

Public Comment Analysis

Date: February 23, 2016

Topic: The Proposed Opening and Co-Location of the High School Grades of Achievement First Brownsville (84K626) and the High School Grades of Achievement First Apollo (84K774) with Existing School J.H.S. 292 (19K292) in Building K292 Beginning in the 2016-2017 School Year

Date of Panel Vote: February 24, 2016

Summary of Proposal

On January 8, 2016, the New York City Department of Education (“DOE”) issued a proposal to open and co-locate the high school grades of Achievement First Brownsville Charter School (84K626, “AF Brownsville”) and Achievement First Apollo Charter School (84K774, “AF Apollo”), which will together function as one high school under the name of Achievement First High School 3 (“AF High School 3”), in building K292 (“K292”) with J.H.S. 292 Margaret S. Douglas (19K292, “J.H.S. 292”), an existing district middle school that serves students in sixth through eighth grades, beginning in the 2016-2017 school year. K292, which is located at 301 Vermont Street, Brooklyn, NY 11207, in Community School District 19 (“District 19”), also houses two Community-based Organizations (“CBOs”), Good Shepherd and Comprehensive Adolescent Pregnancy Prevention (“CAPP”). A “co-location” means that two or more school organizations are located in the same building and may share common spaces such as the auditorium, library, gymnasium and cafeteria.

If this proposal is approved AF High School 3 will open in K292 in the 2016-2017 school year, serving approximately 115-125 students in ninth grade, and will add one grade level each year until it reaches full scale, serving approximately 460-500 students in ninth through twelfth grades in the 2019-2020 school year. AF Brownsville and AF Apollo have been authorized by The State University of New York Charter Schools Institute (“SUNY”). AF Brownsville has been authorized to serve students in kindergarten through tenth grades and AF Apollo has been authorized to serve students in kindergarten through eighth grades. Prior to the expiration of AF Brownsville’s charter on July 31, 2020 and AF Apollo’s charter on July 31, 2018, Achievement First intends to apply to SUNY for a revision of both charters to expand to serve students in kindergarten through twelfth grades. SUNY has the authority to approve or deny these requests. Should SUNY deny these requests to expand AF Brownsville and AF Apollo to serve students in kindergarten through twelfth grades, the DOE will consider alternative options for the space at K292.

In a separate Educational Impact Statement (“EIS”), the DOE concurrently proposed to re-site the middle school grades of AF Apollo (“AF Apollo MS”) from building K302 (“K302”) to K292. That proposal replaces a previous proposal, issued on December 3, 2015 and subsequently withdrawn on December 18, 2015, to re-site students in kindergarten through eighth grade in AF Apollo from K302 to K292. AF Apollo MS currently serves students in fifth and sixth grades. Pursuant to a proposal approved in 2013, AF Apollo MS is approved to expand to serve students in seventh grade in K302 beginning in the 2016-2017 school year and to further expand to serve eighth grade students in K302 as of the 2017-2018 school year. The proposal to open and co-locate AF High School 3 in K292 with J.H.S. 292 is not contingent on the re-siting of AF Apollo MS to K292. These proposals will be voted on separately by the Panel for Educational Policy (“PEP”) at their February meeting.

The EISs and Building Utilization Plan (“BUP”) for K292 for these proposals have been amended twice. On January 12, 2016, the BUP for K292 was amended to correct typographical errors in the introduction. The amended BUP reflects the correct DBN of AF Apollo, which was listed incorrectly in the original BUP. Additionally, the amended BUP reflects a correction to the street address of building K292. On February 5, 2016, the EISs and BUP for K292 were amended a second time to reflect a change in one of the CBOs using one full-size space in K292. The DOE

was made aware that the CBO Good Shepherd has replaced the CBO Soul Tigers in K292 and is now serving students in the full size space previously occupied by Soul Tigers. Neither amendment made to the BUP changes the proposed space allocations for J.H.S. 292, AF Apollo MS, AF High School 3, CAPP and Good Shepherd in K292.

If both proposals are approved, AF High School 3 will be co-located with J.H.S. 292 and AF Apollo MS in K292 beginning in the 2016-2017 school year. If this proposal is approved, but the re-siting of AF Apollo MS is not approved, AF High School 3 will be co-located with J.H.S. 292 in K292 beginning in the 2016-2017 school year.

More information about the Joint Public Hearing and PEP meeting can be found on the DOE website at: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2015-2016/February242016SchoolProposals>.

AF Brownsville currently serves students in kindergarten through eighth grades in building K055 (“K055”), located at 201 Bergen Street, Brooklyn, NY 11233, in Community School District 23 (“District 23”). If this proposal is approved, AF Brownsville’s ninth grade students will be served in K292 in AF High School 3 beginning in the 2016-2017 school year.

AF Apollo currently serves students in kindergarten through sixth grades in K302. As previously stated, the DOE is concurrently proposing to re-site AF Apollo’s middle school grades to K292, beginning in the 2016-2017 school year. If the proposal to open and co-locate AF High School 3 in K292 is approved, and pending a revision to AF Apollo’s charter, AF Apollo’s ninth grade students will be served in K292 in AF High School 3 beginning in the 2018-2019 school year.

Building K292 has the capacity to serve a total of 1,658 students. If this proposal and the proposal to re-site AF Apollo MS to K292 are approved, in the 2016-2017 school year, AF High School 3 will serve a projected 115-125 students in ninth grade, AF Apollo MS will serve a projected 285-315 students in fifth through seventh grades, and J.H.S. 292 will serve a projected 575-605 students in sixth through eighth grade in K292. K292 will have a total projected building enrollment of 975-1,045 students, yielding a projected building utilization rate of 59%-63%. If this proposal is approved, but the proposal to re-site AF Apollo MS is not approved, in the 2016-2017 school year, K292 will have a total projected building enrollment of 690-730 students, yielding a projected building utilization rate of 42%-44%.

Pending revisions to AF Apollo’s and AF Brownville’s respective charters, and if both proposals are approved, in 2019-2020, when AF High School 3 is at scale serving students in ninth through twelfth grades, there will be approximately 1,395-1,505 total students served in the building. The projected building utilization rate as of 2019-2020 will be 84%-91%, indicating that there is sufficient space for all school organizations. If this proposal is approved, but the proposal to re-site AF Apollo MS is not approved, in the 2019-2020 school year, K292 will have a total projected building enrollment of 1,015-1,085, yielding a projected utilization rate of approximately 61%-65%.

The second amended BUP for K292 that accompanies this proposal also reflects that there is sufficient space in the building to accommodate this co-location, alongside J.H.S. 292, and AF Apollo MS. Thus, the DOE believes that K292 can serve all students who attend AF High School 3, AF Apollo MS, and J.H.S. 292 beginning in the 2016-2017 school year.

More details about space are available in the second amended EIS as well as the second amended K292 Building Utilization Plan (“BUP”) that accompany this proposal as well as the K302 BUP that accompanies the concurrent proposal to re-site and co-locate AF Apollo MS in K292 with J.H.S. 292. The Citywide Instructional Footprint (“Footprint”), which guides space allocation and use in city schools, can be found on the DOE website at: http://schools.nyc.gov/Offices/OSP/KeyDocuments/Instructional_Footprint.

Summary of Comments Received at the Joint Public Hearing

The DOE held a Joint Public Hearing regarding this proposal at the K292 building on February 9, 2016. At that meeting, interested parties had an opportunity to provide input on this proposal. At that meeting, interested parties also had an opportunity to provide input on the concurrent proposal posted by the DOE to re-site and co-locate AF Apollo MS to K292 with J.H.S. 292, as described in greater detail above. The comments below were made specifically in conjunction with the topic of this proposal, the opening and co-location of AF High School 3 in K292

with J.H.S. 292. Comments made in reference to the proposal to re-site and co-locate AF Apollo MS in K292 with J.H.S. 292 are addressed in a separate public comment analysis and can be viewed online at:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2015-2016/February242016SchoolProposals>

Approximately 125 members of the public attended the hearing. There were 43 speakers. Individuals present at the meeting included: District 19 Superintendent Joyce Stallings-Harte; Community Education Council 19 (“CEC 19”) representative Evelyn Pugh; J.H.S. 292 Principal Evelyn Maxfield; J.H.S. 292 School Leadership Team (“SLT”) member Leticia Smith; J.H.S. 292 SLT member Sharon Montrose; AF High School 3 Principal Sabrina Silver; AF Apollo MS Principal Michael Hendricks; SUNY Charter Schools Institute Representatives Maureen Murphy and Jody Perry; and Brandon Bloomfield, Tyeshia Smith, Albery Corona and Jamie Dollinger from the DOE. New York City Councilmember Inez Barron, and a representative for New York State Senator Roxanne Persaud were also present.

1. J.H.S. 292 Principal, Evelyn Maxfield, expressed the following comments:
 - a. Safety is a high concern for her and within the school.
 - b. She has a concern around having students from the Brownsville community attending school with the East New York community in a middle school and high school co-location.
 - c. She wants to support the growth of district schools.
2. Laticia Smith, J.H.S. 292 SLT member, expressed the following comments:
 - a. She has concerns around who will help J.H.S. 292’s enrollment.
 - b. She asks how J.H.S. 292 can compete with a school like AF High School 3 that will be running classes from 7:00am-4:00pm.
 - c. She asks if J.H.S. 292 is going to be phased out.
 - d. She asks what funds and resources will be given to J.H.S. 292 as a result of this proposal.
3. AF High School 3 Principal Sabrina Silver expressed the following comments:
 - a. She is excited for this new opportunity to serve students in the community.
 - b. She’s excited that this proposal will allow students to attend a great high school and graduate in order to be college ready.
4. Councilmember Inez Barron expressed the following comments:
 - a. She wants to know how the community can be sure that the DOE is not phasing out J.H.S. 292.
 - b. The DOE makes projections about J.H.S. 292’s enrollment that suggest it’s phasing out.
 - c. Co-location provides a strain for the use of resources and the shared spaces will be crowded.
 - d. The co-location of middle school and high school students in the building will not be successful.
 - e. It is proven that Achievement First will take over the building.
 - f. Even with dollar for dollar matching it is still unfair and there will be a shift in resources for the district school.
5. A representative for New York State Senator Roxanne Persaud expressed the following comments:
 - a. A co-location of middle school and high school students will be detrimental to students in K292.
 - b. Class sizes should be smaller to help with reading and math at K292.
 - c. Shared space time will be limited for all organizations and it is not possible that time is shared fairly.
 - d. Achievement First will have the majority of the time in the proposed shared space schedule.
 - e. He asks if the DOE is planning to phase out J.H.S. 292.
 - f. Other campuses such as Maxwell High School would be a better fit for AF High School 3 because a co-location of a middle school and a high school in K292 is not a good idea.
6. A representative for Councilmember Inez Barron expressed the following comments:
 - a. She is opposed to co-location of charter schools in this situation and in all situations.
 - b. It is in the best interest of our students to address the fiasco of charter school co-locations.
 - c. Charter school co-locations are not beneficial to our students.
7. A current student at an Achievement First High School expressed the following comments:
 - a. He is in support of the proposal as everyone is attending this hearing for one goal, and that is to help students learn.
 - b. He wants to make sure students like him have the opportunity to go to college, and this proposal will help achieve that goal.
 - c. Achievement First has built him up to be a successful student and he loves his school and the opportunities it provides him.
8. A parent of students attending AF Brownsville expressed the following comments:

- a. She is in support of the proposal to co-locate AF High School 3 in K292.
 - b. She would like an opportunity for scholars from AF Apollo and AF Brownsville to continue their education and this proposal achieves that goal.
 - c. Achievement First will provide an excellent educational opportunity and alternative in this neighborhood.
9. A parent of an AF Apollo student expressed the following comments:
 - a. She is in support of the proposal.
 - b. She believes AF High School 3 will provide students with an excellent education.
 - c. This proposal by the DOE is a great option for the East New York and Brownsville communities because Achievement First has a proven track record of success.
 10. A guidance counselor at J.H.S. 292 expressed the following comments:
 - a. J.H.S. 292 has a lot of teachers who are working very hard to make instruction a success for their students.
 - b. She is concerned about how everyone will be safely accommodated in the lunch room.
 - c. She is concerned about how all of the school organizations can safely use the gym and cafeteria within one school day.
 11. A parent of an AF Apollo student expressed the following comments:
 - a. She does not believe there will be a divide with the school organizations in K292 and hopes they will work together.
 - b. She believes the co-location in K302 between AF Apollo, Liberty Avenue and Vista Academy is very successful and the co-location between AF High School 3 and J.H.S. 292 will be successful in K292 as well.
 12. Multiple commenters expressed support of the proposal because it would provide the District 19 community with a great school option.
 13. One commenter expressed concern around safety in K292 with the co-location of middle school and high school students in the building.
 14. Multiple commenters expressed support of the proposal because Achievement First middle schools have already provided them with a great educational opportunity and they would like to continue with Achievement First through high school.
 15. Multiple commenters expressed support of the proposal because of the hard working teachers at Achievement First.
 16. Multiple commenters expressed support of the proposal because it's what is best for students in the community.
 17. Multiple commenters expressed support of the proposal because it will give students the opportunity to receive a great education and succeed in college.
 18. Multiple commenters expressed support of the proposal because they feel collaboration in K292 among all school organizations can be very successful.
 19. Multiple commenters expressed support for J.H.S. 292 and the hard work of the principal.
 20. One commenter expressed concern over the shared space schedule if this proposal is approved, and how time will be allocated fairly.
 21. Multiple commenters expressed general support for the proposal.

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

The following comments were received via dedicated phone line:

22. One commenter stated opposition to the proposal for siting a high school with a middle school in K292.
23. One commenter stated general support of the proposal.

No comments were submitted through the dedicated email address:

Analysis of Issues Raised, Significant Alternatives, Significant Alternatives Proposed

Comment 5(b) is not directly related to the proposal and thus does not require a response.

Comments 3(a), 7(a), 8(a) 9(a), 16, 21 and 23 are in favor of the proposal and do not require a response. Comments

11(a-b) and 18 believe that the proposal will result in a successful co-location and are in favor of the proposal, also not requiring a response.

Comments 3(b), 7(b), 8(b-c), 9(b-c), and 12 express support for the academic programs implemented in AF Apollo and AF High School 3 as adding a high quality academic experience in District 19, while comments 7(c), 14, 15 and 17 express appreciation for the positive support provided to students by teachers within this charter network and helping students to achieve. These comments were uttered in support of the proposal and do not require a response.

Comments 1(b), 4(d), 5(a,f), 13 and 22 express concern that middle school students should not be in the same building as high school students.

Due to space limitations, it is not unusual for varying grade levels to be co-located in a building together. There are successful examples of mixed grade co-located school buildings or campuses in New York City.

There are many successful 6-12th grade co-locations and 6-12th grade school models throughout both District 19 and across Brooklyn and the City. In District 19, Academy for Young Writers is a successful 6-12th grade school model that safely houses both middle and high school students. The K166 building in District 19 is also a successful co-location of students in three separate school organizations, spanning elementary, middle and high school grades. The K218 building also houses three school organizations, serving students in 6-12th grades. Some other examples of neighboring 6-12 models include the Academy for College Prep and Career Exploration in District 17, Brooklyn Secondary School for Collaborative Studies in District 15 and Brooklyn Studio Secondary School in District 21.

Comment 1(a) expresses concern for safety in K292.

If these proposals are approved, the additional students from AF Apollo MS and AF High School 3 will be accounted for when assigning safety agents to K292 in the 2016-2017 school year and beyond. School safety agents are allocated based on several factors including enrollment, grades served in the building, the number of reported incidents in a building, and sometimes the location of the building. Additionally, many co-located schools opt to utilize different entrances and exits to manage the flow of students into and out of a building in a safe manner. There are several entrances to the K292 building and the Building Council, alongside the Office of Space Planning, may decide to utilize different entrances for different schools if these proposals are approved. Additionally, the Building Council and Office of Space Planning may decide to stagger start and end times to minimize student flow in common spaces.

Comment 10(a) and 19 express support for J.H.S. 292.

The DOE recognizes the praise for J.H.S. 292 and commends the principal and school community for their hard work and dedication. The DOE looks forward to continuing to work with the schools to best serve the students, families, and other individuals that are a part of the K292 community.

Comments 4(c,e), 5(c-d), 10(b-c) and 20 are related to space issues, including the allocation of space under the proposal, space sharing, and school programming.

There are currently hundreds of schools in buildings across the city that are co-located, which includes district schools with other district schools, district schools with charter schools, and schools with mixed grade levels. In all cases, Footprint is applied to schools to ensure equitable allocation of classroom, resource, and administrative space. The Footprint sets forth the baseline number of rooms that should be allocated to a school based on the grade levels served by the school and number of classes per grade. For existing schools, the Footprint is applied to the current number of sections per grade, assuming class size will remain constant. A representative from the Office of Space Planning then confirms both the baseline and current space allocation totals during a walk-through of the building, where he/she is accompanied by a school representative.

If this proposal is approved, AF High School 3 and J.H.S. 292 will receive their adjusted baseline allocations pursuant to the Footprint. If the proposal to re-site AF Apollo MS is also approved, J.H.S. 292, AF High School 3 and AF Apollo MS will receive their adjusted baseline allocations pursuant to the Footprint. More details about space are available in Section III.B and Appendix A of the second amended EIS as well as the second amended BUP

that accompanies this second amended EIS. The Footprint, which guides space allocation and use in city schools, can be found on the DOE website at: http://schools.nyc.gov/Offices/OSP/KeyDocuments/Instructional_Footprint.

Comments 2(c), 4(a-b) and 5(e) that suggest this proposal would result in the phase-out of J.H.S. 292 and Achievement First would take over the K292 building as a result of the proposed co-location are inaccurate. As described in the second amended EIS and second amended BUP, there is sufficient space for all schools throughout the duration of this proposal according to the Footprint. The proposed co-location of AF High School 3 is not expected to impact current or future student enrollment, admissions, or instructional programming at J.H.S. 292.

Comments 1(c) and 2(a) expresses belief that the DOE should do more to support students in district schools.

The DOE understands that families in New York City appreciate and utilize an array of public school options afforded throughout the City, and the DOE is wholly committed to ensuring that traditional district schools provide a strong option equipped to attract, retain, and serve students. Examples of the DOE's commitment to supporting all schools are the School Renewal Program, whereby the DOE partnered with 94 schools throughout New York City to provide additional funding and supports to provide turnaround goals and frameworks for low academic performing schools; additionally, the DOE launched the Community Schools Initiative, wherein schools were selected to serve as neighborhood hubs where students receive high-quality academic instruction, families can access social services, and communities can congregate to share resources and address their common challenges. Further, when planning for proposals related to significant changes in school utilization, the DOE plans these proposals aligned to unique district needs and aims to ensure that district schools are providing the options and planning solutions that will best serve families in each district, borough, and across the city. Through each proposal and citywide initiative, the DOE plans with the goal of ensuring that district schools provide high quality options to attract, retain, and serve students in district schools, though ultimately the choice for where to attend school remains with each individual family.

Comments 6(a-c) expresses opposition to charter co-locations. Similarly, comment 2(b) asks how J.H.S. 292 is expected to compete with AF High School 3 in K292 with this co-location.

The DOE believes that co-locations provide opportunity for all schools in a shared building to thrive and collaborate. From a space perspective, equity is ensured because co-locations involving charter schools are accompanied by a BUP that accounts for schools' current and projected enrollments and accordingly allocates space to the schools in compliance with the requirements in the Footprint. Further, the DOE seeks to support co-located schools by providing resources of best practices in co-locations in the Co-Location Handbook and encouraging regular meetings of the Building Council, a campus structure consisting of the principal of each school, which meets regularly to address issues related to co-location and shared space usage. More information on the use of Building Councils and the Co-Location Handbook can be found here: <http://schools.nyc.gov/community/campusgov/default.htm>.

While it is true that some schools have difficulty resolving disputes or collaborating well within the provided structures of the Building Council, there are hundreds of successful examples of co-locations across New York City. The DOE does not believe this proposal will negatively impact the ability of J.H.S. 292 to continue serving students successfully. It is the DOE's hope that all co-locations will result in shared best practices, collaboration, and partnership between all schools in the building. Should this proposal be approved, the DOE looks forward to supporting all schools in K292 to assure that all students have access to a high quality education.

Comment 2(d) pertains to resources and concern about a loss of resources as a result of this proposal and comment 4(f) states that even with charter matching funds, the resource allocation is unfair.

In terms of financial resources, this proposal is not expected to impact initial costs or allocations at J.H.S. 292 in building K292. In other words, the DOE does not anticipate that J.H.S. 292 would lose any resources as a result of this proposal.

In accordance with the New York State Charter Schools Act of 1998 (as amended), the Chancellor or his/her designee must first authorize in writing any proposed capital improvement or facility upgrade in excess of five thousand dollars, regardless of the source of funding, made to accommodate the co-location of a charter school within a public school building. For any such improvements or upgrades that have been approved by the Chancellor,

capital improvements or facility upgrades shall be made in an amount equal to the expenditure of the charter school for each non-charter school within the public school building.

Changes Made to the Proposal.

No changes have been made to this proposal.