



COMMUNITY EDUCATION COUNCIL DISTRICT 3

154 West 93rd Street New York, New York 10025 - Room 204 Tel (212) 678-2782 Fax (212) 678-2804 Email: CEC3@schools.nyc.gov

Joseph A. Fiordaliso
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Kimberly Watkins
First Vice President

Zoe G. Foundotos
Second Vice President

Kristen Berger
Secretary

Lucas Liu
Treasurer

Council Members: Manuel Casanova Noah Gotbaum Pradnya Joshi Daniel Katz
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Ilene Altschul
District 3 Community Superintendent

COMMUNITY DISTRICT EDUCATION COUNCIL 3

Special Calendar Meeting of the Zoning Committee

Wednesday Sept. 28th, 2016

6:30 PM

PS 166 – Auditorium, 132 W. 89th St., New York, NY 10024
(Between Columbus & Amsterdam Avenue)

Minutes

(Approved at the Nov. 9th Special Calendar Meeting by all Council members present)

❖ Call to Order 7:15 PM

- ❖ **Roll Call of Members** Kristen Berger, Manuel Casanova, Joe Fiordaliso, Zoe Foundotos, Noah Gotbaum, PJ Joshi, Daniel Katz, Lucas Liu, Kim Watkins, Declan Saint-Onge *student member* (9). A quorum was met.

Excused Absence Vincent Orgera

DOE Staff: Ilene Altschul, District 3 Superintendent, DJ Sheppard, District 3 Family Coordinator

❖ **DOE Zoning Presentation** (*on file*)

Presenters: Sarah Turchin, Director of Planning, ODP; Natifah Charles, Associate Director of Analytics, ODP, Nicole Ryan, Sr. Director of Analytics, Office of District Planning, Sr. Director, Jessica O'Brien, ODP.

- Announced opening of M342 building in 2017. Any scenario discussed is with the re-siting of M191 to the new M342 building.
- Draft Scenarios A & B were reviewed but remain the same from the Sept. 14th DOE presentation. Impact on current students informs all rezoning and all current students have the right to remain in their zoned school. Rezoning only applies to incoming K, pre-K students or students new to the DOE system, e.g. new arrivals from out of state or out of country. Feedback was taken into account in new Draft Scenario C, such as including schools in northern portion of district and maintaining P.S. 452 elementary capacity in M044.
- New Draft Scenario C includes
 - a) PS 191 re-sited to building M342
 - b) New school in building M191 and maintain PS 452 in current building M044
 - i. Maintain current size of PS 452 (3 kindergarten sections collapsing to 2 sections/grade 1-5)
 - ii. Diversity admissions priority at PS 452
 - c) Includes schools in northern portion of the district west of Morningside Park
 - d) Accounts for feedback received regarding PS 75, PS 9 and PS 84

- Concerns noted were several buildings in the southern portion of D3 requested remaining in PS 199 zone. Including all or some of these building would compromise the promotion of diversity at PS 199
- The pros and cons for each, a) P.S. 452 is re-sited to M191, or b) remains at M044, were looked at, e.g. pro would be the ability to grow if re-sited to a new school, con would be more travel for current P.S. 452 families.

➤ **CEC Member Comments and Questions**

- 1) If under Scenario C the Department is not proposing a re-siting, what is the Department's plan to ensure the long-term success of the school on W. 61st St. in terms of school leadership, resources and programming? How do you replicate all the benefits of re-siting without doing a re-siting?
 - i. Supt. Altschul: We will be working closely to ensure that there is strong leadership, that's in the works, to put in place strong, experienced leadership, one that is supportive of mentoring. As far as programming, we will ensure that there are many programs to support the students as practical.
 - ii. Pres. Fiordaliso: That doesn't seem like a fair trade-off for a well-established school with a phenomenal reputation and an extremely respected principal. Hopefully benefits will be replicated on a one to one basis.
 - iii. Supt. Altschul: We are looking into programs such as The Master Principal Program which is through SCA to be able to support the leader of the new school.
- 2) Does the new school get a special budget?
 - i. Supt. Altschul: The new school gets certain funding to start up as a new school.
 - ii. Is there any funding to support schools that may lose enrollment due to rezoning, should rezoning happen?
 - iii. Supt. Altschul: Funding is driven by the number of students and therefore there is no set funding but the DOE Budget Office does work with the schools to maintain their programming.
- 3) K Watkins: Where are we on community implementation of 191 stakeholder meetings?
 - i. Sarah Turchin: In terms of engagement with the 191 community related to the re-siting, we recently met with the 191 SLT, there will be a joint public hearing inviting members of the community to elicit comments and questions re re-siting proposal, we've met several times with Principal Keville and with the DOE team who worked on similar re-siting proposal in D13. We are going to 191 and having those conversations with families.
 - ii. There has been a lot of community participation in this rezoning but we have a silent part of our community, Harlem. For more than a year we've talked about wanting a district wide rezoning. PS241 in Harlem is struggling, fewer than 20 kids across each grade for several years. CEC3 has been asking for a solution for this particular issue and have been asking for the Harlem schools to be considered in the rezoning. Why can't we serve the communities above 110th St.? We owe it them to offer a solution to the under-enrollment in that part our district as well.
 - iii. Supt. Altschul: We are currently in discussions and will be moving forward with plans. We have been having engagement meetings with some of the schools above 110th St. so we can have them as part of this rezoning proposal before the final vote.
- 4) N Gotbaum: Three plans have been presented to the CEC to address over-crowding. What are your numbers are based on? What can you assure us we are not going to be back here in 12 months? Wants more transparency and actual numbers.

- i. S Turchin: In terms of our methodology and drawing zone lines, we do look at historic zone sizes over several years. We look at increases or decreases in the zone from K residents. We also look at residential construction in the zone and the number of students re the census multiplier, anticipated. In addition to projected zone sizes based on actual K residents, the specific data is something we can get.
 - ii. J O'Brien: We look at current and recent number of K residents living at each address that attend public school. We give cannot give specific numbers of students less than 10 at specific addresses. We use that information to determine what happens if we shift the blocks. It is a violation of FERPA
- 5) Z Foundotos: I don't see anything above 110th St.? The schools that are on the cusp of Title 1 status, under scenarios A, B, C will exhibit a shortfall. 191 is going to go down 15-25%. How will this shortfall be made up?
 - i. Supt. Altschul: The numbers reflect the incoming K class; it will take over 6 years for these percentages to take effect. 191 K-8, it's what the incoming class would be as far as Title 1 would be if everyone from that zone were to attend. That is just an estimate based upon who is living in that current zone.
 - ii. Z Foundotos: What you are saying is that over the next 5 or 6 years the school, if this is implemented, the school will no longer rely on Title 1 funding.
 - iii. Supt. Altschul: Only if there is an increase in enrollment and they are from the current zone.
 - iv. Z Foundotos: Scenario C, for 452, zone size is down from 53 to 35-45. Particularly true for ICP classes. ICP Teachers require additional funding but the school can't do that with decreased ICP size.
 - v. S Turchin: We are creating a smaller zone to promote out of zone enrollment, not to decrease current enrollment at 452. 452 will serve its' zone first. Diversity criteria from outside the zone will have to be met which includes students with special needs and reduced price lunch.
- 6) K Berger: If schools north of 110th St. are included in this rezoning, have they been engaged or given options yet?
 - i. Supt. Altschul: We are starting to schedule those engagement meetings with the community.
- 7) M Casanova: How many years back do you look for trends?
 - i. J O'Brien: We use the last 3 years.
- 8) PJ Joshi: Title 1 funding for PS 163. It has a diverse program ICP and GnT. In Scenario C, 163 is on the cusp of losing Title 1 funding.
 - i. Supt. Altschul: Zoning size was taken into account so they can continue to take out of zone students. By taking in out of zone students they can maintain their Title 1.
- 9) D Katz: Concerned about northern part of district. Would also like to reiterate that the Federal Education Privacy Act is a real thing and when dealing with smaller numbers of students, there are some tight restrictions on what can and cannot be released.

Elected Official Comment

- Assembly Member Linda Rosenthal: Rezoning is necessary to alleviate overcrowding and increase diversity, we support these goals, but eliminating 165 & 185 West End Ave. does not achieve that goal. The inability to release data (on numbers of school age children) seems like stonewalling. Furthermore, the DOE's method of estimating the number of students is wrong, hence the overcrowding at 199. While the DOE has addressed many community concerns in the zoning, they did not address the concerns of Lincoln Towers. The DOE works for the community

- Council Member Helen Rosenthal: This issue has been sweated out for the last 2 years. But for over 10 years we were able to make a case for how many sections were needed. The problem this time is, we don't know how many sections are needed for each school. We need the data on overcrowding and capacity and for that reason Council Member Rosenthal is not in support of any of the DOE scenarios due to the lack of data and a lack of confidence that any one of the scenarios will sufficiently address the needs of overcrowding and diversity. . An additional point, segregated school systems show low income families performing worse on test scores, diverse school systems show an increase in performance. We have been giving diversity lip service. We all need to know why the DOE thinks any one of these scenarios will work. They need to make the case why all the schools are educationally excellent for our children and why a rezoning will alleviate overcrowding and segregation
- State Senator Brad Hoylman: Point 1, the map lacks specificity. It should be more detailed. DOE hasn't examined our neighborhood block by block. Lincoln Towers is a special place, neighbors know each other, and it's a community. It makes no sense to dissect an organic whole like Lincoln Towers, particularly when you're drawing a line across a playground for a savings of 6 seats, according to the data compiled by Lincoln Towers. DOE should respect natural boundaries, they should listen to the parent and the concerns of 303 W 66th. We need the data and we will support you when you have the right plan.

❖ Public Comment

1. Hilda Blair, parent 452: Faculty and administration of 452 support this move. Having our own building out-weighs a longer distance to travel
2. Gary Laveman, resident 185: The scenarios do not alleviate overcrowding or achieve diversity.
3. Mark Gonsolves, parent, 165: CEC should reject the 3 scenarios and demand a plan that makes sense
4. Ziv & Megan Arazi, parents 199: They will have to seek appropriate placement outside of the public school system for their special needs daughter if rezoning is approved.
5. Lauren Keville, Principal 191: It's important you come and see 191 and see the successes.
6. Janet Fried, resident 165/185: Leave 185 and 165 alone.
7. Marina Kabouri, parent 199: 191 is an under-performing school, it's a concern. Proximity is very important to us
8. Hillarey Kopple, WEA: 199 siblings should be grandfathered in...Timeline is insane!
9. Jill Gabin, 452 SLT: concerned about Scenario C zone size and lack of DOE data.
10. William Zangwill, parent 452: Why haven't current parents been surveyed by DOE?
11. Brian Byrd, parent 452: Concerned about lack of DOE data on rezoning effort.
12. Robin Krugman, 452: Concerned about 452 shrinking zone in Scenario C.
13. Seth Lieberman, 165/185 LT: Process is a charade. Where is the data?
14. Angeline Huay(?) 199 parent: CEC3 has listened to parents. Have to make a new zone for school; it's what comes after that's important. Make the new school a success.
15. Matt Unterman, WEA: The three proposals are not brave enough. Passing up opportunity to be progressive.
16. Lucy Philipp, 452: For Scenario C. Creates most seats in district.
17. Stacie Lorraine, 191 parent and teacher: Proud of school and children
18. Stella Lee, 200 RSD: Only building cut out of catchment area. Lack of prep time unacceptable.
19. Melissa Sherman, 165/185LT: Requests for data have been ignored. Have petition with 2500 signatures yet current zoning proposals cut out their two buildings.

20. Suzanne Schernwelter, 165/185 WEA: The two goals of overcrowding and diversity are not being achieved (with scenarios). No transparency.
21. Robert Schernwelter, 165/185 WEA: How are religious or parochial schools accounted for?
 - i. J O'Brian, DOE: We use an average and only use public school data. There will always be students that choose other options.
22. Richard Applebaum, VP 185 WEA: Questions credibility of capacity data for 199 used by CEC3 and DOE. Is capacity 642, 738 or 909?
 - i. J O'Brien: The SCA annually publishes Blue Book data. There have been recent updates to the capacity formula over recent years. If capacity changed it could be because a full size classroom was allocated for another purpose, e.g. a cluster space.
23. Richard Unis, Pres. 185 WEA: Community is devoted to 199. Respect it, don't reject it...nothing that has been presented alleviates overcrowding.
24. Leah Savitt, Pres 165 WEA: We've asked you to respect our community. In no scenario have (2) LT buildings been allowed to stay in zone. We are not acknowledged as stakeholders. We would like to meet with you to discuss.
 - i. J O'Brien: DOE has to look at entire district; we look at everything holistically before making any changes to a plan. We are happy to meet with you.
25. Andrea Pagliughi, 452 parent: Will 452 be asked to return funding or cut staff as a result of lower enrollment which can be tied to this whole process.
 - i. Supt. Altschul: Funding is based on the number of students enrolled. Principals from all schools make prediction of next year's enrollment. 452 lost students through attrition naturally and that is where some of the numbers are off. Moving forward we'll be able to better estimate what the numbers will be.
 - ii. J Fiordaliso: Is the \$90,000 452 funding shortfall due to attrition this past year or more from historic under-enrollment?
 - iii. Supt. Altschul: It is from student attrition which could also include students with disabilities that the school may have anticipated who did not enroll. I am not aware of previous years where this occurred.
26. Emmaia German, PS 75 PTA: Core issue is not overcrowding, the core issue is school inequity. Zoning applies only, essentially, to people with privilege – if they don't like the school they find a way out. People who do not have the resources, the language are left. It looks like you are not going to improve 145, but expand the zone around it to (include) more people who don't have ability to opt out.
27. Mike McCarthy, 452 parent: We need data. Provide it. Answer our questions. Without the data I have no idea how the CEC can vote on any this.
28. Ross Friedman, 165/185 WEA: Failing to grasp DOE logic around this process. There have been multiple letters to DOE asking for data and FOIL requests. There are formulas without resolution
29. Daniel Paretsh(?), 165/185 WEA: Our community is being ignored regarding requests for data, data that reportedly supports zoning plan.
 - i. J Fiordaliso: Does the DOE have an update on these requests or anything you can supply tonight to the CEC?
 - ii. S Turchin: There is a DOE FOIL request office, not our office; we can ask about the status of those, they don't come to our office.
30. Elyse Reilly, 165/185 WEA: Confused about rezoning proposal that doesn't make sense. Carving out our buildings and including a development not yet built. 6 blocks away.
31. Mark Diller, CB7: There was a robust process in regard to the Beacon building to include CB7 and community members, I urge you to do so with this. Concerned that in striving for diversity schools with Title 1 funding will be adversely affected as the

- numbers for D3 and numbers for cut-off are so close. Also, parents owe it to themselves to visit 191.
32. Warren Kornfeld, 185 WEA: Why aren't you listening to 2600 hundred residents of a community, 8 buildings? There are 7 buildings north of 66th St. that are being added, at best there are 2 – 3 kids in each building being added. These lines make no sense
 33. Charles Taylor, 191 PTA Co-President: 191 is a special school. We turned down moves to 2 other schools, we decided to stay. We are laying the groundwork for 191 to be the best school it can be.
 34. Gary Ramsey, 165/185 WEA: The DOE has stonewalled us. They don't mention specific numbers because they would have to own the problem. :Lincoln Towers has been marginalized.
 35. Emily Ramsey, 165/185 WEA: Ignoring is not okay. Our legislators say it makes no sense carving out Lincoln Towers. How come we never heard that (the data) "it's confidential" before?
 36. Alan Danzig, 165/185 WEA: What do DOE stats include?
 - i. S Turchin, DOE: We included 8 buildings from which we received feedback We look at historical K residents over 3 years from those buildings.It includes all K residents no matter where they attend school.
 - ii. J O'Brien, DOE: I am hearing that data has not been shared. We will work with the CEC to share appropriate data that does not violate PERFA regulations.
 37. Alex Harrington, 165/185 WEA: This process has created turmoil. 6 blocks of the most affluent communities in Manhattan have been included. This does not increase diversity in 199.
 38. Pedro Leitao 165/185 WEA: The southern district seems like a jigsaw puzzle. Be transparent. Ensure that those seats are available.
 39. Te Revesz, 165/185 WEA: We are a real community. You've drawn lines through a playground. It makes no sense to break up a community.
 40. Kannan Mohan, 303: We were enthusiastic about this process last year (but) there seems to be a lack of understanding on how families make decisions. We shouldn't be in a situation where the zone line moves.
 41. Elizabeth Balsam, 165/185 WEA: If there is not enough room put up pre-fab schools in school yard.
 42. Seth Rosenthal, 303: How did DOE come up with zone lines? We are original tenants yet we are being removed. You drew a line that doesn't make sense. 191 is a focus school, when does that expire? What does DOE look for as success?
 - i. Supt. Altschul: A focus school is determined by their 2014-2015 test data, by their '15-'16, I do not have the data off the top of my head. As far as what would be considered a success? Looking at Citywide and District wide progress determines what we consider success. We look for incremental progress. When students are struggling, we look for them to be moving from one level to the next. As long as they are making progress, we consider that a success.
 - ii. J Fiordaliso: In the interest of time, asks Seth Rosenthal to send his questions re 191 and focus designation to CEC and Supt. Altschul will share the information.
 43. Isabel Stoll, 195 WEA: 199 was built for Lincoln Towers. You are separating a successful community.

❖ **Adjournment 10:05 PM**

Superintendent Action Items

- 1, Supt. Altschul will report back to Council re previous years funding for 452, whether up or down.
2. Parent (#42) Seth Rosenthal ,will send his questions re Focus Schools to CEC3 for response by Supt. Altschul.