

Public Comment Analysis

Date: March 24, 2015

Topic: The Proposed Re-siting of a Portion of P.S. 199 Maurice A. Fitzgerald (24Q199) to Building Q777, Beginning in the 2015-2016 School Year

Date of Panel Vote: March 25, 2015

Summary of Proposal

On February 5, 2015, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) describing a proposal to partially re-site P.S. 199 Maurice A. Fitzgerald (24Q199, “P.S. 199”), beginning in the 2015-2016 school year. On May 29, 2014, the Panel for Educational Policy (“PEP”) approved a proposal to temporarily re-site and co-locate a portion of P.S. 199 Maurice A. Fitzgerald, (24Q199, “P.S. 199”) with P.S. 343 The Children’s Lab School (24Q343, “P.S. 343”) in building Q313 (“Q313”), located at 45-45 42nd Street, Queens, NY 11104 in Community School District 24 (“District 24”), for the 2014-2015 school year to allow for construction to be completed on building Q777 (“Q777”). The DOE is now proposing to re-site the portion of P.S. 199 that is temporarily located in Q313 back to its long-term site, Q777, which is located at 50-15 44th Street, Queens, NY 11377, in the 2015-2016 school year when construction on Q777 is anticipated to be complete. Q777 is approximately 0.4 miles from Q313 and 0.4 miles from P.S. 199’s main building, building Q199 (“Q199”). A “re-siting” means that students will attend classes in a different building than in previous years. The re-siting of P.S. 199 also facilitates the removal of TCUs and reduces overcrowding in District 24, a historically overcrowded district.

- Extensive public engagement was conducted in the course of creating this proposal, which included:
 - A Community Needs Assessment Forum convened by the DOE on November 18, 2014, in which elected officials and representatives from Queens Community Education Councils (“CECs”), including the District 24 CEC, participated, at which Q777 was discussed along with other potential planning needs and priorities in Queens.
 - A District 24 CEC meeting on September 23, 2014 attended by DOE, during which the Q777 building was discussed.
- The DOE has offered the following public engagement opportunities:
 - The DOE attended a District 24 CEC meeting on February 17, 2015 during which this proposal was discussed.
 - A joint public hearing held at building Q313. This meeting was open to the public and attendees were encouraged to provide comment on this proposal as part of the public comment portion of the hearing.
 - Dedicated phone and email lines to accept public comment at any time following the posting of this proposal until 6 p.m. on the day before the PEP meeting. Comments can be submitted in any language by calling 212-374-7621 or emailed in any language to D24Proposals@schools.nyc.gov. All comments were received at the above noted hearing or through phone or email lines were addressed by the DOE in this analysis of public comment, which is made available to the public after 6 p.m. on the day before the PEP meeting.

- PEP meeting at which PEP members will vote on several proposals, including this one, prior to implementation of the proposal. This meeting is also open to the public and attendees are welcomed to provide comment on this proposal.
- Information on the joint public hearing and PEP meeting can be found on the DOE website at: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2014-2015/March2015SchoolProposals>.

P.S. 199 is an existing zoned elementary school that currently serves 1,068 students in kindergarten through fifth grade. P.S. 199 serves students across four buildings in District 24: Q199 located at 39-20 48th Avenue, Queens, NY 11104, building Q841 (“Q841”) located at 48-25 37th Street, Queens, NY 11104, building Q313 (“Q313”) located at 45-45 42nd Street, Queens, NY 11104, and building Q938 (“Q938”) which is a Transportable Classroom Unit (“TCU”) located at 39-20 48th Avenue, Queens, NY 11104. When the PEP approved the proposal to temporarily co-locate a portion of P.S. 199 in Q313 for one year, the SCA did not anticipate that construction on Q777 would be complete by September 2015. As such, the proposal stated the P.S. 199 would return to Q199, Q841, and TCU Q938. The SCA has since confirmed that Q777 will be ready for occupancy by September 2015. This proposal states that students temporarily sited in Q313 will return to buildings Q199, Q841, and Q777. Additionally, on November 25, 2014, the PEP approved a proposal to re-site P.S. 110 (24Q110, “P.S. 110”) to its long-term location, building Q315 (“Q315”). Once P.S. 110 moves out, P.S. 199 will expand to use the space P.S. 110 vacates in Q841. As mentioned above, the added capacity of Q777, along with the additional space available at Q841, will facilitate the removal of TCU Q938. Thus, if this proposal is approved, P.S. 199’s students will be served across Q199, Q841, and Q777.

Additionally, on October 22, 2013 the District 24 CEC approved a plan to create a new elementary school zone for P.S. 343 within the geographical confines of District 24. This plan took effect in the 2014-2015 school year. P.S. 343’s zone was carved out of P.S. 199’s zone, and thus will continue to impact P.S. 199’s enrollment since some students previously zoned to P.S. 199 are now zoned to P.S. 343. This re-zoning will take full effect by the 2019-2020 school year, at which point P.S. 199 will reach stable enrollment with a total of 855-915 students in kindergarten through fifth grade.

Q777 is a leased space that was previously used by P.S. 199. Q777 is currently under renovation by the School Construction Authority (“SCA”). The re-siting of P.S. 199’s kindergarten and first grade is contingent upon the completion of construction. If Q777 is not ready for student occupancy for 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. Because it is currently under construction, no school organization uses Q777. According to SCA, Q777 is projected to have the capacity to serve 256 students.

If this proposal is approved, P.S. 199 will serve students in grades kindergarten through five across Q199, Q841, and Q777. Buildings Q199, Q841, and Q777 will have a combined target capacity of 1,098 students in the 2015-2016 school year and beyond. In 2015-2016, P.S. 199 will serve 1,020 – 1,080 students yielding a combined projected building utilization rate of 93%-98%.

In 2019-2020, when P.S. 199 reaches stable enrollment, P.S. 199 will serve approximately 855 - 915 students yielding a combined projected utilization rate of 78%-83%. Thus, the DOE believes that there is sufficient space to accommodate P.S. 199’s kindergarten through fifth grade in buildings Q199, Q841, and Q777 if this proposal is approved. Furthermore, this projected combined building utilization rate for Q199, Q841, and Q777 represents a decrease from Q199 and Q841’s current combined building utilization rate of 93% and an overall improvement in learning conditions for P.S. 199’s students through the removal of TCU Q938.

Building Q199 also houses two community-based organizations (“CBOs”): Sunnyside Community Services, which provides literacy services to the P.S. 199 community, and Western Queens Counseling, which provides counseling to students. This proposal is not expected to impact the continued siting of these programs in Q199.

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/March2015SchoolProposals>.

Copies of the EIS are also available in P.S. 199's and The Children's Lab School's main offices.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at the Q313 building on March 18, 2015. Approximately 30 members of the public attended the hearing and 5 people spoke. Present at the meeting were District 24 Community Superintendent Madelene Chan; Community Education Council 24 ("CEC 24") member Carl Chiamonte; District 24 Family Advocate Eleanor McNamee; Principal of P.S. 199 Anthony Inzerillo; Principal Brooke Barr of The Children's Lab School; P.S. 199 School Leadership Team ("SLT") representatives Alison Colchamiro, Arlette Chrzanowski, Irene Gerhards, and Luis Alban; and Jyoti Folch and Annabelle Eliashiv from the DOE.

The following comments and remarks were made at the joint public hearing on the proposal:

1. Principal Anthony Inzerillo, principal of P.S. 199, made the following remarks in opposition to the proposal:
 - a. P.S. 199 has maintained two annexes, a transportable classroom unit, and a main building and has not received additional funding to operate across four buildings.
 - b. Using Q777 would be a financial burden for P.S. 199 and would cost approximately \$175,000 to hire appropriate administrative and supervisory staff.
 - c. Teachers need time to prepare for the move and set up before the school year starts.
 - d. P.S. 199 did not receive funding to pay for the cost of moving in the past.
 - e. P.S. 199 will be able to fit its entire student population in buildings Q199 and Q841.
 - f. Parents will be less concerned if P.S. 199 is only split across two buildings.
 - g. P.S. 199 would have to stretch guidance and related services across three buildings if this proposal is approved.
 - h. P.S. 199's enrollment will decrease by two classes per grade each year due to the rezoning approved by the CEC.
 - i. Additionally, Principal Inzerillo referenced P.S. 199's academic success across all four of its current buildings.
2. A member of P.S. 199's SLT shared that the SLT generally opposes the proposal.
3. A member of P.S. 199's SLT made the following statements:
 - a. In the past, she advocated for her son to be taught in one of the annexes because it offered a more intimate learning environment. However, she commends P.S. 199 on creating a warm environment for students in the main building.
 - b. She hopes P.S. 199 would expand to serve grades six through eight so her son could stay at P.S. 199 longer.
 - c. P.S. 199 would benefit from having a larger budget.
 - d. Consolidating P.S. 199 to two buildings would be better for everyone involved.
4. One commenter expressed concern that limiting P.S. 199 to Q199 and Q841 would require P.S. 199 to increase its class-sizes.
5. A member of P.S. 199's SLT shared the following comments:
 - a. The P.S. 199 SLT discussed whether or not to utilize Q777 next year.
 - b. As a parent, transporting students to P.S. 199's afterschool programs from one of their current annexes, building Q313, was difficult.
 - c. He is concerned about safety as a result of having multiple annexes.

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

The DOE received the 40 written comments via email:¹

6. Multiple commenters requested the additional funding P.S. 199 believes it needs to sustain two annexes.
7. Multiple commenters expressed an interest in maintaining small class-sizes.
8. One commenter expressed that P.S. 199 will not require both annexes to house its student population as a result of the rezoning described above.
9. Multiple commenters mentioned P.S. 199's academic success.

No comments have been received via phone.

Analysis of Issues Raised and Significant Alternatives Proposed

Comments 1(a, b), 3(c), and 6 pertain to P.S. 199's request for additional funding to sustain its annexes.

Space is limited in New York City. As a result, some elementary schools, especially in overcrowded districts such as District 24, currently enroll more students than the target capacity levels of their existing main buildings. In these circumstances, the DOE looks to find available space in nearby buildings or under-utilized school buildings.

P.S. 199 is projected to serve approximately 1,056 – 1,116 students in the 2015-2016 school year.² However, main building Q199 can only accommodate 551 students, resulting in a need for 469-529 additional seats for P.S. 199's students. To accommodate this need, the DOE has identified annexes Q841 and Q777 as annexes to house P.S. 199's students.

Principals have the autonomy to use their budget however they feel is most beneficial to their individual school needs. Most funding in schools' budgets is allocated on a per pupil basis, based on current Fair Student Funding ("FSF") per capita allocation levels. Schools receive additional funds for students with disabilities, English Language Learners, and those with other supplemental academic needs.

Please refer to the FSF Guide and FY15 School Allocation Memorandum for additional information on cost of instruction and how the changes to FSF funding and other school allocations will be impacted as a result of register changes at P.S. 199. Staffing changes are at the discretion of the school within the limits of contractual and mandated obligations.

The FSF Guide can be accessed at:

http://schools.nyc.gov/offices/d_chanc_oper/budget/dbor/allocationmemo/fy14_15/FY15_PDF/sam01_1b.pdf.

The FY15 School Allocation Memorandum is available at:

http://schools.nyc.gov/offices/d_chanc_oper/budget/dbor/allocationmemo/fy14_15/FY15_PDF/sam33.pdf.

Furthermore, this proposal is not expected to change the number of personnel positions assigned to P.S. 199, although some teachers and staff who had previously been located at building Q313 will now be located at Q199, Q841, or Q777. Additionally, this proposal is not anticipated to impact the administration of P.S. 199.

¹ Principal Inzerillo also submitted a statement of opposition to this proposal. The sentiments of his opposition were captured in his statements at the joint public hearing and addressed throughout this analysis.

² Since the EIS was posted on February 5, 2015, P.S. 199 was awarded two, full-day pre-kindergarten sections. Thus, P.S. 199's projected enrollment increased from 1,020-1,080 to 1,056-1,116.

Comment 1(c) pertains to the re-siting from building Q313.

If this proposal is approved, the Office of Space Planning will work with P.S. 199 to organize the re-siting of existing materials and furniture from building Q313 to building Q777. The DOE will also cover all expenses related to the re-siting of P.S. 199 from building Q313 to building Q777, which is estimated to cost approximately \$49,410.

The DOE recognizes the importance of ensuring school teachers and personnel have enough time to prepare for the school year. In recognition of that necessity, the DOE posted the proposal for P.S. 199 to utilize building Q777 on February 5, 2015, seven months before the start of the 2015-2016 school year. If the PEP approves this proposal at the March 25, 2015 meeting, this will allow P.S. 199 at least five months to prepare for the 2015-2016 school year.

Comments 1(d) and 3(b) are not relevant to this proposal and do not require a response.

Comment 1(e) states that P.S. 199 can accommodate its entire student population across buildings Q199 and Q841.

P.S. 199 cannot accommodate its entire student population across buildings Q199 and Q841. In the 2015-2016 school year, P.S. 199 is projected to serve 1,020-1080 students. However, main building Q199 and annex Q841 can accommodate 551 students and 291 students, respectively, resulting in a combined capacity of 842 students. Thus, P.S. 199 requires 178 – 238 additional seats beyond the combined capacity of Q199 and Q841.

Furthermore, every school across New York City is allocated a certain amount of classroom, resource, and administrative space as determined by the Citywide Instructional Footprint (“the Footprint”).³ The Footprint sets forth the baseline number of rooms that should be allocated to a school based on the grade levels served by the school and number of classes per grade.

When the EIS was originally posted on February 5, 2015, P.S. 199 required 45 full-size rooms, 11 half-size rooms, and 6.0 full-size equivalent (“FSE”) rooms for instructional and administrative purposes. Since then, P.S. 199 has been awarded two full-day pre-kindergarten sections which has increased P.S. 199’s Footprint to 47 full-size rooms, 11 half-size rooms, and 6.5 FSE rooms for instructional and administrative purposes.

According to a walkthrough completed by the Office of Space Planning, there are 45 full-size rooms, 3 half-size rooms, 1 quarter-size rooms, and 3.0 FSE rooms across buildings Q199 and Q841. If P.S. 199 did not utilize building Q777, P.S. 199 would have a deficit of 10 instructional spaces and 3.25 FSE of administrative space. Thus, it is necessary for P.S. 199 to utilize building Q777 in order to serve its student population and offer pre-kindergarten and for the removal of TCU Q938.

Comments 1(f) and 5(c) pertains to safety concerns of having multiple annexes.

Pursuant to Chancellor’s Regulation A-414, every school/campus is mandated to form a School Safety Committee, which 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. The School Safety Plan is updated annually by the Committee to meet changing security needs, changes in organization and building conditions and any other factors; these updates could also be made at any other time when it is necessary to address security concerns. The Committee will also address safety matters on an ongoing basis and make appropriate recommendations to the Principal when it identifies the need for additional security measures.

Comments 1(g) and 5(b) pertain to students and staff travelling between buildings to provide necessary services.

Some teachers and administrative staff who had previously been located at Q199, Q938, Q841, or Q313 will now be located at building Q777. Additionally, P.S. 199 staff may escort students between buildings Q199, Q841, and Q777 if necessary. In the event that P.S. 199 students being served at Q777 or Q841 require special services, the necessary

³ The Footprint can be accessed at the following Web site: http://schools.nyc.gov/NR/rdonlyres/961D691C-641D-4918-9798-8BA2C0A761FF/0/DOEFootprint_91114newlogo.pdf.

service providers may need to travel to Q199 to cover the student mandate. Additional staff may work in both buildings, and the P.S. 199 leadership and staff will work to program appropriately to ensure students are receiving all mandated services.

Since buildings Q199, Q841, and Q777 each have public assembly spaces for breakfast, lunch, and physical education, students are not anticipated to travel between buildings frequently. Any travel between buildings during school hours will be done under the supervision of P.S. 199's staff.

Comments 1(h) and 8 pertain to the re-zoning approved by the District 24 CEC.

On October 22, 2013 the District 24 CEC approved a plan to create a new elementary school zone for P.S. 343 within the geographical confines of District 24. This plan took effect in the 2014-2015 school year. P.S. 343's zone was carved out of P.S. 199's zone, and thus will continue to impact P.S. 199's enrollment since some students previously zoned to P.S. 199 are now zoned to P.S. 343. This re-zoning will gradually phase in until it takes full effect by the 2019-2020 school year. P.S. 199's enrollment is anticipated to be approximately 891-951 students in kindergarten through fifth grade.⁴

Although the DOE believes that P.S. 199 will require building Q777 to accommodate its student population for the near future, the DOE will continue to work closely with P.S. 199's leadership to assess the best use of building Q777. If it is determined that P.S. 199 no longer needs to utilize building Q777 after the re-zoning has taken full effect in the 2019-2020 school year, the DOE may propose another use of the space and P.S. 199 may consolidate its student population to buildings Q199 and Q841.

Comments 1(i), 3(a), and 9 reference P.S. 199's academic success as the school operates across the multiple buildings. Schools are split-sited across multiple buildings in many instances across the City. The DOE commends the students and staff of P.S. 199 for their hard work, dedication, and passion for the school.

Comments 2 and 3(d) are in general opposition to the proposal.

The DOE respects that there may be a difference of opinions in regards to this proposal; however, the DOE believes that the partial re-siting of P.S. 199 to building Q777 is in the best interest of P.S. 199's students and will offer P.S. 199 the space required to provide instruction and support to its students.

Comments 4 and 7 pertain to P.S. 199's ability to maintain small class-sizes.

P.S. 199's average class-size across kindergarten through fifth grade in the 2014-2015 school year is approximately 25 students per class. Given the limited amount of space available across buildings Q199 and Q841, if this proposal is not approved and P.S. 199 does not utilize building Q777, P.S. 199 would need to collapse classes in order to accommodate all students in buildings Q199 and Q841. This would result in larger class-sizes across first through fifth grades.⁵

Comment 5(a) is explanatory in nature and does not require a response.

Changes Made to the Proposal

No changes were made to the proposal.

⁴ Projected enrollment as described in this document differs slightly from the EIS because of the two sections of full-day pre-kindergarten P.S. 199 was awarded after the proposal posted on February 5, 2015.

⁵ Kindergarten classes would remain at 25 students per class because that is the contractual maximum of students allowed in kindergarten classes by the United Federation of Teachers.