

NYSCEF DOC. NO. 1

INDEX NO. 506124/2018

1 RECEIVED NYSCEF: 03/27/2018

SUPREME COURT OF NEW YORK COUNTY OF KINGS

-----X

In the Matter of

JOANNE ADAMS, individually, and on behalf of her child, Y.A., who attends P.S. 25; SHAKEMA ARMSTEAD, individually, and on behalf of her child, D.M., who attends P.S. 25; and CRYSTAL WILLIAMS, individually, and on behalf of her two children, H.T. and K.T., both of whom attend P.S. 25,

Index No.:

**VERIFIED PETITION** 

Petitioners,

-against-

BOARD OF EDUCATION OF THE CITY OF NEW YORK,

Respondent,

For an Order, Pursuant to Article 78 of the CPLR and Section 2590-e(11) of the Education Law, Annulling the Decision to Close P.S. 25 in the County of Kings.

-----X

Petitioners Joanne Adams, individually, and on behalf of her child, Y.A., Shakema Armstead, individually, and on behalf of her child, D.M., and Crystal Williams, individually, and on behalf of her two children, H.T. and K.T. (collectively "Petitioners"), by their attorneys Advocates for Justice, hereby allege, as and for their Verified Petition as follows:

#### **PARTIES**

1. Petitioner Joanne Adams is a citizen and resident of the State and City of New York. She is a resident of the County of Kings and lives within the attendance zone for Public School 25 ("P.S. 25"). She is also a parent of a third grader, Y.A., who attends P.S. 25, which is located in Community School District 16, located in the County of Kings.

COUNTY CLERK

NYSCEF DOC. NO.

RECEIVED NYSCEF: 03/27/2018

INDEX NO. 506124/2018

2. Petitioner Shakema Armstead is a citizen and resident of the State and City of New York. She is a resident of the County of Kings and lives within the attendance zone for P.S. 25. She is also a parent of a third grader, D.M., who attends P.S. 25.

- 3. Petitioner Crystal Williams is a citizen and resident of the State and City of New York. She is also a parent of two students, a second grader, H.T., and a third grader, K.T., both of whom are enrolled in P.S. 25. Petitioner and her children live in the County of Richmond. Petitioner Williams serves as the Vice President of the Parent Teachers Association at P.S. 25.
- 4. Respondent Board of Education of the City of New York (the "Board" or the "BOE") is a corporate body created by and existing under the laws of the State of New York pursuant to Sections 2551 and 2590 of the Education Law. Pursuant to various provisions of that law, including, inter alia, Sections 2554 and 2590-g, the BOE is charged with several responsibilities including administering and managing the educational affairs of the City School District and serving as the employer of all educators hired to teach in the City School District.
- 5. In conjunction with amendments to the State Education Law enacted in 2002, most powers of the Board of Education were diverted to the Chancellor, with the Board's administrative operations assigned to a body denominated by the Mayor as the New York City Department of Education (the "DOE"). The Board also conducts business as the Panel for Education Policy (the "PEP").
- Respondent BOE's central office is located at 52 Chambers Street, New York, 6. New York 10007. For the purposes of this Petition, the Board, the Department of Education, and the Panel for Education Policy, are collectively referred to as the DOE.

03/27/2018

COUNTY CLERK

INDEX NO. 506124/2018 RECEIVED NYSCEF: 03/27/2018

**JURISDICTION AND VENUE** 

7. Jurisdiction is proper and pursuant to CPLR Section 3001 and CPLR Section 301.

Venue is proper in Kings County pursuant to CPLR Section 504(2) since, inter 8. alia, two of the Petitioners reside in Kings County, P.S. 25 is located in Kings County, and the cause of action arose there.

**FACTUAL ALLEGATIONS** 

**Summary of Action** 

9. This action charges the DOE with deliberately ignoring the statutorily guaranteed rights of the community and its participation through the Community District Education Council's ("CEC") power over the approval of changes in zoning lines. The DOE has ignored and continues to ignore the legislatively created balance between local participation and central control by utilizing its powers over school openings and closures to alter attendance zones unilaterally without legal authority—namely, without a preceding vote of approval to change the zoning lines by the affected CEC.

- 10. By its unilateral action—the Chancellor proposing and the Board of Education voting to close the only zoned elementary school in the neighborhood of Community School District 16, P.S. 25, the Eubie Blake School—it is effectively attempting to change zoning lines and is thereby unlawfully usurping the statutory authority of CEC 16 to approve all such changes. Further, and in so doing, the DOE disenfranchised an entire community.
- 11. Upon information and belief, the DOE does not intend to create any replacement zoned elementary school for the displaced students of P.S. 25. Instead, the Chancellor intends to force parents of the affected students to apply to alternate elementary schools, none of which come close to the level of academic support or small classes received by P.S. 25 school students.

3

COUNTY CLERK 03/27/2018

NYSCEF DOC. NO.

RECEIVED NYSCEF: 03/27/2018

INDEX NO. 506124/2018

12. According to the DOE's school performance dashboard, P.S. 25 is the second best public elementary school in Brooklyn and the fourth best public elementary school in the entire City of New York, as measured by the school's positive impact after taking into account the need level of the incoming students. It also outperforms every charter school in the city, except for Success Academy-Bronx 2 ("SA-Bronx 2"), in its positive impact on student achievement and attendance. There simply are very few schools in the City that equal P.S. 25's level of academic excellence or the opportunities offered its high-needs student population.

13. As a result of the violation of law, the DOE is sending these affected students into an educational system that offers them far less potential to be as successful as in their former school; the chances of attending an elementary school that exceeds the academic level of their former school is almost nil. Therein lies the tragedy of DOE's unlawful action.<sup>1</sup>

#### P.S. 25, the Eubie Blake School, and Its Population

- Public School 25, the Eubie Blake School, is a zoned elementary K-5 school,<sup>2</sup> 14. located in Building K025 at 787 Lafayette Avenue, Brooklyn, New York. The school is colocated with Success Academy Bedford Stuyvesant 3 (84K833) ("SA-Bed Stuy-3").
- 15. Because of its location, P.S. 25 consistently enrolls a significant number of families in transitional housing. As of the 2015-2016 school year, P.S. 25 enrolled 23.3% homeless students, with 30.7% students ever homeless. Last school year, 85% of its students were listed as having high economic need (as opposed to the citywide index of 61%), according to the DOE performance dashboard. P.S. 25 also has an unusually large number of students with disabilities—31% (as opposed to the citywide index of 20%). However, only ten percent of these children are in self-contained classrooms. The remaining 21% of students with disabilities were

4

<sup>&</sup>lt;sup>1</sup> P.S. 25 teachers too will be displaced and will be required to join the Absent Teacher Reserves.

<sup>&</sup>lt;sup>2</sup> See ¶ 34 infra discussing zoning.

INDEX NO. 506124/2018

RECEIVED NYSCEF: 03/27/2018

in general-education or inclusion classrooms and received a combination of collaborative Special Education Teacher Support Services ("SETSS"), learning pursuant to their Individual Education Programs ("IEPs"). Ninety-four percent of the students are black and Hispanic. In the 2016-2017 school year, there were 110 students in the school. Class sizes ranged from 10 students per class to 18 students per class; according to the DOE. P.S. 25 is a model of academic achievement for learning in small class environments. See Diagram 15.1.

#### **NYC Department of Education**

# 2017 School Performance Dashboard

→Select School: 16K025 [ES] — P.S. 025 Eubie Blake School

→Select View: City (City includes 661 ES)

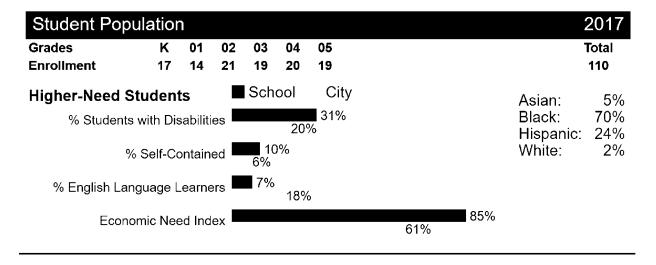


Diagram 15.1

#### P.S. 25's Achievements

16. The DOE measures school practices and conditions by its Quality Review standards and NYC School Surveys. Potential scores are between 1.00 and 4.99. According to the DOE's Framework Scores for P.S. 25, Student Achievement scores is 4.92. The remaining scores are represented in diagram 16.1

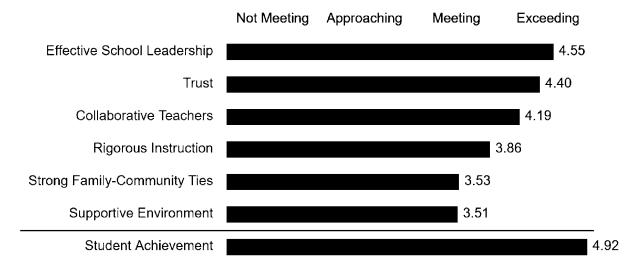
INDEX NO. 506124/2018 RECEIVED NYSCEF: 03/27/2018

# Framework Scores

NYSCEF DOC. NO. 1

2017

School practices and conditions (measured by Quality Review and NYC School Survey) that drive student achievement. Scores are on scale from 1.00 - 4.99.



#### Diagram 16.1

- 17. As diagram 18.1 provides, Effective School Leadership scores at 4.55; Trust scores at 4.40; Collaborative Teachers scores at 4.19; Rigorous Instruction scores at 3.86; Strong Family-Community Ties scores at 3.53; and Supportive Environment scores at 3.51. These are excellent scores for a small zoned school, which the DOE should have publicized but never did.
- 18. These students' ELA and math performance on the state examinations have steadily risen in recent years, reflecting well on the small school academic environment. As reflected in diagram 18.1, the school's academic achievement has increased each year since 2014-2015, and now exceed citywide averages.

INDEX NO. 506124/2018

RECEIVED NYSCEF: 03/27/2018

# Citywide Percentile Rank: State Test Results

2002 - 2017

Shaded regions are middle two quartiles citywide. Results above shaded regions were in top 25%, and results below the shaded regions were in the bottom 25% citywide.

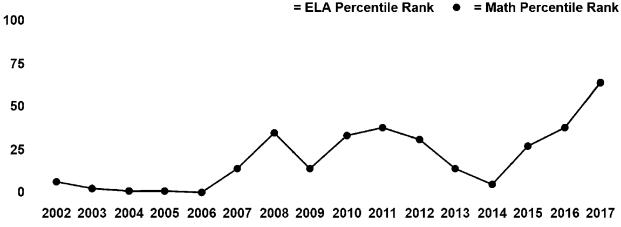


Diagram 18.1

- 19. See Diagram 18.1 reflecting that P.S. 25's achievements have exceeded that of the City's average scores in ELA and math.
- 20. P.S. 25 also has the fourth highest positive impact (.93) on student achievement of any of the 661 public elementary schools in New York City, according to the DOE's own metrics, when the need level of its incoming students is taken into account.<sup>3</sup> See Diagram 20.1.
- 21. P.S. 25 outperforms its comparison schools in terms of proficiency on the state exams by 21 percentage points in ELA and in math, according to the DOE Performance Dashboard.
- 22. The students with disabilities in the school especially excel compared to those in comparison schools, in ELA., math, and attendance.

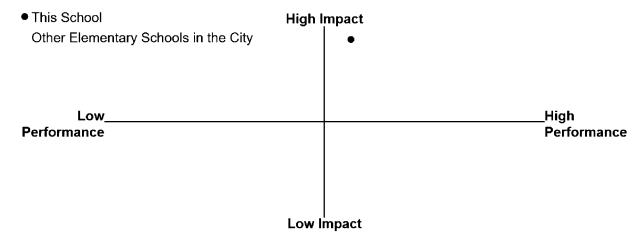
<sup>3</sup> Impact is measured by achievement on state examinations based on expected outcomes when considering its incoming students.

INDEX NO. 506124/2018 RECEIVED NYSCEF: 03/27/2018

# 

2017

Based on all student achievement metrics, Impact measures school against expected outcomes, adjusted for incoming student factors; **Performance** is unadjusted performance.



#### Diagram 20.1

NYSCEF DOC. NO. 1

- 23. The only other three elementary schools in New York City with higher impact scores than P.S. 25 are Walton Avenue school, in the Bronx (1.00); P.S. 15, in Manhattan (.97); and P.S. 172, in Brooklyn (.94).
- 24. The only charter school that outperforms P.S. 25 is SA-Bronx 2 (.94), while the impact ratings of SA-Bed Stuy-2 (.86) and Bed-Stuy-1 (.85), in Brooklyn, are far lower.
- 25. And when P.S. 25's results are compared with those students in Brooklyn, it has the second highest positive impact of student achievement of any elementary school.
- 26. For unknown reasons, the DOE has not made well known the steady and stellar achievements of P.S. 25. The few elementary schools that compare to P.S. 25's success are either a distance from P.S. 25 and/or P.S. 25 students would have difficulty enrolling because their seats are filled with children within their attendance zones.
- 27. When it came to P.S. 25, however, the DOE did not announce, let alone inform the District 16 Community or the CEC, that P.S. 25 had the highest positive impact rating of any

NYSCEF DOC. NO. 1

INDEX NO. 506124/2018

RECEIVED NYSCEF: 03/27/2018

school in the district, and that it consistently outperformed most of the other elementary schools in the City when the need level of its student body is taken into account. Had the DOE done so, it is less likely that the school would be suffering from low enrollment. This finding was also not mentioned in the Education Impact Statement in which the proposal to close the school was made. Nor was it made known to the Panel on Education Policy by the Department of Education at the time it proposed voting to close P.S. 25.

- 28. Moreover, according to the latest available data, there were at least five other public schools in New York City with smaller enrollments, not at risk of closure.
- 29. Rather than close P.S. 25, the DOE should be using the success of P.S. 25 as a model school for academic achievements based on small class sizes of 10 to 18 students per class and expand its enrollment through placing an additional preK or a 3K program within the school.
- 30. Upon information and belief, with the closing of the zoned school, the DOE does not plan to create any other district or DOE elementary public school seats for the displaced students within their community zone, leaving them to apply for seats in either selected public schools in neighboring zones, in different districts, or at SA-Bed Stuy 3, the charter school that is planned to take over the space following the evacuation of the building by P.S. 25 students.
- 31. Upon information and belief, once vacated, the DOE plans to give the entire building to Success Academy Bed Stuy 3, which currently is co-located in the building. If it does so, again upon information and belief, this will be the first time in which an entire building owned by the DOE is provided to a charter school.
- 32. The unilateral alteration of the rights of residents within the affected zone violates § 2590-e(11) of the Education Law, which reserves to the CEC the exclusive power to approve changes to zoning lines. Further, this action completely disregards the DOE's own understanding

KINGS COUNTY CLERK 03/27/2018

INDEX NO. 506124/2018

RECEIVED NYSCEF: 03/27/2018

of what the law was supposed to provide. In his testimony before the statutorily created task force that recommended Section 2590-e for adoption, then-Chancellor Klein stated that proposal would establish "Community District Education Councils, which would play an important role with respect to various aspects of the school system, including budget, education policy and zoning. Zoning of elementary schools is a particularly important function for these District Councils. I want to underscore that nothing in the school system reorganization will affect established attendance feeder patterns and zoning of schools." (Testimony of Joel I. Klein, New York State Senate Majority Task Force on NYC School Governance Reform, April 4, 2003).

33. By this action, Petitioners, whose children are students enrolled in P.S. 25, seek to have a voice in the education of their children, by enforcing their participatory and statutory rights as parent representatives of the school and of the District, as voters of the representatives of the CEC, as victims of the unlawful changes in zoning lines proposed by the Chancellor and approved by the Panel on Education Policy of the Board of Education before the CEC voted to make such change pursuant to a public hearing.

#### **Zoning**

NYSCEF DOC. NO.

34. From its start in 1842, the State-legislated Board of Education formed to provide public education in New York City was centered around the community school with the creation of community school boards in the then Wards (geographic voting regions) of the City. The school board of each such Ward or District was empowered to establish community or neighborhood schools to educate students within the Ward. About fifty years later, the Ward system was abolished in favor of a more centralized system of education. In New York City, for example, a reorganization of the Board of Education in 1896 eliminated the previously powerful local Ward School Trustees. In 1917, the Board's membership was further reduced to just seven, KINGS COUNTY CLERK 03/27/2018

NYSCEF DOC. NO.

RECEIVED NYSCEF: 03/27/2018

INDEX NO. 506124/2018

chosen from the citywide elite. Under such a board, it was argued, the professional educators would be more free to shape a modern school system, designed to meet the complex needs of the industrial city.

- 35. Over the years, the school boards (both centralized and decentralized) created subdivisions within what then became community school districts. School children residing within the geographic District would attend primary and secondary schools within their District. That District was further subdivided into catchments or Attendance Zones. School children residing within an Attendance Zone had the right to attend the school designated for that Zone the Zoned School—solely based upon their residence. Every student within a Zone had the same right. Thus, geographic Attendance Zones were tied to their Zoned Schools.
- 36. The existence of Attendance Zones have continued to today, unaltered by the 2002-2003 amendments to the Education Law that provided for and refined mayoral control. (See Chapter 21 of the Laws of 2002, Chapter 123 of the Laws of 2003, or the subsequent revisions.) Indeed, the 2003 amendments redubbed what had previously been the Community School Boards (one for each District) as Community District Education Councils ("CECs"), and explicitly reserved to the CECs of each District the power to approve the configuration of the Zones within their District (Education Law § 2590-e(11)). Accordingly, the CECs had the exclusive power to approve the alteration or abrogation of any Zone or all Zones within their District.
- 37. By proposing to close a zoned school without a vote of the CEC, the DOE is also violating Chancellor's regulation A-185, which describes a detailed timeline and process in which the Community District Superintendent must consult with the appropriate school communities, including the parents of children who will be affected by the proposed zoning

11

INDEX NO. 506124/2018

RECEIVED NYSCEF: 03/27/2018

change, prior to submitting a proposal to change any zoning lines, which is then voted upon by the CEC. None of this occurred in the case of P.S. 25.

#### Closing P.S. 25

NYSCEF DOC. NO. 1

- 38. On February 28, 2018, the Panel on Education Policy of the Board of Education voted to close P.S. 25 at the end of the 2017-2018 school year. In so doing, the DOE deliberately ignored the statutorily guaranteed rights of the community and its participation through the Community District Education Council's power over the approval of changes in zoning lines.
- 39. By its unilateral action, voting to close the only zoned elementary school in that zone or neighborhood of Community School District 16—P.S. 25, the Eubie Blake School—the DOE and the Board of Education are effectively removing zoning lines, and thereby unlawfully violating the statutory authority of CEC 16 to which the authority to change zoning lines is exclusively reserved. Further, and in so doing, they disenfranchised an entire community.
- 40. Upon information and belief, the DOE does not intend to create any replacement zoned elementary school for the displaced students. Instead, the DOE intends to send the affected students to alternate elementary schools, many of which do not come close to the level of academic support or achievement provided to P.S. 25 school students.
- 41. The DOE has violated and continues to violate Section 2590-e(11) of the Education Law.

#### FIRST CAUSE OF ACTION

#### (Violation of Education Law 2590-e(11)

- 42. Plaintiffs repeat and reallege the allegations set forth in Paragraphs 1 through 41 as if set forth herein.
- 43. Pursuant to Section 2590-e(11) of the Education Law, the right to approve of zone alterations is reserved to the Community District Education Councils.

COUNTY CLERK 03/27/2018

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 03/27/2018

INDEX NO. 506124/2018

44. The DOE's intended closing of Zoned elementary school P.S. 25, which is the only Zoned elementary school in that Zone, without any provision for the creation of new Zoned School within the Attendance Zone or the application for a change in zoning lines, violates § 2590-e(11).

- 45. The DOE's failure to submit such zoning changes to the Community District Education Council for approval prior to any vote of the Panel on Education Policy of the Board of Education to close the school violated § 2590-e(11).
- The DOE's actions as aforedescribed, as a whole, violated § 2590-e(11) of the 46. Education Law.

#### PRAYER FOR RELIEF

WHEREFORE, Petitioners request that this Court enter a Preliminary and Permanent Injunction

- Declaring that the DOE violated Section 2590-e(11) of the New York State а. Education Law by voting to close P.S. 25, the Eubie Blake School, prior to the duly noticed meeting and proper vote by Community District Education Council No. 16;
- Preliminarily staying and, after full development of the record, annulling, the b. Panel on Education Policy of the Board of Education's vote closing P.S. 25 as having been taken in violation of Section 2590-e(11);
- Directing that the issue of the closure of P.S. 25 be submitted to Community c. District Education Council No. 16;
- Directing that the Panel on Education Policy of the Board of Education renotice d. and revote on whether to close P.S. 25 should Community District Education Council No. 16 properly vote to remove the only zoned elementary school, P.S. 25, from the Attendance Zone;

NYSCEF DOC. NO. 1

INDEX NO. 506124/2018

RECEIVED NYSCEF: 03/27/2018

e. Granting to the Petitioners their costs, attorneys' fees, and expenses; and

f. Granting such other and further relief as may be just and equitable.

Dated: March 27, 2018 New York, New York

ADVOCATES FOR JUSTICE Attorneys for Petitioners

By:\_\_\_\_\_\_\_

Laura D. Barbieri Arthur Z. Schwartz

225 Broadway, Suite 1902 New York, New York 10007 Tel.: (212) 285-1400, x712

Cell: (914) 819-3387

Fax: (212) 285-1410

 $\frac{lbarbieri@advocatesny.com}{aschwartz@afjlaw.com}$ 

INDEX NO. 506124/2018

RECEIVED NYSCEF: 03/27/2018

**VERIFICATION** 

I, Laura D. Barbieri, Esq., an attorney admitted to the Bar of the State of New York,

affirm and say that I am attorney for the Petitioners in this proceeding, that I have read the

Petition, and that the same is true to my knowledge, information, and belief; this knowledge,

information and belief is based on reviewing the record, documents, DOE records and other

relevant information, and communications with credible sources of information, including clients.

I affirm on behalf of the Petitioners as the Petitioners all reside in counties other than

New York County, where my office is located.

Date: March 27, 2018

New York New York

/s/

Laura D. Barbieri

15 of 15

NYSCEF DOC. NO. 10

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018

**Exhibit A** 

NYSCEF DOC. NO. 10

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



President: NeQuan C. McLean Vice President: Victor Iroh

Recording Secretary/B.P Appointee: Tanya St. Julien

Treasurer: Tonya L. Channell

Borough President Appointee: Ralph Yozzo

Council Member: Barnabas Uba Shakur Council Member: Felicia Alexander Council Member: Marta Torres Council Member: Gwendolyn Moore Council Member: Natasha Seaton

Honorable Carmen Fariña Tweed Courthouse 52 Chambers Street New York, NY 10007

August 1, 2017

Greetings Chancellor Carmen Fariña,

The Community Education Council for District 16 is preparing for the new school. In collaboration with District 16 Superintendent Amon-Harrison and consultation with stakeholders (community members, elected officials, community board), listed below are the recommendations for district 16, to be implemented in the 2018-2019 school year.

#### ➤ Close 16K025 Eubie Blake School

- Over the past four years, we have seen declining enrollment at this school. For the 2017-2018 school year, enrollment is projected to be 118. We don't believe that these numbers allow the school to provide students with the resources necessary for success. We believe that neither students nor, educators are currently set-up for success in such an environment.
- Closing the school will allow families to choose their children's school, without adding additional administrative burden on another school.
- Rather than consolidate with Brighter Choice (16K627), which went through a consolidation with Young Scholars (16K636) in SY '15-'16, we believe it is best to close the school. The Brighter Choice community is just reaching a point of stability with staff and families. Thus, we do not recommend disrupting their equilibrium.
- Turn 16K025 Eubie Blake School building into a charter building to receive new, incoming charter schools (*Uncommon and Achievement First charter schools K-4 who has requested space in district 16*) and work with DOE to possibly move existing charter schools that need additional space.

125 Stuyvesant Avenue Room 105 Brooklyn, NY 11221 Tel: (718) 574-2361 Visit us online at: <u>www.cec16.org</u> Like us on Facebook: cec16

NYSCEF DOC. NO. 10

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



President: NeQuan C. McLean Vice President: Victor Iroh

Recording Secretary/B.P Appointee: Tanya St. Julien

Treasurer: Tonya L. Channell

Borough President Appointee: Ralph Yozzo

Council Member: Barnabas Uba Shakur Council Member: Felicia Alexander Council Member: Marta Torres Council Member: Gwendolyn Moore Council Member: Natasha Seaton

- CEC 16 support meeting the needs of our growing and diverse student population in all ways, including charter schools. In support of the mayor's commitment to ease of use of public spaces, we recommend that the P.S. 25 school building become a charter building in the district.
- Ex: Teaching Firms of America (Ember Charter School)
  - This school has grades K-5 co-located with 16K308 and grades 6 and 7 located in a private building. The school would like all grades together in one building. At full capacity, this school will be 880 students. This is a perfect school to place in the P.S. 25 school building.
  - P.S. 25's building is accessible by the B15 and B38 buses.
- ➤ Move the D75 program out of K628 Brooklyn Brownstone to the top floor of P.S 262. This will allow K035 Stephen Decatur Middle School and Brooklyn Brownstone to expand within their building, and D75 will have its own floor.
  - The truncation of 16K262 is contributing to an increase in students at 16K035.
    - This truncation also allows for D75 to expand (if necessary) within the new building.
- Consolidate 16K028 The Warren Prep Academy into 16K040 George W. Carver School
  - P.S. 28 is housed in an HRA building, whose lease is up.
  - P.S. 28 has had several issues with the physical space in the past three years, i.e. floods, no heat in the winter and power outages.
  - P.S. 40 is the closest school, and there is space in the building.
  - Combining the enrollment of these two schools will increase resources for staff and students, setting them up for success in the long run.

125 Stuyvesant Avenue Room 105
Brooklyn, NY 11221
Tel: (718] 574-2361
Visit us online at: www.cec16.org
Like us on Facebook: cec16

NYSCEF DOC. NO. 10

RECEIVED NYSCEF: 04/12/2018

INDEX NO. 506124/2018

President: NeQuan C. McLean Vice President: Victor Iroh

Recording Secretary/B.P Appointee: Tanya St. Julien

Treasurer: Tonya L. Channell

Borough President Appointee: Ralph Yozzo

Council Member: Barnabas Uba Shakur Council Member: Felicia Alexander Council Member: Marta Torres Council Member: Gwendolyn Moore Council Member: Natasha Seaton

- ➤ 16K594 Move Gotham Professional Arts Academy High School from 16K040 George W. Carver School to Boys and Girls Campus
  - CEC 16 has received several complaints from the school community about a high school in the same building as an elementary school.
    - Ex: At pick-up, parents of elementary students overhear and experience high school students engaging in a way that is age inappropriate for elementary school students.
  - Moving Gotham to Boys and Girls creates a more stable, safe and appropriate environment for the elementary school students at P.S. 40 and for the high school students at Gotham.
- ➤ Request a 3<sup>rd</sup> grade G&T program for 16K262 El Haji Malik El Shabazz School and 16K021 Crispus Attucks School
  - 16K262 had 20 students qualify for 3<sup>rd</sup> grade G&T in SY 2016-2017.
  - 16K021 had 46 students qualify for 3<sup>rd</sup> grade G&T in SY 2016-2017.
  - Both schools have certified G&T teachers.
  - Opening these classes will provide enrichment to students on this side of the district.
  - Based on the above, we recommend a 3<sup>rd</sup> grade program to accommodate the developing scholars at both schools.
- Request for CEC 16 to be considered a 3-K district in 2018-2019
  - District 16 elementary schools reflect an average economic need of 83%.
  - The 2016-2017 Pre-K incoming class of district 16 had the largest enrollment!
  - We believe 3-K options in the district will begin the culture of scholarship earlier and with a broader set of students.

125 Stuyvesant Avenue Room 105
Brooklyn, NY 11221
Tel: (718] 574-2361
Visit us online at: www.cec16.org
Like us on Facebook: cec16

NYSCEF DOC. NO. 10

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



President: NeQuan C. McLean Vice President: Victor Iroh

Recording Secretary/B.P Appointee: Tanya St. Julien

Treasurer: Tonya L. Channell

Borough President Appointee: Ralph Yozzo

Council Member: Barnabas Uba Shakur Council Member: Felicia Alexander Council Member: Marta Torres Council Member: Gwendolyn Moore Council Member: Natasha Seaton

#### Make Rahesha Amon-Harrison Superintendent over K-12 in D16

- D16 has the lowest enrollment in the city, with 7, 209 students enrolled in SY 2016-2017.
   Yet, the district has three Superintendents.
- Holding one person accountable to the community for D16 schools will increase collaboration, efficiency and a sense of community among schools in the district.
- Over the last year, Superintendent Amon-Harrison has shown herself to be a visionary and progressive leader. We believe that under her leadership, students in district 16 will successfully transition from elementary to middle, middle to high-school, and high-school to post-secondary educational options.

#### Sincerely,

The Members of the Community Education Council for District 16

#### CC:

Rahesha Amon-Harrison, District 16 Community School Superintendent
Dr. Dorita Gibson, Senior Deputy Chancellor
Elizabeth Rose, Deputy Chancellor for Operations
Josh Wallack, Deputy Chancellor for Strategy and Policy
Phil Weinberg, Deputy Chancellor for Teaching and Learning
Yolanda Torres, Executive Superintendent, Division of Family and Community Engagement
Dr. Laura Feijoo, Senior Supervising Superintendent

125 Stuyvesant Avenue Room 105
Brooklyn, NY 11221
Tel: (718] 574-2361
Visit us online at: www.cec16.org
Like us on Facebook: cec16

NYSCEF DOC. NO. 11

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018

**Exhibit B** 

INDEX NO. 506124/2018 RECEIVED NYSCEF: 04/12/2018



**Notice** 

NYSCEF DOC. NO. 11

January 5, 2018

# The Proposed Closure of P.S. 25 Eubie Blake School (16K025) in Building K025 at the End of the 2017-2018 School Year

I. Description of the subject and purpose of the proposed item under consideration.

#### A. Summary of proposal:

The New York City Department of Education (NYCDOE) is proposing the closure of P.S. 25 Eubie Blake School (16K025), referred to as P.S. 25, in building K025 at the end of the 2017-2018 school year. P.S. 25 is an existing zoned elementary school serving students in grades K-5 and offering a pre-Kindergarten (pre-K) program. P.S. 25 is currently co-located with Success Academy – Bed Stuy 3 (84K883), referred to as SA Bed Stuy 3, in building K025, located at 787 Lafayette Avenue, Brooklyn NY, 11221 in Community School District 16. SA Bed Stuy 3 currently serves students in grades K-2 and will add one grade each year until it reaches full scale and serves students in grades K-4 in the 2019-2020 school year.

A co-location means that two or more school organizations are located in the same building and may share common spaces, such as:

- Auditoriums:
- Gymnasiums;
- Libraries; and
- Cafeterias.

The NYCDOE is proposing the closure of P.S. 25 based on its persistently low enrollment and lack of demand from students and families. If this proposal is approved, P.S. 25 will close at the end of the 2017-2018 school year and will no longer exist as an elementary school option in the 2018-2019 school year. All students continuing in elementary school will receive an alternative elementary school option before being discharged from the closing school.

If the proposed closure is approved, NYCDOE staff will work individually with all current students in grades K-4 as well as current students in grade 5 who do not meet promotional criteria, to identify a strong school option that meets their needs. These families will receive a customized application with elementary school options within District 16 whose performance approaches P.S. 25's and a small number of options outside of District 16 whose performance exceeds that of P.S. 25. Families will be

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018

matched to another school for the 2018-2019 school year. The superintendent's office and the Family Welcome Center counselors will provide individualized enrollment support to help students and families in thinking through the options presented in order to ensure that students choose the right school to continue their education for the 2018-2019 school year and beyond. NYCDOE staff will also work with schools that are listed on the application to hold tours for prospective families from P.S. 25.

All current pre-K students will participate in the standard kindergarten admissions process as described in Appendix C, and current 5th grade students who meet promotional criteria will enroll in the middle school to which they are matched in the standard middle school admissions process. For further information about elementary school and middle school admissions, see the Educational Impact Statement (EIS) or visit the NYCDOE's website at: http://schools.nyc.gov/choicesenrollment/elementary/default.htm.

If this proposal is approved, students residing in the current P.S. 25 elementary school zone will no longer have access to their zoned option as of the 2018-2019 school year. The Office of District Planning and the District 16 Community Superintendent are working with Community Educational Council 16 to develop a rezoning plan for the zone that currently serves P.S. 25. Regardless of whether or not a rezoning plan is in place by the 2018-2019 school year, all students residing in the current P.S. 25 zone applying for kindergarten for the 2018-2019 school year will receive an offer consistent with the standard kindergarten admissions process described in the EIS.

There is sufficient capacity across other elementary schools throughout District 16 to accommodate future students who might have enrolled in P.S. 25. For further information about capacity to accommodate elementary school students across District 16, see the EIS.

#### B. Rationale for Closure:

The NYCDOE has implemented an expanded support and supervision structure that allows for regular engagement and evaluation of schools to ensure that every student in New York City receives a highquality education and is prepared for college and career. As a result, the NYCDOE has identified schools, including P.S. 25, that have experienced persistently low enrollment and lack of demand by students and families. At P.S. 25, these ongoing challenges have contributed to a loss of per-pupil funding, potentially resulting in fewer academic, extracurricular and athletic opportunities than schools with robust enrollment. Teachers have few opportunities for instructional collaboration with colleagues as they are often the only staff member teaching a particular grade.

P.S. 25 has struggled with declining enrollment and low demand by students and families, despite increasing test scores over the last three years and multiple prior interventions, such as programmatic changes at the school, recruitment and re-branding support, and school re-design.

During the 2014-2015 school year, P.S. 25 served 164 students in grades K-5. In the current 2017-2018 school year, P.S. 25 is serving a total of just 94 students in grades K-5, which represents a 43% decline in enrollment in the past three years. Additionally, only 26% of kindergarten applicants ranked P.S. 25 first. well below the district median of 40%, and only 8% of kindergarten students residing in the P.S. 25 zone chose to enroll in P.S. 25 for kindergarten in the 2017-2018 school year.

#### C. Impact on K025:

NYSCEF DOC. NO. 11

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018

K025 has the capacity to serve a total of 1,004 students according to the 2016-2017 Enrollment, Capacity and Utilization Report, also known as the Blue Book. The Blue Book can be found online at: <a href="https://dnnhh5cc1.blob.core.windows.net/portals/0/Capital\_Plan/Utilization\_Reports/Blue%20Book%202016">https://dnnhh5cc1.blob.core.windows.net/portals/0/Capital\_Plan/Utilization\_Reports/Blue%20Book%202016</a>

2017.pdf?sr=b&si=DNNFileManagerPolicy&sig=g7eZjXLOaaZfmXPHd0cFOjrylfBrVwF8D5mf9lFcSpA%3D.

In the current 2017-2018 school year, 261 total students are being served across P.S. 25 and SA Bed Stuy 3, which yields a building utilization rate of 26%. More details about space are available in the EIS.

If this proposal is approved, in the 2018-2019 school year, SA Bed Stuy 3 is projected to serve 200-240 students. As such, in the 2018-2019 school year, K025 will have a projected building utilization rate of 20-24%. When SA Bed Stuy 3 is at scale in the 2019-2020 school year, K025 will have a projected building utilization rate of 25-30%.

If the closure of P.S. 25 is approved, K025 will be further underutilized, meaning it will have additional capacity to accommodate additional students. If applicable, pursuant to Chancellor's Regulation A-190, the NYCDOE may issue an EIS for the future use of space in K025.

II. Information regarding where the full text of the proposed item may be obtained.

The EIS is available in the main offices of P.S. 25 and SA Bed Stuy 3, as well as on the NYCDOE's website at: <a href="http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2017-2018/February282018SchoolProposals.">http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2017-2018/February282018SchoolProposals.</a>

III. Submission of public comment.

Members of the public who wish to provide comments are encouraged to attend the Joint Public Hearing for this proposal and share their feedback in person. All comments must be submitted at least 24 hours in advance of the PEP meeting at which this proposal is subject to a vote in order to be mentioned in the Public Comment Analysis to be published and provided to the PEP the evening before the PEP votes.

Members of the public that do not provide comments at the hearing may also provide oral or written comments as follows:

- Written comments can be sent to D16Proposals@schools.nyc.gov.
- Oral comments can be left at 212-374-0208.
- IV. The NYCDOE representative who can provide further information on this proposal.

Name: Kelly Krag-Arnold

Office: Office of District Planning

Address: 100 Gold Street, Suite 3200, New York, NY 10038

Email: D16Proposals@schools.nyc.gov

Phone: 212-374-0208

V. Date, time and location of the Joint Public Hearing for this proposal.

NYSCEF DOC. NO. 11

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018

Date: February 5, 2018

Time: 6 p.m.

Location: Building K025, 787 Lafayette Avenue, Brooklyn NY, 11221

Speaker sign-up will begin 30 minutes the hearing, at 5:30 PM, and will close 15 minutes after the start of the hearing.

Attendees with concerns about access to the hearing location should call 212-374-0208 or email accessibility@schools.nyc.gov. Requests for accommodations will be fielded up to 72 hours before the hearing.

# VI. Date, time and location of the PEP meeting at which this proposal will be voted on.

Date: February 28, 2018

Time: 6 p.m.

Location: Murry Bergtraum High School for Business Careers, 411 Pearl Street, New York, NY 10038

Attendees with disabilities or with concerns about access to the PEP meeting location should call 212-374-0208 or email <u>accessibility@schools.nyc.gov</u>. Requests for accommodations will be fielded up to 72 hours before the hearing.

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



#### **Amended Notice**

January 26, 2018

# The Proposed Closure of P.S. 25 Eubie Blake School (16K025) in Building K025 at the End of the 2017-2018 School Year

I. Description of the subject and purpose of the proposed item under consideration.

#### A. Summary of proposal:

On the January 5, 2018, The New York City Department of Education (NYCDOE) issued an Educational Impact Statement (EIS) proposing the closure of P.S. 25 Eubie Blake School (16K025), referred to as P.S. 25, in building K025 at the end of the 2017-2018 school year. P.S. 25 is an existing zoned elementary school serving students in grades K-5 and offering a pre-Kindergarten (pre-K) program. P.S. 25 is currently co-located with Success Academy – Bed Stuy 3 (84K883), referred to as SA Bed Stuy 3, in building K025, located at 787 Lafayette Avenue, Brooklyn NY, 11221 in Community School District 16. SA Bed Stuy 3 currently serves students in grades K-2 and will add one grade each year until it reaches full scale and serves students in grades K-4 in the 2019-2020 school year.K025 also houses the community-based organization (CBO) Urban Dove.

A co-location means that two or more school organizations are located in the same building and may share common spaces, such as:

- Auditoriums;
- Gymnasiums;
- · Libraries; and
- · Cafeterias.

The EIS for this proposal has been amended to reflect the space used by Urban Dove in K025. The original EIS failed to allocate 1 full-size room to Urban Dove, and instead allocated that 1 full-size room to P.S. 25 as excess. Section III.B of this amended EIS has been updated to reflect the 1 full-size room allocated to Urban Dove and the 1 full-size room removed from P.S. 25's excess room allocation in the 2017-2018 school year. Corrections were also made to the list of P.S. 25's current extra-curricular activities, sports, and partnerships in section III.A to reflect the most current information available. Additionally, a correction was made in section III.B in order to reflect that SA Bed Stuy 3 is allocated 8 full-size rooms in excess rather than 9 full-size rooms in excess in the 2017-2018 school year; SA Bed Stuy 3's total space allocation for the 2017-2018 has not been changed.

The NYCDOE is proposing the closure of P.S. 25 based on its persistently low enrollment and lack of

NYSCEF DOC. NO. 11

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018

demand from students and families. If this proposal is approved, P.S. 25 will close at the end of the 2017-2018 school year and will no longer exist as an elementary school option in the 2018-2019 school year. All students continuing in elementary school will receive an alternative elementary school option before being discharged from the closing school.

If the proposed closure is approved, NYCDOE staff will work individually with all current students in grades K-4 as well as current students in grade 5 who do not meet promotional criteria, to identify a strong school option that meets their needs. These families will receive a customized application with elementary school options within District 16 whose performance approaches P.S. 25's and a small number of options outside of District 16 whose performance exceeds that of P.S. 25. Families will be matched to another school for the 2018-2019 school year. The superintendent's office and the Family Welcome Center counselors will provide individualized enrollment support to help students and families in thinking through the options presented in order to ensure that students choose the right school to continue their education for the 2018-2019 school year and beyond. NYCDOE staff will also work with schools that are listed on the application to hold tours for prospective families from P.S. 25.

All current pre-K students will participate in the standard kindergarten admissions process as described in Appendix C, and current 5th grade students who meet promotional criteria will enroll in the middle school to which they are matched in the standard middle school admissions process. For further information about elementary school and middle school admissions, see the amended EIS or visit the NYCDOE's website at: http://schools.nyc.gov/choicesenrollment/elementary/default.htm.

If this proposal is approved, students residing in the current P.S. 25 elementary school zone will no longer have access to their zoned option as of the 2018-2019 school year. The Office of District Planning and the District 16 Community Superintendent are working with Community Educational Council 16 to develop a rezoning plan for the zone that currently serves P.S. 25. Regardless of whether or not a rezoning plan is in place by the 2018-2019 school year, all students residing in the current P.S. 25 zone applying for kindergarten for the 2018-2019 school year will receive an offer consistent with the standard kindergarten admissions process described in the amended EIS.

There is sufficient capacity across other elementary schools throughout District 16 to accommodate future students who might have enrolled in P.S. 25. For further information about capacity to accommodate elementary school students across District 16, see the amended EIS.

#### B. Rationale for Closure:

The NYCDOE has implemented an expanded support and supervision structure that allows for regular engagement and evaluation of schools to ensure that every student in New York City receives a high-quality education and is prepared for college and career. As a result, the NYCDOE has identified schools, including P.S. 25, that have experienced persistently low enrollment and lack of demand by students and families. At P.S. 25, these ongoing challenges have contributed to a loss of per-pupil funding, potentially resulting in fewer academic, extracurricular and athletic opportunities than schools with robust enrollment. Teachers have few opportunities for instructional collaboration with colleagues as they are often the only staff member teaching a particular grade.

P.S. 25 has struggled with declining enrollment and low demand by students and families, despite increasing test scores over the last three years and multiple prior interventions, such as programmatic changes at the school, recruitment and re-branding support, and school re-design.

RECEIVED NYSCEF: 04/12/2018

INDEX NO. 506124/2018

During the 2014-2015 school year, P.S. 25 served 164 students in grades K-5. In the current 2017-2018 school year, P.S. 25 is serving a total of just 94 students in grades K-5, which represents a 43% decline in enrollment in the past three years. Additionally, only 26% of kindergarten applicants ranked P.S. 25 first, well below the district median of 40%, and only 8% of kindergarten students residing in the P.S. 25 zone chose to enroll in P.S. 25 for kindergarten in the 2017-2018 school year.

#### C. Impact on K025:

NYSCEF DOC. NO. 11

K025 has the capacity to serve a total of 1,004 students according to the 2016-2017 Enrollment, Capacity and Utilization Report, also known as the Blue Book. The Blue Book can be found online at: https://dnnhh5cc1.blob.core.windows.net/portals/0/Capital Plan/Utilization Reports/Blue%20Book%202

2017.pdf?sr=b&si=DNNFileManagerPolicy&sig=g7eZjXLOaaZfmXPHd0cFOjryIfBrVwF8D5mf9IFcSp A%3D.

In the current 2017-2018 school year, 261 total students are being served across P.S. 25 and SA Bed Stuy 3, which yields a building utilization rate of 26%. More details about space are available in the amended EIS.

If this proposal is approved, in the 2018-2019 school year, SA Bed Stuy 3 is projected to serve 200-240 students. As such, in the 2018-2019 school year, K025 will have a projected building utilization rate of 20-24%. When SA Bed Stuy 3 is at scale in the 2019-2020 school year, K025 will have a projected building utilization rate of 25-30%.

If the closure of P.S. 25 is approved, K025 will be further underutilized, meaning it will have additional capacity to accommodate additional students. If applicable, pursuant to Chancellor's Regulation A-190, the NYCDOE may issue an EIS for the future use of space in K025.

Information regarding where the full text of the proposed item may be H. obtained.

The amended EIS is available in the main offices of P.S. 25 and SA Bed Stuy 3, as well as on the NYCDOE's website at: http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2017-2018/February282018SchoolProposals.

#### III. Submission of public comment.

Members of the public who wish to provide comments are encouraged to attend the Joint Public Hearing for this proposal and share their feedback in person. All comments must be submitted at least 24 hours in advance of the PEP meeting at which this proposal is subject to a vote in order to be mentioned in the Public Comment Analysis to be published and provided to the PEP the evening before the PEP votes.

Members of the public that do not provide comments at the hearing may also provide oral or written comments as follows:

- Written comments can be sent to <u>D16Proposals@schools.nyc.gov.</u>
- Oral comments can be left at 212-374-0208.

NYSCEF DOC. NO. 11

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018

IV. The NYCDOE representative who can provide further information on this proposal.

Name: Kelly Krag-Arnold Office: Office of District Planning

Address: 100 Gold Street, Suite 3200, New York, NY 10038

Email: <u>D16Proposals@schools.nyc.gov</u>

Phone: 212-374-0208

V. Date, time and location of the Joint Public Hearing for this proposal.

Date: February 5, 2018

Time: 6 p.m.

Location: Building K025, 787 Lafayette Avenue, Brooklyn NY, 11221

Speaker sign-up will begin 30 minutes the hearing, at 5:30 PM, and will close 15 minutes after the start of the hearing.

Attendees with concerns about access to the hearing location should call 212-374-0208 or email accessibility@schools.nyc.gov. Requests for accommodations will be fielded up to 72 hours before the hearing.

VI. Date, time and location of the PEP meeting at which this proposal will be voted on.

Date: February 28, 2018

Time: 6 p.m.

Location: Murry Bergtraum High School for Business Careers, 411 Pearl Street, New York, NY 10038

Attendees with disabilities or with concerns about access to the PEP meeting location should call 212-374-0208 or email <u>accessibility@schools.nyc.gov</u>. Requests for accommodations will be fielded up to 72 hours before the hearing.

NYSCEF DOC. NO. 12

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018

**Exhibit C** 

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



Release Date: January 5, 2018

# EDUCATIONAL IMPACT STATEMENT

The Proposed Closure of P.S. 25 Eubie Blake School (16K025) in Building K025 at the End of the 2017-2018 School Year

# I. Summary of Proposal

The New York City Department of Education (NYCDOE) is proposing the closure of P.S. 25 Eubie Blake School (16K025), referred to as P.S. 25, in building K025 at the end of the 2017-2018 school year. P.S. 25 is an existing zoned elementary school serving students in grades K-5 and offering a pre-Kindergarten (pre-K) program. P.S. 25 is currently co-located with Success Academy – Bed Stuy 3 (84K883), referred to as SA Bed Stuy 3, in building K025, located at 787 Lafayette Avenue, Brooklyn NY, 11221 in Community School District 16. SA Bed Stuy 3 currently serves students in grades K-2 and will add one grade each year until it reaches full scale and serves students in grades K-4 in the 2019-2020 school year.

A co-location means that two or more school organizations are located in the same building and may share common spaces, such as:

- Auditoriums;
- Gymnasiums;
- · Libraries; and
- Cafeterias.

The NYCDOE is proposing the closure of P.S. 25 based on its persistently low enrollment and lack of demand from students and families. If this proposal is approved, P.S. 25 will close at the end of the 2017-2018 school year and will no longer exist as an elementary school option in the 2018-2019 school year. All students continuing in elementary school will receive an alternative elementary school option before being discharged from the closing school.

If the proposed closure is approved, NYCDOE staff will work individually with all current students in grades K-4 as well as current students in grade 5 who do not meet promotional criteria, to identify a strong school option that meets their needs. These families will receive a customized application with elementary school options within District 16 whose performance approaches P.S. 25's and a small number of options outside of District 16 whose performance exceeds that of P.S. 25. Families will be matched to another school for the 2018-2019 school year. The superintendent's office and the Family Welcome Center (FWC) counselors will provide individualized enrollment support to help students and families in thinking through the options presented in order to ensure that students choose the right school to continue their education for the 2018-2019 school year and beyond. NYCDOE staff will also work with schools that are listed on the application to hold tours for prospective families from P.S. 25.

NYSCEF DOC. NO. 12

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



2

All current pre-K students will participate in the standard kindergarten admissions process as described in Appendix C, and current 5th grade students who meet promotional criteria will enroll in the middle school to which they are matched in the standard middle school admissions process. For further information about elementary school and middle school admissions, see Appendix C of this EIS or visit the NYCDOE's website at: <a href="http://schools.nyc.gov/choicesenrollment/elementary/default.htm">http://schools.nyc.gov/choicesenrollment/elementary/default.htm</a>.

If this proposal is approved, students residing in the current P.S. 25 elementary school zone will no longer have access to their zoned option as of the 2018-2019 school year. The Office of District Planning and the District 16 Community Superintendent are working with Community Educational Council 16 to develop a rezoning plan for the zone that currently serves P.S. 25. Regardless of whether or not a rezoning plan is in place by the 2018-2019 school year, all students residing in the current P.S. 25 zone applying for kindergarten for the 2018-2019 school year will receive an offer consistent with the standard kindergarten admissions process described in Appendix C.

There is sufficient capacity across other elementary schools throughout District 16 to accommodate future students who might have enrolled in P.S. 25. For further information about capacity to accommodate elementary school students across District 16, see Section III.D of this EIS.

#### A. Rationale for Closure

The NYCDOE has implemented an expanded support and supervision structure that allows for regular engagement and evaluation of schools to ensure that every student in New York City receives a high-quality education and is prepared for college and career. As a result, the NYCDOE has identified schools, including P.S. 25, that have experienced persistently low enrollment and lack of demand by students and families. At P.S. 25, these ongoing challenges have contributed to a loss of per-pupil funding, potentially resulting in fewer academic, extracurricular and athletic opportunities than schools with robust enrollment. Teachers have few opportunities for instructional collaboration with colleagues as they are often the only staff member teaching a particular grade.

P.S. 25 has struggled with declining enrollment and low demand by students and families, despite increasing test scores over the last three years and multiple prior interventions, such as programmatic changes at the school, recruitment and re-branding support, and school re-design.

During the 2014-2015 school year, P.S. 25 served 164 students in grades K-5. In the current 2017-2018 school year, P.S. 25 is serving a total of just 94 students in grades K-5, which represents a 43% decline in enrollment in the past three years. Additionally, only 26% of kindergarten applicants ranked P.S. 25 first, well below the district median of 40%, and only 8% of kindergarten students residing in the P.S. 25 zone chose to enroll in P.S. 25 for kindergarten in the 2017-2018 school year.

#### B. Impact on K025

K025 has the capacity to serve a total of 1,004 students according to the 2016-2017 Enrollment, Capacity and Utilization Report, also known as the Blue Book. The Blue Book can be found online at: https://dnnhh5cc1.blob.core.windows.net/portals/0/Capital\_Plan/Utilization\_Reports/Blue%20Book%202

NYSCEF DOC. NO. 12

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



3

016-

<u>2017.pdf?sr=b&si=DNNFileManagerPolicy&sig=g7eZjXLOaaZfmXPHd0cFOjryIfBrVwF8D5mf9IFcSp</u>A%3D.

In the current 2017-2018 school year, 261 total students are being served across P.S. 25 and SA Bed Stuy 3, which yields a building utilization rate of 26%." More details about space are available in Section III.B and Appendices B and D of this EIS.

If this proposal is approved, in the 2018-2019 school year, SA Bed Stuy 3 is projected to serve 200-240 students. As such, in the 2018-2019 school year, K025 will have a projected building utilization rate of 20-24%. When SA Bed Stuy 3 is at scale in the 2019-2020 school year, K025 will have a projected building utilization rate of 25-30%.

If the closure of P.S. 25 is approved, K025 will be further underutilized, meaning it will have additional capacity to accommodate additional students. If applicable, pursuant to Chancellor's Regulation A-190, the NYCDOE may issue an EIS for the future use of space in K025.

#### C. Community Engagement

Engagement was conducted in the course of creating this proposal, including:

- Calls were made to families of P.S. 25 on December 18, 2017 to notify them of the proposed closure and community meeting scheduled for December 19, 2017.
- Letters notifying P.S. 25 families of this proposed closure and the December 19, 2017 community meeting were backpacked home with students on December 18, 2017.
- A community meeting was held at P.S. 25 on December 19, 2017 to discuss the proposal and take questions.

The NYCDOE will provide additional public engagement opportunities following this posting, including:

- A Joint Public Hearing to be held at K025, open to the public. Attendees are encouraged to comment on this proposal during the public comment portion of the hearing.
- A dedicated phone line and email address to accept public comment at any time following the posting of this proposal. Comments can be submitted in any language by calling 212-374-0208 or emailing <u>D16Proposals@schools.nyc.gov</u>.
- A PEP meeting that is open to the public where attendees can provide comments. At the meeting, PEP members are anticipated to vote on several proposals, including this one.

All comments received at the Joint Public Hearings or through the phone line or email address by 6 p.m. on the day before the PEP meeting will be addressed by the NYCDOE in a Public Comment Analysis.

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



4

The Public Comment Analysis is made available to the public after 6 p.m. on the day before the PEP meeting.

More information about the upcoming Joint Public Hearings and PEP meeting can be found on the NYCDOE's website at: <a href="http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2017-2018/February282018SchoolProposals">http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2017-2018/February282018SchoolProposals</a>.

### II. Proposed or Potential Use of Building K025

As stated above, according to the Blue Book, K025 has a target capacity of 1,004 students. During the current 2017-2018 school year, K025 is serving approximately 261 students across both schools. The enrollment for each school in K025 is as follows:

- P.S. 25 is serving approximately 102 students in grades K-5 and pre-K; and
- SA Bed Stuy 3 is serving approximately 159 students.

This yields a building utilization rate of 26%. The concept of target capacity and the related concept of utilization rate are explained in Appendix B of this EIS.

If this proposal is approved, in 2018-2019, SA Bed Stuy 3 is expected to serve 200-240 students. This will yield a projected building utilization rate of 20-24% in K025 during the 2018-2019 school year. At scale in the 2019-2020 school year, SA Bed Stuy 3 is expected to serve 255-305 students in grades K-4. This will yield a projected building utilization rate of 25-30% in K025 during the 2019-2020 school year.

Table 1 below describes the grades and programs offered in K025 over a three-year period if this proposal is approved.

TABLE 1: GRADES AND PROGRAMS OFFERED IN BUILDING KO25 FOR SCHOOL YEARS 2017-2018, 2018-2019, AND 2019-2020

DBN	School Name	2017-	2018-	2019-	
		2018	2019	2020	
16K025	P.S. 25	K-5, Pre-K	N/A	N/A	
84K883	SA Bed Stuy 3	K-2	K-3	K-4	

Table 2 below shows the current and projected enrollment and utilization rate in K025 over a three-year period if this proposal is approved.

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



5

TABLE 2: CURRENT AND PROJECTED ENROLLMENT AND UTILIZATION RATES IN BUILDING KO25 FOR SCHOOL YEARS 2017-2018, 2018-2019, AND 2019-2020

DBN	School Name	2017-2018 Enrollment <sup>iv</sup>	2018-2019 Projected Enrollment	2019-2020 Projected Enrollment
16K025	P.S. 25	102	N/A	N/A
84K883	SA Bed Stuy 3	159	200 - 240	255-305
Total Building Enrollment		261	200 - 240	255-305
Utilization		26%	20 - 24%	25 - 30%

Pursuant to Chancellor's Regulation A-190, the NYCDOE may issue an EIS for the future use of space in K025, if applicable.

If this proposal is approved, SA Bed Stuy 3 will receive its baseline or adjusted baseline allocation pursuant to the Citywide Instructional Footprint (the Footprint). The Footprint guides space allocation and use in city schools and can be found on the NYCDOE's website at: <a href="http://schools.nyc.gov/Offices/OSP/KeyDocuments/Instructional Footprint">http://schools.nyc.gov/Offices/OSP/KeyDocuments/Instructional Footprint</a>.

Additional details about space are available in Section III.B and Appendices B and D of this EIS.

# III. Impact of the Proposal on Students, Schools, and Community

#### A. Impact on Students

If this proposal is approved, P.S. 25 will close at the end of the 2017-2018 school year and will no longer exist as an elementary school option in District 16 beginning in the 2018-2019 school year. All current P.S. 25 students will continue to be served at the school for the remainder of the 2017-2018 school year.

As noted, NYCDOE staff will work individually with current students in grades K-4, as well as current students in grade 5 who do not meet promotional criteria, to offer those students seats in other strong elementary schools in District 16 and a small number of schools outside of District 16. Current pre-K students and current fifth grade students who meet promotional criteria will complete school at P.S. 25 at the end of the 2017-2018 school year and continue on to an elementary or middle school to which they are matched through the kindergarten or middle school admissions processes respectively.

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



6

#### 1. IMPACT ON CURRENT STUDENTS ATTENDING P.S. 25

#### ACADEMIC OFFERINGS:

P.S. 25 will continue to offer all classes to support current students as they work to meet mandated articulation and mandated promotional requirements for the remainder of the 2017-2018 school year. If this proposal is approved, beginning in the 2018-2019 school year, P.S. 25 will no longer offer any academic programming as it will cease to exist as a school option.

P.S. 25 currently serves general education students and students requiring special education services, including:

- Integrated Co-Teaching (ICT);
- Special Class Services (SC);
- Special Education Teacher Support Services (SETSS); and
- Other related services.

Students with disabilities will continue to receive services in accordance with their Individualized Education Program (IEP). Services are tailored to meet the individual needs of the students with disabilities currently enrolled and, as such, may vary from year to year. All current students enrolled at P.S. 25 will continue to receive all mandated special education services for the duration of the school year if this proposal is approved.

In addition, English Language Learner (ELL) students currently enrolled at P.S. 25 receive English as a New Language (ENL) services. If this proposal is approved, these services will continue to be provided to those students currently attending P.S. 25 and all students will receive their mandated services for the duration of the school year.

If this proposal is approved, current P.S. 25 students who receive special education or ENL services will receive any mandated services at their new schools.

Current students receiving special education or ENL services at P.S. 25 will also receive individualized support from the superintendent's staff and FWC counselors to find a new school aligned to their needs.

EXTRA-CURRICULAR ACTIVITIES AND PROGRAMS, SPORTS AND PARTNERSHIPS:

This proposal is not expected to impact any particular academic or extra-curricular programs currently offered at P.S. 25 for the duration of the current school year.

P.S. 25 currently offers the following:

- Extra-Curricular Activities and Programs:
  - o Math game club;
  - o Writer's workshop;
  - o Club 25;
  - o Juice bar;

NYSCEF DOC. NO. 12

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



7

- o Cool Men Read;
- o Diva Darlings Read;
- o Science explorers club;
- o Chess club;
- o Conflict resolution;
- o Braiding club;
- o STEM club;
- o Chorus;
- o Student government;
- o Drama club;
- Dance and stepping;
- o Cheerleading;
- o School newspaper;
- o Visual arts;
- o Computer club;
- o CookShop for students and parents;
- o Parent lending library;
- o Trip club;
- o Rising Stars After School;
- o Urban Dove Recreational and Homework Help After School Program;
- Music and the Brain Piano Program;
- o Drumming club;
- Activity Works;
- o Monthly student performance assemblies;
- o Dunk the Junk;
- Health and wellness program;
- One-to-one laptop program; and
- o Kindle and iPads for students.
- Sports:
  - o Basketball; and
  - o New York Junior Tennis League.
- Partnerships:
  - o 79th Police Precinct;
  - o SAPIS program;
  - o NYU Dental;
  - o Urban Dove;
  - o Medgar Evers College Pipeline Initiative;
  - o PENCIL:
  - o PriceWaterhouse Cooper;
  - Learning Leaders;
  - Gift of Sight;
  - o Hip Hop Public Health;
  - o Safety City;
  - o Shape Up New York;
  - o NSA Supermarket;

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



8

- o Family Center;
- o Food Bank NYC;
- Verizon;
- o Legal Lives;
- o Studio-in-a-School; and
- o 3GLP Afterschool Literacy Program.

If this proposal is approved, P.S. 25 will close at the end of the 2017-2018 school year and will no longer offer the above extra-curricular activities, sports, and partnerships. However, current P.S. 25 students will have the opportunity to participate in programs, partnerships, extra-curricular activities and clubs at their new schools, which will be offered based on student interests, available resources, and staff support for those programs, though the specific programs offered at a given school are always subject to change. That is true for all City schools, which annually modify extra-curricular offerings based on student demand and available resources.

#### ADMISSIONS:

If the proposed closure is approved, NYCDOE staff will work individually with all current students in grades K-4 as well as current students in grade 5 who do not meet promotional criteria, to identify a strong school option that meets their needs. These families will receive a customized application with elementary school options within District 16 whose performance approaches P.S. 25's and a small number of options outside of District 16 whose performance exceeds that of P.S. 25. Families will be matched to another school for the 2018-2019 school year. The superintendent's office and the FWC counselors will provide individualized enrollment support to help students and families in thinking through the options presented in order to ensure that students choose the right school to continue their education for the 2018-2019 school year and beyond. All students will receive alternative options for enrollment in another school before being discharged from P.S. 25.

Current fifth grade students who meet graduation requirements at the end of the current school year will graduate from P.S. 25 and attend the middle school to which they were matched in the middle school admissions process.

Please see Appendix A for a list of district and charter elementary schools in District 16.

For further information about the elementary school admissions process, visit the NYCDOE's website at: http://schools.nvc.gov/ChoicesEnrollment/Elementary/default.htm.

#### 2. IMPACT ON CURRENT AND FUTURE STUDENTS ATTENDING SA BED STUY 3

#### ACADEMIC OFFERINGS:

This proposal is not expected to impact current or future enrollment, academic offerings, or extracurricular programming at SA Bed Stuy 3.

NYSCEF DOC. NO. 12

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



9

SA Bed Stuy 3 currently serves general education students and students requiring special education services. SA Bed Stuy 3 also serves ELL students. The NYCDOE does not anticipate that this proposal will impact SA Bed Stuy 3's ability to provide mandated services.

#### EXTRA-CURRICULAR ACTIVITIES AND PROGRAMS, SPORTS AND PARTNERSHIPS:

SA Bed Stuy 3 currently has an extended school day and offers a variety of programs, special initiatives, and extracurricular activities during its regular school day.

The NYCDOE does not anticipate that this proposal will impact SA Bed Stuy 3's ability to continue to offer programming and extra-curricular activities based on student interests, available resources, and staff support for those programs.

#### **ADMISSIONS:**

If this proposal is approved, there will be no impact on the manner in which SA admits students. Currently, SA Bed Stuy 3 admits students through a charter lottery application with preference to siblings of current or accepted students, children of Success Academy employees, and to applicants residing in District 16. A weighted preference is also given to English Language Learners. Additional information on Success Academy can be found online: https://www.successacademies.org/.

#### 3. IMPACT ON FUTURE ELEMENTARY SCHOOL STUDENTS IN DISTRICT 16

If this proposal is approved, students in District 16 will no longer have the opportunity to enroll in P.S. 25 for elementary school. They will, however, continue to have access to a broad range of elementary school options. This proposal is not expected to otherwise impact the admissions process at other District 16 elementary schools. As described in greater detail in Section III D of this EIS, there will continue to be sufficient kindergarten seats in District 16 to accommodate future students who may have otherwise enrolled in P.S. 25. Please see Appendix A of this EIS for a general list of district and charter schools serving elementary school grades in District 16.

Students who applied to P.S. 25 for kindergarten through the elementary school admissions process for the 2018-2019 school year will have that choice removed from their applications and be matched to another school ranked on their application, where possible. If a student does not match to one of the programs ranked on their application or does not submit an application, they will receive a placement in a school where they are eligible to attend elementary school within their district of residence.

If this proposal is approved, students residing in the current P.S. 25 elementary school zone will no longer have access to their zoned option as of the 2018-2019 school year. The Office of District Planning and the District 16 Community Superintendent are working with Community Educational Council 16 to develop a rezoning plan for the zone that currently serves P.S. 25. Regardless of whether or not a rezoning plan is in place by the 2018-2019 school year, all students residing in the current P.S. 25 zone applying for

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



10

kindergarten for the 2018-2019 school year will receive an offer consistent with the standard kindergarten admissions process described in Appendix C.

If this proposal is approved, district schools will continue to give priority to students in accordance with Chancellor's Regulation A-101 and through the elementary school admissions process described in further detail in Appendix B of this EIS, as well as on the NYCDOE's website at: <a href="http://schools.nyc.gov/ChoicesEnrollment/Elementary/default.htm">http://schools.nyc.gov/ChoicesEnrollment/Elementary/default.htm</a>.

#### 4. IMPACT ON PRE-K PROGRAM

If this proposal is approved. P.S. 25 will close at the end of the 2017-2018 school year and will no longer exist as a school option. If the closure of P.S. 25 is approved, the associated pre-K program at P.S. 25 will not be offered beginning in the 2018-2019 school year.

Incoming pre-K students can apply to pre-K programs through the centralized pre-K admissions process. Students in District 16 will continue to be offered placement in pre-K programs based on the priorities outlined in Chancellor's Regulation A-101.

The full details of Chancellor's Regulation A-101 can be found on the NYCDOE's website at: <a href="http://schools.nyc.gov/RulesPolicies/ChancellorsRegulations/default.htm">http://schools.nyc.gov/RulesPolicies/ChancellorsRegulations/default.htm</a>.

Please see Appendix C of this EIS for more information on pre-K admissions.

### B. Impact on the Allocation of Space to Schools in Building K025

If this proposal is approved, P.S. 25 will close at the end of the 2017-2018 school year and will no longer exist as a school option. As stated above, the projected enrollment for SA Bed Stuy 3 in 2018-2019 is 200-240 students.

This will yield a projected building utilization rate of 20-24% in K025 during the 2018-2019 school year. Therefore, if this proposal is approved, there will be sufficient instructional and administrative space to accommodate SA Bed Stuy 3 pursuant to the Footprint.

Please see Appendix D of this EIS for more information on the Footprint, which guides space allocation and use in City schools.

The Footprint can also be found on the NYCDOE's website at: http://schools.nyc.gov/Offices/OSP/KeyDocuments/Instructional Footprint.

### 1. Overview of Space in Building K025

According to a space verification on December 13, 2017 by a representative of the NYCDOE's Office of Space Planning, K025 has a total of:

• 52 full-size rooms (FS) vi;

RECEIVED NYSCEF: 04/12/2018

INDEX NO. 506124/2018



11

- 3 half-size rooms (HS) vii;
- 4 quarter-size rooms (QS)viii; and
- 4.5 full-size equivalent (FSE) rooms of designed administrative space.

The spaces listed below are shared spaces or contain building services and will not be included in the allocation of space for an individual school:

- The school nurse's office occupies 0.5 FSE rooms of designed administrative space;
- The School-Based Support Team occupies 1 QS; and
- The custodian's office occupies 1 QS.

This means that K025 has 2 QS and 0.5 FSE rooms of designed administrative space that will not be allocated to any specific school.

K025 also has the following shared spaces, which will not be included in the allocation of space for an individual school:

- A gymnasium;
- An auditorium;
- A library; and
- A cafeteria.

Excluding the spaces outlined above, K025 has the following rooms available to be allocated to schools:

- 52 FS;
- 3 HS;
- 2 QS; and
- 4.0 FSE rooms of designed adminstrative space.
- 2. Space Allocation for Schools in K025 in the 2017-2018 School Year

SPACE ALLOCATION FOR P.S. 25

In the 2017-2018 school year, P.S. 25's baseline Footprint allocation is:

- 8 FS;
- 3 HS; and
- 2.0 FSE rooms for administrative use.

The NYCDOE has adjusted P.S. 25's baseline Footprint allocation due to a lack of HS suitable for instructional purposes. As such, P.S. 25's adjusted baseline Footprint is:

- 11 FS; and
- 2.0 FSE rooms for administrative use comprised of:
  - o 2.0 FSE rooms of designed adminstrative space.

In the current 2017-2018 school year, P.S. 25 is using a total of:

• 31 FS;

INDEX NO. 506124/2018
RECEIVED NYSCEF: 04/12/2018



12

- 2 HS;
- 2 QS; and
- 2.5 FSE rooms of designed adminstrative space.

Therefore, in the 2017-2018 school year, P.S. 25 is using the following rooms in excess of its adjusted baseline allocation:

- 20 FS;
- 2 HS;
- 2 QS; and
- 0.5 FSE rooms of designed adminstrative space.

#### SPACE ALLOCATION FOR SA BED STUY 3

In the 2017-2018 school year, SA Bed Stuy 3's baseline Footprint allocation is:

- 11 FS;
- 2 HS; and
- 2.5 FSE rooms for administrative use.

The NYCDOE has adjusted SA Bed Stuy 3's baseline Footprint allocation due to a lack of HS suitable for instructional purposes. As such, SA Bed Stuy 3's adjusted baseline Footprint is:

- 12 FS;
- 1 HS; and
- 2.5 FSE rooms for administrative use comprised of:
  - o 1 FS; and
  - o 1.5 FSE rooms of designed administrative space.

In the current 2017-2018 school year, SA Bed Stuy 3 is using a total of:

- 21 FS;
- 1 HS; and
- 1.5 FSE rooms of designed administrative space.

Therefore, in the 2017-2018 school year, SA Bed Stuy 3 is using the following rooms in excess of its baseline allocation:

- 9 FS.
- 3. Space Allocation for SA Bed Stuy in K025 in the 2018-2019 and 2019-2020 School Years

In the 2018-2019 school year, SA Bed Stuy 3's baseline Footprint allocation will be:

- 15 FS;
- 2 HS; and
- 3.5 FSE rooms for administrative use.

The NYCDOE has adjusted SA Bed Stuy 3's baseline Footprint allocation due to a lack of HS suitable for instructional purposes. As such, SA Bed Stuy 3's adjusted baseline Footprint is:

RECEIVED NYSCEF: 04/12/2018



13

- 16 FS:
- 1 HS; and
- 3.5 FSE rooms for administrative use comprised of:
  - o 2 FS; and
  - o 1.5 FSE rooms of designed administrative space.

At scale in the 2019-2020 school year and beyond, SA Bed Stuy 3's baseline Footprint allocation will be:

- 18 FS;
- 2 HS; and
- 4.0 FSE rooms for administrative use.

The NYCDOE has adjusted SA Bed Stuy 3's baseline Footprint allocation due to a lack of HS suitable for instructional purposes. As such, SA Bed Stuy 3's adjusted baseline Footprint in the 2019-2020 school year and beyond is:

- 20 FS; and
- 4.0 FSE rooms for administrative use comprised of:
  - o 2 FS;
  - o 1 HS; and
  - o 1.5 FSE rooms of designed administrative space.

Table 3 below shows the total FS rooms to be allocated in K025 per each school's baseline or adjusted baseline Footprint allocations described above, including any FS allocated for administrative space.

TABLE 3: TOTAL FULL-SIZE ROOM ALLOCATIONS IN KO25 FOR SCHOOL YEARS 2017-2018, 2018-2019, 2019-2020

	2017-2018	2018-2019	2019-2020
P.S. 25 (16K025)	11	-	-
SA Bed Stuy 3 (84K833)	13	18	22
Total FS baseline or adjusted baseline allocated to schools	24	18	22
Total FS to be allocated in K025	52	52	52
FS available in excess of baseline or adjusted baseline Footprint	28	34	30

Therefore, K025 has enough space to accommodate SA Bed Stuy 3's baseline Footprint allocation to serve grades K-4.

If this proposal is approved, K025 will then be under-utilized, meaning it will have more capacity to accommodate additional students. Pursuant to Chancellor's Regulation A-190, the NYCDOE may issue an EIS for the future use of space in K025, if applicable.

NYSCEF DOC. NO. 12

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



14

#### C. Building Safety and Security

NYCDOE will work with all district and charter schools to develop safety and security plans prior to the first day of school in the 2018-2019 school year. The NYCDOE makes the following safety and security supports available to schools:

- Providing the Best Practice Standards for Creating and Sustaining a Safe and Supportive School as a resource guide;
- Technical assistance via the Borough Safety Directors when incidents occur; and
- Professional development and kits for Building Response Teams.

## D. Impact on the Community

P.S. 25 has experienced consistent decline in enrollment and low demand by students and families. These issues negatively impact the school's ability to serve students and provide robust programming and resources. The NYCDOE strives to ensure that all families have access to high-quality school options that meet their children's needs. The declining student enrollment at P.S. 25 over the past several years indicates that there is a need to provide stronger options for future and current students in the P.S. 25 community.

Students currently attending P.S. 25 who are continuing in elementary school will have the opportunity to attend other elementary schools beginning in the 2018-2019 school year. If the proposed closure of P.S. 25 is approved, all students continuing in elementary school will receive individualized enrollment support from the superintendent's staff and FWC counselors to find a seat at another elementary school for the 2018-2019 school year that is aligned to his or her needs. This will include an application process through which students will be offered options of other elementary schools from which to choose. All students will receive alternative options for enrollment in another school before being discharged from P.S. 25.

If this proposal is approved, there is sufficient capacity in elementary schools throughout District 16 to accommodate future students who would have otherwise enrolled in P.S. 25. District 16 district schools currently have the capacity to serve approximately 6,500 students in grades K-5 while only 3,110 such students are currently enrolled in 2017-2018. This proposal is expected to help reduce the excess of over 3,400 elementary school seats in District 16 and support enrollment as other elementary schools across the district that will enroll future students who may have otherwise attended elementary school at P.S. 25. If the closure of P.S. 25 is approved, District 16 district elementary schools will have the capacity to serve approximately 5,950 students in grades K-5 and will have an excess of about 2,850 elementary school seats.

There are also approximately 3,052 elementary school students being served in eight charter schools in District 16. Students in District 16 can also apply to these schools. More information can be found on the DOE website at: <a href="http://schools.nyc.gov/community/charters/information/directory.htm">http://schools.nyc.gov/community/charters/information/directory.htm</a>.

If this proposal is approved, the closure of P.S. 25 may have a small impact on future enrollment at other district and charter schools serving elementary school grades. In particular, enrollment at the schools

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



15

listed in Appendix A may increase slightly; however, this proposal is not expected to have a material impact on any one school in particular.

This proposal is not expected to impact the ability of community members and organizations to obtain school building use permits at K025. This proposal is not expected to impact the accessibility of K025, which is not accessible, for individuals with disabilities.

## IV. Enrollment, Admissions, and School Performance Information

#### A. P.S. 25

#### 1. ADMISSIONS DATA

**TABLE 4: CURRENT AND FUTURE ADMISSIONS METHOD: P.S. 25** 

Current admissions	Pre-K: Standard universal pre-K admissions process K-5: Zoned
Admissions if this proposal is approved	Pre-K: N/A K-5: N/A

#### 2. ENROLLMENT DATAix

## TABLE 5: P.S. 25 CURRENT AND PROJECTED ENROLLMENT BY GRADE OVER SCHOOL YEARS 2017-2018, 2018-2019, AND 2019-2020

School Year	Pre-	Grade KG	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Total Enrollment
2017-2018	8	13	16	14	19	11	21	102
2018-2019	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2019-2020	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

#### 3. DEMOGRAPHIC DATA<sup>x</sup>

#### TABLE 6: P.S. 25 DEMOGRAPHIC DATA

TABLE OF TOO DEMOCRATING DATE.	
Students with Disabilities (any student receiving an IEP)	26%
English Language Learners	7%
Students qualifying for free or reduced price lunch or eligible for Human Resources Administration benefits	98%

RECEIVED NYSCEF: 04/12/2018

INDEX NO. 506124/2018





16

### 4. SCHOOL PERFORMANCE DATA

#### TABLE 7: P.S. 25 SCHOOL QUALITY INDICATORS FROM SCHOOL YEARS 2014-2015, 2015-2016 AND 2016-2017

School Quality Indicatorsxi	2014-2015	2015-2016	2016-17
1.1 Rigorous, engaging, and coherent curricula aligned to the Common Core Learning Standards	N/A	Proficient	N/A
1.2 Research-based, effective instruction that yields high quality student work	N/A	Proficient	N/A
1.3 Aligned resource use to support instructional goals that meet students' needs	N/A	N/A	N/A
1.4 Structures for a positive learning environment, inclusive culture, and student success	N/A	N/A	N/A
2.2 Curricula-aligned assessment practices that inform instruction	N/A	Proficient	N/A
3.1 School level theory of action and goals shared by the school community	N/A	N/A	N/A
3.4 A culture of learning that communicates and supports high expectations	N/A	Proficient	N/A
4.1 Support and evaluation of teachers through the Danielson Framework and analysis of learning outcomes	N/A	N/A	N/A
4.2 Teacher teams engaged in collaborative practice using the inquiry approach to improve classroom practice	N/A	Proficient	N/A
5.1 Regularly evaluate school level decisions with a focus on the Common Core Learning Standards	N/A	N/A	N/A

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



17

TABLE 8: P.S. 25 PERFORMANCE DATA AND ATTENDANCE RATES FROM SCHOOL YEARS 2014-2015, 2015-2016 AND 2016-2017

Performance Data and Attendance Rates <sup>xii</sup>	2014-2015	2015-2016	2016-2017
Percentage of students proficient in English Language Arts <sup>xm</sup>	12%	29%	50%
Percentage of students proficient in math <sup>xiv</sup>	22%	32%	53%
Attendance Rate	91%	91%	89%

The New York State Education Department, referred to as SED, assigns an accountability status to each district school. Current school accountability designations assigned by SED, Good Standing, Local Assistance Plan, Focus, or Priority, are consistent with New York State's approved Elementary and Secondary Education Act (ESEA) Flexibility Waiver. The 2017-2018 State Accountability Status of P.S. 25 is in Good Standing. For more information about accountability status, please visit the SED website at: <a href="http://www.pl2.nysed.gov/accountability/ESEADesignations.html">http://www.pl2.nysed.gov/accountability/ESEADesignations.html</a>.

### B. SA Bed Stuy 3

#### 1. ADMISSIONS METHOD

TABLE 9: CURRENT AND FUTURE ADMISSIONS METHOD: SA BED STUY 3

Current admissions	Grades K-5: Charter Lottery
Admissions if this proposal is approved	Grades K-5: Charter Lottery

#### 2. ENROLLMENT DATAXV

## TABLE 10: SA BED STUY 3 CURRENT AND PROJECTED ENROLLMENT BY GRADE FOR THE 2017-2018, 2018-2019, AND 2019-2020 SCHOOL YEARS

School Year	Grade KG	Grade	Grade 2	Grade 3	Grade 4	Total Enrollment
2017-2018	43	70	46	N/A	N/A	159
2018-2019	55-65	40-50	65-75	40-50	N/A	200-240
2019-2020	55-65	55-65	40-50	65-75	40-50	255-305

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



18

#### 3. DEMOGRAPHIC DATAxvi

#### TABLE 11: SA BED STUY 3 DEMOGRAPHIC DATA

Students with Disabilities (any student receiving an IEP)	15%
English Language Learners	4%
Students qualifying for free or reduced price lunch or eligible	44%
for Human Resources Administration (HRA) benefits	4470

#### 4. SCHOOL PERFORMANCE DATA

## TABLE 12: SA BED STUY 3 SCHOOL QUALITY INDICATORS FROM SCHOOL YEARS 2014-2015, 2015-2016 AND 2016-2017

School Quality Indicatorsxvii	2014-2015	2015-2016	2016-17
1.1 Rigorous, engaging, and coherent curricula aligned to the Common Core Learning Standards	N/A	N/A	N/A
1.2 Research-based, effective instruction that yields high quality student work	N/A	N/A	N/A
1.3 Aligned resource use to support instructional goals that meet students' needs	N/A	N/A	N/A
1.4 Structures for a positive learning environment, inclusive culture, and student success	N/A	N/A	N/A
2.2 Curricula-aligned assessment practices that inform instruction	N/A	N/A	N/A
3.1 School level theory of action and goals shared by the school community	N/A	N/A	N/A
3.4 A culture of learning that communicates and supports high expectations	N/A	N/A	N/A
4.1 Support and evaluation of teachers through the Danielson Framework and analysis of learning outcomes	N/A	N/A	N/A
4.2 Teacher teams engaged in collaborative practice using the inquiry approach to improve classroom practice	N/A	N/A	N/A
5.1 Regularly evaluate school level decisions with a focus on the Common Core Learning Standards	N/A	N/A	N/A

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



men Fariña, Chancollor

TABLE 13: SA BED STUY 3 PERFORMANCE DATA AND ATTENDANCES RATES FROM SCHOOL YEARS 2014-2015, 2015-2016 AND 2016-2017

Performance Data and Attendance Rates <sup>xviii</sup>	2014-2015	2015-2016	2016-2017
Percentage of students proficient in English Language Arts	N/A	N/A	N/A
Percentage of students proficient in math	N/A	N/A	N/A
Attendance Ratexix	N/A	N/A	N/A

The 2017-2018 State Accountability Status of SA Bed Stuy 3 is Good Standing.

## V. Initial Impact on Budget and Cost of Instruction

If this proposal is approved, once the closure is implemented, the NYCDOE will cease to allocate funds to P.S. 25 and will repurpose all remaining funds previously allocated to the school. Potential additional costs to the system may occur, however, if the teachers and other school staff from P.S. 25, in excess are unsuccessful in finding or being placed in other employment opportunities in the department. Eligible staff members would be placed in the Absent Teacher Reserve (ATR) pool, in accordance with existing labor contracts. The ATR pool is described further below.

If this proposal is approved, P.S. 25 will no longer exist as a distinct school option as of the 2018-2019 school year.

This proposal is not expected to impact costs of instruction or the operating budgets for SA Bed Stuy 3.

## VI. Other Impacts

#### A. Personnel Needs

If this proposal is approved, all teachers, administrative, and non-pedagogical staff at P.S. 25 will be excessed after the closure. \*\* All excessing would be conducted in accordance with existing labor contracts.

All excessed teachers will be eligible to apply for other City positions and any teachers who do not find a position would be placed in the ATR pool meaning that they will continue to earn their salary while serving as teachers in other City schools.

Students who would otherwise have enrolled in P.S. 25 would instead be enrolled in other elementary schools. Therefore, it is possible those schools might need to hire additional staff. Consequently, this proposal may not result in an overall loss of teaching positions within the citywide system.

This proposal is not expected to impact personnel needs for SA Bed Stuy 3.

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



20

#### B. Administration

If this proposal is approved, all school supervisor and/or administrator positions assigned to P.S. 25 would be excessed when the school is closed. Again, all excessing would take place in accordance with existing labor contracts.

This proposal is not expected to impact the administration at SA Bed Stuy 3.

#### C. Transportation

If this proposal is approved, transportation for students at P.S. 25 would continue to be provided for the remainder of the 2017-2018 school year according to Chancellor's Regulation A-801, available at <a href="http://docs.nycenet.edu/docushare/dsweb/Get/Document-39/A-801.pdf">http://docs.nycenet.edu/docushare/dsweb/Get/Document-39/A-801.pdf</a>.

This proposal is not expected to affect transportation practices at SA Bed Stuy 3 for the 2017-2018 school year or in future school years.

## D. Other Support Services

The provision of certain support services is described above. P.S. 25 would continue to receive other support services, consistent with citywide policy, for the remainder of the current school year, if this proposal is approved.

This proposal is not expected to impact support services for SA Bed Stuy 3.

NYSCEF DOC. NO. 12

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



21

VII. Building Information

VII. Building Information	
Building	K025
Type of Building	PS
Year Built	1942
Overall BCAS rating	2.47
2016-2017 Blue Book Target Building Utilization	23%
2016-2017 Blue Book Target Building Capacity	1,004
FY 2016 Maintenance Costs- Labor	\$22,197
FY 2016 Maintenance Costs- Materials	\$31,073
FY 2016 Maintenance Costs- Maintenance, repair, and service contracts	\$26,082
FY 2016 Maintenance Costs- Custodial operations costs—Materials	\$22,695
FY 2016 Maintenance Costs- Custodial operations costs—Custodial Allocation	\$350,773
FY 2017 Energy Costs- Electric	\$91,020
FY 2017 Energy Costs- Gas	\$61,702
FY 2017 Energy Costs- Oil	N/A
Projects completed during the current or prior school year	SECURITY:INTRUSION ALARM
Projects proposed in the capital plan	ROOFS/PARAPETS/EXTERIOR MASONRY/EXT DOORS CAPITAL TASK FORCE ROOM CONVERSION CLASSROOM CONNECTIVITY LEAD PAINT ABATEMENT
Accessibility of the building	No Accessibility
Building attributes	TEACHER'S ROOM, MUSIC ROOM, NURSE/MEDICAL SUITE, COMPUTER LAB, SCIENCE LAB LIBRARY, MULTI-PURPOSE CLASSROOM, AUDITORIUM GYMNASIUM

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



22

## Appendix A: District 16 Elementary School Options

All students will receive alternative options for enrollment before being discharged from P.S. 25. Please see the tables below for a list of district and charter schools serving elementary school grades in District 16.

TABLE 14: ALL DISTRICT SCHOOLS CURRENTLY SERVING GRADES K-5 IN DISTRICT 16

DBN	School Name	Address	Grade Span 2017- 2018	Grade Span at Scale	Admissions Method	2017-2018 Enrollment <sup>xxi</sup>	2016-2017 School Capacity <sup>xxii</sup>	2017- 2018 School Utilization
16K005	P.S. 005 Dr. Ronald Mcnair	820 Hancock Street	K-5	K-5	K: Zoned School	186	558	33%
16K021	P.S. 021 Crispus Attucks	180 Chauncey Street	K-5	K-5	K: Zoned School	523	769	68%
16K026	P.S. 026 Jesse Owens	1014 Lafayette Avenue	K-5	K-5	K: Zoned School	209	435	48%
16K028	P.S. 028 The Warren Prep Academy	1001 Herkimer Street	K-5	K-5	K: Zoned School	129	317	41%
16K040	P.S. 040 George W. Carver	265 Ralph Avenue	K-5	K-5	K: Zoned School	283	605	47%
16K081	P.S. 081 Thaddeus Stevens	990 Dekalb Avenue	K-5	K-5	K: Zoned School	269	650	41%
16K243	P.S. 243K- The Weeksville School	1580 Dean Street	K-5	K-5	K: Zoned School	206	481	43%
16K262	P.S. 262 El Hajj Malik El Shabazz Elementary School	500 Macon Street	K-5	K-5	K: Zoned School, MS: Unscreened	161	612	26%
16K308	P.S. 308 Clara Cardwell	616 Quincy Street	K-8	K-8	K: Zoned School, MS: Unscreened	260	726	36%
16K309	P.S. 309 The George E. Wibecan Preparatory Academy	794 Monroe Street	K-5	K-5	K: Zoned School	180	409	44%
16K335	P.S. 335 Granville T. Woods	130 Rochester Avenue	K-5	K-5	K: Zoned School	229	614	37%

NYSCEF DOC. NO. 12

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



rmen Fariña, Chancellor

16K627	Brighter Choice Community School	280 Hart Street	K-5	K-5	K: Zoned School	270	531	51%
16K628	Brooklyn Brownstone School	272 Macdonough Street	K-5	K-5	K: Non-Zoned School	231	233	99%

#### TABLE 15: ALL CHARTER SCHOOLS CURRENTLY SERVING GRADES K-5 IN DISTRICT 16

DBN	School Name	Address	Grade Span 2017- 2018	Grade Span at Scale	Admissions Method	2017-2018 Enrollment	2016-2017 School Capacity	2017-2018 School Utilization <sup>xxiii</sup>
84K406	Teaching Firms of America- Professional Preparatory Charter School	616 Quincy Street	K-7	K-8	Lottery	498	N/A	N/A
84K593	Excellence Boys Charter School	239 Patchen Avenue	K-8	K-8	Lottery	808	N/A	N/A
84K648	Bedford Stuyvesant Collegiate Charter School	800 Gates Avenue	5-8	5-12	Lottery	357	420	85%
84K649	La Cima Charter School	800 Gates Avenue	K-5	K-5	Lottery	398	377	106%
84K712	Excellence Girls Charter School	794 Monroe Street	K-12	K-12	Lottery	1475	N/A	N/A
84K731	Brooklyn Excelsior Charter School	856 Quincy Street	K-8	K-8	Lottery	638	N/A	N/A
84K782	Bedford Stuyvesant New Beginnings Charter School	82 Lewis Avenue	K-8	K-8	Lottery	678	N/A	N/A
84K883	Success Academy Charter School - Bed- Stuy 3	787 Lafayette Avenue	K-2	K-4	Lottery	159	422	38%

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



24

## Appendix B: Target Capacity and Utilization

As described in more detail in the Blue Book, 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 following components:

- The scheduled use of individual rooms as reported by principals during an annual facilities survey;
- The NYCDOE's goals for maximum classroom capacities, which are lower than the United Federation of Teachers 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).

The most recent year for which target capacity has been calculated for buildings is 2016-2017. The NYCDOE's projected utilization rates for the 2017-2018 school year and beyond are based on those figures. Thus, projected utilization rates for 2017-2018 and beyond provide only an approximation of a building's usage because each of the factors underlying target capacity may be adjusted by a principal from year to year to better accommodate students' needs.

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 will result in a lower utilization rate. Similarly, if a room previously used as a kindergarten classroom is subsequently used as a fifth-grade classroom, the building's target capacity will 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 NYCDOE's goal for maximum classroom capacity is higher for fifth-grade classrooms than for kindergarten classrooms. In this example, as well, assuming enrollment is constant, the utilization rate will decrease.

The Blue Book can be found online at:

https://dnnhh5cc1.blob.core.windows.net/portals/0/Capital\_Plan/Utilization\_Reports/Blue%20Book%202016-

<u>2017.pdf?sr=b&si=DNNFileManagerPolicy&sig=g7eZjX1.OaaZfmXPHd0cFOjrylfBrVwF8D5mf9lFcSpA%3D</u>

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



25

## Appendix C: School Admissions

#### **Elementary School Admissions**

There are three types of NYCDOE elementary schools:

- Zoned schools;
- Non-zoned schools; and
- Choice schools.

Most New York City students have a zoned school. This means they live in an area zoned for a specific school and have priority to attend it. The zoned school is the school where students are most likely to go to elementary school.

A student's zoned school is determined by the home address, in accordance with Chancellor's Regulation A-101. The full details of Chancellor's Regulation A-101 can be found on the NYCDOE's website at: <a href="http://schools.nyc.gov/RulesPolicies/ChancellorsRegulations/default.htm">http://schools.nyc.gov/RulesPolicies/ChancellorsRegulations/default.htm</a>. Zoned schools must serve all students residing in their zone, pending seat availability.

There are three districts in New York City that have no zoned schools: Districts 1, 7, and 23. All of the schools in these districts are called choice schools, and students living in these districts have priority to attend all schools in the district.

Admissions priorities are used to make students offers. Students are assigned an admissions priority group based on certain criteria, such as whether the student is zoned or has an older sibling in the school. Offers are made in order of priority group, starting from the group with the highest priority to attend the school to the lowest.

For 3-K, pre-K, and kindergarten, if there are more applicants than available seats within a priority group, seats will be assigned by random selection to members of that group, and the remainder will be placed on a waitlist.

Kindergarten offers are made to zoned schools in this priority group order, in accordance with Chancellor's Regulation A-101:

- a. Students who live in the zone, with a verified sibling; and
- b. Students who live in the zone, without a verified sibling.

If space allows, student living outside the zoned may also be admission, in the following order:

- c. Students who live in the district, with a verified sibling;
- d. Students who live outside the district, with a verified sibling;
- e. Students who live in the district and are currently enrolled at the school for pre-K;
- f. Students who live outside the district and are currently enrolled at the school for pre-K;
- g. Students who live in the district, other than those in Priority Groups c and e; and
- h. Students who live outside the district, other than those in Priority Groups d and f.

NYSCEF DOC. NO. 12

\_\_\_\_\_

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



26

Pre-K offers are made to zoned schools in this priority group order, in accordance with Chancellor's Regulation A-101:

- a. Students who live in the zone, with a verified sibling;
- b. Students who live in the zone, without a verified sibling;
- c. Students who live in the district, with a verified sibling;
- d. Students who live outside the district, with a verified sibling;
- e. Students who live in the district, other than those in Priority Group c; and
- f. Students who live outside the district, other than those in Priority Group d.

Non-zoned schools do not have a zone. Students throughout the district or borough can attend them. Most non-zoned schools give priority to students who have older siblings attending, who are current pre-K students, or who live in the district.

Kindergarten offers are made to non-zoned schools in this priority group order, in accordance with Chancellor's Regulation A-101:

- a. Students who live in the district, with a verified sibling;
- b. Students who live outside the district, with a verified sibling;
- c. Students who live in the district and are currently enrolled at the school for pre-K;
- d. Students who live outside the district and are currently enrolled at the school for pre-K;
- e. Students who live in the district, other than those in Priority Groups a and c; and
- f. Students who live outside the district, other than those in Priority Groups b and d.

Pre-K offers are made to non-zoned schools in this priority group order, in accordance with Chancellor's Regulation A-101:

- a. Students who live in the district, with a verified sibling;
- b. Students who live outside the district, with a verified sibling;
- c. Students who live in the district, other than those in Priority Group a; and
- d. Students who live outside the district, other than those in Priority Group b.

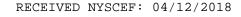
A sibling is defined as a brother or sister—including half-brothers, half-sisters, stepbrothers, stepsisters, foster brothers, and foster sisters—of the applicant, who lives in the same household, and is currently pre-registered or enrolled at that school in grades K-5, and will be enrolled at that school in grades K-5 in September 2018. This includes students enrolled in co-located District 75 programs in the same school building. Schools offer a priority to applicants with verified siblings in the school.

In some cases, dependent upon the timing of the approval of a rezoning plan, a student's zoned school may change during the application period. In such cases, applicants with siblings already enrolled at the previous zoned school will continue to have zoned priority to the original zoned school.

All elementary schools are expected to welcome and serve students with disabilities in accordance with their IEP or 504 Accommodation Plan. Elementary school students with IEPs are admitted to schools in the same manner as general education students.

The NYCDOE is committed to ensuring students with disabilities have access to quality education and, to the extent appropriate, instruction alongside their general education peers. For more information on

INDEX NO. 506124/2018





27

special education in New York City, visit the NYCDOE's website at: <a href="http://schools.nyc.gov/Academics/SpecialEducation/default.htm">http://schools.nyc.gov/Academics/SpecialEducation/default.htm</a>.

In accordance with NYCDOE policy, ELLs are also admitted to elementary schools in the same manner as their peers who are English proficient. All schools serve ELLs and will meet each child's needs, providing at minimum ENL.

#### Middle School Admissions

Through the middle school admissions process, students are offered the opportunity to apply to a range of middle schools within their district, as well as to schools with borough-wide or citywide eligibility. Students may also choose to apply to a number of schools that manage their own admission process. Information about all of these options is printed in each district's Middle School Directories, which can be found on the NYCDOE's website at:

http://schools.nyc.gov/ChoicesEnrollment/Middle/Publications/default.htm. Please note that these directories are updated yearly.

General information about the middle school admissions process can be found on the NYCDOE's website at: http://schools.nyc.gov/ChoicesEnrollment/Middle/default.htm.

The Citywide deadline for fifth-grade students to submit middle school applications for the 2018-2019 school year is December 1, 2017. Additionally, new middle schools designated to open throughout the city for the 2018-2019 school year will be available for students to consider in early 2018. Eligible students will have the opportunity to submit a new schools application in at that time. Information about middle school application deadlines is available on the NYCDOE's website at: <a href="http://schools.nyc.gov/ChoicesEnrollment/Calendar">http://schools.nyc.gov/ChoicesEnrollment/Calendar</a>.

Middle school students with IEPs, with the exception of those recommending placement in a District 75 school, are admitted to schools in the same manner as general education students. Schools will ensure that students with disabilities continue to receive mandated services in accordance with their IEPs while also ensuring such students have opportunities to learn alongside their non-disabled peers to the greatest extent possible.

In accordance with NYCDOE policy, ELL students are admitted to middle school in the same manner as their peers who are not ELL students. Any students requiring ELL services will receive appropriate services in accordance with NYCDOE policy.

### Over-the-Counter (OTC) Placements

OTC placement, is the method of enrolling students who need a school assignment because they were not part of any admissions process for entry grades and/or were not enrolled in a New York City school at the time school started. These students fall into one of four categories:

- New to the New York City school system; or
- Left the New York City school system and have returned; or

NYSCEF DOC. NO. 12

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



28

- Are seeking transfers, based on the guidelines outlined in Chancellor's Regulation A-101; or
- Did not participate in the Middle School or High School Admissions Processes for some other reason.

When student eligible for middle or high school arrives for placement, his or her school assignment is determined by his or her interest, home address, which schools have available seats, and, where applicable, transfer guidelines.

Students requiring an OTC middle school placement are eligible to attend middle school based on their district of elementary school attendance or the district to which the student's address is zoned for middle school. In un-zoned districts, the middle school student visits a Family Welcome Center where he or she meets with a counselor who reviews options that will meet the student's needs. In many districts, middle students may simply report to their zoned middle school. A high school student visits a Family Welcome Center directly.

There is a peak enrollment period occurring just prior to and into the opening of school when thousands of students arrive. Prior to the start of the peak enrollment period, schools are reminded about the number of OTC students they can expect. This number is based on a school's enrollment projection and the results of the admissions process.

If the NYCDOE's Office of Student Enrollment determines that additional OTC seats may be needed, the number of seats available are reviewed and – if space allows – adjusted in those schools where the admissions methods are limited unscreened, educational option, or unscreened.

NYSCEF DOC. NO. 12

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



29

## Appendix D: Instructional Footprint

The Footprint sets forth the baseline number of rooms that should be allocated to a school based on the grade levels it serves and number of classes per grade it offers. For existing schools, the Footprint is applied to the current number of classes and class size a school is programming. It is confirmed by a walk-through of the building conducted by a representative from the NYCDOE's Office of Space Planning and a school representative.

For elementary schools serving students in grades K-5 and for all pre-K programs, the Footprint assumes that classes are self-contained. Therefore, the Footprint allocates one full-size room for each general education or Integrated Co-Teaching section and a full-size or half-size room to accommodate each Special Class section served by the school. In addition to these rooms, schools serving grades K-5 receive an allocation of cluster or specialty rooms proportionate to the number of students enrolled. These spaces can be used at the principal's discretion for purposes such as art or music instruction.

For grades 6-12, the Footprint assumes that students move from class to class and that classrooms should be programmed at maximum efficiency. The Footprint does not require that every teacher have his or her own designated classroom. Principals are asked to program their schools efficiently so that classrooms can be used for multiple purposes throughout the course of the school day.

The Footprint allocates the number of baseline classrooms for student support services, resource rooms, and administrative space based on the grades a school serves and its enrollment at scale.

NYSCEF DOC. NO. 12

RECEIVED NYSCEF: 04/12/2018

INDEX NO. 506124/2018



30

## IX. Endnotes:

The approved proposal to co-located SA Bed Stuy 3 in K025 is available on the NYCDOE's website at: <a href="http://schools.nyc.gov/NR/rdonlyres/D9619074-60BF-4445-9534-C2E62C24B858/190819/AmendedEIS\_SuccessatK025\_vfinal.pdf">http://schools.nyc.gov/NR/rdonlyres/D9619074-60BF-4445-9534-C2E62C24B858/190819/AmendedEIS\_SuccessatK025\_vfinal.pdf</a>.

- ii 2014 Audited Register as of October 31, 2014 and 2017 Unaudited Register as of October 31, 2017
- iii All references to building utilization rates in 2017-2018 and beyond are based on target capacity data from the 2016-2017 Blue Book, 2017-2018 Unaudited Register as of October 31, 2017 for district schools, and 2017-2018 charter headcount as of October 2, 2017 for charter schools. This methodology is consistent with the manner in which the DOE conducts planning and calculates space allocations and funding for all schools. In determining the space allocation for co-located schools, the Office of Space Planning conducts a detailed site survey and/or space analysis of the building to assess the amount of space available in the building. The Blue Book is available at:

https://dnnhh5cc1.blob.core.windows.net/portals/0/Capital\_Plan/Utilization\_Reports/Blue%20Book%202016-

<u>2017.pdf?sr=b&si=DNNFileManagerPolicy&sig=g7eZjXLOaaZfmXPHd0cFOjryIfBrVwF8D5mf9lFcSp</u>A%3D

- iv 2017-2018 Unaudited Register as of October 31, 2017 for district schools and charter headcount as of October 2, 2017 for charters. Projected enrollment is based on 2017-2018 enrollment.
- VInformation from previous K025 EIS available at: <a href="http://schools.nyc.gov/NR/rdonlyres/D9619074-60BF-4445-9534-C2E62C24B858/190819/AmendedEIS\_SuccessatK025\_vfinal.pdf">http://schools.nyc.gov/NR/rdonlyres/D9619074-60BF-4445-9534-C2E62C24B858/190819/AmendedEIS\_SuccessatK025\_vfinal.pdf</a>.
- vi Full-size classrooms have an area of 500 square feet or more.
- vii Half-size classrooms have an area of 240 square feet or more, but less than 500 square feet.
- viii Quarter-size rooms have an area of less than 240 square feet.
- ix 2017-2018 Unaudited Register as of October 31, 2017.
- \* Based on the 2016-2017 Audited Register as of October 31, 2016, as reported in the citywide Demographic Snapshot, which is available on the NYCDOE's website at: <a href="http://schools.nyc.gov/AboutUs/schools/data/default.htm">http://schools.nyc.gov/AboutUs/schools/data/default.htm</a>.
- <sup>si</sup> The 2016-2017 Quality Review Report formally reports on these ten Quality Indicators. Quality Indicators 1.3, 1.4, 3.1, 4.1, and 5.1 were not formally assessed in 2014-2015 and 2015-2016. Full descriptions of the Quality Indicators can be found in the 2017-2018 Quality Review Rubric, which is available at: http://schools.nvc.gov/NR/rdonlyres/CEEBC665-7545-469E-A43E-

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



31

<u>4FF15608C152/0/QualityReviewRubric\_1718.docx</u>. Not all schools receive Quality Reviews every year. 16K025 did not have a Quality Review for the 2014-2015 and 2016-2017 school years.

- xii Performance data is from the School Quality Reports available at: http://schools.nyc.gov/Accountability/tools/report/default.htm.
- xiii Proficiency rates are the percentage of students receiving a score of 3 or 4 out of 4 on the New York State English-Language Arts examination. From the official NY state ELA test results, available at http://schools.nyc.gov/documents/rpsg/School%20ELA%20Results%202013-2017%20(Public).xlsx.
- xiv Proficiency rates are the percentage of students receiving a score of 3 or 4 out of 4 on the New York State Math examination and includes the equivalent proficiency of students in 7th and 8th grade who took the Algebra Regents exam instead of taking the State math assessment. From the official NY state math test results with Math Regents included, available at http://schools.nyc.gov/documents/rpsg/School%20Math%20Results%202013-2017%20(Public).xlsx.
- xv 2017-2018 charter headcount as of October 2, 2017. Projected enrollment is based on 2017-2018 enrollment.
- xvi Based on the 2016-2017 Audited Register as of October 31, 2016, as reported in the citywide Demographic Snapshot, which is available on the NYCDOE's website at: <a href="http://schools.nyc.gov/AboutUs/schools/data/default.htm">http://schools.nyc.gov/AboutUs/schools/data/default.htm</a>.
- xvii Charter schools do not receive Quality Reviews; they are monitored and evaluated by authorizers, who produce reports. 84K883 is authorized by SUNY. The authorizer's report can be found on the authorizer's website at: http://schools.nvc.gov/community/charters/information/schoolperformancereports.htm.
- xviii Performance data is not available for SA Bed Stuy 3 because it currently serves only grades K-2.
- xix The NYCDOE does not have attendance data for SA Bed Stuy 3 because not all charter schools report attendance to the NYCDOE.
- \*\* Excessing of staff occurs when a school requires fewer positions than the number of staff currently in the license area or job title.
- xxi 2017-18 Unaudited Register as of October 31, 2017. It reflects the enrollment for all grades served by the school.
- xxii School capacity is from the 2016-2017 Blue Book. For schools serving students in more than one site, enrollment, capacity, and utilization reflect all grades served by the school.
- xxiii Schools with capacity and utilization marked N/A are either served in private space or are phasing in and therefore capacity and utilization are not available.

NYSCEF DOC. NO. 13

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018

# **Exhibit D**

INDEX NO. 506124/2018
RECEIVED NYSCEF: 04/12/2018



Release Date: January 26, 2018

## AMENDED EDUCATIONAL IMPACT STATEMENT

The Proposed Closure of P.S. 25 Eubie Blake School (16K025) in Building K025 at the End of the 2017-2018 School Year

## I. Summary of Proposal

On January 5, 2018, the New York City Department of Education (NYCDOE) issued an Educational Impact Statement (EIS) describing a proposal to close P.S. 25 Eubie Blake School (16K025), referred to as P.S. 25, in building K025 at the end of the 2017-2018 school year. P.S. 25 is an existing zoned elementary school serving students in grades K-5 and offering a pre-Kindergarten (pre-K) program. P.S. 25 is currently co-located with Success Academy – Bed Stuy 3' (84K883), referred to as SA Bed Stuy 3, in building K025, located at 787 Lafayette Avenue, Brooklyn, NY, 11221 in Community School District 16. SA Bed Stuy 3 currently serves students in grades K-2 and will add one grade each year until it reaches full scale and serves students in grades K-4 in the 2019-2020 school year. K025 also houses the community-based organization (CBO) Urban Dove."

A co-location means that two or more school organizations are located in the same building and may share common spaces, such as:

- Auditoriums;
- Gymnasiums;
- · Libraries; and
- · Cafeterias.

The EIS for this proposal has been amended to reflect the space used by Urban Dove in K025. The original EIS failed to allocate 1 full-size room to Urban Dove, and instead allocated that 1 room to P.S. 25 as excess. Section III.B of this amended EIS has been updated to reflect the 1 full-size room allocated to Urban Dove and the 1 full-size room removed from P.S. 25's excess room allocation in the 2017-2018 school year. Corrections were also made to the list of P.S. 25's current extra-curricular activities, sports, and partnerships in Section III.A to reflect the most current information available. Additionally, a correction was made in Section III.B in order to reflect that SA Bed Stuy 3 is allocated 8 full-size rooms in excess rather than 9 full-size rooms in excess in the 2017-2018 school year; SA Bed Stuy 3's total space allocation for the 2017-2018 has not been changed.

The NYCDOE is proposing the closure of P.S. 25 based on its persistently low enrollment and lack of demand from students and families. If this proposal is approved, P.S. 25 will close at the end of the 2017-2018 school year and will no longer exist as an elementary school option in the 2018-2019 school year. All students continuing in elementary school will receive an alternative elementary school option before being discharged from the closing school.

NYSCEF DOC. NO. 13

RECEIVED NYSCEF: 04/12/2018

INDEX NO. 506124/2018



2

If the proposed closure is approved, NYCDOE staff will work individually with all current students in grades K-4 as well as current students in grade 5 who do not meet promotional criteria, to identify a strong school option that meets their needs. These families will receive a customized application with elementary school options within District 16 whose performance approaches P.S. 25's and a small number of options outside of District 16 whose performance exceeds that of P.S. 25. Families will be matched to another school for the 2018-2019 school year. The superintendent's office and the Family Welcome Center (FWC) counselors will provide individualized enrollment support to help students and families in thinking through the options presented in order to ensure that students choose the right school to continue their education for the 2018-2019 school year and beyond. NYCDOE staff will also work with schools that are listed on the application to hold tours for prospective families from P.S. 25.

All current pre-K students will participate in the standard kindergarten admissions process as described in Appendix C, and current 5th grade students who meet promotional criteria will enroll in the middle school to which they are matched in the standard middle school admissions process. For further information about elementary school and middle school admissions, see Appendix C of this amended EIS or visit the NYCDOE's website at: http://schools.nyc.gov/choicesenrollment/elementary/default.htm.

If this proposal is approved, students residing in the current P.S. 25 elementary school zone will no longer have access to their zoned option as of the 2018-2019 school year. The Office of District Planning and the District 16 Community Superintendent are working with Community Educational Council 16 to develop a rezoning plan for the zone that currently serves P.S. 25. Regardless of whether or not a rezoning plan is in place by the 2018-2019 school year, all students residing in the current P.S. 25 zone applying for kindergarten for the 2018-2019 school year will receive an offer consistent with the standard kindergarten admissions process described in Appendix C.

There is sufficient capacity across other elementary schools throughout District 16 to accommodate future students who might have enrolled in P.S. 25. For further information about capacity to accommodate elementary school students across District 16, see Section III.D of this amended EIS.

#### A. Rationale for Closure

The NYCDOE has implemented an expanded support and supervision structure that allows for regular engagement and evaluation of schools to ensure that every student in New York City receives a high-quality education and is prepared for college and career. As a result, the NYCDOE has identified schools, including P.S. 25, that have experienced persistently low enrollment and lack of demand by students and families. At P.S. 25, these ongoing challenges have contributed to a loss of per-pupil funding, potentially resulting in fewer academic, extracurricular, and athletic opportunities than schools with robust enrollment. Teachers have few opportunities for instructional collaboration with colleagues as they are often the only staff member teaching a particular grade.

P.S. 25 has struggled with declining enrollment and low demand by students and families, despite increasing test scores over the last three years, and multiple prior interventions, such as programmatic changes at the school, recruitment and re-branding support, and school re-design.

NYSCEF DOC. NO. 13

DECETTED NUCCEE: 04/10/0010

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



3

During the 2014-2015 school year, P.S. 25 served 164 students in grades K-5. In the current 2017-2018 school year, P.S. 25 is serving a total of just 94 students in grades K-5, which represents a 43% decline in enrollment in the past three years. Additionally, only 26% of kindergarten applicants ranked P.S. 25 first, well below the district median of 40%, and only 8% of kindergarten students residing in the P.S. 25 zone chose to enroll in P.S. 25 for kindergarten in the 2017-2018 school year.

### B. Impact on K025

K025 has the capacity to serve a total of 1,004 students according to the 2016-2017 Enrollment, Capacity and Utilization Report, also known as the Blue Book. The Blue Book can be found online at: <a href="https://dnnhh5cc1.blob.core.windows.net/portals/0/Capital\_Plan/Utilization\_Reports/Blue%20Book%202016">https://dnnhh5cc1.blob.core.windows.net/portals/0/Capital\_Plan/Utilization\_Reports/Blue%20Book%202016</a>

<u>2017.pdf?sr=b&si=DNNFileManagerPolicy&sig=g7eZjXLOaaZfmXPHd0cFOjryHBrVwF8D5mf9lFcSpA%3D.</u>

In the current 2017-2018 school year, 261 total students are being served across P.S. 25 and SA Bed Stuy 3, which yields a building utilization rate of 26%." More details about space are available in Section III.B and Appendices B and D of this amended EIS.

If this proposal is approved, in the 2018-2019 school year, SA Bed Stuy 3 is projected to serve 200-240 students. As such, in the 2018-2019 school year, K025 will have a projected building utilization rate of 20-24%. When SA Bed Stuy 3 is at scale in the 2019-2020 school year, K025 will have a projected building utilization rate of 25-30%.

If the closure of P.S. 25 is approved, K025 will be further underutilized, meaning it will have additional capacity to accommodate additional students. If applicable, pursuant to Chancellor's Regulation A-190, the NYCDOE may issue an EIS for the future use of space in K025.

#### C. Community Engagement

Engagement was conducted in the course of creating this proposal, including:

- Calls were made to families of P.S. 25 on December 18, 2017 to notify them of the proposed closure and community meeting scheduled for December 19, 2017.
- Letters notifying P.S. 25 families of this proposed closure and the December 19, 2017 community meeting were backpacked home with students on December 18, 2017.
- A community meeting was held at P.S. 25 on December 19, 2017 to discuss the proposal and take questions.

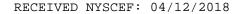
The NYCDOE will provide additional public engagement opportunities following this posting, including:

A Joint Public Hearing to be held at K025, open to the public. Attendees are encouraged to

NYC DEPARTMENT OF EDUCATION • 52 CHAMBERS STREET • NEW YORK, NY 10007 • WWW.NYC.GOV/SCHOOLS

INDEX NO. 506124/2018

4





comment on this proposal during the public comment portion of the hearing.

- A dedicated phone line and email address to accept public comment at any time following the posting of this proposal. Comments can be submitted in any language by calling 212-374-0208 or emailing <u>D16Proposals@schools.nyc.gov</u>.
- A PEP meeting that is open to the public where attendees can provide comments. At the meeting, PEP members are anticipated to vote on several proposals, including this one.

All comments received at the Joint Public Hearing or through the phone line or email address by 6 p.m. on the day before the PEP meeting will be addressed by the NYCDOE in a Public Comment Analysis. The Public Comment Analysis is made available to the public after 6 p.m. on the day before the PEP meeting.

More information about the upcoming Joint Public Hearing and PEP meeting can be found on the NYCDOE's website at: <a href="http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2017-2018/February282018SchoolProposals.">http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2017-2018/February282018SchoolProposals.</a>

## II. Proposed or Potential Use of Building K025

As stated above, according to the Blue Book, K025 has a target capacity of 1,004 students. During the current 2017-2018 school year, K025 is serving approximately 261 students across both schools. The enrollment for each school in K025 is as follows:

- P.S. 25 is serving approximately 102 students in grades K-5 and pre-K; and
- SA Bed Stuy 3 is serving approximately 159 students.

This yields a building utilization rate of 26%. The concept of target capacity and the related concept of utilization rate are explained in Appendix B of this amended EIS.

If this proposal is approved, in 2018-2019, SA Bed Stuy 3 is expected to serve 200-240 students. This will yield a projected building utilization rate of 20-24% in K025 during the 2018-2019 school year. At scale in the 2019-2020 school year, SA Bed Stuy 3 is expected to serve 255-305 students in grades K-4. This will yield a projected building utilization rate of 25-30% in K025 during the 2019-2020 school year.

Table 1 below describes the grades and programs offered in K025 over a three-year period if this proposal is approved.

TABLE 1: GRADES AND PROGRAMS OFFERED IN BUILDING KO25 FOR SCHOOL YEARS 2017-2018, 2018-2019, AND 2019-2020

DBN	School Name	2017-	2018-	2019-	
DBN	School Name	2018	2019	2020	
16K025	P.S. 25	K-5,	N/A	N/A	
100023	1.3.23	Pre-K	17/7	11//	

RECEIVED NYSCEF: 04/12/2018

5

INDEX NO. 506124/2018



| K-2 | K-3 | K A

84K883	SA Bed Stuy 3	K-2	K-3	K-4
		<u>-</u>		

Table 2 below shows the current and projected enrollment and utilization rate in K025 over a three-year period if this proposal is approved.

Table 2: Current and Projected Enrollment and Utilization Rates in building K025 for school years 2017-2018, 2018-2019, AND 2019-2020

DBN	School Name		2018-2019 Projected Enrollment	2019-2020 Projected Enrollment	
16K025	P.S. 25	102	N/A	N/A	
84K883	SA Bed Stuy 3	159	200 - 240	255-305	
Total Building	Enrollment	261	200 - 240	255-305	
Utilization		26%	20 - 24%	25 - 30%	

Pursuant to Chancellor's Regulation A-190, the NYCDOE may issue an EIS for the future use of space in K025, if applicable.

If this proposal is approved, SA Bed Stuy 3 will receive its baseline or adjusted baseline allocation pursuant to the Citywide Instructional Footprint (the Footprint). The Footprint guides space allocation and use in city schools and can be found on the NYCDOE's website at: http://schools.nyc.gov/Offices/OSP/KeyDocuments/Instructional Footprint.

Additional details about space are available in Section III.B and Appendices B and D of this amended EIS.

#### III. Impact of the Proposal on Students, Schools, and Community

#### A. Impact on Students

If this proposal is approved, P.S. 25 will close at the end of the 2017-2018 school year and will no longer exist as an elementary school option in District 16 beginning in the 2018-2019 school year. All current P.S. 25 students will continue to be served at the school for the remainder of the 2017-2018 school year.

As noted, NYCDOE staff will work individually with current students in grades K-4, as well as current students in grade 5 who do not meet promotional criteria, to offer those students seats in other strong elementary schools in District 16 and a small number of schools outside of District 16. Current pre-K students and current fifth grade students who meet promotional criteria will complete school at P.S. 25 at

> NYC DEPARTMENT OF EDUCATION • 52 CHAMBERS STREET • NEW YORK, NY 10007 • WWW.NYC.GOV/SCHOOLS

NYSCEF DOC. NO. 13

------

6

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



the end of the 2017-2018 school year and continue on to an elementary or middle school to which they are matched through the kindergarten or middle school admissions processes respectively.

#### 1. IMPACT ON CURRENT STUDENTS ATTENDING P.S. 25

#### ACADEMIC OFFERINGS:

- P.S. 25 will continue to offer all classes to support current students as they work to meet mandated articulation and mandated promotional requirements for the remainder of the 2017-2018 school year. If this proposal is approved, beginning in the 2018-2019 school year, P.S. 25 will no longer offer any academic programming as it will cease to exist as a school option.
- P.S. 25 currently serves general education students and students requiring special education services, including:
  - Integrated Co-Teaching (ICT);
  - Special Class Services (SC);
  - Special Education Teacher Support Services (SETSS); and
  - Other related services.

Students with disabilities will continue to receive services in accordance with their Individualized Education Program (IEP). Services are tailored to meet the individual needs of the students with disabilities currently enrolled and, as such, may vary from year to year. All current students enrolled at P.S. 25 will continue to receive all mandated special education services for the duration of the school year if this proposal is approved.

In addition, English Language Learner (ELL) students currently enrolled at P.S. 25 receive English as a New Language (ENL) services. If this proposal is approved, these services will continue to be provided to those students currently attending P.S. 25 and all students will receive their mandated services for the duration of the school year.

If this proposal is approved, current P.S. 25 students who receive special education or ENL services will receive any mandated services at their new schools.

Current students receiving special education or ENL services at P.S. 25 will also receive individualized support from the superintendent's staff and FWC counselors to find a new school aligned to their needs.

#### EXTRA-CURRICULAR ACTIVITIES AND PROGRAMS, SPORTS AND PARTNERSHIPS:

This proposal is not expected to impact any particular academic or extra-curricular programs currently offered at P.S. 25 for the duration of the current school year.

- P.S. 25 currently offers the following:v1
  - Extra-Curricular Activities and Programs:
    - o A+STEM;

NYC DEPARTMENT OF EDUCATION • 52 CHAMBERS STREET • NEW YORK, NY 10007 • WWW.NYC.GOV/SCHOOLS

NYSCEF DOC. NO. 13

RECEIVED NYSCEF: 04/12/2018

INDEX NO. 506124/2018



7

- Coding;
- o Math game club;
- Writer's workshop;
- o Club 25;
- o Juice bar;
- o Cool Men Read;
- o Diva Darlings Read;
- o Conflict resolution;
- o STEM club;
- o Chorus;
- o Student government;
- o Drama club;
- o Dance:
- o Cheerleading;
- Visual arts;
- o Computer club;
- CookShop for students and parents;
- o Parent lending library;
- O Urban Dove Recreational and Homework Help After School Program;
- o Drumming club;
- o Activity Works;
- o Monthly student performance assemblies;
- o Health and wellness program;
- One-to-one laptop program; and
- o Kindle and iPads for students.

#### Sports:

- Mighty Milers;
- o Basketball; and
- New York Junior Tennis League.

#### • Partnerships:

- o Tutormate;
- o Great Books Foundation;
- AgiriLearning;
- o Delta;
- o CITE;
- o MaxScholar Literacy Program;
- o TAFFA Cultural Arts;
- Band for Today;
- Cillins Five Types of Writing;
- Algebra for All;
- National Training Network;
- Synphony Space;
- o New York Psychoherapy and Counseling Center;
- School Mental Health- Department of Health;
- Eye on Education;

NYSCEF DOC. NO. 13

Education
Carmen Fariña, Chancellor

RECEIVED NYSCEF: 04/12/2018

INDEX NO. 506124/2018

Department of

8

- o EverFi;
- o 79th Police Precinct;
- o SAPIS program;
- o NYU Dental;
- o Urban Dove;
- Medgar Evers College Pipeline Initiative;
- o PENCIL;
- PriceWaterhouse Cooper;
- Gift of Sight;
- o Safety City;
- Shape Up New York;
- NSA Supermarket;
- o Family Center;
- o Food Bank NYC; and
- Verizon.

If this proposal is approved, P.S. 25 will close at the end of the 2017-2018 school year and will no longer offer the above extra-curricular activities, sports, and partnerships. However, current P.S. 25 students will have the opportunity to participate in programs, partnerships, extra-curricular activities and clubs at their new schools, which will be offered based on student interests, available resources, and staff support for those programs, though the specific programs offered at a given school are always subject to change. That is true for all City schools, which annually modify extra-curricular offerings based on student demand and available resources.

#### ADMISSIONS:

If the proposed closure is approved, NYCDOE staff will work individually with all current students in grades K-4 as well as current students in grade 5 who do not meet promotional criteria, to identify a strong school option that meets their needs. These families will receive a customized application with elementary school options within District 16 whose performance approaches P.S. 25's and a small number of options outside of District 16 whose performance exceeds that of P.S. 25. Families will be matched to another school for the 2018-2019 school year. The superintendent's office and the FWC counselors will provide individualized enrollment support to help students and families in thinking through the options presented in order to ensure that students choose the right school to continue their education for the 2018-2019 school year and beyond. All students will receive alternative options for enrollment in another school before being discharged from P.S. 25.

Current fifth grade students who meet graduation requirements at the end of the current school year will graduate from P.S. 25 and attend the middle school to which they were matched in the middle school admissions process.

Please see Appendix A for a list of district and charter elementary schools in District 16.

For further information about the elementary school admissions process, visit the NYCDOE's website at: http://schools.nyc.gov/ChoicesEnrollment/Elementary/default.htm.

NYSCEF DOC. NO. 13

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



9

#### 2. IMPACT ON CURRENT AND FUTURE STUDENTS ATTENDING SA BED STUY 3

#### **ACADEMIC OFFERINGS:**

This proposal is not expected to impact current or future enrollment, academic offerings, or extracurricular programming at SA Bed Stuy 3.

SA Bed Stuy 3 currently serves general education students and students requiring special education services. SA Bed Stuy 3 also serves ELL students. The NYCDOE does not anticipate that this proposal will impact SA Bed Stuy 3's ability to provide mandated services.

#### EXTRA-CURRICULAR ACTIVITIES AND PROGRAMS, SPORTS AND PARTNERSHIPS:

SA Bed Stuy 3 currently has an extended school day and offers a variety of programs, special initiatives, and extracurricular activities during its regular school day.

The NYCDOE does not anticipate that this proposal will impact SA Bed Stuy 3's ability to continue to offer programming and extra-curricular activities based on student interests, available resources, and staff support for those programs.

#### ADMISSIONS:

If this proposal is approved, there will be no impact on the manner in which SA admits students. Currently, SA Bed Stuy 3 admits students through a charter lottery application with preference to siblings of current or accepted students, children of Success Academy employees, and to applicants residing in District 16. A weighted preference is also given to English Language Learners. Additional information on Success Academy can be found online: <a href="https://www.successacademies.org/">https://www.successacademies.org/</a>.

## 3. IMPACT ON FUTURE ELEMENTARY SCHOOL STUDENTS IN DISTRICT 16

If this proposal is approved, students in District 16 will no longer have the opportunity to enroll in P.S. 25 for elementary school. They will, however, continue to have access to a broad range of elementary school options. This proposal is not expected to otherwise impact the admissions process at other District 16 elementary schools. As described in greater detail in Section III D of this amended EIS, there will continue to be sufficient kindergarten seats in District 16 to accommodate future students who may have otherwise enrolled in P.S. 25. Please see Appendix A of this amended EIS for a general list of district and charter schools serving elementary school grades in District 16.

Students who applied to P.S. 25 for kindergarten through the elementary school admissions process for the 2018-2019 school year will have that choice removed from their applications and be matched to another school ranked on their application, where possible. If a student does not match to one of the

NYSCEF DOC. NO. 13

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



10

programs ranked on their application or does not submit an application, they will receive a placement in a school where they are eligible to attend elementary school within their district of residence.

If this proposal is approved, students residing in the current P.S. 25 elementary school zone will no longer have access to their zoned option as of the 2018-2019 school year. The Office of District Planning and the District 16 Community Superintendent are working with Community Educational Council 16 to develop a rezoning plan for the zone that currently serves P.S. 25. Regardless of whether or not a rezoning plan is in place by the 2018-2019 school year, all students residing in the current P.S. 25 zone applying for kindergarten for the 2018-2019 school year will receive an offer consistent with the standard kindergarten admissions process described in Appendix C.

If this proposal is approved, district schools will continue to give priority to students in accordance with Chancellor's Regulation A-101 and through the elementary school admissions process described in further detail in Appendix C of this amended EIS, as well as on the NYCDOE's website at: http://schools.nyc.gov/ChoicesEnrollment/Elementary/default.htm.

#### 4. IMPACT ON PRE-K PROGRAM

If this proposal is approved. P.S. 25 will close at the end of the 2017-2018 school year and will no longer exist as a school option. If the closure of P.S. 25 is approved, the associated pre-K program at P.S. 25 will not be offered beginning in the 2018-2019 school year.

Incoming pre-K students can apply to pre-K programs through the centralized pre-K admissions process. Students in District 16 will continue to be offered placement in pre-K programs based on the priorities outlined in Chancellor's Regulation A-101.

The full details of Chancellor's Regulation A-101 can be found on the NYCDOE's website at: http://schools.nyc.gov/RulesPolicies/ChancellorsRegulations/default.htm.

Please see Appendix C of this amended EIS for more information on pre-K admissions.

#### B. Impact on the Allocation of Space to Schools in Building K025

If this proposal is approved, P.S. 25 will close at the end of the 2017-2018 school year and will no longer exist as a school option. As stated above, the projected enrollment for SA Bed Stuy 3 in 2018-2019 is 200-240 students.

This will yield a projected building utilization rate of 20-24% in K025 during the 2018-2019 school year. Therefore, if this proposal is approved, there will be sufficient instructional and administrative space to accommodate SA Bed Stuy 3 pursuant to the Footprint.

Please see Appendix D of this amended EIS for more information on the Footprint, which guides space allocation and use in City schools.

RECEIVED NYSCEF: 04/12/2018

INDEX NO. 506124/2018



11

The Footprint can also be found on the NYCDOE's website at: <a href="http://schools.nyc.gov/Offices/OSP/KeyDocuments/Instructional Footprint">http://schools.nyc.gov/Offices/OSP/KeyDocuments/Instructional Footprint</a>.

1. Overview of Space in Building K025

According to a space verification on December 13, 2017 by a representative of the NYCDOE's Office of Space Planning, K025 has a total of:

- 52 full-size rooms (FS) vii;
- 3 half-size rooms (HS) viii;
- 4 quarter-size rooms (QS)ix; and
- 4.5 full-size equivalent (FSE) rooms of designed administrative space.

The spaces listed below are shared spaces or contain building services and will not be included in the allocation of space for an individual school:

- The school nurse's office occupies 0.5 FSE rooms of designed administrative space;
- The School-Based Support Team occupies 1 QS;
- The CBO, Urban Dove, occupies 1 FS; and
- The custodian's office occupies 1 QS.

This means that K025 has 1 FS, 2 QS and 0.5 FSE rooms of designed administrative space that will not be allocated to any specific school.

K025 also has the following shared spaces, which will not be included in the allocation of space for an individual school:

- A gymnasium;
- An auditorium;
- A library; and
- A cafeteria.

Excluding the spaces outlined above, K025 has the following rooms available to be allocated to schools:

- 51 FS:
- 3 HS;
- 2 QS; and
- 4.0 FSE rooms of designed adminstrative space.
- 2. Space Allocation for Schools in K025 in the 2017-2018 School Year

SPACE ALLOCATION FOR P.S. 25

In the 2017-2018 school year, P.S. 25's baseline Footprint allocation is:

- 8 FS;
- 3 HS; and
- 2.0 FSE rooms for administrative use.

NYC DEPARTMENT OF EDUCATION • 52 CHAMBERS STREET • NEW YORK, NY 10007 • WWW.NYC.GOV/SCHOOLS

RECEIVED NYSCEF: 04/12/2018

INDEX NO. 506124/2018



12

The NYCDOE has adjusted P.S. 25's baseline Footprint allocation due to a lack of HS suitable for instructional purposes. As such, P.S. 25's adjusted baseline Footprint is:

- 11 FS; and
- 2.0 FSE rooms for administrative use comprised of:
  - o 2.0 FSE rooms of designed adminstrative space.

In the current 2017-2018 school year, P.S. 25 is using a total of:

- 30 FS;
- 2 HS;
- 2 QS; and
- 2.5 FSE rooms of designed adminstrative space.

Therefore, in the 2017-2018 school year, P.S. 25 is using the following rooms in excess of its adjusted baseline allocation:

- 19 FS;
- 2 HS;
- 2 OS: and
- 0.5 FSE rooms of designed adminstrative space.

#### SPACE ALLOCATION FOR SA BED STUY 3

In the 2017-2018 school year, SA Bed Stuy 3's baseline Footprint allocation is:

- 11 FS;
- 2 HS; and
- 2.5 FSE rooms for administrative use.

The NYCDOE has adjusted SA Bed Stuy 3's baseline Footprint allocation due to a lack of HS suitable for instructional purposes. As such, SA Bed Stuy 3's adjusted baseline Footprint is:

- 12 FS;
- 1 HS: and
- 2.5 FSE rooms for administrative use comprised of:
  - o 1 FS; and
  - o 1.5 FSE rooms of designed administrative space.

In the current 2017-2018 school year, SA Bed Stuy 3 is using a total of:

- 21 FS;
- 1 HS; and
- 1.5 FSE rooms of designed administrative space.

Therefore, in the 2017-2018 school year, SA Bed Stuy 3 is using the following rooms in excess of its baseline allocation:

• 8 FS.

NYC DEPARTMENT OF EDUCATION • 52 CHAMBERS STREET \* NEW YORK, NY 10007 • WWW.NYC.GOV/SCHOOLS

RECEIVED NYSCEF: 04/12/2018

INDEX NO. 506124/2018



13

3. Space Allocation for SA Bed Stuy in K025 in the 2018-2019 and 2019-2020 School Years

In the 2018-2019 school year, SA Bed Stuy 3's baseline Footprint allocation will be:

- 15 FS;
- 2 HS; and
- 3.5 FSE rooms for administrative use.

The NYCDOE has adjusted SA Bed Stuy 3's baseline Footprint allocation due to a lack of HS suitable for instructional purposes. As such, SA Bed Stuy 3's adjusted baseline Footprint is:

- 16 FS;
- 1 HS; and
- 3.5 FSE rooms for administrative use comprised of:
  - o 2 FS; and
  - o 1.5 FSE rooms of designed administrative space.

At scale in the 2019-2020 school year and beyond, SA Bed Stuy 3's baseline Footprint allocation will be:

- 18 FS;
- 2 HS; and
- 4.0 FSE rooms for administrative use.

The NYCDOE has adjusted SA Bed Stuy 3's baseline Footprint allocation due to a lack of HS suitable for instructional purposes. As such, SA Bed Stuy 3's adjusted baseline Footprint in the 2019-2020 school year and beyond is:

- 20 FS; and
- 4.0 FSE rooms for administrative use comprised of:
  - o 2 FS;
  - o 1 HS; and
  - o 1.5 FSE rooms of designed administrative space.

Table 3 below shows the total FS rooms to be allocated in K025 per each school's baseline or adjusted baseline Footprint allocations described above, including any FS allocated for administrative space.

TABLÉ 3: TOTAL FULL-SIZE ROOM ALLOCATIONS IN K025 FOR SCHOOL YEARS 2017-2018, 2018-2019, 2019-2020

	2017-2018	2018-2019	2019-2020
P.S. 25 (16K025)	11	-	-
SA Bed Stuy 3 (84K833)	13	18	22
Total FS baseline or adjusted baseline allocated to schools	24	18	22
Total FS to be allocated in K025	51	51	51
FS available in excess of baseline or adjusted baseline Footprint	27	33	29

NYSCEF DOC. NO. 13

RECEIVED NYSCEF: 04/12/2018

INDEX NO. 506124/2018



14

Therefore, K025 has enough space to accommodate SA Bed Stuy 3's baseline Footprint allocation to serve grades K-4.

If this proposal is approved, K025 will then be under-utilized, meaning it will have more capacity to accommodate additional students. Pursuant to Chancellor's Regulation A-190, the NYCDOE may issue an EIS for the future use of space in K025, if applicable.

### C. Building Safety and Security

NYCDOE will work with all district and charter schools to develop safety and security plans prior to the first day of school in the 2018-2019 school year. The NYCDOE makes the following safety and security supports available to schools:

- Providing the Best Practice Standards for Creating and Sustaining a Safe and Supportive School as a resource guide;
- Technical assistance via the Borough Safety Directors when incidents occur; and
- Professional development and kits for Building Response Teams.

#### D. Impact on the Community

P.S. 25 has experienced consistent decline in enrollment and low demand by students and families. These issues negatively impact the school's ability to serve students and provide robust programming and resources. The NYCDOE strives to ensure that all families have access to high-quality school options that meet their children's needs. The declining student enrollment at P.S. 25 over the past several years indicates that there is a need to provide stronger options for future and current students in the P.S. 25 community.

Students currently attending P.S. 25 who are continuing in elementary school will have the opportunity to attend other elementary schools beginning in the 2018-2019 school year. If the proposed closure of P.S. 25 is approved, all students continuing in elementary school will receive individualized enrollment support from the superintendent's staff and FWC counselors to find a seat at another elementary school for the 2018-2019 school year that is aligned to his or her needs. This will include an application process through which students will be offered options of other elementary schools from which to choose. All students will receive alternative options for enrollment in another school before being discharged from P.S. 25.

If this proposal is approved, there is sufficient capacity in elementary schools throughout District 16 to accommodate future students who would have otherwise enrolled in P.S. 25. District 16 district schools currently have the capacity to serve approximately 6,500 students in grades K-5 while only 3,110 such students are currently enrolled in 2017-2018. This proposal is expected to help reduce the excess of over 3,400 elementary school seats in District 16 and support enrollment as other elementary schools across the district that will enroll future students who may have otherwise attended elementary school at P.S. 25. If the closure of P.S. 25 is approved, District 16 district elementary schools will have the capacity to serve approximately 5,950 students in grades K-5 and will have an excess of about 2,850 elementary school

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



15

seats.

There are also approximately 3,052 elementary school students being served in eight charter schools in District 16. Students in District 16 can also apply to these schools. More information can be found on the DOE website at: http://schools.nyc.gov/community/charters/information/directory.htm.

If this proposal is approved, the closure of P.S. 25 may have a small impact on future enrollment at other district and charter schools serving elementary school grades. In particular, enrollment at the schools listed in Appendix A may increase slightly; however, this proposal is not expected to have a material impact on any one school in particular.

This proposal is not expected to impact the ability of community members and organizations to obtain school building use permits at K025. This proposal is not expected to impact the accessibility of K025, which is not accessible, for individuals with disabilities.

# IV. Enrollment, Admissions, and School Performance Information

A. P.S. 25

#### 1. ADMISSIONS DATA

TABLE 4: CURRENT AND FUTURE ADMISSIONS METHOD: P.S. 25

Current admissions	Pre-K: Standard universal pre-K admissions process K-5: Zoned
Admissions if this proposal is approved	Pre-K: N/A K-5: N/A

#### 2. ENROLLMENT DATA×

# TABLE 5: P.S. 25 CURRENT AND PROJECTED ENROLLMENT BY GRADE OVER SCHOOL YEARS 2017-2018, 2018-2019, AND 2019-2020

School Year	Pre- K	Grade KG	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Total Enrollment
2017-2018	8	13	16	14	19	11	21	102
2018-2019	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2019-2020	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



16

#### 3. DEMOGRAPHIC DATAxi

#### TABLE 6: P.S. 25 DEMOGRAPHIC DATA

Students with Disabilities (any student receiving an IEP)	26%
English Language Learners	7%
Students qualifying for free or reduced price lunch or eligible for Human Resources Administration benefits	98%

#### 4. SCHOOL PERFORMANCE DATA

## TABLE 7: P.S. 25 SCHOOL QUALITY INDICATORS FROM SCHOOL YEARS 2014-2015, 2015-2016 AND 2016-2017

School Quality Indicators <sup>xii</sup>	2014-2015	2015-2016	2016-17
1.1 Rigorous, engaging, and coherent curricula aligned to the Common Core Learning Standards	N/A	Proficient	N/A
1.2 Research-based, effective instruction that yields high quality student work	N/A	Proficient	N/A
1.3 Aligned resource use to support instructional goals that meet students' needs	N/A	N/A	N/A
1.4 Structures for a positive learning environment, inclusive culture, and student success	N/A	N/A	N/A
2.2 Curricula-aligned assessment practices that inform instruction	N/A	Proficient	N/A
3.1 School level theory of action and goals shared by the school community	N/A	N/A	N/A
3.4 A culture of learning that communicates and supports high expectations	N/A	Proficient	N/A
4.1 Support and evaluation of teachers through the Danielson Framework and analysis of learning outcomes	N/A	N/A	N/A
4.2 Teacher teams engaged in collaborative practice using the inquiry approach to improve classroom practice	N/A	Proficient	N/A
5.1 Regularly evaluate school level decisions with a focus on the Common Core Learning Standards	N/A	N/A	N/A

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



17

TABLE 8: P.S. 25 PERFORMANCE DATA AND ATTENDANCE RATES FROM SCHOOL YEARS 2014-2015, 2015-2016 AND 2016-2017

Performance Data and Attendance Rates <sup>xiii</sup>	2014-2015	2015-2016	2016-2017
Percentage of students proficient in English Language Arts <sup>xiv</sup>	12%	29%	50%
Percentage of students proficient in math <sup>xv</sup>	22%	32%	53%
Attendance Rate	91%	91%	89%

The New York State Education Department, referred to as SED, assigns an accountability status to each district school. Current school accountability designations assigned by SED, Good Standing, Local Assistance Plan, Focus, or Priority, are consistent with New York State's approved Elementary and Secondary Education Act (ESEA) Flexibility Waiver. The 2017-2018 State Accountability Status of P.S. 25 is in Good Standing. For more information about accountability status, please visit the SED website at: <a href="http://www.p12.nysed.gov/accountability/ESEADesignations.html">http://www.p12.nysed.gov/accountability/ESEADesignations.html</a>.

### B. SA Bed Stuy 3

#### 1. ADMISSIONS METHOD

TABLE 9: CURRENT AND FUTURE ADMISSIONS METHOD: SA BED STUY 3

Current admissions	Grades K-5: Charter Lottery
Admissions if this proposal is approved	Grades K-5: Charter Lottery

#### 2. ENROLLMENT DATAxvi

TABLE 10: SA BED STUY 3 CURRENT AND PROJECTED ENROLLMENT BY GRADE FOR THE 2017-2018, 2018-2019, AND 2019-2020 SCHOOL YEARS

School Year	Grade KG	Grade 1	Grade 2	Grade 3	Grade 4	Total Enrollment
2017-2018	43	70	46	N/A	N/A	159
2018-2019	55-65	40-50	65-75	40-50	N/A	200-240
2019-2020	55-65	55-65	40-50	65-75	40-50	255-305

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



18

#### 3. DEMOGRAPHIC DATAxvii

#### TABLE 11: SA BED STUY 3 DEMOGRAPHIC DATA

Students with Disabilities (any student receiving an IEP)	15%
English Language Learners	4%
Students qualifying for free or reduced price lunch or eligible for Human Resources Administration (HRA) benefits	44%

# 4. SCHOOL PERFORMANCE DATA

# TABLE 12: SA BED STUY 3 SCHOOL QUALITY INDICATORS FROM SCHOOL YEARS 2014-2015, 2015-2016 AND 2016-2017

School Quality Indicators*viii	2014-2015	2015-2016	2016-17
1.1 Rigorous, engaging, and coherent curricula aligned to the Common Core Learning Standards	N/A	N/A	N/A
1.2 Research-based, effective instruction that yields high quality student work	N/A	N/A	N/A
1.3 Aligned resource use to support instructional goals that meet students' needs	N/A	N/A	N/A
1.4 Structures for a positive learning environment, inclusive culture, and student success	N/A	N/A	N/A
2.2 Curricula-aligned assessment practices that inform instruction	N/A	N/A	N/A
3.1 School level theory of action and goals shared by the school community	N/A	N/A	N/A
3.4 A culture of learning that communicates and supports high expectations	N/A	N/A	N/A
4.1 Support and evaluation of teachers through the Danielson Framework and analysis of learning outcomes	N/A	N/A	N/A
4.2 Teacher teams engaged in collaborative practice using the inquiry approach to improve classroom practice	N/A	N/A	N/A
5.1 Regularly evaluate school level decisions with a focus on the Common Core Learning Standards	N/A	N/A	N/A

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



19

TABLE 13: SA BED STUY 3 PERFORMANCE DATA AND ATTENDANCES RATES FROM SCHOOL YEARS 2014-2015, 2015-2016 AND 2016-2017

Performance Data and Attendance Rates <sup>xix</sup>	2014-2015	2015-2016	2016-2017
Percentage of students proficient in English Language Arts	N/A	N/A	N/A
Percentage of students proficient in math	N/A	N/A	N/A
Attendance Rate <sup>xx</sup>	N/A	N/A	N/A

The 2017-2018 State Accountability Status of SA Bed Stuy 3 is Good Standing.

# V. Initial Impact on Budget and Cost of Instruction

If this proposal is approved, once the closure is implemented, the NYCDOE will cease to allocate funds to P.S. 25 and will repurpose all remaining funds previously allocated to the school. Potential additional costs to the system may occur, however, if the teachers and other school staff from P.S. 25, in excess are unsuccessful in finding or being placed in other employment opportunities in the department. Eligible staff members would be placed in the Absent Teacher Reserve (ATR) pool, in accordance with existing labor contracts. The ATR pool is described further below.

If this proposal is approved, P.S. 25 will no longer exist as a distinct school option as of the 2018-2019 school year.

This proposal is not expected to impact costs of instruction or the operating budgets for SA Bed Stuy 3.

## VI. Other Impacts

#### A. Personnel Needs

If this proposal is approved, all teachers, administrative, and non-pedagogical staff at P.S. 25 will be excessed after the closure.\*\*\* All excessing would be conducted in accordance with existing labor contracts.

All excessed teachers will be eligible to apply for other City positions and any teachers who do not find a position would be placed in the ATR pool meaning that they will continue to earn their salary while serving as teachers in other City schools.

Students who would otherwise have enrolled in P.S. 25 would instead be enrolled in other elementary schools. Therefore, it is possible those schools might need to hire additional staff. Consequently, this proposal may not result in an overall loss of teaching positions within the citywide system.

This proposal is not expected to impact personnel needs for SA Bed Stuy 3.

INDEX NO. 506124/2018
RECEIVED NYSCEF: 04/12/2018



20

#### B. Administration

If this proposal is approved, all school supervisor and/or administrator positions assigned to P.S. 25 would be excessed when the school is closed. Again, all excessing would take place in accordance with existing labor contracts.

This proposal is not expected to impact the administration at SA Bed Stuy 3.

#### C. Transportation

If this proposal is approved, transportation for students at P.S. 25 would continue to be provided for the remainder of the 2017-2018 school year according to Chancellor's Regulation A-801, available at <a href="http://docs.nycenet.edu/docushare/dsweb/Get/Document-39/A-801.pdf">http://docs.nycenet.edu/docushare/dsweb/Get/Document-39/A-801.pdf</a>.

This proposal is not expected to affect transportation practices at SA Bed Stuy 3 for the 2017-2018 school year or in future school years.

#### D. Other Support Services

The provision of certain support services is described above. P.S. 25 would continue to receive other support services, consistent with citywide policy, for the remainder of the current school year, if this proposal is approved.

This proposal is not expected to impact support services for SA Bed Stuy 3.

NYSCEF DOC. NO. 13

------

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



21

VII. Building Information

VII. Building Information	
Building	K025
Type of Building	PS
Year Built	1942
Overall BCAS rating	2.47
2016-2017 Blue Book Target Building Utilization	23%
2016-2017 Blue Book Target Building Capacity	1,004
FY 2016 Maintenance Costs- Labor	\$22,197
FY 2016 Maintenance Costs- Materials	\$31,073
FY 2016 Maintenance Costs- Maintenance, repair, and service contracts	\$26,082
FY 2016 Maintenance Costs- Custodial operations costs—Materials	\$22,695
FY 2016 Maintenance Costs- Custodial operations costs—Custodial Allocation	\$350,773
FY 2017 Energy Costs- Electric	\$91,020
FY 2017 Energy Costs- Gas	\$61,702
FY 2017 Energy Costs- Oil	N/A
Projects completed during the current or prior school year	SECURITY:INTRUSION ALARM
Projects proposed in the capital plan	ROOFS/PARAPETS/EXTERIOR MASONRY/EXT DOORS CAPITAL TASK FORCE ROOM CONVERSION CLASSROOM CONNECTIVITY LEAD PAINT ABATEMENT
Accessibility of the building	No Accessibility
Building attributes	TEACHER'S ROOM, MUSIC ROOM, NURSE/MEDICAL SUITE, COMPUTER LAB, SCIENCE LAB LIBRARY, MULTI-PURPOSE CLASSROOM, AUDITORIUM GYMNASIUM

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



22

# Appendix A: District 16 Elementary School Options

All students will receive alternative options for enrollment before being discharged from P.S. 25. Please see the tables below for a list of district and charter schools serving elementary school grades in District 16.

TABLE 14: ALL DISTRICT SCHOOLS CURRENTLY SERVING GRADES K-5 IN DISTRICT 16

DBN	School Name	Address	Grade Span 2017- 2018	Grade Span at Scale	Admissions Method	2017-2018 Enrollment <sup>xxii</sup>	2016-2017 School Capacity*xiii	2017- 2018 School Utilization
16K005	P.S. 005 Dr. Ronald Mcnair	820 Hancock Street	K-5	K-5	K: Zoned School	186	558	33%
16 <b>K</b> 021	P.S. 021 Crispus Attucks	180 Chauncey Street	K-5	K-5	K: Zoned School	523	769	68%
16K026	P.S. 026 Jesse Owens	1014 Lafayette Avenue	K-5	K-5	K: Zoned School	209	435	48%
1 <b>6K</b> 028	P.S. 028 The Warren Prep Academy	1001 Herkimer Street	K-5	K-5	K: Zoned School	129	317	41%
16K040	P.S. 040 George W. Carver	265 Ralph Avenue	K-5	K-5	K: Zoned School	283	605	47%
16K081	P.S. 081 Thaddeus Stevens	990 Dekalb Avenue	K-5	K-5	K: Zoned School	269	650	41%
16K243	P.S. 243K- The Weeksville School	1580 Dean Street	K-5	K-5	K: Zoned School	206	481	43%
16K262	P.S. 262 El Hajj Malik El Shabazz Elementary School	500 Macon Street	K-5	K-5	K: Zoned School, MS: Unscreened	161	612	26%
16K308	P.S. 308 Clara Cardwell	616 Quincy Street	K-8	K-8	K: Zoned School, MS: Unscreened	260	726	36%
16K309	P.S. 309 The George E. Wibecan Preparatory Academy	794 Monroe Street	K-5	K-5	K: Zoned School	180	409	44%
16K335	P.S. 335 Granville T. Woods	130 Rochester Avenue	K-5	K-5	K: Zoned School	229	614	37%

NYSCEF DOC. NO. 13

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



Carmen Fariña, Chancellor 23

16K627	Brighter Choice Community School	280 Hart Street	K-5	K-5	K: Zoned School	270	531	51%
16K628	Brooklyn Brownstone School	272 Macdonough Street	K-5	K-5	K: Non-Zoned School	231	233	99%

#### TABLE 15: ALL CHARTER SCHOOLS CURRENTLY SERVING GRADES K-5 IN DISTRICT 16

DBN	School Name	Address	Grade Span 2017- 2018	Grade Span at Scale	Admissions Method	2017-2018 Enrollment	2016-2017 School Capacity	2017-2018 School Utilization*xiv
84K406	Teaching Firms of America- Professional Preparatory Charter School	616 Quincy Street	K-7	K-8	Lottery	498	N/A	N/A
84K593	Excellence Boys Charter School	239 Patchen Avenue	K-8	K-8	Lottery	808	N/A	N/A
84K648	Bedford Stuyvesant Collegiate Charter School	800 Gates Avenue	5-8	5-12	Lottery	357	420	85%
84K649	La Cima Charter School	800 Gates Avenue	K-5	K-5	Lottery	398	377	106%
84K712	Excellence Girls Charter School	794 Monroe Street	K-12	K-12	Lottery	1475	N/A	N/A
84K731	Brooklyn Excelsior Charter School	856 Quincy Street	K-8	K-8	Lottery	638	N/A	N/A
84K782	Bedford Stuyvesant New Beginnings Charter School	82 Lewis Avenue	K-8	K-8	Lottery	678	N/A	N/A
84K883	Success Academy Charter School - Bed- Stuy 3	787 Lafayette Avenue	K-2	K-4	Lottery	159	422	38%

RECEIVED NYSCEF: 04/12/2018

INDEX NO. 506124/2018



24

# Appendix B: Target Capacity and Utilization

As described in more detail in the Blue Book, 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 following components:

- The scheduled use of individual rooms as reported by principals during an annual facilities survey;
- The NYCDOE's goals for maximum classroom capacities, which are lower than the United Federation of Teachers 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).

The most recent year for which target capacity has been calculated for buildings is 2016-2017. The NYCDOE's projected utilization rates for the 2017-2018 school year and beyond are based on those figures. Thus, projected utilization rates for 2017-2018 and beyond provide only an approximation of a building's usage because each of the factors underlying target capacity may be adjusted by a principal from year to year to better accommodate students' needs.

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 will result in a lower utilization rate. Similarly, if a room previously used as a kindergarten classroom is subsequently used as a fifth-grade classroom, the building's target capacity will 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 NYCDOE's goal for maximum classroom capacity is higher for fifth-grade classrooms than for kindergarten classrooms. In this example, as well, assuming enrollment is constant, the utilization rate will decrease.

The Blue Book can be found online at:

https://dnnhh5cc1.blob.core.windows.net/portals/0/Capital\_Plan/Utilization\_Reports/Blue%20Book%202016-

 $\underline{2017.pdf?sr=b\&si=DNNFileManagerPolicy\&sig=g7eZjXLOaaZfmXPHd0cFOjryHBrVwF8D5mf9IFcSp} A\%3D$ 

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



25

# Appendix C: School Admissions

#### **Elementary School Admissions**

There are three types of NYCDOE elementary schools:

- Zoned schools;
- Non-zoned schools; and
- Choice schools.

Most New York City students have a zoned school. This means they live in an area zoned for a specific school and have priority to attend it. The zoned school is the school where students are most likely to go to elementary school.

A student's zoned school is determined by the home address, in accordance with Chancellor's Regulation A-101. The full details of Chancellor's Regulation A-101 can be found on the NYCDOE's website at: <a href="http://schools.nyc.gov/RulesPolicies/ChancellorsRegulations/default.htm">http://schools.nyc.gov/RulesPolicies/ChancellorsRegulations/default.htm</a>. Zoned schools must serve all students residing in their zone, pending seat availability.

There are three districts in New York City that have no zoned schools: Districts 1, 7, and 23. All of the schools in these districts are called choice schools, and students living in these districts have priority to attend all schools in the district.

Admissions priorities are used to make students offers. Students are assigned an admissions priority group based on certain criteria, such as whether the student is zoned or has an older sibling in the school. Offers are made in order of priority group, starting from the group with the highest priority to attend the school to the lowest.

For 3-K, pre-K, and kindergarten, if there are more applicants than available seats within a priority group, seats will be assigned by random selection to members of that group, and the remainder will be placed on a waitlist.

Kindergarten offers are made to zoned schools in this priority group order, in accordance with Chancellor's Regulation A-101:

- a. Students who live in the zone, with a verified sibling; and
- b. Students who live in the zone, without a verified sibling.

If space allows, student living outside the zoned may also be admission, in the following order:

- c. Students who live in the district, with a verified sibling;
- d. Students who live outside the district, with a verified sibling;
- e. Students who live in the district and are currently enrolled at the school for pre-K;
- f. Students who live outside the district and are currently enrolled at the school for pre-K;
- g. Students who live in the district, other than those in Priority Groups c and e; and
- h. Students who live outside the district, other than those in Priority Groups d and f.

NYSCEF DOC. NO. 13

\_\_\_\_\_

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



26

Pre-K offers are made to zoned schools in this priority group order, in accordance with Chancellor's Regulation A-101:

- a. Students who live in the zone, with a verified sibling;
- b. Students who live in the zone, without a verified sibling;
- c. Students who live in the district, with a verified sibling;
- d. Students who live outside the district, with a verified sibling;
- e. Students who live in the district, other than those in Priority Group c; and
- f. Students who live outside the district, other than those in Priority Group d.

Non-zoned schools do not have a zone. Students throughout the district or borough can attend them. Most non-zoned schools give priority to students who have older siblings attending, who are current pre-K students, or who live in the district.

Kindergarten offers are made to non-zoned schools in this priority group order, in accordance with Chancellor's Regulation A-101:

- a. Students who live in the district, with a verified sibling;
- b. Students who live outside the district, with a verified sibling;
- c. Students who live in the district and are currently enrolled at the school for pre-K;
- d. Students who live outside the district and are currently enrolled at the school for pre-K;
- e. Students who live in the district, other than those in Priority Groups a and c; and
- f. Students who live outside the district, other than those in Priority Groups b and d.

Pre-K offers are made to non-zoned schools in this priority group order, in accordance with Chancellor's Regulation A-101:

- a. Students who live in the district, with a verified sibling;
- b. Students who live outside the district, with a verified sibling;
- c. Students who live in the district, other than those in Priority Group a; and
- d. Students who live outside the district, other than those in Priority Group b.

A sibling is defined as a brother or sister—including half-brothers, half-sisters, stepbrothers, stepsisters, foster brothers, and foster sisters—of the applicant, who lives in the same household, and is currently preregistered or enrolled at that school in grades K-5, and will be enrolled at that school in grades K-5 in September 2018. This includes students enrolled in co-located District 75 programs in the same school building. Schools offer a priority to applicants with verified siblings in the school.

In some cases, dependent upon the timing of the approval of a rezoning plan, a student's zoned school may change during the application period. In such cases, applicants with siblings already enrolled at the previous zoned school will continue to have zoned priority to the original zoned school.

All elementary schools are expected to welcome and serve students with disabilities in accordance with their IEP or 504 Accommodation Plan. Elementary school students with IEPs are admitted to schools in the same manner as general education students.

The NYCDOE is committed to ensuring students with disabilities have access to quality education and, to the extent appropriate, instruction alongside their general education peers. For more information on

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



27

special education in New York City, visit the NYCDOE's website at: <a href="http://schools.nyc.gov/Academics/SpecialEducation/default.htm">http://schools.nyc.gov/Academics/SpecialEducation/default.htm</a>.

In accordance with NYCDOE policy, ELLs are also admitted to elementary schools in the same manner as their peers who are English proficient. All schools serve ELLs and will meet each child's needs, providing at minimum ENL.

#### Middle School Admissions

Through the middle school admissions process, students are offered the opportunity to apply to a range of middle schools within their district, as well as to schools with borough-wide or citywide eligibility. Students may also choose to apply to a number of schools that manage their own admission process. Information about all of these options is printed in each district's Middle School Directories, which can be found on the NYCDOE's website at:

http://schools.nyc.gov/ChoicesEnrollment/Middle/Publications/default.htm. Please note that these directories are updated yearly.

General information about the middle school admissions process can be found on the NYCDOE's website at: <a href="http://schools.nyc.gov/ChoicesEnrollment/Middle/default.htm">http://schools.nyc.gov/ChoicesEnrollment/Middle/default.htm</a>.

The Citywide deadline for fifth-grade students to submit middle school applications for the 2018-2019 school year is December 1, 2017. Additionally, new middle schools designated to open throughout the city for the 2018-2019 school year will be available for students to consider in early 2018. Eligible students will have the opportunity to submit a new schools application in at that time. Information about middle school application deadlines is available on the NYCDOE's website at: <a href="http://schools.nyc.gov/ChoicesEnrollment/Calendar">http://schools.nyc.gov/ChoicesEnrollment/Calendar</a>.

Middle school students with IEPs, with the exception of those recommending placement in a District 75 school, are admitted to schools in the same manner as general education students. Schools will ensure that students with disabilities continue to receive mandated services in accordance with their IEPs while also ensuring such students have opportunities to learn alongside their non-disabled peers to the greatest extent possible.

In accordance with NYCDOE policy, ELL students are admitted to middle school in the same manner as their peers who are not ELL students. Any students requiring ELL services will receive appropriate services in accordance with NYCDOE policy.

#### Over-the-Counter (OTC) Placements

OTC placement, is the method of enrolling students who need a school assignment because they were not part of any admissions process for entry grades and/or were not enrolled in a New York City school at the time school started. These students fall into one of four categories:

- New to the New York City school system; or
- Left the New York City school system and have returned; or

RECEIVED NYSCEF: 04/12/2018

INDEX NO. 506124/2018



28

- Are seeking transfers, based on the guidelines outlined in Chancellor's Regulation A-101; or
- Did not participate in the Middle School or High School Admissions Processes for some other reason.

When student eligible for middle or high school arrives for placement, his or her school assignment is determined by his or her interest, home address, which schools have available seats, and, where applicable, transfer guidelines.

Students requiring an OTC middle school placement are eligible to attend middle school based on their district of elementary school attendance or the district to which the student's address is zoned for middle school. In un-zoned districts, the middle school student visits a Family Welcome Center where he or she meets with a counselor who reviews options that will meet the student's needs. In many districts, middle students may simply report to their zoned middle school. A high school student visits a Family Welcome Center directly.

There is a peak enrollment period occurring just prior to and into the opening of school when thousands of students arrive. Prior to the start of the peak enrollment period, schools are reminded about the number of OTC students they can expect. This number is based on a school's enrollment projection and the results of the admissions process.

If the NYCDOE's Office of Student Enrollment determines that additional OTC seats may be needed, the number of seats available are reviewed and – if space allows – adjusted in those schools where the admissions methods are limited unscreened, educational option, or unscreened.

NYSCEF DOC. NO. 13

RECEIVED NYSCEF: 04/12/2018

INDEX NO. 506124/2018



29

# Appendix D: Instructional Footprint

The Footprint sets forth the baseline number of rooms that should be allocated to a school based on the grade levels it serves and number of classes per grade it offers. For existing schools, the Footprint is applied to the current number of classes and class size a school is programming. It is confirmed by a walk-through of the building conducted by a representative from the NYCDOE's Office of Space Planning and a school representative.

For elementary schools serving students in grades K-5 and for all pre-K programs, the Footprint assumes that classes are self-contained. Therefore, the Footprint allocates one full-size room for each general education or Integrated Co-Teaching section and a full-size or half-size room to accommodate each Special Class section served by the school. In addition to these rooms, schools serving grades K-5 receive an allocation of cluster or specialty rooms proportionate to the number of students enrolled. These spaces can be used at the principal's discretion for purposes such as art or music instruction.

For grades 6-12, the Footprint assumes that students move from class to class and that classrooms should be programmed at maximum efficiency. The Footprint does not require that every teacher have his or her own designated classroom. Principals are asked to program their schools efficiently so that classrooms can be used for multiple purposes throughout the course of the school day.

The Footprint allocates the number of baseline classrooms for student support services, resource rooms, and administrative space based on the grades a school serves and its enrollment at scale.

NYSCEF DOC. NO. 13

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



30

#### IX. Endnotes:

The approved proposal to co-located SA Bed Stuy 3 in K025 is available on the NYCDOE's website at: <a href="http://schools.nyc.gov/NR/rdonlyres/D9619074-60BF-4445-9534-">http://schools.nyc.gov/NR/rdonlyres/D9619074-60BF-4445-9534-</a>
C2E62C24B858/190819/AmendedEIS SuccessatK025 vfinal.pdf.

- iii 2014 Audited Register as of October 31, 2014 and 2017 Unaudited Register as of October 31, 2017
- from the 2016-2017 Blue Book, 2017-2018 Unaudited Register as of October 31, 2017 for district schools, and 2017-2018 charter headcount as of October 2, 2017 for charter schools. This methodology is consistent with the manner in which the DOE conducts planning and calculates space allocations and funding for all schools. In determining the space allocation for co-located schools, the Office of Space Planning conducts a detailed site survey and/or space analysis of the building to assess the amount of space available in the building. The Blue Book is available at:

https://dnnhh5cc1.blob.core.windows.net/portals/0/Capital\_Plan/Utilization\_Reports/Blue%20Book%202016-

<u>2017.pdf?sr=b&si=DNNFileManagerPolicy&sig=g7eZjXLOaaZfmXPHd0cFOjryHfBrVwF8D5mf9HcSpA%3D</u>

- v 2017-2018 Unaudited Register as of October 31, 2017 for district schools and charter headcount as of October 2, 2017 for charters. Projected enrollment is based on 2017-2018 enrollment.
- vi Information from school reported data as of January 8, 2018.
- vii Full-size classrooms have an area of 500 square feet or more.
- viii Half-size classrooms have an area of 240 square feet or more, but less than 500 square feet.
- ix Quarter-size rooms have an area of less than 240 square feet.
- \* 2017-2018 Unaudited Register as of October 31, 2017.
- xi Based on the 2016-2017 Audited Register as of October 31, 2016, as reported in the citywide Demographic Snapshot, which is available on the NYCDOE's website at: http://schools.nyc.gov/AboutUs/schools/data/default.htm.
- xii The 2016-2017 Quality Review Report formally reports on these ten Quality Indicators. Quality Indicators 1.3, 1.4, 3.1, 4.1, and 5.1 were not formally assessed in 2014-2015 and 2015-2016. Full descriptions of the Quality Indicators can be found in the 2017-2018 Quality Review Rubric, which is available at: http://schools.nyc.gov/NR/rdonlyres/CEEBC665-7545-469E-A43E-

NYSCEF DOC. NO. 13

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



31

<u>4FF15608C152/0/QualityReviewRubric\_1718.docx</u>. Not all schools receive Quality Reviews every year. 16K025 did not have a Quality Review for the 2014-2015 and 2016-2017 school years.

- xiii Performance data is from the School Quality Reports available at: http://schools.nyc.gov/Accountability/tools/report/default.htm.
- xiv Proficiency rates are the percentage of students receiving a score of 3 or 4 out of 4 on the New York State English-Language Arts examination. From the official NY state ELA test results, available at http://schools.nyc.gov/documents/rpsg/School%20ELA%20Results%202013-2017%20(Public).xlsx.
- xv Proficiency rates are the percentage of students receiving a score of 3 or 4 out of 4 on the New York State Math examination and includes the equivalent proficiency of students in 7th and 8th grade who took the Algebra Regents exam instead of taking the State math assessment. From the official NY state math test results with Math Regents included, available at http://schools.nyc.gov/documents/rpsg/School%20Math%20Results%202013-2017%20(Public).xlsx. .
- xvi 2017-2018 charter headcount as of October 2, 2017. Projected enrollment is based on 2017-2018 enrollment.
- xvii Based on the 2016-2017 Audited Register as of October 31, 2016, as reported in the citywide Demographic Snapshot, which is available on the NYCDOE's website at: <a href="http://schools.nyc.gov/AboutUs/schools/data/default.htm">http://schools.nyc.gov/AboutUs/schools/data/default.htm</a>.
- xviii Charter schools do not receive Quality Reviews; they are monitored and evaluated by authorizers, who produce reports. 84K883 is authorized by SUNY. The authorizer's report can be found on the authorizer's website at: <a href="http://schools.nyc.gov/community/charters/information/schoolperformancereports.htm">http://schools.nyc.gov/community/charters/information/schoolperformancereports.htm</a>.
- xix Performance data is not available for SA Bed Stuy 3 because it currently serves only grades K-2.
- xx The NYCDOE does not have attendance data for SA Bed Stuy 3 because not all charter schools report attendance to the NYCDOE.
- xxi Excessing of staff occurs when a school requires fewer positions than the number of staff currently in the license area or job title.
- xxii 2017-18 Unaudited Register as of October 31, 2017. It reflects the enrollment for all grades served by the school.
- xxiii School capacity is from the 2016-2017 Blue Book. For schools serving students in more than one site, enrollment, capacity, and utilization reflect all grades served by the school.
- xxiv Schools with capacity and utilization marked N/A are either served in private space or are phasing in and therefore capacity and utilization are not available.

NYSCEF DOC. NO. 14

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018

# **Exhibit E**

NYSCEF DOC. NO. 14

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018



# **Public Comment Analysis**

Date:

February 27, 2018

Topic:

The Proposed Closure of P.S. 25 Eubie Blake School (16K025) in Building K025

at the End of the 2017-2018 School Year

Date of Panel Vote:

February 28, 2018

### Summary of Proposal

On January 5, 2018, the New York City Department of Education (NYCDOE) issued an Educational Impact Statement (EIS) describing a proposal to close P.S. 25 Eubie Blake School (16K025), referred to as P.S. 25, in building K025 at the end of the 2017-2018 school year. P.S. 25 is an existing zoned elementary school serving students in grades K-5 and offering a pre-Kindergarten (pre-K) program. P.S. 25 is currently co-located with Success Academy – Bed Stuy 3 (84K883), referred to as SA Bed Stuy 3, in building K025, located at 787 Lafayette Avenue, Brooklyn, NY, 11221 in Community School District 16. SA Bed Stuy 3 currently serves students in grades K-2 and will add one grade each year until it reaches full scale and serves students in grades K-4 in the 2019-2020 school year. K025 also houses the community-based organization (CBO) Urban Dove.

A co-location means that two or more school organizations are located in the same building and may share common spaces, such as:

- Auditoriums;
- Gymnasiums;
- · Libraries; and
- Cafeterias.

The EIS for this proposal was amended to reflect the space used by Urban Dove in K025. The original EIS failed to allocate 1 full-size room to Urban Dove, and instead allocated that 1 room to P.S. 25 as excess. Corrections were also made to the list of P.S. 25's current extra-curricular activities, sports, and partnerships in Section III.A of the EIS to reflect the most current information available. Additionally, a correction was made in Section III.B in order to reflect that SA Bed Stuy 3 is allocated 8 full-size rooms in excess rather than 9 full-size rooms in excess in the 2017-2018 school year; SA Bed Stuy 3's total space allocation for the 2017-2018 has not been changed.

The NYCDOE is proposing the closure of P.S. 25 based on its persistently low enrollment and lack of demand from students and families. If this proposal is approved, P.S. 25 will close at the end of the 2017-2018 school year and will no longer exist as an elementary school option in the 2018-2019 school year. All students continuing in elementary school will receive an alternative elementary school option before being discharged from the closing school.

If the proposed closure is approved, NYCDOE staff will work individually with all current students in grades K-4 as well as current students in grade 5 who do not meet promotional criteria, to identify a strong school option that meets their needs. These families will receive a customized application with

NYSCEF DOC. NO. 14

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018

#### NYC DEPARTMENT OF EDUCATION

elementary school options within District 16 whose performance approaches P.S. 25's and a small number of options outside of District 16 whose performance exceeds that of P.S. 25. Families will be matched to another school for the 2018-2019 school year. The superintendent's office and the Family Welcome Center (FWC) counselors will provide individualized enrollment support to help students and families in thinking through the options presented in order to ensure that students choose the right school to continue their education for the 2018-2019 school year and beyond. NYCDOE staff will also work with schools that are listed on the application to hold tours for prospective families from P.S. 25.

All current pre-K students will participate in the standard kindergarten admissions process as described in Appendix C, and current 5th grade students who meet promotional criteria will enroll in the middle school to which they are matched in the standard middle school admissions process. For further information about elementary school and middle school admissions, see Appendix C of the amended Educational Impact Statement (EIS) or visit the NYCDOE's website at: <a href="http://schools.nyc.gov/choicesenrollment/elementary/default.htm">http://schools.nyc.gov/choicesenrollment/elementary/default.htm</a>.

If this proposal is approved, students residing in the current P.S. 25 elementary school zone will no longer have access to their zoned option as of the 2018-2019 school year. The Office of District Planning and the District 16 Community Superintendent are working with Community Educational Council 16 to develop a rezoning plan for the zone that currently serves P.S. 25. Regardless of whether or not a rezoning plan is in place by the 2018-2019 school year, all students residing in the current P.S. 25 zone applying for kindergarten for the 2018-2019 school year will receive an offer consistent with the standard kindergarten admissions process described in Appendix C of the amended EIS.

There is sufficient capacity across other elementary schools throughout District 16 to accommodate future students who might have enrolled in P.S. 25. For further information about capacity to accommodate elementary school students across District 16, see Section III.D of the amended EIS.

The NYCDOE has implemented an expanded support and supervision structure that allows for regular engagement and evaluation of schools to ensure that every student in New York City receives a high-quality education and is prepared for college and career. As a result, the NYCDOE has identified schools, including P.S. 25, that have experienced persistently low enrollment and lack of demand by students and families. At P.S. 25, these ongoing challenges have contributed to a loss of per-pupil funding, potentially resulting in fewer academic, extracurricular, and athletic opportunities than schools with robust enrollment. Teachers have few opportunities for instructional collaboration with colleagues as they are often the only staff member teaching a particular grade.

P.S. 25 has struggled with declining enrollment and low demand by students and families, despite increasing test scores over the last three years, and multiple prior interventions, such as programmatic changes at the school, recruitment and re-branding support, and school re-design.

During the 2014-2015 school year, P.S. 25 served 164 students in grades K-5. In the current 2017-2018 school year, P.S. 25 is serving a total of just 94 students in grades K-5, which represents a 43% decline in enrollment in the past three years. Additionally, only 26% of kindergarten applicants ranked P.S. 25 first, well below the district median of 40%, and only 8% of kindergarten students residing in the P.S. 25 zone chose to enroll in P.S. 25 for kindergarten in the 2017-2018 school year.

The details of this proposal have been released in the amended EIS which can be accessed on the NYCDOE's website at: <a href="http://schools.nyc.gov/AboutUs/leadership/PI:P/publicnotice/2017-2018/February282018SchoolProposals.">http://schools.nyc.gov/AboutUs/leadership/PI:P/publicnotice/2017-2018/February282018SchoolProposals.</a> Copies of the amended EIS are also available in the main office of P.S. 25.

2

NYSCEF DOC. NO. 14

RECEIVED NYSCEF: 04/12/2018

3

INDEX NO. 506124/2018

#### NYC DEPARTMENT OF EDUCATION

Summary of Comments Received at the Joint Public Hearings

A Joint Public Hearing (JPH) was held regarding this proposal, where interested parties had an opportunity to provide input on the proposal. The JPH was held on February 5, 2018 at K025, where approximately 75 members of the public attended and there were 16 speakers. Individuals present at the meeting included:

- Deputy Chancellor Phil Weinberg;
- Community District 16 Superintendent Rahesha Amon;
- P.S. 25 Principal Anita Coley;
- Community Education Council 16 (CEC 16) President Nequan Mclean;
- Members of P.S. 25's School Leadership Team (SLT);
- Kelly Krag-Arnold and Jamie Dollinger from the NYCDOE's Office of District Planning;
- Brandon Bloomfield from the NYCDOE's Office of Intergovernmental Affairs; and
- Meghan Harkins, Donna Taylor, and Erin Cochran from the NYCDOE's Office of School Design.

The NYCDOE invited SA Bed Stuy 3 to attend this hearing. However, SA Bed Stuy 3 did not attend this hearing or inform NYCDOE that they would not be in attendance.

The following comments and remarks were made at the JPH at K025 on February 5, 2018:

- 1. Anita Coley, P.S. 25 Principal, expressed the following comment:
  - a. She thanked students, staff, and families for their hard work and support in helping students at P.S. 25 succeed.
- 2. Nequan Mclean, CEC 16 president, expressed that CEC 16 supports the proposal to close P.S. 25.
- 3. Diane Watson, an SLT member at P.S. 25, expressed the following comments:
  - a. She said that she does not approve of the proposal because P.S. 25 is a high performing school.
  - b. She said that the NYCDOE should consolidate another school into P.S. 25 instead of proposing the closure of P.S. 25.
- 4. One student at P.S. 25 expressed the following comments:
  - a. She said that she has learned a lot at P.S. 25.
  - b. She said that the teachers at P.S. 25 are dedicated and have taught her a lot.
- 5. One student at P.S. 25 expressed that she does not want to school to close.
- 6. One student expressed the following comments:
  - a. He said that he does not want P.S. 25 to close.
  - b. He said that the teachers have provided a good education and have helped him succeed.
- 7. One member of the P.S. 25 staff expressed the following comments:
  - a. She said that she was sad to hear that P.S. 25 might close and that she is not in favor of the proposal.
  - b. She said that she was sad and troubled that CEC 16 supports the proposal.
  - c. She said that the staff of P.S. 25 is hardworking and dedicated.
  - d. She said that P.S. 25 offers many activities, programs, and supports for students.

NYSCEF DOC. NO. 14

\_\_\_\_\_

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018

#### NYC DEPARTMENT OF EDUCATION

- 8. One parent of students at P.S. 25 expressed the following comments:
  - a. She said that she does not support the proposal because P.S. 25 has high test scores.
  - b. She said that P.S. 25 has been a supportive learning environment for her children.
- 9. One parent of students at P.S. 25 expressed the following comments:
  - a. She said that the staff of P.S. 25 have helped her children succeed in school despite their disabilities.
  - b. She said that she does not support the proposal.
- 10. One commenter expressed the following comments:
  - a. He said that he works in many schools and that he is impressed with the students at P.S. 25 because they are engaged and they enjoy their work.
  - b. He said that he does not support the proposal.
  - c. He said that he believes that it is clear that the parents and staff work together to help students succeed.
- 11. One parent of students at P.S. 25 expressed the following comments:
  - a. He said that if this proposal is approved, students will now have to travel long distances to get to school, which would put a burden on families.
  - b. He said that there is sufficient space in building K025 to consolidate another elementary school with P.S. 25, instead of closing P.S. 25.
  - c. He said that he does not support the proposal.
- 12. One parent of students at P.S. 25 expressed the following comments:
  - a. She said that the teachers and staff of P.S. 25 have helped her children succeed.
  - b. She said that she does not support the proposal.
- 13. One commenter expressed the following comments:
  - a. She said that her mother was a former student at P.S. 25 and that she is supporting the school in order to honor her memory.
  - b. She said that she does not support this proposal due to P.S. 25's high test scores.
  - c. She asked about the timeline of the proposal and the engagement steps that were followed.
- 14. One commenter expressed the following comments:
  - a. She said that P.S. 25 should not be closed.
  - b. She said that gentrification might be having an impact on education.
  - c. She said that she suggests getting more students to attend P.S. 25 in order to keep the school open.
  - d. She said that she is concerned with safety outside of the P.S. 25 building because of the lack of lighting under the scaffolding outside.
- 15. One parent of a student at P.S. 25 expressed the following comment:
  - a. He said that he does not support the proposal because P.S. 25 provides opportunities for nearby students.
- 16. One parent of students at P.S. 25 expressed the following comments:
  - a. She said that another school should be consolidated with P.S. 25 instead of P.S. 25 being closed.
  - b. She said that her children have excelled at P.S. 25 because of the teachers and staff.

ETHED. KINGS COUNTI CHERK 04/12/2010 07:00 FI

NYSCEF DOC. NO. 14 RECEIVED NYSCEF: 04/12/2018

#### NYC DEPARTMENT OF EDUCATION

17. One commenter expressed the following comments:

- a. She said that she is a former teacher in a neighboring district and that she does not support the proposal.
- b. She said that P.S. 25 should remain open because of its high test scores.
- c. She said that if P.S. 25 is closed, there will be a lot of excess space in the K025 building.
- d. She asked what will happen to the staff of P.S. 25 if the school is closed.
- e. She asked if the statements given at the JPH will be heard by the PEP.
- 18. One commenter expressed the following comments:
  - a. She said that she is a retired teacher from a neighboring district and that she does not support the proposal.
  - b. She said that P.S. 25 should be allowed to advertise more in order to increase enrollment.

Summary of Oral Comments Submitted to the NYCDOE

The NYCDOE received zero voicemails through the dedicated phone number for this proposal.

Summary of Written Comments Submitted to the NYCDOE

The NYCDOE received one e-mail through the dedicated email address for this proposal.

- 19. One commenter expressed the following:
  - a. She said that her children attended P.S. 25 and that the school is very supportive and has helped her children succeed.

The NYCDOE received 68 letters for this proposal.

- 20. One parent of a student at P.S. 25 expressed the following comments:
  - a. They said that they are in opposition to the closure of P.S. 25 because the school has taught many generations of their family.
  - b. They said that many teachers at P.S. 25 are talented at their jobs.
  - c. They said that the closure of P.S. 25 would hurt their family and community because the school has existed in the community for such a long period of time.
- 21. One commenter expressed the following comments:
  - a. He said that he has worked in education for forty years around the world and that P.S. 25 stands out to him because of the school's high standards.
  - b. He praised P.S. 25's leadership and teachers.
- 22. One parent of students at P.S. 25 expressed the following comments:
  - a. She praised the staff of P.S. 25 for welcoming her children with learning disabilities and providing the services her children need.
  - b. She said that she opposes the closure of P.S. 25.
- 23. One parent of students at P.S. 25 expressed the following comments:
  - a. She praised the work of the teachers at P.S. 25.
  - b. She said that P.S. 25 should not close because test scores have improved recently.
  - c. She said that P.S. 25 offers many clubs and activities for students at the school.

5

INDEX NO. 506124/2018

NYSCEF DOC. NO. 14

\_\_\_\_\_

6

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018

#### NYC DEPARTMENT OF EDUCATION

24. One parent of students at P.S. 25 expressed the following comments:

- a. She said that she opposes the closure of P.S. 25.
- b. She praised the welcoming environment created by the staff at P.S. 25.
- 25. One parent of students at P.S. 25 expressed the following comments:
  - a. She said that she opposes the closure of P.S. 25.
  - b. She praised the dedication of the teachers at P.S. 25.
- 26. NYCDOE received 62 form letters that expressed the following comments:
  - a. They said that they do not support the closure of P.S. 25.
  - b. They said that the closure of P.S. 25 would have a negative effect on all of District 16.
  - c. They said that small schools work best for students and teachers.
  - d. They said that P.S. 25 is not underperforming and has been making progress.
  - e. They said that in 2017, P.S. 25 outperformed District 16, New York City, and New York State averages in both math and ELA state tests.
  - f. They said that P.S. 25 is the only zoned school in the vicinity.
  - g. They said that P.S. 25 offers a variety of enrichment programs such as robotics, music, and dance.

Analysis of Issues Raised and Significant Alternatives Proposed

Comments 13(a) and 14(b, d) are not directly related to the proposal and thus do not require a response.

<u>Comment 2</u> is in favor of the proposal and thus does not require a response.

Comments 5, 6(a), 7(a), 9(b), 10(b), 11(c), 12(b), 14(a), 17(a), 18(a), 22(b), 24(a), 25(a), and 26(a) state their general opposition to the proposal. Additionally, comments 3(a), 8(a), 13(b), 17(b), 23(b), and 26(d, e) question the decision to close P.S. 25 in light of the school's test scores.

There are times when the NYCDOE and members of the community differ in their opinions about specific proposals. As noted above, while the NYCDOE recognizes the praise for P.S. 25 and commends the school community for its hard work and dedication, a number of factors went into consideration when making this difficult decision. P.S. 25 has struggled with declining enrollment and low demand by students and families, despite increasing test scores and multiple prior interventions, such as programmatic changes at the school, recruitment and re-branding support, and school re-design. The NYCDOE commends the good work done by P.S. 25 students and staff, however, the loss of per-pupil funding at under-enrolled schools can result in fewer academic, extra-curricular, and athletic opportunities than schools with robust enrollment and the NYCDOE believes that a well-rounded education demands more resources than such a small school can provide.

During the 2014-2015 school year, P.S. 25 served 164 students in grades K-5. In the current 2017-2018 school year, P.S. 25 is serving a total of just 94 students in grades K-5, which represents a 43% decline in enrollment in the past three years. Additionally, only 26% of kindergarten applicants ranked P.S. 25 first, well below the district median of 40%, and only 8% of kindergarten students residing in the P.S. 25 zone chose to enroll in P.S. 25 for kindergarten in the 2017-2018 school year.

<u>Comments 14(c)</u>, and 18(b) state that the NYCDOE should help P.S. 25 increase enrollment instead of closing the school.

NYSCEF DOC. NO. 14

INDEX NO. 506124/2018

RECEIVED NYSCEF: 04/12/2018

NYC DEPARTMENT OF EDUCATION

7

As noted above, a number of factors went into consideration when making this decision to close P.S. 25. P.S. 25 has struggled with declining enrollment and low demand by students and families, despite increasing test scores and multiple prior interventions, such as programmatic changes at the school, recruitment and re-branding support, and school re-design.

During the 2014-2015 school year, P.S. 25 served 164 students in grades K-5. In the current 2017-2018 school year, P.S. 25 is serving a total of just 94 students in grades K-5, which represents a 43% decline in enrollment in the past three years. Additionally, only 26% of kindergarten applicants ranked P.S. 25 first, well below the district median of 40%, and only 8% of kindergarten students residing in the P.S. 25 zone chose to enroll in P.S. 25 for kindergarten in the 2017-2018 school year.

Comments 1(a), 4(a, b), 6(b), 7(c, d), 8(b), 9(a), 10(a, c), 12(a), 16(b), 19(a), 20(b), 21(a, b), 21(a, b), 22(a), 23(a, c), 24(b), 25(b), and 26(g) express support for the quality of programs and staff at P.S. 25.

The NYCDOE recognizes the praise for P.S. 25 and commends the principal and staff for their hard work, dedication, and commitment to creating a positive school environment for their students and the community, including students with disabilities. Despite the efforts made at P.S 25, the NYCDOE has made the difficult decision to propose closure. The NYCDOE will continue to support District 16 families to ensure they have access to high-quality options.

Comments 3(b), 11(b), and 16(a) express that another school should be consolidated into P.S. 25 instead of closing P.S. 25.

The NYCDOE takes a number of factors into consideration when it makes a difficult decision such as proposing a school for closure. Based on the rationale noted above and described in the amended EIS, including P.S. 25's struggle with declining enrollment and low demand for many years, the NYCDOE believes that school closure is the most appropriate option for P.S. 25 and its students at this time, as students will have access to schools with more robust enrollment if this proposal is approved. At P.S. 25, these ongoing challenges have contributed to a loss of per-pupil funding, potentially resulting in fewer academic, extracurricular, and athletic opportunities than schools with robust enrollment.

Comment 15(a) expresses concern about losing P.S. 25 as an elementary school option in the neighborhood and comments 20(a, c) express the importance of P.S. 25 to the neighborhood and community.

The NYCDOE acknowledges the importance of district schools to the community, and decisions such as a school closure are made on a case-by-case basis. The NYCDOE takes a number of factors into consideration when it makes a difficult decision such as proposing a school for closure. Based on the rationale noted above and described in the amended EIS, including P.S. 25's struggle with declining enrollment and low demand for many years, the NYCDOE believes that school closure is the most appropriate option for P.S. 25 and its students at this time.

<u>Comment 11(a)</u> expresses concern about students' travel distance to other schools if this proposal is approved.

While this consolidation may require some P.S. 25 students to travel further to school each day, there may be other students who may be closer to their new school. Transportation for students will continue to be provided according to Chancellor's Regulation A-801. More details on the NYCDOE transportation policy can be found at: <a href="http://www.optnyc.org/resources/A801.pdf">http://www.optnyc.org/resources/A801.pdf</a>. The closing of P.S. 25 may result in different students being eligible for busing than in past years, in accordance with Chancellor's Regulation A-801, depending where they enroll for school and where they live.

NYSCEF DOC. NO. 14

RECEIVED NYSCEF: 04/12/2018

INDEX NO. 506124/2018

NYC DEPARTMENT OF EDUCATION

8

The Office of Pupil Transportation will continue to provide busing to special education students in accordance with State Education Law and Chancellor's Regulation A-801. State Education Law mandates that the City School District provide transportation for certain special education children residing in New York City to and from the school they legally attend. Students designated as Special Education by the Committee on Special Education are exempt from the minimum grade and distance requirement. Special Education students must also fall within the age guidelines stipulated in the most recent Office of Pupil Transportation General Education Transportation Manual. For special education pupils, specialized transportation is provided only to those students who have an Individualized Education Plan (IEP) that mandates this service. Many pupils who receive special education services do not have IEP's that require specialized transportation and these pupils are eligible only for the same services provided to general education pupils. If the child has any medical problems which might affect his or her well-being on the bus, the parent shall inform the escort of the problem and of any action he or she should take in the event that action is required (medical problems might be asthma, heart condition, diabetes, convulsions, etc.). There is no busing for after-school programs.

Comment 13(c) asks about the timeline of the proposal and engagement steps.

For all proposals related to a significant change in school utilization, the NYCDOE offers multiple opportunities for community engagement, including opportunities mandated by the Chancellor's Regulation A-190. This includes: making the proposal available online and in hard copy, providing notice of the Joint Public Hearing and PEP vote, holding a Joint Public Hearing, collecting public comments concerning the proposal, and preparing an analysis of public comment, as well as offering additional opportunities, such as an optional community meeting for each impacted school.

For the current proposal to close P.S. 25, the NYCDOE offered the following information and opportunities for engagement:

- Calls were made to families of P.S. 25 on December 18, 2017 to notify them of the proposed closure and upcoming community meeting.
- Letters notifying P.S. 25 families of this proposed closure and the upcoming community meeting were backpacked home with students on December 18, 2017.
- Superintendent Pate led a community meeting at P.S. 25 on December 19, 2017 to answer questions and concerns from the P.S. 25 community.
- The NYCDOE held a Joint Public Hearing for this proposal on February 5, 2018.
- A dedicated phone line and email address have accepted public comment at any time following the posting of the proposal.

As mentioned, the PEP is scheduled to vote on this proposal, along with several others, at its February 28, 2018 meeting at Murry Bergtraum High School, 411 Pearl Street, New York, NY 10038. The PEP meeting is open to the public, and attendees have an opportunity to provide public comment before the PEP members and Chancellor. The NYCDOE seeks to continuously provide a transparent and accountable environment, and continuously aims to improve trust between the NYCDOE and school communities.

Comment 17(c) asks about space in K025 if the proposal to close P.S. 25 is approved.

If this proposal is approved, K025 will then be under-utilized, meaning it will have more capacity to accommodate additional students. Pursuant to Chancellor's Regulation A-190, the NYCDOE may issue an EIS for the future use of space in K025, if applicable.

NYSCEF DOC. NO. 14

INDEX NO. 506124/2018

9

O. 14 RECEIVED NYSCEF: 04/12/2018

#### NYC DEPARTMENT OF EDUCATION

Comment 17(d) asks what will happen to the staff of P.S. 25 if the school is closed.

If this proposal is approved, all teachers, administrative, and non-pedagogical staff at P.S. 25 will be excessed after the closure. All excessing would be conducted in accordance with existing labor contracts.

All excessed teachers will be eligible to apply for other City positions and any teachers who do not find a position would be placed in the ATR pool meaning that they will continue to earn their salary while serving as teachers in other City schools.

Students who would otherwise have enrolled in P.S. 25 would instead be enrolled in other elementary schools. Therefore, it is possible those schools might need to hire additional staff. Consequently, this proposal may not result in an overall loss of teaching positions within the citywide system.

Comment 17(e) asks if the statements given at the JPH will be heard by the PEP.

All comments received at the Joint Public Hearing or through the phone line or email address by 6 p.m. on the day before the PEP meeting are addressed by the NYCDOE in this Public Comment Analysis. The Public Comment Analysis is made available to the public after 6 p.m. on the day before the PEP meeting.

Comment 26(b) states that the closure of P.S. 25 would negatively affect all of District 16.

If this proposal is approved, students in District 16 will no longer have the opportunity to enroll in P.S. 25 for elementary school. They will, however, continue to have access to a broad range of elementary school options. This proposal is not expected to otherwise impact the admissions process at other District 16 elementary schools. There will continue to be sufficient kindergarten seats in District 16 to accommodate future students who may have otherwise enrolled in P.S. 25. Schools in District 16 currently have the capacity to serve approximately 6,500 students in grades K-5, while only 3,110 such students are currently enrolled in 2017-2018. This proposal is expected to help reduce the excess of over 3,400 elementary school seats in District 16 and support enrollment as other elementary schools across the district that will enroll future students who may have otherwise attended elementary school at P.S. 25. If the closure of P.S. 25 is approved, District 16 district elementary schools will have the capacity to serve approximately 5,950 students in grades K-5 and will have an excess of about 2,850 elementary school seats.

Comment 26(c) states that small schools such as P.S. 25 are best for students and teachers.

P.S. 25 has experienced consistent decline in enrollment and low demand by students and families. These issues negatively impact the school's ability to serve students and provide robust programming and resources. The NYCDOE strives to ensure that all families have access to high-quality school options that meet their children's needs. The declining student enrollment at P.S. 25 over the past several years indicates that there is a need to provide stronger options for future and current students in the P.S. 25 community.

Comment 26(f) states that P.S. 25 is the only zoned school in the vicinity.

The Office of District Planning and the District 16 Community Superintendent are working with Community Educational Council 16 to develop a rezoning plan for the zone that currently serves P.S. 25. Regardless of whether or not a rezoning plan is in place by the 2018-2019 school year, all students residing in the current P.S. 25 zone applying for kindergarten for the 2018-2019 school year will receive an offer consistent with the standard kindergarten admissions process.

FILED: KINGS COUNTY CLERK 04/12/2018 07:06 PM INDEX NO. 506124/2018

NYSCEF DOC. NO. 14 RECEIVED NYSCEF: 04/12/2018

NYC DEPARTMENT OF EDUCATION

10

Comment 17(b) states disappointment with CEC 16's endorsement of the proposal.

Community Education Councils are composed of elected volunteer members of the District 16 community. Community Education Council members are free to provide public feedback on proposals such as this one.

Changes Made to the Proposal

On January 26, 2018, this proposal was amended as described in the Summary of Proposal above.

No further changes have been made to this proposal.