving M.S. 203 more time to improve instead of phasing out the school.

As described in the EIS and in the data cited above in the answer to comments 1, 2, 9(e), 21, 36, and 39, M.S. 203 has struggled to improve, and its 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. 203 is in the bottom 14% of all middle schools Citywide in terms of learning growth in English and is in the bottom 12% of all middle schools Citywide in terms of learning growth in Math. Learning growth measures annual student growth on State ELA and Math tests relative to similar students. If these outcomes persist, M.S. 203 students will fall further behind their peers in other schools.

The DOE has offered specific supports to help the school's efforts to improve the school's performance, as detailed in the EIS and in the responses below to comment 15 and comments 9(c,d), 10(c), 14, 23, and 42, but even with support the school has not produced adequate outcomes for the students.

M.S. 203's current outcomes cannot be permitted to persist, as M.S. 203 students will fall further behind their peers in other middle schools. Indefinitely trying to turn around a school that has struggled for years is not a strategy the DOE is willing to use.

Comments 6 and 24 do not voice opposition to this proposal and require no response.

Comment 7 pertains to safety in the X183 building, claiming that the building has a safe, positive environment and is not unsafe for students.

The DOE commends improvements in school culture and safety in all of its schools. School safety is one component of the larger investigative process, which is described in detail in the EIS. Please refer to the response to comments 3, 9(a), 11(b), and 37 for a list of other key data points that are considered in conjunction with school safety data in making phase-out decisions.

Comments 8, 9(b, f), 17, 26, and 28 pertain to the allocation of space in the X183 building, the process for determining space allocations, and voice opposition to reallocating any of the space in the building to different organizations; these comments also concern the impact of the co-location on socio-emotional health of the students served in the X183 building.

The X183 building has the capacity to serve 1,519 students (according to the 2011-2012 Enrollment, Capacity, Utilization Report or the "Blue Book"). Currently, the building serves 1,390 students, yielding a building utilization rate of 92%. If the proposal to phase out M.S. 203 is approved, as well as the accompanying proposal to expand the grades served by SA-Bronx 1, the projected building utilization rate for 2017-2018, when all changes will be fully implemented, is 96%-109%.

As detailed in the BUP, the DOE believes that building X183 can provide all schools with sufficient space, despite the possibility of a utilization rate over 100%. Although a utilization rate in excess of 100% may suggest that a building will be over-utilized or over-crowded in a given year, this rate does not account for the fact that rooms may be programmed for more efficient or different uses than the standard assumptions in the utilization calculation. In addition, charter school enrollment plans are frequently based on larger class sizes than target capacity, contributing to building utilizations above 100% while not impacting the utilization of the space allocated to the traditional district school. Therefore, the X183 building has the capacity to accommodate M.S. 203 as it phases out, Bronx Letters, P168X, and SA - Bronx 1 over the course of the proposed grade expansion.

When multiple school organizations are sharing space in one building, the 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. The DOE seeks to fully utilize all its building capacity to serve students. The DOE does not distinguish between students attending public charter schools and students attending district schools. In all cases, the DOE seeks to provide high quality education and allow parents/students to choose where to attend school.

The Footprint is the guide used to allocate space to all schools based on the number of class sections the school programs and the grade levels of the school. The number of class sections at each school is determined by the principal based on enrollment, budget, and student needs; there is a standard guideline of target class size (i.e., number of students in a class section) for each grade level. At the middle school and high school levels, the Footprint assumes every classroom is programmed during every period of the school day except one lunch period. The full text of the Instructional Footprint is available at

http://schools.nyc.gov/NR/ronlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.pdf.

The BUP related to the phase-out proposal details the number of class sections each school is expected to program each year and allocates the number of classrooms accordingly. As mentioned above, the allocation of space is largely determined by the number of class sections each school serves.

The assignment of specific rooms and location for each in the building, including those for use in serving students with IEPs or other special education needs, will be made in consultation with the principals of each school and the Office of Space Planning if the proposal is approved. In response to comment 17, the DOE anticipates that all schools in building X183 will be able to continue providing their current programming, including arts programming. The BUP demonstrates that there is sufficient space in the building to accommodate the proposed co-location.

Given the finite number of buildings available in New York City, the DOE attempts to use all of its school buildings as efficiently as possible. Co-location is therefore very common in New York City schools – with 33% of all DOE buildings housing more than one school organization, as there are not sufficient school buildings to allow each school organization to operate within its own building. A co-location means that two or more school organizations are located in the same building. While they share common spaces like auditoriums, gymnasiums, and cafeterias, each school is allocated particular classrooms and spaces for its own students' use. The DOE is confident that M.S. 203, SA – Bronx 1, and Bronx Letters will be able to create a collaborative and mutually respectful environment for all students, staff, and faculty members in building X183.

Comment 25 pertains to concerns that this phase-out proposal and other changes in the X183 building could negatively impact the relationships among the co-located organizations.

As per the Campus Policy Memo 2011, co-located schools on campuses must actively participate in a Building Council, which is a campus structure for administrative decision-making for issues impacting all schools in the building. Only principals and charter school leaders serve on the Building Council. The Building Council meets at least once a month to discuss and resolve issues related to the smooth daily operation of all schools in the building and the safety of the students they serve. The Building Council principals and charter school leaders, where applicable, communicate their decisions campus-wide to staff, students and parents, especially for issues of safety, shared space, campus schedules, split-staff agreements and extended facility use.

A Shared Space Committee will also be established by the principals of the schools at campuses where charter schools are co-located in a public school building with one or more non-charter schools or District 75 schools, as set forth in Chancellor's Regulation A-190. The Shared Space Committee will be comprised of the principal, a teacher and a parent of each co-located school. With respect to a non-charter school's teacher and parent members, such Shared Space Committee members shall be selected by the corresponding constituent member of the School Leadership Team of the school. Charter school leaders will work with their constituencies to select the parent and teacher representing that school. Shared Space Committee agendas and minutes will be shared with the Building Council.

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

The DOE anticipates that all school organizations will work collaboratively in order to ensure the most safety of all students, and work together to create a supportive learning environment for all students served in the X183 building.

Comments 9(c,d), 10(c), 14, 23, and 42 question whether M.S. 203 (and other struggling schools like it in the Bronx) has been given enough resources. These comments voice a need for more resources, emphasize the importance of using resources to support special needs students, and suggest that the resources used to open a new school should instead be given to M.S. 203.

All public schools in the city are funded through a per pupil allocation. That is, funding “follows” the students and is weighted based on student’s grade level and need (incoming proficiency level and special education/English Language Learner (“ELL”)/Title I status). (Thus, in response to comment 9(d), a school’s funding reflects the special needs of the students it serves.) 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. According to the audited register, M.S. 203’s enrollment has gradually declined since the 2007-2008 school year in which it served a total of 426 middle school students. In the 2013-2013 school year, M.S. 203 serves 288 middle school students which may account for a decrease in funding; commenter 23 is mistaken that student enrollment has increased.

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. (Thus M.S. 203 leaders made choices about how to prioritize the school’s resources, and may have decided to allocate resources to professional development by other means than a teacher center as suggested by comment 14.) 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.

While every school across the city receives funding via the same formula, some schools have been less successful in serving students than their peer schools that serve similar populations. After the comprehensive review of school data and community feedback, the DOE believes that M.S. 203 lacks the capacity to improve quickly enough to provide its students with the best educational options (this includes ensuring schools are preparing out students most effectively to be college- and career-ready as indicated in comment 10(c)), and only the most serious intervention—the gradual phase-out and eventual closure of M.S. 203—will best serve students and the community.

Comment 10(a) and 38 pertain to parental involvement in the school community and encourages parents to be actively involved.

The DOE acknowledges the efforts being made by M.S. 203 families and encourages continued parental participation in the school community.

Comments 11(a, b) and 27 speculate that that the PEP always approves the proposals for changes in school utilization and question the efficacy of the public hearing process. These comments also encourage community members to attend the March 11, 2013 PEP meeting and to continue making public comment.

The DOE appreciates all feedback from the community regarding a proposal. The DOE has both revised and withdrawn phase-out proposals in the past based on community feedback received.

When an EIS is issued, it is made available to the staff, faculty and parents at all the impacted schools, on the DOE's Web site, and in each school's respective main office. In addition, the DOE dedicates a proposal-specific Web site and voicemail to collect feedback on this proposal.

In the case of this proposal, the DOE solicited feedback from parents through the Joint Public Hearing held on February 14, 2013, as well as through voicemail and email since the proposal was posted on January 14, 2013. Parent feedback is incorporated throughout this document, which is presented to the PEP to help inform their decision about this proposal. While some parents disagree with the proposal, the DOE believes it is the right decision for students.

The proposal for the phase-out of M.S. 203 has not yet been decided and consistent with practice for proposals regarding significant change in school utilization, the PEP only votes on these proposals after collecting and reviewing public comment. The PEP vote regarding this proposal will be held on March 11, 2013 at 6:00 PM at Brooklyn Technical High School located at 29 Fort Greene Pl, Brooklyn, NY 11217.

The Panel for Education Policy will consider and vote on the proposed phase-out of M.S. 203 along with several other proposals on March 11, 2013 at 6:00 PM at Brooklyn Technical High School located at 29 Fort Greene Pl, Brooklyn, NY 11217. Community members are invited to attend and offer public comment at this meeting.

Comment 12(b) pertains to struggling students and how they enroll in schools across the city; this comment claims that all struggling students are refused admission to new schools and "warehoused" in failing schools.

While some may believe that new schools are outperforming peer schools because the new schools serve less challenging student populations, the demographics of these small schools shows that this is not true. When compared with the student demographics of elementary and middle schools that have been phased out, the demographics of the small schools opened in their place are very similar in terms of the percentages of black and Latino students, ELLs, and students with disabilities. In addition, our new schools on the whole serve more black, Hispanic, and students with disabilities than the schools they replaced, as well as more than the Citywide average:

- Black or Hispanic
 - New Elementary Schools – 91.4%
 - Phase Out Elementary Schools – 93.6%
 - New Middle Schools – 93.4%
 - Phase Out Middle Schools – 94.8%

- ELL
 - New Elementary Schools –15.7%
 - Phase Out Elementary Schools –14.4 %
 - New Middle Schools –11.3%
 - Phase Out Middle Schools – 12.0%

- Students with Disabilities (with IEP's)
 - New Elementary Schools – 17.9%
 - Phase Out Elementary Schools –18.1%

- New Middle Schools – 21.7%
- Phase Out Middle Schools –20.2%

These comparisons refute the notion that the opening of new small schools concentrates challenging student population in any one type of school.

Comment 13 references prior interventions implemented at M.S. 203 and inquires as to how this proposal will result in a different outcome.

The DOE acknowledges that staff members have worked hard to improve M.S. 203, but even with support and multiple interventions, the school has not produced adequate outcomes for students. While M.S. 203 was opened as a replacement for a middle school that had previously struggled to serve its students effectively, we count on each of our schools to provide a high-quality education to its students—and we hold all schools to the same high standard. If a school isn't getting the job done for students – whether it was opened as a replacement for a previously struggling school or not – we are compelled to take serious action to ensure its students don't fall even further behind.

This year, the Department is proposing to phase out or close 22 schools. Additionally, the DOE has proposed to truncate the middle school grades at 2 schools, after which the schools will continue to serve students in either elementary or high school grades. Of these 24 schools proposed for phase-out, closure, or truncation, 3 were opened under this Administration (since 2002). These 3 schools represent less than 1% of the schools opened since 2002. Our new schools are overwhelmingly getting the job done for students, and when they aren't, and a school is struggling, we follow the same process to phase out and replace that school.

Comments 9(d) and 15 pertain to the supports provided to M.S. 203 and suggest that more supports should have been provided.

All schools receive support and assistance from their superintendent and Children First Network (<http://schools.nyc.gov/AboutUs/schools/support/default.htm>) a team that delivers operational and instructional support directly to schools. Struggling schools receive supports as part of system-wide efforts to strengthen all schools; and they also receive individualized supports to address their particular challenges. The DOE does everything it can to offer struggling schools leadership, operational, instructional, and student supports that can help turn a struggling school around.

Staff members have worked hard to improve M.S. 203, 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:

- Assisting the principal and assistant principals in the development of instructional plans and goals for the school year, in support of the school's Comprehensive Education Plan.
- Facilitating on-going professional development opportunities for the principal and assistant principals aimed at improving the school leadership's capacity to develop strategic improvement plans for the school.
- Coaching the principal and assistant principals on the use of classroom observations and feedback to enhance teacher effectiveness.

Instructional Support:

- Providing training for school staff in research-based instructional practices aimed at increasing the academic achievement of ELLs.

- Providing direct coaching for teachers to improve instructional practice and enhance curriculum design in the subject areas of Math, ELA and Social Studies.

Operational Support:

- Advising school staff on student attendance tracking, budgeting and human resources.
- Training school staff on the use and implementation of data systems to track student performance and inform instructional planning.

Student Support:

- Assisting the school administration in the development of a school safety plan to reduce suspension rates in order to help the school establish a school culture and environment conducive to high academic achievement.
- Coaching the school in evidence-based guidance and counseling strategies to build the school's capacity to provide social and emotional support to students.

M.S. 203 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.

Comments 16 and 40 relate to the demographics of the school community, and how the different student populations (such as ELL, over-age, and special education students) are taken into consideration during the evaluation of overall school performance.

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 ELL 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 ELL students at the school. For high schools, 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, M.S. 203 is grouped in its peer group with other New York City public schools with similar student academic and demographic background.

Poor progress report grades thus indicate that a school is not serving its students well, both objectively and by comparison to other schools serving similar students. The new schools proposed to open are anticipated to serve student populations similar to the phasing out school.

Comments 18 and 41 concern the availability of after-school programming and suggest that increased after-school programming could help the overall performance of the school.

The extra-curricular programming offered at each school is determined by the school staff, student interest along with available funding (funding practices are detailed in the response to comments 9(c,d), 10(c), 14, 23, and 42 above) According to the District 7 Middle School Directory, M.S. 203 currently offers the following special programs and initiatives, extra-curricular activities, and partnerships:

- **Special Programs:** Visual Arts, Robotics, Leadership Program, After-School Enrichment, Tutoring, Entrepreneurial Program
- **Boys Sports:** Baseball, Basketball, Football, Softball
- **Girls Sports:** Basketball, Volleyball
- **Co-ed Sports:** Handball, Outdoor Track, Soccer
- **Program Partners:** East Side House Settlement, United Way, Justin Tuck's R.U.S.H. (Read, Understand, Succeed, and Hope) for Literacy

This proposal will not prevent M.S. 203 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.

Comment 19 raises concern that the phase-out of M.S. 203 will reduce the educational options available for District 7 middle school students.

The DOE supports parent choice and strives to ensure that all families have access to high-quality schools that meet their children's needs. As described throughout this document, M.S. 203 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. Under this proposal, building X183 will remain open, but it will offer a new educational option for middle school that is intended to better support the learning needs of future middle school students in District 7 and replace seats lost by the phase-out of M.S. 203.

M.S. 203 is the only middle school in District 7 that the DOE has proposed to phase out this year. Simultaneously, the DOE anticipates proposing to expand Bronx Global Learning Institute for Girls (84X389, "BGLIG") and SA - Bronx 1 in building X183. If these proposals are approved, there will still be an excess of at least 300 sixth-grade seats in District 7 middle schools, and the same number of middle school options will be available to District 7 families.

Comment 20 inquires as to where future sixth-grade students will enroll for middle school, given that the students can no longer enroll in M.S. 203.

If this proposal is approved, M.S. 203 will no longer serve sixth-grade students in the 2013-2014 school year. Through the District 7 Middle School Choice process, students are offered the opportunity to apply to a range of middle schools within their district and/or schools with borough wide or Citywide eligibility. Middle school admissions applications were due on December 21, 2012. If this proposal is approved by the PEP on March 11, 2013, M.S. 203 will be removed from the District 7 Middle School Choice application and matching process, and no current fifth-grade students will be matched to M.S. 203 for the 2013-2014 school year. Additionally, new middle schools designated to open throughout the City for the 2013-2014 school year will be available for these students to consider. After the PEP votes on the proposals to open new schools, eligible students will have the opportunity to submit a "new schools" application.

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/Bronx>. Please note that this directory is updated yearly.

Comments 22 and 44 concern the legacy of M.S. 203 and its role in the community.

The DOE recognizes the important role that schools play in their communities and knows that schools throughout the city are not just educational institutions, but rich and tight-knit communities. The DOE expects that the replacement school will be fully engaged with its community and responsive to the community's needs, serving a vital role as an anchor for the community.

Comment 29 concerns the scheduling of this joint public hearing.

The DOE coordinated with the CEC and the leadership of the co-located schools to schedule the Joint Public Hearing in advance of the posting of the EIS and BUP. The DOE offered multiple dates in its communications with the principals, SLTs, and CEC, and February 14th was agreed upon as a date that all stakeholders had the necessary availability.

Changes Made to the Proposal

No changes have been made to this proposal.