

Public Comment Analysis

Date: November 24, 2014

Topic: The Proposed Re-siting and Co-location of a Portion of P.S. 130 The Parkside (15K130) with a New District Middle School (15KTBD) and a District 75 Program (75K053) in New Building K437 Beginning in the 2015-2016 School Year

Date of Panel Vote: November 25, 2014

Summary of Proposal

On October 9, 2014, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) describing a proposal to relocate the third through fifth grades of P.S. 130 The Parkside (“P.S. 130”) to space that has become available in building K437 (“K437”), a new building located 0.2 miles from P.S. 130’s current location. This proposal also involves the co-location of P.S. 130’s third through fifth grades at K437 with a new middle school and a new site of a District 75 school organization beginning in September 2015. This partial re-siting and co-location—together with a related re-zoning proposal that expands P.S. 130’s zone while reducing the zones of two neighboring elementary schools P.S. 131 Brooklyn and P.S. 154 The Windsor Terrace School—will add approximately 510-540 additional elementary school seats, approximately 315-345 additional middle school seats, and approximately 55-65 additional District 75 seats to District 15. The proposal and related rezoning will also reduce overcrowding at P.S. 130, P.S. 131 and P.S. 154 thereby improving learning conditions at all three elementary schools.

P.S. 130 is an existing zoned elementary school located in building K130 (“K130”) at 70 Ocean Parkway, Brooklyn, NY 11218, also in District 15. P.S. 130 currently serves students in kindergarten through fifth grades and offers a pre-kindergarten program with one full-day section and two half-day sections. The New York City Department of Education (“DOE”) is proposing to re-site and co-locate a portion of P.S. 130 to K437, located at 701 Caton Avenue, Brooklyn, NY 11218 in District 15. If this proposal is approved, grades three through five of P.S. 130 will be re-sited to K437 and co-located there with a new site of an existing District 75 (“D75”) program (75K053, “P053K@K437”) and a new middle school (“15KTBD”) that will phase in over a three-year period. Additionally, if this proposal is approved, P.S. 130 will be able to increase its enrollment as a result of adding the new capacity in K437 to its current capacity in K130.

On November 12, 2014, the District 15 Community Education Council (“CEC 15”) approved a plan to increase P.S. 130’s elementary school zone size within the geographical confines of District 15. This re-zoning is intended to increase P.S. 130’s enrollment in order to fully utilize the school’s increased capacity that would result from this re-siting proposal and also alleviate overcrowding at neighboring schools. The re-zoning also includes P.S. 131 Brooklyn, P.S. 230 Doris L. Cohen, and P.S. 154 The Windsor Terrace School. Although the re-zoning was voted upon by CEC 15, implementation of the re-zoning is contingent upon the approval of this proposal by the Panel for Educational Policy (“PEP”). In other words, should the PEP not approve this proposal, the re-zoning proposal will not take effect.

K437 is a new building currently under construction by the School Construction Authority (“SCA”); construction is anticipated to be completed by September 2015. The new building is also planned for a new middle school and for a D75 program. If this proposal is approved, grades three through five of P.S. 130 are expected to be re-sited to K437, where they will be co-located with 15KTBD and P053K@K437. In the event that the building is not ready for student occupancy by the 2015-2016 school year, the DOE may issue a new proposal for an alternative siting plan, in accordance with Chancellor’s Regulation A-190.

K437 will have an estimated capacity of 757 seats. If this proposal is approved, in 2015-2016, K437 is expected to house P.S. 130’s third through fifth grades, the sixth grade of 15KTBD, and P053K@K437. In 2015-2016, K437 will have an estimated building utilization rate of 63% - 69%. In the 2017-2018 school year, when 15KTBD reaches



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full scale, K437's estimated building utilization rate will be 94% -103%. Once P.S. 130 is at a larger, stable enrollment in 2020-2021, K437 is expected to have an estimated building utilization rate of 116%-125%.

According to the 2013-2014 Enrollment, Capacity, Utilization Report ("Blue Book"), K130 has a target capacity of 504 students. (The concept of "target capacity" is explained in Section II of the EIS.) During the 2014-2015 school year, K130 has an approximate building utilization rate of 141%. In the 2015-2016 school year, when the building will house only P.S. 130's kindergarten through second grades and its pre-kindergarten program, it is projected that K130 will have an estimated building utilization rate of 89%-95%. In the 2020-2021 school year, when P.S. 130's larger enrollment is stabilized across kindergarten through fifth grades, K130 will have an estimated building utilization rate of 112%-118%.

The details of this proposal have been released in an EIS, which can be accessed here:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2014-2015/November2014SchoolProposals>.

Copies of the EIS are also available in the main office of P.S. 130 and 75K053.

Summary of Comments Received

Deputy Chancellor Corinne Rello-Anselmi led a School Leadership Team ("SLT") meeting on September 24, 2014 with P.S. 130 Principal Maria Nunziata and 75K053 Principal Heather Leykam. Also in attendance at that meeting were District 15 Community Superintendent Anita Skop, District 75 Superintendent Gary Hecht, representatives from P.S. 130's and 75K053's SLTs, CEC 15 President Naila Rosario, and representatives from the Office of District Planning.

A joint public hearing regarding this proposal was held at the K130 building on November 19, 2014. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 38 members of the public attended the hearing. There were five speakers. Present at the meeting were District 15 Community Superintendent Anita Skop; CEC 15 President Naila Rosario; P.S. 130 SLT representatives Principal Maria Nunziata and Meema Spadola; 75K053 SLT representatives Principal Heather Leykam, Amy Blitstein, Dana Carroll, Diana Castillo and Pierre Labissiere; a representative from the Office of City Council Member Brad Lander; and Vicki Javier and Dean Guzman from the DOE.

The following comments and remarks were made at the joint public hearing on November 19, 2014:

1. Naila Rosario, president of CEC 15, commented as follows:
 - a. She is glad to have been part of the process and is thankful for all the emails the CEC has received from the community.
2. A member of the P.S. 130 SLT commented as follows:
 - a. On behalf of the SLT, she expressed support for the proposal since the split-siting will immediately alleviate P.S. 130's overcrowding, grant the school much-needed specialty instructional spaces, and maintain P.S. 130's diversity.
3. A member of the P.S. 130 SLT commented as follows:
 - a. She expressed support for the proposal since it will allow University Settlement, an after-school program that provides enrichment and academic services to P.S. 130 students, to service additional students.
4. A commenter stated that:
 - a. He is opposed to the proposal since P.S. 154 should have been treated as an affected school in the A-190 process.
 - b. P.S. 130 will be overcrowded within a year of the proposal's implementation.
 - c. He opposes the re-zoning since it divides the community along Seely Street and re-zones his residence to P.S. 130, which has lower test scores than P.S. 154.
5. A commenter stated that:
 - a. She is in support of the split-siting proposal.
 - b. She has concerns around safety, however, since her child will share space with middle school students.

- c. She has questions around the impact on P.S.130's afterschool programming.

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

6. The DOE received a written comment from a member of the public stating that:
 - a. She is opposed to the proposal due to the accompanying re-zoning.
 - b. Under the newly approved zone lines, families previously zoned to P.S. 154 will have to travel farther to their new zoned school.
7. The DOE received a written comment from a member of the public stating that:
 - a. She is appreciative of the DOE's effort to use the new building, K437, to address school overcrowding by split siting P.S. 130.
 - b. She has concerns, however, that K437 will house three separate schools, potentially creating challenges with sharing of resources.
 - c. She proposes that the new building house two schools instead of three—with P.S. 130 serving students in kindergarten through eight—to circumvent some of these challenges.
 - d. Under a grade expansion, P.S. 130 will provide its students with continuity in education.
 - e. The grade expansion could also provide an appealing option to families who are upset about having been rezoned from P.S. 154 to P.S. 130.
8. The DOE received a written comment from a member of the public stating that:
 - a. There was no engagement on the re-zoning proposal until October 2014.
 - b. Families who are newly zoned to P.S. 130 will have to travel farther and along heavily trafficked streets.
 - c. She opposes the re-zoning as P.S. 130 has lower test scores than P.S. 154.
 - d. She has concerns around safety since elementary school students will share space with D75 and middle school students at K130.
 - e. The re-zoning will not provide long-term alleviation to P.S. 154 since P.S. 154 will be overcrowded again in the near future.
9. The DOE received a written comment from a member of the public stating that:
 - a. She is in support of the split-siting proposal since it will allow P.S. 130 to retain its diversity and will put K437 to immediate use. She also appreciates that District 15 families will have access to a gymnasium, auditorium and new science labs at K437.
10. The DOE received a written comment from a P.S. 130 SLT member stating that:
 - a. She is in support of the proposal and re-zoning since it will allow P.S. 130 to retain its diversity and obtain access to new facilities.
11. The DOE received a written comment from a member of the public stating that:
 - a. The commenter is opposed to the re-zoning since newly-zoned families who live on Seely St. will have to travel farther to their new zoned school, which poses safety concerns.

Analysis of Issues Raised, Significant Alternatives Proposed

Comments 1-3, 5(a), 7(a), and 9(a)-10(a) are in favor of the proposal and do not require a response.

Comment 4(a) contends that 15K154 should have been treated as an impacted school in the proposal.

This proposal deals specifically with the partial re-siting and co-location of P.S. 130 with a new middle school and a new site of District 75 program, 75K053, at K437. In accordance with Chancellor's Regulation A-190, the existing impacted school parties in this proposal are P.S. 130 and 75K053. The EIS acknowledges, however, that P.S. 154 was an impacted school under the related re-zoning proposal.

Comment 4(b) states that P.S. 130 will remain overcrowded within a year of the implementation of the proposal.



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As mentioned in the EIS, during the 2014-2015 school year, K130 has an approximate building utilization rate of 141%. In the 2015-2016 school year, when the building will house only P.S. 130's kindergarten through second grades and its pre-kindergarten program, it is projected that K130 will have a lower estimated building utilization rate of 89%-95%. In 2015-2016, Building K437, which at that time will house P.S. 130's third through fifth grade students, the sixth grade of 15KTBD and P053K@K437, will have an overall estimated utilization rate of 63%-69% in 2015-2016. While both K130 and K437 will have projected utilization rates of over 100% in 2020-2021, when the re-zoning is fully implemented (112%-118% and 116%-125%, respectively), both utilization rates are significantly lower than K130's current utilization rate of 141%. Moreover, it should be noted that a utilization 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. Additionally, P.S. 130, the new middle school, and P053K@K437 will each receive space that meets all of their instructional needs. Thus, the DOE believes that K130 can serve P.S. 130's kindergarten through second-grade students and K437 can serve P.S. 130's third through fifth-grade students alongside the new middle school and P053K@K437.

Comment 5(b) and 8(d) concern the proposal's impact on campus safety and governance.

Due to space limitations across the city, it is not unusual for elementary school and middle schools to be co-located in a building together. Pursuant to Chancellor's Regulation A-414, every school or campus is mandated to form a School Safety Committee. This committee is responsible for developing a comprehensive School Safety Plan that defines the normal operations of the site and what procedures are in place in the event of an emergency, including a fire safety plan, which entails fire drill and evacuation procedures. School leaders from P.S. 130, the new middle school, and P053K@K437 will form a School Safety Committee at K437. The School Safety Plan is updated annually by the Committee to meet the changing security needs, changes in organization and building conditions and any other factors; these updates can also be made at any other time it is necessary to address security concerns. The Committee will also address safety matters on an ongoing basis and make appropriate recommendations to the principals when it identifies the need for additional security measures.

In addition, as stated in the EIS, the DOE makes available the following supports to schools relating to safety and security:

- Providing "Best Practices Standards for Creating and Sustaining a Safe and Supportive School," as a resource guide;
- Reviewing and monitoring school occurrence data and crime data (in conjunction with the Criminal Justice Coordinator and the New York City Police Department);
- Providing technical assistance via the Borough Safety Directors when incidents occur;
- Providing professional development and support to Children's First Network (CFN) Safety Liaisons;
- Providing professional development and kits for Building Response Teams; and
- Monitoring and certifying School Safety Plans annually.

Comment 5(c) concerns the potential impact on P.S. 130's afterschool programming.

As stated in the EIS, the DOE does not anticipate that this proposal will impact the current extra-curricular activities or partnerships at P.S. 130. P.S. 130 will continue to offer extra-curricular programs based on student interests, available resources, and staff support for those programs. Its extra-curricular activities and partnerships will continue to be available to all P.S. 130 students, regardless of whether they are served in K130 or K437.

However, the re-siting and co-location of grades three through five at K437 may change the way those programs are configured. For example, some activities may now be offered at K437, rather than or in addition to K130, and may need to share classroom space, or the scheduling of these activities may change as a result of co-location at K437 with 15KTBD and P053K@K437. Students will continue to have the opportunity to participate in a variety of extra-curricular programs though the specific programs offered at a given school are always subject to change. That is true for any City student as all schools modify extra-curricular offerings annually based on student demand and available resources.

Comment 7(b) concerns the use of shared resources among the three schools in the K437 building.

K437 contains a cafeteria, an outdoor playground, a gymnasium, and a gymnasium. The DOE is confident that these shared spaces can adequately accommodate the three schools. If this proposal is approved by the PEP, the Building Council is encouraged and empowered to determine a shared space schedule that minimizes disruption to students and provides sufficient time for all students to be served.

If the principals are unable to agree upon a schedule for shared spaces, school leaders should utilize the dispute resolution process outlined in the Campus Policy Memo, which is available at <http://schools.nyc.gov/community/campusgov>.

Comments 7(c-d) propose that the available space in the K437 building be utilized to expand P.S. 130 to serve middle school grades as an alternative to a new, separate middle school.

The DOE believes that a new middle school will provide District 15 families with an attractive stand-alone option, as evidenced throughout the DOE's engagement with the school communities impacted by both the proposal and the related rezoning. The DOE has encountered widespread support from P.S. 130 community members to use the K437 capacity to split-site P.S. 130 as an elementary school and many members of the public have expressed interest in a new stand-alone middle school. District 15 families, including those of P.S. 130, will have the opportunity to apply to the new middle school under the middle school application process.

Comments 4(c), 6(a-b), 7(e), 8(a-c, e), and 11(a) concern the associated re-zoning and do not directly relate to the split-siting proposal. As a result these comments do not require a response.

Changes Made to the Proposal

No changes have been made to this proposal.