Department of Education
Dennis M. Walcott, Chancellor

Amended Public Comment Analysis

Date: April 28, 2011

Topic: The Proposed Expansion of the Co-location of Girls Preparatory Charter School (84M330) with Existing Schools P.S. 188 The Island School (01M188) and P94M@M188 (75M094) in Building M188

Date of Panel Vote: April 28, 2011

The Public Comment Analysis was amended to address the additional comments received at the additional Joint Public Hearing held on April 27, 2011.

Summary of Proposal

Girls Preparatory Charter School (84M330, "Girls Prep") is an existing public charter school that is currently split-sited between Building M188, located at 442 East Houston Street, New York, NY, 10002, in Community School District 1 ("M188"), and private space. Girls Prep currently serves students in Kindergarten through fourth grade in M188, and students in grades five and six in private space. Girls Prep is co-located in M188 with P.S. 188 The Island School (01M188, "P.S. 188"), a District 1 choice school which serves students in Kindergarten through eighth grade and offers a Pre-Kindergarten program, and with P.S. 94, a District 75 school with multiple locations (75M094, "P94M"). A "co-location" means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, and cafeterias.

On February 23, 2011, the New York City Department of Education ("DOE") published an Educational Impact Statement ("EIS") describing a proposal to expand the co-location of Girls Prep in Building M188. On March 3, 2011, the DOE published an amended EIS, which amended the EIS title to reflect the presence of P94M in M188, corrected formatting and typographical errors, included a description of District 75, clarified explanation of utilization rates, provided a more thorough explanation of the grades served at P94M@M188, explained the impact of the proposal on space allocation at M188, and clarified the Building Utilization Plan attached to the EIS, but did not substantially revise the proposal itself. On April 6, the DOE published a revised EIS and a revised Building Utilization Plan ("BUP"). The revised BUP, which is annexed to the revised EIS, makes the following changes:

- the capacity of the cafeteria has been corrected;
- the DOE has clarified the rationale for the amount of time that each school is allocated in the proposed shared space schedule;

- the formatting of the room allocation charts has been altered to make them easier to understand; and
- additional information has been provided regarding the construction in the building.

Girls Prep is authorized by SUNY Charter Schools Institute and was originally approved to enroll three class sections per grade. Due to space constraints at its initial location, Girls Prep has been limiting its enrollment to two sections per grade. As a background to this proposal, on February 24, 2010, the Panel for Educational Policy approved a proposal for Girls Prep to expand the grades served to include middle school grades 6-8, and to expand enrollment to three sections per grade in grades five through eight in M188. At full scale, this proposed expansion would have increased enrollment in M188 to 790-950 students and 82-98% building utilization. It would also have required P94M@M188 to reduce the number of class sections offered in this location. A lawsuit prevented the implementation of this proposal, and Girls Prep middle school grades five and six were instead relocated to private space for 2010-2011. In a separate EIS the DOE proposed to co-locate Girls Prep middle school grades five through eight in building M060, where it would co-locate with East Side Community High School (01M450). That proposal was approved by the PEP on March 23, 2011.

This is a proposal to allow Girls Prep to expand enrollment in M188 to three sections per grade in grades Kindergarten through four. The additional enrollment would be within the range allowed by its current charter, and would not require a charter revision.

If this proposal were approved, in 2011-2012, Girls Prep would admit three sections of Kindergarten and one additional section of first grade students; these students would then continue to the next grade each year, until there were three sections in all grades in 2014-2015. In future years, Girls Prep would admit three sections of Kindergarten, and would fill in any available seats in other grades due to attrition.

Allowing it to expand by one section per grade in Kindergarten through fourth grades would increase access for girls residing in District 1 to a high quality elementary school option. P94M and P.S. 188 would not be required to reduce class sections or change its programs in the M188 building as a result of this proposal.

The details of this proposal have been released in a revised Educational Impact Statement ("EIS") and revised Building Utilization Plan ("BUP") which can be accessed here: http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Apr282011Proposals. Copies of the revised EIS and revised BUP are also available in the main offices of Girls Prep Charter School, P.S. 188 The Island School and P94M.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at Building M188 on March 31, 2011. At the hearing, interested parties had an opportunity to provide input on the proposal. Approximately 26 members of the public attended the hearing and one person spoke. Present at the meeting were: District 1 Community Superintendent Daniella Phillips; P.S. 188 The Island School Principal Mary Pree and School Leadership Team representatives Guillermina Pizarro,

Esther Mater, Cynthia Bonano, and Yvonne Walker; P94M@M188 Principal Ronnie Shuster and School Leadership Team representatives Claire Higgins, Jessica Santos, Culotta Moore Warner and Halma Butler; Girls Prep Charter School Principal Anne Lackritz and School Leadership Team representative Jessica Willis; Donna Manganello from the UFT; Stephanie McCaskill, Network leader from 094M; and Community Education Council 1 representatives Daniel Becker and Lisa Donlan.

On April 27, 2011, an additional joint public hearing was held at Building M188. At the hearing, interested parties had an opportunity to provide input on the proposal. Approximately 43 members of the public attended the hearing. Present at the meeting were: District 1 Community Superintendent Daniella Phillips; P.S. 188 The Island School Principal Mary Pree and School Leadership Team representatives Cynthia Bonano, Yvonna Walker and Tameeka Felix; P94M@M188 Principal Ronnie Shuster and School Leadership Team representatives Claire Higgins, Hayley Derris, Marci Pepper and Halima Butler; Girls Prep Charter School Principal Anne Lackritz and School Leadership Team representative Jessica Willis; Community Education Council ("CEC") 1 representatives Doug Stern, Daniel Becker, Latrina Miley, Andrew Reicher and Corinna Lindenberg; and Citywide Council on Special Education ("CCSE") representative Lakisha Brooks.

<u>The following comments and remarks were made at the March 31st joint public hearing:</u>

1. CEC 1 representative Daniel Becker inquired how much space P94 has in M188 and how much the school is supposed to have due to the differential class size.
2. CEC 1 representative Lisa Donlan expressed support for the proposal, but expressed some concerns that the schools should be aligned in order to be developmentally optimal and also asserted that once the proposal is approved, the building will be at full capacity and there should not be any more proposals. Furthermore, she asserted that the Building M61 is overcrowded and wanted the community to work together to solve this issue.
3. P.S. 188 School Leadership Team representative Cynthia Bonano expressed her support for the proposal. She stated that the schools that are currently co-located in the building are communicating well and that the proposal is good for the community.
4. P94M@M188 School Leadership Team representative Claire Higgins concurred with Cynthia Bonano and added that the building has adequate space to go through with the expansion. She also stated that she was not aware of any overcrowding problem in the M61 building that is overcrowded, but noted that there would not be enough space in Building 188 to accommodate a 4th school.
5. P94M Principal Ronnie Shuster added that P94M is thriving.
6. Girls Prep School Leadership Team representative Jessica Willis expressed her excitement about continuing to work with the schools in the building.

<u>The following comments and remarks were made at the April 27th joint public hearing:</u>

7. CEC 1 representative Andy Reicher stated that it has been a long journey to get here, and hopefully this hearing will be the end of that journey. He explained that the three schools in the M188 building have been able to work together and the CEC believes that the BUP, or something worked out in more detail by the schools, is acceptable. The CEC is therefore supportive of this plan.

a. However, Mr. Reicher continued to register the CEC's complaint about the way that the DOE calculates utilization rates. The CEC would like the DOE to better recognize the actual uses in schools.

8. Citywide Council on Special Education representative Lakisha Brooks stated that she had heard that after 2014-2015, P94M would be phased out of M188 and she was concerned about that.
9. P.S. 188 SLT member Cynthia Bonano stated that she has been involved in P.S. 188 for 8 years now and everything is currently working fine. There is no problem co-locating with Girls Prep. Ms. Bonano explained that she loves P.S. 188 and loves being a parent volunteer.
10. P94M@M188 principal Ronnie Shuster stated that this has been a long, hard road. The school leaders have worked hard to make sharing the building work behind the scenes, and now it does work.
    a. Ms. Shuster also agreed with Andy Reicher's concern about the way the DOE calculates building utilization rates. According to Ms. Schuster, the utilization rates fail to take into consideration that by federal law P94M@M188 cannot have more than 6 children in each classroom, even if the room is designed for 30 students, so that all of the P94M@M188 classrooms are, according to the DOE, underutilized by 24 students.
11. Girls Prep Assistant Principal Jessica Willis expressed her appreciation for all of the hard work that goes into each school and the harmonious and wonderful relationship the schools currently have. She stated that Girls Prep was happy to be located at M188 and to continue to work together with P.S. 188 and P94M@M188.

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

No comments were received regarding the proposal.

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

Comments 3, 4, 5, 6, 7, 9, 10 and 11 are in favor of the proposal and do not require a response.

Comment 1 relates to allocation of space at M188. The Instruction Footprint ("the Footprint") is the guide used to allocate space to all schools based on the number of class sections they program and the grade levels of the school. The number of class sections at each school is determined by the Principal based on enrollment, budget, and student needs; there is a standard guideline of target class size (i.e., number of students in a class section) for each grade level. For elementary schools serving grades K-5 (and for all pre-K programs), the Footprint assumes that classes are self-contained and hence, allocates one full-size classroom for each general education or Collaborate Team Teaching section ("CTT") and a full-size or half-size classroom to accommodate each self-contained special education section served by the school. In addition to these instructional rooms, elementary schools also receive an allocation of cluster or specialty classroom proportionate to student enrollment that can be used at the principal's discretion for different purposes such as art and music instruction. For grades 6-12, the Footprint assumes every classroom is programmed during every period of the day. The full text of the Instructional

Footprint, which describes the methodology underlying the document, is available at http://schools.nyc.gov/NR/rdonlyres/8CF30F41-DE25-4C30-92DE-731949919FC3/87633/NYCDOE_Instructional_Footprint_Final9210TNT.pdf.

In the case of a charter co-location, the Building Utilization Plan ("BUP") attached to the EIS details the number of class sections each school is expected to program each year and allocates the number of classrooms accordingly. The assignment of specific rooms and location for each in the building, including those for use in serving students with IEPs or special education needs, will be made in consultation with the Principals of each school and the Office of Space Planning if this proposal is approved. The BUP demonstrates that there is sufficient space in the building to accommodate the proposed expansion of Girls Prep Lower School in Building M188.

For 2010-2011 school year, P94M@M188 was allocated 7 full-size, 2 half-size and 2.5 total admin rooms, which satisfied the baseline Footprint allocation while accounting for the specific design of the building.

Typically, all self-contained classes are accommodated in half-size classrooms; however, given P94M@M188's location in the M188 building, there is insufficient number of half-size classrooms/spaces on the fifth floor where P94M@M188 is located. Therefore, P94M@M188's adjusted allocation included 6 additional full-size classrooms, totaling 7 full-size classrooms in order to accommodate seven self-contained sections that P94M@M188 currently serves. During the hearing, Principal Shuster of P94M@M188 responded to this inquiry and added that P94M@M188 is provided with sufficient space in the building to serve the students.

Comment 2 relates to school alignments. The DOE has successful examples of buildings or campuses that house varying grade levels. Reallocation of space from one school to another is sometimes necessary to serve the needs of more public school students; schools utilize excess space are limiting opportunities for other schools and students.

As for the comment about M61 building, this is a proposal to allow Girls Prep to expand enrollment in M188 to three sections per grade in grades Kindergarten through four and therefore, the proposal has no bearing on the M61 building.

Comment 8 relates to whether P94M would be phased out of M188 after 2014-2015. The DOE has no plans to phase P94M out of M188. This proposal is only to allow Girls Prep to expand enrollment in M188 to three sections per grade in grades Kindergarten through four. P94M and P.S. 188 would not be required to reduce class sections or change their programs in the M188 building as a result of this proposal. The proposal does not contemplate phasing out P94M at any time.

Comments 7(a) and 10(a) object to how the DOE calculates building utilization rates. As described in more detail in the Enrollment, Capacity, Utilization Report, which is available at http://source.nycsca.org/pdf/capitalplan/2009-10/BB_2009_2010.pdf, a building's target utilization rate is calculated by dividing the aggregated enrollment of all the school organizations in the building by the aggregated "target capacities" of those organizations. Each school organization's "target capacity" is calculated based upon the scheduled use of individual rooms

as reported by principals during an annual facilities survey, the DOE's goal classroom capacities (which are aspirational targets lower than the UFT contractual class sizes and differ depending on grade level), and the efficiency with which classrooms are programmed (i.e. the frequency with which classes are scheduled in a given classroom). For example, changing the use of a room from an administrative room to a homeroom at the high school level will increase a building's overall target capacity because for high schools administrative rooms are not assigned a capacity. Holding enrollment constant, this change would result in a lower utilization rate. Similarly, if a room previously used as a kindergarten classroom is subsequently used as fifth grade classroom, the building's target capacity would increase because we expect that a fifth grade class will have more students than a kindergarten class. This is reflected in the fact that the DOE's goal classroom capacity is higher for fifth grade classrooms than for kindergarten classrooms. In this example, as well, assuming enrollment is constant, the utilization rate would decrease. The most recent year for which target capacity has been calculated for buildings is 2009-2010.

Comment 10(a) suggests that the DOE's target utilization rates assume that all P94M@M188 classrooms can hold 30 students, and therefore, according to the DOE, all P94M@M188 classrooms are underutilized by 24 students.

Current P94M@M188 enrollment in M188 is 39 students in grades five through eight. P94M@M188 students are served in one class with an 8:1:1 ratio (ratio of students: teachers: paraprofessionals) and six classes with a 6:1:1 ratio. Specific class programs may be adjusted annually based upon the IEPs of students, but P94M@M188 would not be required to reduce class sections or change its programs in the M188 building as a result of this proposal. P94M's other locations would not be affected as a result of this proposal. P94M@M188 will continue to offer the same number of classes and serve approximately the same number of students. Its space allocation in M188 is not affected by the Blue Book's target utilization rate, and the DOE has no current plans to place an additional organization in M188.

Changes Made to the Proposal

No changes have been made to this proposal.