



Dennis M. Walcott
Chancellor

Public Comment Analysis

Date: April 16, 2013

Topic: The Proposed Closure of New Day Academy (12X245) at the End of the 2012-2013 School Year

Date of Panel Vote: April 17, 2013

Summary of Proposal

On March 1, 2013, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) describing a proposal to close New Day Academy (12X245, “New Day”), an existing secondary school in building X158 (“X158”) located at 800 Home Street, Bronx, NY 10456, within the geographic confines of Community School District 12 (“District 12”). In February 2011, the Panel for Educational Policy (“PEP”) approved the phase-out of New Day based on the school’s poor performance and the DOE’s assessment that the school lacked the ability to turn around quickly to better support student needs. That proposal can be found here: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb12011Proposals>. Pursuant to that proposal, New Day currently serves students in grades eight, eleven, and twelve. New Day was originally planned to serve only grade twelve in the 2013-2014 school year and was approved to close in June of 2014.

However, the DOE is now proposing to close New Day at the end of the 2012-2013 school year based on lower than anticipated student enrollment and demand from when the school was first proposed for phase-out. Under this proposal, currently enrolled middle school students on track to graduate will advance to high school as planned, while those students who do not meet promotional criteria at the end of the 2012-2013 school year will be provided with an alternate placement at another middle school for the 2013-2014 school year. Currently enrolled high school students on track to graduate at the end of the 2012-2013 school year will not be impacted by this proposal. High school students currently enrolled at New Day who are not scheduled to graduate or who do not meet promotional criteria at the end of this year will be provided with an alternative placement at another high school for the 2013-2014 school year.

New Day is co-located with Bronx Latin (12X267, “Bronx Latin”), an existing secondary school currently serving students in grades six through twelve, Bronx Career and College Preparatory High School (12X479, “Bronx Career”), an existing high school serving students in grades nine through twelve, and Dr. Richard Izquierdo Health and Science Charter School (84X482, “Dr. Izquierdo Charter School”), a charter school currently serving students in grades six through eight, which is in the process

of phasing in high school grades.

New Day is in its second year of phase-out. New Day no longer admits new sixth-grade students through the District 12 Middle School Choice Process or ninth-grade students through the High School Admissions Process. If this proposal is approved, New Day will close at the end of the 2012-2013 school year instead of after the 2013-2014 school year. The other schools located in X158 will continue to serve their grade levels as planned, and Dr. Izquierdo Charter School will continue adding additional grades until it reaches full scale.

There is sufficient capacity in middle schools throughout the district and high schools throughout the borough and the City to accommodate students who might have attended New Day if it remained open until the completion of its phase-out in June 2014. If this proposal is approved, the Office of Student Enrollment (“OSE”) will work with families of current students at New Day to assess options to transfer to other middle and high schools in the Spring of 2013.

Copies of the EIS are also available in the main offices of New Day, Bronx Career, Bronx Latin, and Dr. Izquierdo Charter School.

Summary of Comments Received at the Joint Public Hearings

A joint public hearing regarding this proposal was held at the X158 building on April 11, 2013. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 10 members of the public attended the hearing, and 4 people spoke. Present at the meeting were New Day School Leadership Team (“SLT”) representatives Principal Mara Ganeles, Marilyn Cattause and Norma Soto; Bronx Latin SLT members Principal Annette Fiorentino and Nelida Diaz; Bronx Career SLT member Martin Jakubawski; and Dr. Izquierdo Charter School SLT representatives Principal Anthony Lopez, Michelle Zapata and John Kulaboukas; Bronx High School Superintendent Elaine Lindsey; Community Education Council (“CEC”) 12 representative Gale Gadsden; Bronx PEP representative Robert Powell; United Federation of Teachers (“UFT”) representative Al Zucker; and DOE staff members, including Deputy Chancellor Shael Polakow-Suransky, Gregg Betheil from the Division of Academics, Performance and Support; and Kate Matthews and Ashley Davies from the Division of Portfolio Planning.

The following questions, comments, and remarks were made at the joint public hearing:

1. UFT representative Al Zucker commented that:
 - a. A law suit was initially filed when New Day was proposed for phase out, but now he believes that there is really no other option than to close the school early.
 - b. He believes that you cannot sustain a school with the low number of students New Day is expected to enroll next year.
 - c. He will continue to fight against the DOE’s phase-out of schools.
2. A teacher from New Day commented that:
 - a. Things were a mess at the school when she first arrived, but they have turned around dramatically since the current principal came.
 - b. New Day cannot sustain itself the way it is, and she thanks the DOE for proposing to close the school early. She asked the DOE not to stop the school from closing because it is time for everyone to go and start fresh.
3. Norma Soto, a member of the New Day SLT, made the following remarks:

- a. She tries to attend every district meeting to better understand what is going on in the community.
 - b. The students really like New Day, and she as well as the students and teachers are upset that the school is closing.
 - c. The community needs to fight for its rights because the closing of schools will cause problems.
4. Bronx PEP representative, Robert Powell, made the following remarks:
- a. He is against all phase outs, but this is the right thing to do in this situation.
 - b. He spoke with the principal, and she has a plan for all the students that will help to ensure that they do not fall through the cracks.
 - c. He did not want to close New Day in the first place, but it is now time to say “Good-night.” New Day has not failed, but it is time for them to start a new chapter.
 - d. The DOE should be commended for adhering to the needs of New Day.

Summary of Comments Received at the Parent Meeting

A parent meeting was held at New Day on March 4, 2013 at which DOE officials were available to answer parent questions. No parents attended, and no questions were received.

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

No written or oral comments were received.

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

Comments 1(a), 1(b), 2(b), and 4(a)-(d) are in support of the proposal and do not require a response.

Comment 3(a) does not relate to this proposal, and thus does not require a response.

Comments 2(a) and 3(b) express support for New Day staff and the current New Day principal.

The DOE acknowledges and commends the work that the school and principal have done, but given the lower than anticipated student enrollment and demand, the DOE believes that next year the school’s enrollment will leave too few students to allow the school to adequately program and operate in a way that meets students’ educational needs.

Comments 1(c) and 3(c) generally oppose phasing out schools and encourage community participation in the public review process for proposals concerning significant changes in school utilization.

After undertaking its annual investigative process and analysis of quantitative and qualitative data about schools, the DOE identifies a set of schools that do not have the capacity to significantly improve. These schools are proposed for phase-out and/or closure. The DOE acknowledges that some families may object to the phase out of schools. Deciding which course of action can best support the students and community of a struggling school is not easy, but the DOE is compelled to act based on our commitment to ensuring that every student has access to high-quality school.

The DOE believes that parental and community involvement is an integral part of successful schools. The purpose of the Joint Public Hearing is for the community to express their views on the proposal and ask questions about the proposal. The DOE commends those who were in attendance at the hearing for participating in the public review process for this proposal. Comments from the hearing, as well as comments received via the dedicated e-mail address and phone number (to the extent there are any) will be included in this public comment analysis and provided to the PEP prior to its vote on this proposal on April 17, 2013.

Changes Made to the Proposal

No changes have been made to this proposal.