Department of Education

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Chancellor

Public Comment Analysis[1]

Date: March 8, 2013

Topic: The Proposed Opening and Co-location of New Elementary School (09X294) and New Elementary School (09X311) with Existing School P.S. 64 Pura Belpre (09X064) in Building X064 Beginning in 2013-2014

Date of Panel Vote: March 11, 2013

Summary of Proposal

On January 11, 2013, the New York City Department of Education ("DOE") issued an educational impact statement ("EIS") describing a proposal to co-locate two new zoned district elementary schools, 09X294 ("09X294") and 09X311 ("09X311"), in building X064 and Temporary Classroom Unit ("TCU") X924 ("X924") located at 1425 Walton Avenue, Bronx, NY 10452, in Community School District 9 ("District 9").

On February 5, 2013 the DOE issued an amended EIS, which updated information regarding the eligibility status of 09X294 and 09X311 for School Improvement Grant funding but which did not substantially revise the proposal.

If the proposal is approved, new schools 09X294 and 09X311 will be co-located in building X064 with P.S. 64 Pura Belpre (09X064, "P.S. 64"), and 09X294 and 09X311 will share the zone with P.S. 64. Future students in that residential zone will be admitted to one of the new zoned elementary schools, 09X294 and 09X311, in accordance with Chancellor's Regulation A-101. Families will be asked to submit an application indicating their preference for 09X294 or 09X311. If this proposal is approved, 09X294 and 09X311 will begin enrolling kindergarten through second grade students in 2013-2014 and will add one grade per year until they are at full scale and serve students in kindergarten through fifth grades in 2016-2017.

In addition, due to the existing Spanish-language programs at P.S. 64 and the high percentage of English Language Learners ("ELL") students in P.S. 64's current zone, the DOE intends to offer a dual-language program at 09X311, though ELL programming offered at a given school is always subject to demand.

[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.

In a separate EIS, also published on January 11, 2013, the DOE proposed to gradually phase out and eventually close P.S. 64 because of its low performance and inability to improve quickly to better support student needs.

If both proposals are approved, current zoned students in kindergarten and first grade—whether or not they meet promotional standards—will be served by two new, smaller zoned elementary schools, 09X294 and 09X311, that will open in building X064. The Office of Student Enrollment ("OSE") will work with these students to determine in which school, 09X294 or 09X311, they will enroll.

Current students in second grade who meet promotional standards will continue to progress at P.S. 64. However, any students who do not meet promotional requirements will repeat second grade at 09X294 or 09X311. OSE will work with these students to determine in which school, 09X294 or 09X311, they will enroll.

Current students in third and fourth grades will continue their education at P.S. 64, regardless of whether they meet promotional standards. Current fifth-graders will proceed to apply to middle school via the District 9 Middle School Choice process, unless they do not meet promotional standards, in which case they will continue fifth grade at P.S. 64. In cases where students do not meet promotional requirements by June 2016, they will be served in 09X294 or 09X311.

The EIS containing additional details of the proposal, along with the EIS describing the proposed phase-out of P.S. 64, can be accessed here: http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm.

Copies of both EISs are also available in the main offices of P.S. 64.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at the X064 building on February 21, 2013. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 155 members of the public attended the hearing, and 25 people spoke. Present at the meeting were P.S. 64 Pura Belpre Principal, Tara O'Brien; P.S. 64 Pura Belpre School Leadership Team ("SLT") representatives Yeseny Ferrer, Alicia Sample-Bradshaw and Theresa Bause; District 9 Community Superintendent Dolores Esposito; Community Education Council ("CEC") 9 President Marilyn Espada; CEC 9 Members Carmen Milagros Ramos and Nora Mercado; New York State Assembly member Vanessa Gibson; DOE Deputy Chancellor Corinne Rello-Anselmi; DOE External Affairs Representative Jenny Sobelman; and Yael Kalban and Henry Bluestone Smith from the DOE's Division of Portfolio Planning.

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

1) Several commenters expressed questions about the effectiveness of replacement schools.
2) Several commenters expressed opposition to the phase-in of new schools 09X294 and 09X311.
3) Marilyn Espada, CEC 9 President, former Parent Association President and a former parent of P.S. 64 student stated the following:
    a. She expressed her opinion that approval of this proposal was a foregone conclusion because the majority of PEP members are appointed by Mayor Bloomberg.
    b. She stated that previous District 9 replacement schools, both charter and district options, have failed.

4) Stephen Bennett, representing the Council of School Supervisors and Administrators, voiced concern that struggling students are turned away from new schools and "warehoused" in schools that are failing.
5) Some commenters wanted their children to have the ability to transfer to a better school.
6) Several commenters had concerns about the accommodations that could be made for children who can't or don't want to attend a replacement schools, with one commenter particularly concerned that her child would not be able to get into another school because of his IEP.
7) One commenter wanted to know how the new schools will differ from P.S. 64.
8) Several commenters expressed concerns regarding the services that would be offered at the replacement schools and community involvement in the new school's development.
9) Several commenters asked whether the replacement schools would receive preferential treatment as compared to P.S. 64 or other schools proposed for phase-out.

Comments at the Joint Public Hearing which did not directly relate to the Proposal

10) One audience member asked if a charter school is opened in place of P.S. 64, do P.S. 64 families get priority for admission?

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

The DOE has not received any comments regarding this proposal via email or phone

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

Comments 1 and 3(b) question the efficacy of replacing underperforming schools with new schools, with one commenter noting that previous District 9 replacement schools have failed.

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, opening 590 new schools: 427 district schools and 149 public charter schools. As a result, we've created more high-quality choices for families. Graduation rates at new schools are higher than the schools they replaced. Here are a few examples:

- *Manhattan:* The new schools located on the Seward Park Campus in lower Manhattan had a graduation rate of 71.1% in 2011, compared to Seward Park High School's graduation rate in 2002 of 36.4% (Seward Park HS completed its phase-out in 2006).
- *Manhattan:* The new schools located on the Park West Campus in Manhattan had a graduation rate of 72.2% in 2011, compared to Park West High School's graduation rate in 2002 of 31.0% (Park West HS completed its phase-out in 2006).
- *Brooklyn:* In 2011, the schools on the Van Arsdale campus in Brooklyn had a graduation rate of 86.7%—about 40 points higher than the former Harry Van Arsdale High School's graduation rate of only 44.9% in 2002 (Van Arsdale HS completed its phase-out in 2007).
- *Brooklyn:* The Erasmus Hall High School graduated only 40.3% of student in 2002. The new schools on the Erasmus campus are getting tremendous results, graduating 71.4% of students in 2011. (Erasmus Hall HS complete its phase-out in 2006.)
- *Queens:* The new schools located on the Springfield Gardens Campus in Queens had a graduation rate of 68.8% in 2011, compared to Springfield Gardens High School's graduation rate in 2002 of 41.3% (Springfield Gardens HS completed its phase-out in 2007).

- *Bronx:* The new schools located on the Evander Childs Campus in the Bronx had a graduation rate of 72.6% in 2011, compared to Evander Childs High School's graduation rate in 2002 of 30.7% (Evander Childs HS completed its phase-out in 2008).

The DOE can dramatically improve student achievement across the City by opening new schools in traditionally underserved communities that need high-quality educational options. There is an extremely detailed and rigorous process for creating new schools. The DOE's top priority is ensuring that the new schools that DOE opens have strong leaders with clear and visionary plans, and that these leaders are supported as they get their new schools up and running.

The DOE's new schools process is based on three core principles:

- A great school starts with a great principal. Over the past ten years, the DOE has learned the powerful role a principal can play as an agent for change. Through the DOE's new schools process, the DOE seeks principals who demonstrate the qualities of visionary and effective leadership and who are poised for the privilege and challenge of opening a new school.
- The DOE needs community partners to help the DOE develop great schools. The DOE has worked with local and national intermediary organizations to help us develop and scale new schools. These partners provide critical start-up support and help push the thinking of the DOE's new school leaders.
- There isn't one "recipe" for what makes a great school. While there are conditions that contribute to an effective school – a mission; leadership; and great teachers devoted to student success, there are different ways of organizing a school to create these conditions, especially given the need to serve diverse student populations. The DOE encourages leaders to be entrepreneurial and to leverage their expertise to develop innovative models.

In a June 2010, MDRC, an independent research group, 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. New York City was ahead of the curve in complying with President Obama's call to close or turnaround the lowest 5% of schools nationwide and provide better options to families. We simply can't stand by and allow schools to keep failing our kids when we know we can—and we must—do better. New York City's new schools strategy has helped us to deliver on the core promise we make to NYC families to provide all students with an excellent education.

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.

Comment 2 opposes the opening of new schools 09X294 and 09X311 as replacements for P.S. 64.

While many members of the P.S. 64 community object to the possibility of phasing out and replacing the school, the DOE believes that drastic action must be taken given the school's performance struggles and recent decline. The DOE will continue to support current P.S. 64 students working toward promotion and as we develop plans to replace P.S. 64 with two other schools that will better meet future student and community needs. The DOE believes that this proposal represents the right course of action for the students of New York City. As noted in the EIS proposing P.S. 64's phase-out:

- The overwhelming majority of P.S. 64 students remain below grade level in English Language Arts and Math. Only 18% of students were performing on grade level in English—putting the school in the bottom 1% of elementary schools Citywide. Only 27% of students were performing on grade level in Math—putting the school in the bottom 1% of elementary schools Citywide.

- 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. 64 earned a D grade on its 2011-2012 annual Progress Report, including a C grade for Student Progress, an F grade for Student Performance, and a D grade for School Environment. P.S. 64 has a history of low performance, including a D grade on the 2010-2011 Progress Report and a C grade on the 2009-2010 Progress Report.

- P.S. 64 was identified by the SED as a Priority School, defined by the SED as one of the bottom 5% of schools in the state.

- P.S. 64 was rated "Developing" on its most recent Quality Review in 2011-2012, indicating deficiencies in the way that the school is organized to support student learning.

- Safety issues have been a concern at the school. On the 2011-2012 New York City School Survey, only 27% of teachers believed that discipline and order were maintained at P.S. 64.

- Demand for P.S. 64 is low. P.S. 64 is a zoned school, but as of last school year, only 51% of students residing in the P.S. 64 zone chose to attend the school, suggesting that families are seeking better options.

In light of these poor outcomes for students, the DOE has determined that the best course of action is to phase out the school and allow for new school options that will better serve the community.

<u>Comment 3(a)</u> concerns the role of public input, with one commenter stating her belief that the proposal will be approved regardless of public comment due to the constituency of the PEP.

The DOE encourages parental participation in school communities and appreciates all feedback from the community regarding a proposal. 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.

The DOE follows the process set forth by New York State law to propose significant changes in school utilization, such as school phase-outs. In the case of this proposal, the DOE solicited feedback from parents through the Joint Public Hearing held on February 21, 2013, as well as through voicemail and email since the proposal was posted on January 11, 2013. Parent feedback is incorporated throughout this document, which is presented to the PEP to help inform their decision about this proposal.
The proposal for the phase-out of P.S. 64 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. Moreover, the DOE has withdrawn proposals after considering public feedback. 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.

Comment 4 states that struggling students are turned away from new schools, implying that the new small replacement schools created under the current administration serve a different student population than the schools they replaced or than other 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 the high 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, English language learners, 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 and 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.

Comments 5and 6 pertain to where students currently enrolled in P.S. 64 will attend school during and after the course of the proposed phase-out of P.S. 64 and the concurrent phase-in of 09X294 and 09X311.

As described in the EIS, if this proposal is approved, P.S. 64 will be phased out gradually over the next several years and will no longer offer kindergarten through second grades beginning in the 2013-2014 school year. Beginning in the 2013-2014 school year, after P.S. 64's kindergarten, first, and second grades have been phased out, P.S. 64 will serve one less grade in each subsequent year until it completes its phase-out and closes in June 2016.

If this proposal and the related new school co-location proposal are approved, current zoned students in kindergarten and first grade—whether or not they meet promotional standards—will be served by two new, smaller zoned elementary schools, 09X294 and 09X311, that will open in building X064. The Office of Student Enrollment ("OSE") will work with these students to determine in which school, 09X294 or 09X311, they will enroll. These two new school options are proposed in a separate EIS, which can be found at: http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013PEP.htm.

Current students in second grade who meet promotional standards will be supported at P.S. 64. However, any students who do not meet promotional requirements will repeat second grade at 09X294 or 09X311. OSE will work with these students to determine in which school, 09X294 or 09X311, they will enroll.

Current students in third and fourth grades will continue their education at P.S. 64, regardless of whether they meet promotional standards. Current fifth-graders will proceed to apply to middle school via the District 9 Middle School Choice process, unless they do not meet promotional standards, in which case they will continue fifth grade at P.S. 64. In cases where students do not meet promotional requirements by June 2016, they will be served in 09X294 or 09X311.

In addition, due to the existing Spanish dual-language program at P.S. 64 and the high percentage of Spanish speaking English Language Learner ("ELL") students in P.S. 64's current zone, the DOE intends to offer a Spanish dual-language program at 09X311, though ELL programming offered at a given school is always subject to demand.

In response to comment 6, in accordance with DOE policy, students with IEPs (with the exception of those recommended for a District 75 or a non-public school placement) will have the same opportunities to continue their education at phasing out schools, or to attend new schools, as students without IEPs. The DOE will support schools by reviewing students IEPs to focus on addressing the needs of students with disabilities by providing individualized service models that ensure students with IEPs have access to learn alongside their non-disabled peers to the greatest extent possible.

The DOE notes that all students currently attending Title 1 schools that are designated as "Priority" or "Focus" schools under SED's state accountability system are eligible to apply for a transfer to another school through the DOE's Public School Choice ("PSC") Process. More information about this process can be found at the DOE's website at: http://schools.nyc.gov/choicesenrollment/changingschools/default.

Comments 7 and 8 pertain to the services offered at the replacement schools, as well as community involvement in their development.

As described in the EIS, the two new schools proposed for X064 will ensure that ELL students and students with IEPs will continue to receive all appropriate services. The DOE also intends to offer a Spanish dual-language program at 09X311.

New school leaders will be introduced to the public at the Citywide Council of High Schools' meeting on March 13, 2013 and will subsequently be introduced at district-specific CEC meetings. The DOE affords school leaders a great deal of autonomy with respect to selecting educational programming that best serves their school community, but the DOE encourages family participation in the their school communities. Decisions regarding the educational focus of 09X294 and 09X311 will be made by the principals of each organization and this information will be made available to students and families as they make their decisions with respect to applying for transfers or enrolling at one of the new schools in September 2013. After the PEP has voted on this and other new school proposals on March 11, 2013, the 2013-2014 High School Directory will be available on the DOE Web site at: http://schools.nyc.gov/ChoicesEnrollment/High/Publications/default.htm.

As referenced in the response to comment 1 and the response to comment 4, the DOE has seen the success of new schools opened under this administration and anticipate that providing two new elementary school opportunities to replace P.S. 64 will be in the best interests of current and future students and community members.

Comment 9 asks whether the replacement schools will receive preferential treatment as compared to P.S. 64.

The DOE will support the new schools as they phase in, and will support P.S. 64 as it phases out, aiming to provide resources and support specific to each school's needs.

If the P.S. 64 phase-out proposal is approved, the school will receive targeted 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 preparing 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.

Supports for students in phase-out schools have evolved over several years as the DOE has learned what differentiated supports are needed for schools and students.

In September 2011, 26 schools began phasing out. These schools have received additional funding and specialized network support. Middle schools and high schools that began phasing out in September 2011 have been supported by the Transition Support Network.

In September 2012, 17 additional schools began phasing out. All schools undergoing the process of phasing out are now supported by the Transition Support Network. Five schools that were approved for truncation continue to be supported by their networks.

While it is unclear exactly what the supports will look like for the 24 proposed phase-outs and two proposed truncations that will be implemented beginning in September 2013 if approved, the DOE will continue to establish differentiated and deliberate support to those schools and students.

With respect to funding for the new schools as compared to P.S. 64, note that new schools receive support from Children First Networks and Fair Student Funding in the same manner as other schools, including phase-out schools. As mentioned above, funding follows the students and is based on pupil academic needs (i.e., special education, ELL, poverty, and/or proficiency status).

New district schools are provided with additional funds to cover start-up costs such as supplies and textbooks that may be required. This Other than Personal Services ("OTPS") for new schools funding allocation is based on a fixed per-school amount, and a per-pupil allocation. A new school in year one of implementation at a newly constructed site will receive $22,000 and a new school in a newly leased or existing site will receive $51,000 in OTPS per school. Thereafter, the school will receive $100 per-student in OTPS based on projected registers for the newly added grade. In the case where there is no new grade phasing in, the school will not receive an allocation in that year.

Principals have discretion over their budget and make choices about how to prioritize their resources. New schools may choose to hire fewer administrative staff (e.g., only a single assistant principal) freeing up dollars to be directed toward other priorities.

Changes Made to the Proposal

No changes have been made to the proposal.