



Date: January 26, 2010

Topic: Proposed Co-Location of a New School (17K770) with Existing Schools in School Building K398

Date of Panel Vote: January 26, 2010

Summary of Proposal

This is a proposal to site a new school, 17K770, in school building K398, 60 East 94th Street, Brooklyn in Community School District 17 (“District 17”). K398 currently houses P.S. 398 (17K398), which serves grades Pre-K-5. In 2010-2011, 17K770 will serve grades K-1 with an enrollment of 100-120 students. An additional grade will be added each school year until the school reaches its full grade scale in 2014-2015. At scale, 17K770 will have an enrollment of 340-360 students. Approximately 340-360 District 17 elementary school seats will be created by the opening and eventual full phase-in of 17K770 in K398.

An Educational Impact Statement on this proposal was published on the Department of Education’s website on December 11, 2009. The Educational Impact Statement indicated that the DBN code for the new school was 17K748; however, since the posting of the Educational Impact Statement, the DBN code for the school has changed. It will now be 17K770. The Educational Impact Statement has been updated to reflect this change and, in this document, the new school is referred to by its new DBN code.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing was held at K398 on January 21, 2010, and all interested parties had an opportunity to provide input on the proposal. Eight members of the public spoke in opposition to proposal, citing concerns about the current class size at P.S. 398 and the impact the new school will have on enrollment at P.S. 398. A teacher spoke about her concern over being exceeded if enrollment at P.S. 398 declines. Members of the public stated that they wanted to see more teachers in P.S. 398 to decrease class size rather than a new school. No commenters spoke in favor of the proposal. The only significant alternative proposed was to utilize the available space in the K398 building to expand P.S. 398 to a K-8 school.

Summary of Issues Raised in Written and Oral Comments and Significant Alternatives Suggested

The DOE received no written or oral comments on this proposal.

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

First, in response to concerns raised about the class size at P.S. 398 and the speakers who stated that they wanted to see more teachers in P.S. 398 to decrease class size, the 2009-2010 average class size at P.S. 398 is 22.5. The Department of Education supports small class size but acknowledges that there are other ways to improve student achievement and gives principals the autonomy to determine how their budget is allocated. It is important to note that schools are funded based on the number of students enrolled. All money allocated through Fair Student Funding is used at the principal's discretion.

Second, the concerns raised about the impact the siting of a new school in the building will have on enrollment at P.S. 398 are unfounded. No students currently enrolled in P.S. 398 or in any other school in District 17 will be displaced as a result of this proposal. No decrease in P.S. 398's enrollment is anticipated, nor is any impact on P.S. 398 expected as a result of this proposal. P.S. 398 will continue to have sufficient space to serve all of its students. There are six elementary schools serving grades K-5 that are over 100% utilized in District 17. The proposed siting of 17K770 in K398 is necessary to create additional elementary school seats in District 17. All District 17 students entering kindergarten and first grade in September 2010 will have the opportunity to enroll in 17K770 through a lottery process administered by the Office of Student Enrollment. 17K770 will serve special education students according to their Individual Education Plans and English Language Learners will receive mandated ELL instruction.

Finally, as an alternative to the DOE's proposal, commenters proposed that the available space in K398 be used to expand P.S. 398 to a K-8 school. This alternative, however, is not feasible. First, the P.S. 398 and School Leadership Team did not submit a grade reconfiguration application for the 2010-2011 school year. Second, and most importantly, District 17 needs more elementary school seats, not middle school seats. Middle school enrollment in District 17 has decreased by approximately 500 students over the past five years. No middle school building is over 100% utilized and four middle school buildings are less than 60% utilized. In contrast, there are six elementary schools serving grades K-5 that are over 100% utilized in District 17. The siting of 17K770 in the K398 building addresses the district's need for more elementary school seats to serve its students.

Accordingly, the DOE chose not to accept the significant alternative proposed and will present the proposal to the Panel for Educational Policy.

A copy of the educational impact statement for this proposal can be obtained at http://schools.nyc.gov/NR/rdonlyres/F0043783-8608-433C-855E-99228622A268/73828/BuildingK398_NewSchool_121109.pdf.

**Prepared by
Department of Education**