



Dennis M. Walcott
Chancellor

Public Comment Analysis¹

Date: March 8, 2013

Topic: The Proposed Phase-Out of P.S. 64 Pura Belpre (09X064) Beginning in 2013-2014

Date of Panel Vote: March 11, 2013

Summary of Proposal

P.S. 64 Pura Belpre (09X064, “P.S. 64”), an existing elementary school in building X064 (“X064”) and Temporary Classroom Unit (“TCU”) X924 (“X924”) are located at 1425 Walton Avenue, Bronx, NY 10452, in Community School District 9 (“District 9”). P.S. 64 currently serves students in kindergarten through fifth grades and offers a Spanish dual-language program.

On January 11, 2013, the New York City Department of Education (“DOE”) issued an educational impact statement (“EIS”) describing a proposal to phase out P.S. 64. If the Panel for Educational Policy (“PEP”) approves this proposal, P.S. 64 will no longer admit new kindergarten students 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.

On February 5, 2013 the DOE issued an amended EIS, which updated information regarding the eligibility status of P.S. 64 for School Improvement Grant funding, but which did not substantially revise the proposal.

Schools are identified for possible phase-out for any of the following three reasons: (1) they received poor grades on their annual Progress Report; (2) they received a poor score on their most recent Quality Review; or (3) they have been identified by the New York State Education Department (“SED”) as a Priority School, defined by SED as one of the bottom 5% of schools in the state.² Elementary schools are identified as Priority based on the school’s state test performance. Specifically, under the DOE’s accountability framework, all schools that receive a grade of D, F, or a third consecutive C grade or lower on their annual Progress Report and all schools that receive a rating of Underdeveloped on the Quality Review are evaluated for intensive support or intervention, including the possibility of phase-

¹The 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.

² In August 2012, SED identified 221 Priority Schools across the State, including 122 in New York City.

out. Progress Reports are released by the DOE each fall and evaluate schools on a scale of A through F based on Student Progress, Student Performance, School Environment, and, new to the Progress Report in 2011-2012, College and Career Readiness. During Quality Reviews, experienced educators visit a school over several days, observing classrooms and talking with students, staff, and families. Schools are rated on the following four-point scale: “Underdeveloped” (the lowest possible rating), “Developing,” “Proficient,” and “Well Developed” (the highest possible rating).

P.S. 64 received an overall D grade on its Progress Report in 2011-2012 for the second consecutive year. It received a C grade on its Progress Report in 2009-2010. The school received a “Developing” on its most recent Quality Review in 2011-2012 indicating deficiencies in the way that the school is organized to support student learning. The school was also designated a Priority School by SED.

As a result, the DOE initiated a comprehensive review of P.S. 64, with the goal of determining what intensive supports and interventions will best benefit its students and the P.S. 64 community. During that review, the DOE looked at recent historical performance and demand data from the school, consulted with superintendents and other experienced educators who have worked closely with the school, and gathered community feedback.

After completing that review, the DOE believes that only the most serious intervention—the gradual phase-out and eventual closure of P.S. 64—will address the school’s performance struggles and allow for new school options to develop in building X064 that the DOE believes will better serve future students and the broader community.

In a separate EIS, also released on January 11, 2013, the DOE proposed to replace P.S. 64 with two new elementary schools – 09X294 and 09X311. If the proposal to open these new schools is approved, they will serve as new zoned elementary school options for District 9 families and replace the zoned seats lost by the proposed phase-out of P.S. 64. The new schools will offer priority to students residing in building X064’s residential zone. In addition, 09X311 will offer a Spanish dual-language program, though programming at any given school is always subject to demand. Future students residing in building X064’s residential zone will enroll in one of the new zoned elementary schools, 09X294 or 09X311, in accordance with Chancellor’s Regulation A-101. Families will be asked to indicate their preference for 09X294 or 09X311 on an application. If all relevant proposals are approved, 09X294 and 09X311 will be co-located in X064 with P.S. 64 as it phases out.

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.

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 for this proposal, along with the EIS describing the proposed co-location of 09X294 and 09X311 in the X064 building, can be accessed here:
<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>.

Copies of the EIS 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 general opposition to the practice of phasing out and replacing schools and questioned the effectiveness of this strategy.
- 2) Several commenters expressed opposition to the proposed phase-out of P.S. 64.
- 3) One commenter expressed frustration at the general lack of support and feelings of disenfranchisement that have historically and continue to exist within the District 9 community as a result of proposals like this one.
- 4) Many commenters questioned whether the DOE had provided P.S. 64 with sufficient support to succeed, and voiced the preference that the DOE spend more time and resources on improving P.S. 64 and supporting the needs of the student population, rather than phasing it out.
- 5) One commenter acknowledged that the students of P.S. 64 are falling behind, and questioned why.
- 6) Many commenters expressed support for the school's principal, administration, teachers and staff.
- 7) Several commenters expressed frustration about disruptions to their children's education due to P.S. 64 administrative failures, citing examples such as frequent changes to students' class section assignments, unwarranted student IEP classifications, midyear retirement of teachers, frequent staff reassignments, unsafe school environment, and prolonged delays or failure to communicate with parents concerning student issues.
- 8) Several commenters expressed frustrations with the school's principal and suggested that difficulties with the principal have impacted student performance,
 - a. One commenter asked whether the DOE considered a leadership change instead of phase-out.
- 9) Several commenters expressed the opinion that the teachers have not sufficiently challenged P.S. 64 students.
- 10) One commenter questioned whether all teaching approaches have been tried at P.S. 64 and why student performance has not improved.

- 11) Several commenters asked what would happen to the administration, teachers and staff of P.S. 64 during and after the phase-out.
- 12) Marilyn Espada, CEC 9 President, former Parent Association President and a former parent of P.S. 64 student, stated the following:
 - a. Last year, the DOE received and failed to respond to Parent Association President's request for support for P.S. 64.
 - b. She praised the education and support that her son, a former P.S. 64 special education student, received at P.S. 64. She said that this suggests that general education students can also succeed at P.S. 64.
 - c. She expressed her opinion that approval of this proposal is a foregone conclusion because the majority of PEP members are appointed by Mayor Bloomberg.
 - d. She shared that she and many parents had voiced their displeasure with and demand for the removal of Principal O'Brien on the School Survey. She felt that this feedback was ignored.
 - e. She asked who evaluates the DOE committee that evaluates New York City schools.
 - f. She commented that the DOE has failed to properly support District 9 schools.
 - g. She stated that previous District 9 replacement schools, both charter and district, have failed.
- 13) Alisha Bradshaw, a member of the P.S. 64 SLT, noted P.S. 64's poor overall Progress Report grades, but praised the school's significant growth in student progress for both the general student population and the English Language Learner ("ELL") population. Additionally, she reported that the school has been successfully serving special education students by providing all required services and limiting District 75 referrals.
- 14) Stephen Bennett, representing the Council of School Supervisors and Administrators, read a statement voicing general opposition to the practice of phasing out schools:
 - a. He 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. He voiced concern that struggling students are turned away from new schools and "warehoused" in schools that are failing.
- 15) Michelle Reyes, member of New Settlement Parent Action Committee, stated the following:
 - a. She acknowledged that P.S. 64 was performing poorly and that she would not send her children there.
 - b. She expressed concerns about failing schools in District 9 in particular, and commented that the DOE administration is responsible for the failure of schools in the city.
 - c. She questioned how the current students at P.S. 64 will be supported during the phase-out.
 - d. She asked how the phase-out will impact the school administration.
- 16) New York State Assembly Member Vanessa Gibson asserted that all students need an adequate education and stated the following:
 - a. She expressed support for the parents who shared their concerns about the school (e.g., inadequate curriculum, lack of homework) and encouraged community members to continue speaking up and voicing their concerns.
 - b. She questioned whether P.S. 64 had received sufficient support from the DOE, particularly for its students who need critical support (ESL, ELL, students with disabilities).
 - c. She stated that more funding should go to high need districts.

- 17) One commenter stated that despite the change in school leadership, student performance at P.S. 64 hasn't improved. He attributed these failings to the DOE administration, as well as to poverty levels and lack of resources in the district.
- 18) Several commenters asked what would happen to and how current students of P.S. 64 would be supported before, during, and after the proposed phase-out.
 - a. Some commenters wanted their children to have the ability to transfer to a better school.
 - b. Several commenters had concerns about the accommodations that could be made for children who can't or don't want to attend the replacement schools. One commenter was particularly concerned that her child would not be able to get into another school because of his IEP.
- 19) Several commenters expressed concerns regarding the services that would be offered at the replacement schools and if the community would be involved in the new school's development.
- 20) Several commenters asked whether the replacement schools would receive preferential treatment as compared to P.S. 64 or other schools proposed for phase-out.

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

The DOE received two messages via voicemail concerning this proposal.

- 21) One commenter wanted to know how the new schools will differ from P.S. 64.
- 22) One commenter voiced opposition to the proposal.

The DOE received a number of Written and/or Oral Comments along with comments at the Joint Public Hearing which did not directly relate to the Proposal

- 23) One audience member asked if a charter school is opened in place of P.S. 64, will P.S. 64 students get priority for admission.
- 24) One commenter asked about how the phase out process would affect her son, a former P.S. 64 student, who is currently attending another school that has been proposed for phase out.
- 25) One commenter asked for the contact information of the District 9 Superintendent.

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

Comments 1, 12(e), 14, and 14(a) express general opposition to phasing out schools and inquire into how phase-out decisions are made, with one commenter questioning whether there is any oversight of the DOE in this process.

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. This starts with a great school – led by a dedicated leader with a vision for student success.

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. 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 (“SED”); 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 (“ELA”) 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. SIG model);
- Talent data;
- School culture / environment;
- District needs / priorities; and
- School safety data.

In addition to this 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.

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. 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.

With respect to the question raised in comment 12(e) as to which body oversees the DOE decision-makers who determine which schools will be proposed to phase out, the DOE notes that the PEP is ultimately responsible for approving proposals.

Comments 1 and 12(g) 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.

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.

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 recently or not – we are compelled to take serious action to ensure its students don't fall even further behind.

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.

Comments 2 and 22 oppose the phase-out of P.S. 64 specifically.

While many members of the P.S. 64 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 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.

Comments 3, 12(c), and 16(a) concern 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.

Comments 4, 16(b), 16(c), and 17 question the sufficiency of the financial resources that have been made available to P.S. 64 (noting the importance of resources for special needs students in particular), and suggest that the resources that will be used to open two new schools instead be given to P.S. 64.

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 comments 16(b) and 16(c), a school’s funding reflects the 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.

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.

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 P.S. 64 lacks the capacity to improve quickly enough to provide its students with the best educational outcomes, and only the most serious intervention—the gradual phase-out and eventual closure of P.S. 64—will best serve students and the community. Phasing out and closing P.S. 64 will allow for two new school options to develop in the X064 building intended to provide better options for families.

Comments 4, 12(a), 12(f), 15(b), 16(b) and 17 question the supports that the DOE has provided to P.S. 64, and District 9 schools generally.

All schools receive support and assistance from their superintendent and their Children First Network, 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. We do everything we can to offer struggling schools leadership, operational, instructional, and student supports that can help turn a struggling school around.

As explained in the EIS, to aid the school’s efforts to improve its performance, the DOE offered numerous supports to P.S. 64, including

Leadership Support:

- Providing extensive coaching and professional development for the principal and assistant principals in the use of classroom observations and feedback to improve teacher effectiveness.
- Supporting school leadership in aligning curriculum to citywide instructional expectations to raise standards for teacher practice and student learning.
- 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.

Instructional Support:

- Coaching teachers in improving instructional strategies and monitoring the academic progress of English Language Learners.
- Facilitating professional development opportunities for school staff to enhance instructional practice in literacy and math.
- Providing targeted training and mentoring to new teachers in methods for differentiating instruction to increase student engagement and academic achievement.
- Coaching teachers on the development of rigorous curriculum and challenging student work in English Language Arts, with a focus on increasing student understanding of complex non-fiction and informational texts.

Operational Support:

- Supporting school staff in student data tracking systems to ensure efficient and effective monitoring of student attendance and academic programming.
- Advising the school on budgeting, human resources, staff recruitment, and compliance issues and building management.
- Advising the school on grant opportunities and working with the principal to align the budget with the school wide instructional goals.

Student Support:

- Assisting the school in the development of a school safety plan and discipline code, and coaching school staff in best practices for reducing the number of safety incidents and suspensions.
- Facilitating a town hall meeting on safety issues, including bullying, for students, parents and school staff, aimed at fostering support for a positive learning environment among the entire school community.

P.S. 64 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. While the DOE is not specifically familiar with the request from the Parent Association referenced in [comment 12\(a\)](#), the DOE generally makes every effort to be responsive to requests for support from Parent Associations.

[Comments 5, 9, 10, 15\(a\), 16\(a\) and 17](#) express concerns about student performance at P.S. 64 and question the quality of the teachers and instruction at P.S. 64.

The DOE agrees that conditions at P.S. 64 have not led to adequate student performance or improvements in outcomes. As described in the preceding answer, the DOE has provided substantial instructional support, but this has not been sufficient to generate satisfactory student outcomes.

Comments 6, 12(b), and 13 tout positive student achievements at P.S. 64 and voice general support for the administration, teachers, and school community at P.S. 64.

The DOE commends the students and staff of P.S. 64 for their hard work and acknowledges that some P.S. 64 students have achieved success.

Comments 7, 8, 8(a), and 12(d) express disapproval of the school administration and ask whether the DOE considered a leadership change instead of a phase-out.

While school leadership is very important, it is but one component of a school, and the DOE believes that the school's history of poor student performance indicates that P.S. 64 has failed to develop the proper infrastructure—despite the leadership supports provided to the school as outlined in the response to comments 4, 12(a), 12(f), 15(b), 16(b) and 17—to meet the needs of its students and families.

Comments 11 and 15(d) pertain to the impact that the proposal to phase out P.S. 64 will have on teachers and staff.

All teachers, administrative, and non-pedagogical staff at P.S. 64 will be excessed over the course of the phase-out. Excessing of staff occurs when a school requires fewer positions than the number of staff currently in the license area or job title. This process will take place gradually as student enrollment declines with each successive graduating class. With fewer students, the school's staffing needs will naturally be reduced.

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

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

It is also important to understand that the students who would otherwise have enrolled in P.S. 64 will now be enrolled in the new schools phasing in on the campus or at other new schools opening borough-wide, and those schools might need to hire additional staff. Consequently, the proposal to phase out P.S. 64 will not necessarily result in an overall loss of teaching positions within the Citywide system. New district schools follow the hiring process consistent with the procedures set forth in the collective bargaining agreement between the DOE and UFT. New schools that have an impact on a school that is closing or phasing out are required to hire no less than 50% of their staff from the most senior qualified staff from the closing or phasing-out school, if a sufficient number of staff applies, until the impacted school is closed.

Comment 14(b) 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, 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 IEPs)
 - 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 15(c), 18, and 20 pertain to how current students at P.S. 64 will be supported during the course of the proposed phase-out, with one commenter asking whether the replacement schools would receive preferential treatment as compared to P.S. 64 during phase-out.

Supports will be provided to students enrolled in P.S. 64 as it is undergoing phase-out. If phase-out proposals are approved, schools 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.

Comments 18(a) and 18(b) pertain to where students currently enrolled in P.S. 64 will attend school during and after the course of the proposed phase-out.

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 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 14(b), 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.

With respect to comment 18(a), 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 19 and 21 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. 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>.

Changes Made to the Proposal

No changes have been made to the proposal.