

**Public Comment Analysis**

Date: April 19, 2016

Topic: The Proposed Opening and Co-Location of a New Site of an Existing District 75 School (75Q277) with P.S. 76 William Hallet (30Q076) in Building Q076 Beginning in the 2016-2017 School Year

Date of Panel Vote: April 20, 2016

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**Summary of Proposal**

On March 3, 2016, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) describing a proposal to open and co-locate<sup>1</sup> a new site of an existing District 75 school, 75Q277, in building Q076 (“Q076”), to be called “P277Q@Q076” beginning in the 2016-2017 school year. Q076 is located at 36-36 10th Street, Queens, NY 11106 in Community School District 30 (“District 30”).

If this proposal is approved, P277Q@Q076 will serve elementary school students and will be co-located with P.S. 76 William Hallet (30Q076, “P.S. 76”), an existing zoned elementary school that serves students in kindergarten through fifth grades and offers a pre-kindergarten (“Pre-K”) program. Q076 also houses a District 30 Pre-K Center (30Q389, “Pre-K Center”) and a community-based organization (“CBO”): Steinway Child and Family Services. Independent of this proposal, the CBO currently housed in Q076 will be replaced by the Mental Health Providers of Western Queens CBO beginning in the 2016-2017 school year.

Based on a projected increased need for District 75 seats, the District 75 Placement Office is seeking to increase its capacity to serve students within Queens who have been classified as having autism or intellectual disabilities, and offer a District 75 program placement to elementary school students who reside in Queens.

If this proposal is approved, the DOE will open a new District 75 site, P277Q@Q076, beginning in the 2016-2017 school year. P277Q@Q076 will serve a range of students across kindergarten through fifth grades who are classified as autistic or intellectually disabled under an Individualized Education Program (“IEP”). P277Q@Q076 is projected to serve eight sections of students in self-contained (“SC”) 6:1:1, 8:1:1, or 12:1:1 classroom settings (ratio of students: teacher: paraprofessional). Students are placed in District 75 programs based on their individual needs and recommended special education services, and are referred to District 75 during a period that extends into summer. Students may be served in this program throughout the course of their education.

Building Q076 has a target capacity to serve 776 students. P.S. 76 is currently serving 557 students in Q076 and the Pre-K Center is currently serving 4 students, yielding a building utilization rate of approximately 72%. If this proposal is approved, P277Q@Q076 will open in September 2016 in Q076 serving eight SC sections of elementary school students, for a total of approximately 48-96 students. P.S. 76 is projected to serve 547-607 students, and the Pre-K Center is projected to serve 36 students in Q076 in the 2016-2017 school year. Therefore the total projected enrollment for building Q076 will be 631-739, yielding an estimated building utilization rate of 81%-95% in the 2016-2017 school year. Accordingly, the DOE believes there is sufficient space in Q076 to support this proposal.

The Educational Impact Statement (“EIS”) for this proposal can be found on the DOE’s Web site:  
<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2015-2016/April202016SchoolProposals>.

Copies of the EIS are also available in the main office of P.S. 76.

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<sup>1</sup> 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.

**Summary of Comments Received at the Joint Public Hearing**

A Joint Public Hearing regarding this proposal was held at Q076 on April 13, 2016. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 70 members of the public attended the hearing and 12 people spoke. Present at the meeting were: District 30 Superintendent Dr. Philip A. Composto; District 75 Superintendent Ketler Louissaint, P.S. 76 Principal, Timothy Miller; 75Q277 Principal Susan McNulty; District 30 Community Education Council (“CEC 30”) Co-President Deborah Alexander; District 75 CEC representative Gloria Corsino; Deputy Director of Special Education – Queens North Mary Jo Pisacano; Queens North Special Education Community Support Danmarine Reyes; a representative from Councilmember Jimmy Van Bramer’s office, Elana Ehrenberg; and Eric Herman, Bridget Mercier, and Deepa Desai from the Office of District Planning.

**The following comments and remarks were made at the Joint Public Hearing**

1. Deborah Alexander, member of CEC 30, commented as follows:
  - a. She recommends postponing the co-location because she feels like it will not allow P.S. 76 to grow given the anticipated residential growth in the area.
  - b. She felt like the CEC 30 was engaged in the process but not involved in the planning of this proposal; recognizing and, appreciating her invitation to participate in the walkthrough.
2. A representative from P.S. 76’s School Leadership Team commented as follows:
  - a. She is opposed to the proposal, because she feels like it will prevent P.S. 76 from growing. This upcoming year P.S. 76 will be adding a dual language program which she feels will attract additional students from the neighborhood.
  - b. She is concerned about how this co-location will impact shared spaces throughout the building (e.g., auditorium, gym, etc.).
3. A commenter stated the following:
  - a. P.S. 76 just hired a new principal this year and she is not sure why there is going to be another change in the building.
  - b. Many of the students at P.S. 76 have special needs and require 1:1 attention.
  - c. P.S. 76 is about to introduce a dual language program which is expected to attract more students to the school and increase enrollment. Placing a new program at the school will prevent P.S. 76 from growing.
4. A commenter stated the following:
  - a. She is wondering what security would look like at the school with additional students with disabilities.
  - b. She is concerned about the utilization of space and feels like the school is already crowded.
5. Several commenters stated the following:
  - a. They are opposed to the proposal because they are concerned that students currently enrolled at P.S. 76 would have larger class sizes.
  - b. They are concerned about sharing space with a new school because they feel that it will take away from the lunch and gym times that the students at P.S. 76 currently have.
6. A teacher at P.S. 76 stated the following:
  - a. She understands that District 75 needs space; however, the building will not accommodate the new school and P.S. 76. Putting another program in the building will hinder P.S. 76’s ability to serve its students.
  - b. P.S. 76 is a stable place for many students and she is concerned that District 75 will grow in numbers and push out P.S. 76 students.
7. A commenter stated the following:
  - a. She loves the new principal at P.S. 76.
  - b. She is concerned that by opening a new program there would be a loss of shared space (e.g., gym, computer lab, art, library, etc.).
  - c. The neighborhood is growing and there are students who need a quality education all around. Her daughter is currently enrolled at the school and she hopes that her son can enroll in five years.

8. Gloria Corsino, member of the District 75 CEC, commented as follows:
  - a. District 75 is not trying to move in uninvited, and stand-alone District 75 schools are not an option.
  - b. They are not looking to jeopardize safety of students at P.S. 76.

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

The DOE did not receive oral comments via voicemail specific to this proposal; however, the DOE did receive e-mails related to this proposal. These comments are described below.

9. A commenter expressed the following:
  - a. The commenter is opposed to the proposal, stating that District 75 would bring additional noise, chaos, and confusion to the students currently attending P.S. 76.
  - b. The co-location is not fair to District 75 students who need an environment that is catered to their specific needs, where they feel secure and can learn, and that this proposal only provides them with classrooms.
10. A commenter expressed concerns about P.S. 76 and the new District 75 program sharing space at Q076.
11. A commenter expressed support for this proposal, stating that as a parent of a student already at P.S. 76 and having a child entering kindergarten through District 75 beginning in the 2016-2017 school year, she is fully on-board. In addition, she believes that all students should be accommodated wherever there is space and availability.
12. A commenter expressed opposition to the proposal stating that P.S. 76 students do not use the playground, library, and cafeteria often enough and this proposal would diminish the already little time that they have to use these facilities.
13. A commenter expressed the following:
  - a. The commenter supports the program and thinks that because there is an Autism Spectrum Disorder (ASD) Nest program at P.S. 76, it is a good location for the District 75 program. The staff at P.S. 76 have expertise working with students with special needs.
  - b. Given the location of the school and the fact that District 75 students at times wander off the school premises, the commenter asked if there would be an increase in security to support all students at Q076.

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

**Comments 8(a-b), 11, and 13(a) are in support of the proposal and thus do not require a response.**

**Comment 1(b) states concerns related to CEC involvement in the proposal planning process.**

The DOE is committed to engaging with the community for all proposals to implement a significant change in school utilization, as detailed in Chancellor's Regulation A-190. Chancellor's Regulation A-190 sets forth the public review and comment process that the DOE undertakes with respect to all such proposals by the Chancellor, including co-locations. In addition to the information about District 75 and P277Q@Q076 provided in the EIS, the DOE has also provided this information through public engagement for this proposal. The DOE provided parent letters for distribution to the P.S. 76 school communities about the proposal after the EIS was posted, which described the proposal and included information about the upcoming Joint Public Hearing and Panel for Education Policy ("PEP") vote. Separate notices for the Joint Public Hearing and PEP vote were also provided to the school communities for distribution.

On March 1, 2016, the DOE held a walkthrough of Q076 with a member of Senior Leadership to discuss the proposal, take questions and concerns from the school communities, and determine whether significant logistical or other concerns would prevent the implementation of this proposal if approved by the PEP. Participants included the District 30 Superintendent, a representative from the District 75 Office, the Principal of P.S. 76, members of the P.S. 76 Parent Teachers Association ("PTA"), and other DOE leadership members. Members of CEC 30 were also present and

participated in the walkthrough. The DOE also engaged the CEC 30 via a phone call regarding the proposal prior to the walkthrough.

**Comments 1(a), 2(a), 3(c), 6(a), 6(b), and 7(c) state concerns related to space, specifically space for P.S. 76 to serve their current students and space for P.S. 76 to grow.**

As stated in the EIS, there is sufficient space in Q076 to accommodate P.S. 76, the District 30 Pre-K Center, and P277Q@Q076 if the proposal is approved, pursuant to the Citywide Instructional Footprint (“Footprint”). All schools in Q076 will receive their baseline or adjusted baseline footprint allocations pursuant to the Footprint. The Footprint is available online at: [http://schools.nyc.gov/NR/rdonlyres/4B3CDB70-5FCD-4DA5-82E0-6F83761B3D12/192842/DOEFootprint\\_December\\_2017.pdf](http://schools.nyc.gov/NR/rdonlyres/4B3CDB70-5FCD-4DA5-82E0-6F83761B3D12/192842/DOEFootprint_December_2017.pdf)

Q076 has the target capacity to serve 776 students. Q076 currently serves 561 students, yielding a building utilization rate of 72%. If this proposal is approved, P277Q@Q076 will open in September 2016 in Q076 serving eight SC sections of elementary school students, for a total of approximately 48-96 students. The total projected enrollment for building Q076 in the 2016-2017 school year is 631-739, yielding an estimated building utilization rate of 81%-95%. If this proposal is approved, there will be an excess of at least 2 full-size rooms in the building. All schools in the building will continue to receive rooms based on their footprint.

As stated in the EIS, this proposal is not expected to impact current student enrollment or instructional programming at P.S. 76, and will not impact P.S. 76’s current admissions processes.

**Comments 2(b), 4(b), 5(b), 7(b), 10, and 12 state concerns related to sharing common spaces in Q076 (e.g. gymnasium, cafeteria, playground, auditorium, etc.).**

As in other situations where schools are co-located, the schools will need to share large common and specialty rooms in the building such as the library, cafeteria, gymnasium, and auditorium. The DOE is confident that these shared spaces, including the library, can adequately accommodate the two 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.

Principals from each school organization co-located in a building serve on a Building Council to make decisions about overall use of the shared space and shared space schedules, including the use of the cafeteria and scheduling of lunch periods for students in each co-located school organization. If the principals are unable to agree upon a schedule for shared spaces, there is a mediation process outlined in the Campus Policy Memo, which is available at <http://schools.nyc.gov/community/campusgov>.

The DOE does not believe that this proposal will significantly impact the ability of P.S. 76 students to use the shared spaces in Q076.

**Comment 3(b) shares concerns related to the loss of space and services provided to students with special needs currently enrolled at P.S. 76.**

As stated in the EIS, the co-location is not expected to impact instructional programming or extra-curricular offerings at P.S. 76. P.S. 76 will continue to receive its baseline (or adjusted baseline, as applicable) Footprint allocation of rooms.

If this proposal is approved, students at P.S. 76 will continue to receive special education services in accordance with their IEPs. P.S. 76 will continue to provide Integrated Co-Teaching and SC special education classes, as well as Special Education Teacher Support Services. In addition, students classified as English Language Learner students are enrolled at P.S. 76 and receive English as a Second Language services. If this proposal is approved, students at P.S. 76 will continue to receive their mandated services. The Footprint ensures that P.S. 76 has sufficient space to serve all

its students with special needs and allows the school leadership to determine how to use space. The assignment of specific rooms and locations for each school in the building, including those for use in serving students with IEPs or other special education needs, will be made in consultation with the principals of each school and the Office of Space Planning if the proposal is approved.

**Comments 4(a), 9(a), and 13(b) share concerns related to security in the building with the addition of a District 75 program in the school.**

Due to space limitations across the city, it is not unusual for multiple schools and programs 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. If this proposal is approved, school leaders from P.S. 76, the District 30 Pre-K Program, and P277Q@Q076 will form a School Safety Committee at Q076 who will develop a School Safety Plan. The School Safety Plan is updated annually by the Committee to meet the changing 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 indicated in the EIS, the DOE makes the following safety and security supports available to schools:

- 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 kits for Building Response Teams; and
- Monitoring and certifying School Safety Plans annually.

**Comment 5(a) shares the concern that current class sizes at P.S. 76 will increase if this proposal is approved.**

Schools across the city are allocated space based on the Footprint. The Footprint is applied to schools to ensure equitable allocation of classroom, resource, and administrative space. For existing schools, per the UFT contract, class maximums for district schools are as follows:

- Pre-Kindergarten: 18 students
- Kindergarten: 25 students
- Grades 1-6 in elementary schools: 32 students
- JHS/MS (all grades 4 – 8 or 5 – 9, if are located in a middle school, then middle school class size applies): 33 students in non-Title I schools; 30 in Title I schools.

If this proposal is approved, P.S. 76, the District 30 Pre-K program, and the District 75 program will align classes to the guides established via the UFT contract described above.

**Comment 7(a) expresses support for the Principal of P.S. 76. Comment 3(a) notes that P.S. 76 just hired a new principal, and expresses concern regarding additional changes to the building.**

The DOE acknowledges and commends the hard work of the principal, staff, and students of P.S. 76. If this proposal is approved, no change in school supervisory or administrator positions at P.S. 76 or the Pre-K Center are expected. The proposed co-location is not expected to change the number of personnel positions assigned to P.S. 76 or the Pre-K Center nor is it expected to significantly alter the duties of current staff at P.S. 76 or the Pre-K Center. This proposal is not expected to impact current student enrollment or instructional programming at P.S. 76, and will not

impact P.S. 76's current admissions processes. P.S. 76 will continue to offer extra-curricular programs based on student interests, available resources, and staff support for those programs. The proposed co-location will not impact those opportunities.

**Comment 9(b) shares concerns that this proposal is not providing D75 students an environment that is catered to their specific needs.**

If approved, this proposal will add approximately 48-96 District 75 SC seats in Q076 for District 75 elementary school students who are classified as autistic or intellectually disabled on their IEPs. These additional seats are necessary to meet the increased demand for District 75 SC programming in Queens.

P277Q@Q076 will admit future students in a manner consistent with current District 75 enrollment procedures. Students will be placed in District 75 schools based on individual student needs and recommended special education services. The following variables are taken into account when considering the best placement: whether the student needs a barrier free site, whether the student requires nursing services, the student's home district, and whether the student has siblings in the articulating school. Students will be placed in class sections based on their needs and may be served in this program throughout the course of their elementary school education. Should future students require inclusion programming, the District 75 office will work with families to provide the appropriate district placement for each student. P277Q@Q076 is expected to serve students in a 6:1:1, 8:1:1, or 12:1:1 setting.

P277@Q076 will likely hire additional staff – teachers and paraprofessionals – in advance of the program's opening in Q076, which will be conducted consistent with the procedures set forth in the collective bargaining agreement between the DOE and UFT. The precise number of positions needed for the 2016-2017 school year and subsequent school years will be determined once District 75 placements are made in the spring of 2016. Those decisions will be made at the school based on need and budgetary considerations. The proposed co-location is not expected to change the number of personnel positions assigned to P.S. 76 or the Pre-K Center nor is it expected to significantly alter the duties of current staff at P.S. 76 or the Pre-K Center.

For additional information about District 75 programs, please visit the DOE's website at:  
<http://schools.nyc.gov/Offices/District75/default.htm>.

**Changes Made to the Proposal**

No changes have been made to this proposal.