



Public Comment Analysis

Date: February 28, 2011

Topic: The Proposed Co-location of Teaching Firms of America Charter School with Existing Schools P.S. 308 (16K308) in Building K308

Date of Panel Vote: March 1, 2011

Summary of Proposal

The New York City Department of Education (“DOE”) is proposing to site Teaching Firms of America Charter School (“Teaching Firms”), a new public charter school that would serve students in Kindergarten through fifth grade, in Building K308 (“K308”), located at 616 Quincy Street, Brooklyn, NY 11221, in Community School District 16. Teaching Firms would be co-located in K308 with an existing DOE zoned elementary school that serves kindergarten through eighth grade, P.S. 308 Clara Cardwell (16K308, “P.S. 308”). P.S. 308 also offers one section of full-day pre-kindergarten. A “co-location” means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, and cafeterias.

Teaching Firms has been approved by its charter authorizer, the DOE, and the New York State Board of Regents, to open a new public charter school in Community School District 16 in Brooklyn. The DOE recently approved Teaching Firms’s proposal to open a new charter school that would serve students in kindergarten and first grade when it first opens in 2011-2012 and would subsequently add one grade per year until it serves up to 342 students in kindergarten through fifth grade at full scale. Teaching Firms will provide a preference to District 16 students in its charter school lottery application process.

If this proposal to site Teaching Firms in K308 is approved, Teaching Firms would be co-located with P.S. 308 in K308. In 2011-2012, the first year of the proposed co-location, Teaching Firms would enroll approximately 57 students in kindergarten and 57 students in first grade. In 2012-2013, Teaching Firms would expand to serve approximately 57 students in second grade, with a combined K-5 enrollment of 171. Teaching Firms would then add one grade of approximately 57 students each year until 2015-2016, the final year of phase-in, when it would achieve “full scale” and serve approximately 342 students in kindergarten through fifth grade.

K308 has been identified as an under-utilized building, meaning it currently has at least

300 seats available. In 2009-2010, the most recent year for which audited data is available, the building served 719 students in kindergarten through eighth grade and in one full-day pre-kindergarten section, and the building had a capacity to serve 1,213 students, yielding a target building utilization of 59%. Although the building has the capacity to serve 1,213 students, in 2010-11, K308 only served 636 students in kindergarten through eighth grade and 13 students in one full day pre-kindergarten section for a total of 649 students, which yields an estimated utilization rate of 54%. In 2015-16, when Teaching Firms completes its expansion and achieves full scale, K308 would serve approximately 880-920 students, which yields an estimated utilization rate of 76%.

The details of this proposal have been released in an Educational Impact Statement which can be accessed here: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Mar12011Proposals.htm>. Copies of the Educational Impact Statement are available in the main office of P.S. 308.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at P.S. 308 on February 8, 2011. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 130 members of the public attended the hearing, and approximately 20 people spoke. Present at the meeting were District 16 Superintendent Evelyn Santiago; P.S. 308 Principal Renata Clement; Teaching Firms co-founders and co-school leaders Damien Dunkley and Rafiq Kalam Id-Din; P.S. 308 School Leadership Team representative Karen Shaw-Taylor; Community Education Council (CEC) 16 representative Peggy Johnson; and United Federation of Teachers Vice President Richard Farkas.

The following comments and remarks were made at the joint public hearings:

1. The founder and Principal of Teaching Firms provided some background information on the school and expressed his support for the proposal. He also noted that Teaching Firms would be a great partner in the building and in the community.
2. New York City Council Member Albert Vann expressed his opposition for the proposal, but generally supported Teaching Firms. He noted that the community was passionately against this proposal, but he pointed out that each co-location proposal should each be judged on its own merit. He stated that he opposed the proposal to co-locate Teaching Firms in K308 because it would place increased demands on shared space in the building, such as the cafeteria, that may negatively affect P.S. 308 students' experiences in the building. Specifically, Council Member Vann also commented that there was a lack of space in the building's first floor to accommodate both P.S. 308's and Teaching Firms' early childhood classes. He also stated that the DOE's engagement process moved too quickly.
3. A representative of the United Federation of Teachers ("UFT") also expressed his opposition for this proposal. He stated that P.S. 308 is being set up to fail by the DOE in order to make room for Teaching Firms in the building. He also stated that the co-

location would create unsafe conditions in the building, particularly on the first floor where early childhood classes would be co-located.

4. Another representative from UFT expressed his opposition for this proposal and commented that according to a space analysis conducted by the UFT, there was not sufficient space in the building to co-locate Teaching Firms in the building. She also stated that the building does not currently have sufficient space to serve all students.
5. A CEC 16 representative stated that Teaching Firms should consider other buildings, including buildings owned by the Department of Housing Preservation and Development for a site to hold Teaching Firms. She also stated that the building's shared spaces do not have the capacity to serve P.S. 308 and Teaching Frms students collectively.
6. One commenter commented that P.S. 308 currently lacks the space to offer academic enrichment and extracurricular activities.
7. One commenter commented that this proposal could negatively impact P.S. 308's ability to offer other programs, such as academic intervention support services.
8. Several commenters commented that shared spaces like the cafeteria, the gym, the library, and the auditorium do not have the capacity to serve both P.S. 308 and Teaching Firms students. They also stated that one of the full size classrooms that is currently being utilized as a physical education space lacks proper ventilation.
9. Several commenters voiced opposition to all charter schools and claimed that this was a rushed process that did not adequately include community feedback.
10. Several commenters expressed opposition for this proposal and spoke of the positive experiences their children have had at P.S. 308.
11. Several commenters stated that there is not sufficient space in P.S.308's classrooms to serve students, which has led to overcrowding.

The DOE did not receive any comments at the Joint Public Hearing which did not directly relate to the proposal.

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

No written or oral comments were submitted to the DOE.

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

- Comment 1 supports this proposal, and does not need to be addressed.
- Comments 2, 3, 4, 5, 6, 7, 8, 9, and 11 question the DOE's determination that building K308 has sufficient space to serve P.S. 308's and Teaching Firms's students if this proposal is approved. Comments 4 and 11 specifically state that K308's classrooms do not have the adequate space to serve P.S. 308's students, which would indicate that building K308 does not have the space to serve both P.S. 308's and Teaching Firms's students.

Building space is scarce in many New York City neighborhoods. Given this reality, the DOE must use its existing buildings in the most efficient manner possible. Schools throughout the City have successfully shared space, and the DOE anticipates that P.S. 308 and Teaching Firms will be able to share building K308 as Teaching Firms phases in.

As discussed in the EIS, building K308 was identified as an under-utilized building because the DOE's analysis showed that the building had at least 300 seats available in 2009-2010. Although the building has a target capacity of 1,213 seats, the in 2009-2010 school year, P.S. 308 only served 719 students in kindergarten through eighth grade and in one full-day pre-kindergarten class. Therefore, the building's utilization rate was just 59% in 2009-2010. In 2010-2011, P.S. 308 serves 649 students in kindergarten through eighth grade and in one full-day pre-kindergarten class. Therefore, this year, the building's utilization rate is only 54%. Thus, it is clear that the building is under-utilized.

In 2011-2012, the first year of the proposed co-location, Teaching Firms would enroll approximately 57 students in kindergarten and 57 students in first grade. P.S. 308 is projected to enroll approximately 600-645 students in kindergarten through eighth grade in 2011-2012. Therefore, in 2011-2012, building K308 would enroll approximately 714-759 students in kindergarten through eighth grade, which would result in an estimated building utilization rate of 63%. In 2015-2016, when Teaching Firms has completely phased in and achieved full scale, building K308 would serve approximately 880-920 students, which would yield an estimated utilization rate of 76%. Thus, building K308 will be more fully utilized than it was in 2009-2010 or 2010-2011.

The Instructional Footprint is used in the analysis and assessment of space usage in New York City Department of Education buildings. In co-location arrangements, the parameters outlined in the Footprint serves as a guideline for making decisions about the allocation of space. The Footprint represents a baseline for space allocation.

According to the Instructional Footprint, as outlined in the BUP, a school that serves 36 sections of students in kindergarten through eighth grade is allocated one full-size classroom for each general education or Collaborative Team Teaching section and a full-size or half-size classroom to accommodate each self-contained special education served by the school. In addition, schools that serve students in kindergarten through eighth grade would receive an allocation of cluster or specialty classrooms proportionate to the number of students enrolled that can be used at the principal's discretion and science demonstration classrooms needed to serve middle school science classes. Thus, the BUP allocated a total of 39 full-size classrooms, 2 half-size classrooms, 10 quarter-size classrooms, and all of the designed administrative space in the building to P.S. 308 to meet the school's projected number of students.

This year P.S. 308 is currently utilizing excess space above its baseline allocation of rooms, as demonstrated in the BUP. P.S. 308 should only be allocated 39 full-size classrooms under the adjusted baseline allocation in the BUP; however P.S. 308 is currently operating out of 60 full-size classrooms. In the following year, P.S. 308 will receive 39 full-size classrooms and an additional 11 full-size rooms for a total of 50 full-

size classrooms. P.S. 308 will be losing 10 full-size excess classrooms, but it will still meet the needs of all of its students as outlined in the Footprint.

Finally, class size is a continuing concern for all New York City schools. As stated in the DOE's and the School Construction Authority's annual Enrollment-Capacity-Utilization Organization Report, the target classroom capacity and utilization rate reflects aspirational goals for school buildings based on different assumptions about how classrooms are used. The target capacity for full day pre-kindergarten classrooms is 18 students, for kindergarten through third grade classrooms is 20 students, and for fourth and fifth grade classrooms is 28.

In the future, if there is an increase in student enrollment resulting from demand greater than current projections for P.S. 308 or an increase in the number of families residing in the zoned area, the Chancellor reserves the right to relocate Teaching Firms to an alternate location geographically proximate to K308. In that case, the Chancellor would certify in writing that in her judgment, the need of the school system requires the re-acquisition of the charter school space for DOE use.

- Comments 2 and 8 relate to the concern that this proposal may impact shared spaces in the building. Comment 3 questions whether this proposal would impact students' safety in the building.

The Building Utilization Plan outlining how space would be allocated in K308 was drafted and attached to this proposal's Educational Impact Statement. A proposed shared space plan is a part of the BUP, but it does not represent a final proposal for the shared use of space; rather, it is based on the estimated duration of time each of the co-located schools will have in shared spaces such as the cafeteria. The Building Councils, which consists of principals from all of the co-located schools, in conjunction with the DOE Office of Space Planning, are free to deviate from the proportional allotment of time in the BUP to accommodate the specific programmatic needs of all special populations or groups within each school as is feasible and equitable, provided that the Building Council comes to an agreement of the final Shared Space Plan collaboratively. If such accommodation results in an alteration to the proportional distribution of space, the Building Council shall explain the basis for such alteration.

A Shared Space Committee will also meet a minimum of 4 times a year and report back to the Building Council regarding shared space questions.

All efforts will be made to assure the safety of students in the building at all times. Thus, any concerns about time in shared space may be addressed in a collaborative fashion by the Building Council and the Shared Space Committee, which may alter the shared use of space based on those concerns. The DOE does not anticipate that this proposal would result in safety concerns for any students in the building because the utilization of the building at full scale would only be 76%, which is well within the safety constraints for a building this size.

- Comments 2 and 3 state that this proposal would have a detrimental effect on P.S. 308's and Teaching Firms's early childhood education classes, which would presumably be located on the building's first floor. As mentioned above, the allocation of specific classrooms will be determined by the Building Council. For example, Teaching Firms and P.S. 308 may determine that it makes more sense to share the first floor among the schools' respective early childhood education classes, or they may determine that it makes more sense to allocate a wing or an entire floor to one school organization and another wing or entire floor to the other school.
- Comments 5 questioned whether the DOE considered alternative sitings for Teaching Firms, such as buildings owned by the Department of Housing Preservation and Development. Teaching Firms conducted its search for viable buildings that may serve as a permanent location for the school, and the DOE also searched for under-utilized school buildings in District 16 that may house the charter school. Under-utilized buildings are listed in the under-utilized space memoranda and addendum, which can be accessed on the DOE's website at <http://schools.nyc.gov/community/planning/default.htm>. Building K308 was determined to be an under-utilized building in 2009-2010. The DOE concluded that co-locating Teaching Firms in building K308 was a potential option that would lead to a more efficient utilization of the building and would provide an additional option for families and students in the District.
- Comments 6 and 7 relate to concern over whether this proposal would allow P.S. 308 to continue to offer academic enrichment classes, academic intervention services, and extracurricular activities. P.S. 308 currently offers a variety of academic enrichment programs and extracurricular activities. As noted in the EIS for this proposal, the DOE does not anticipate that the proposed co-location of Teaching Firms in the building would impact these academic intervention services, academic enrichment classes, or extracurricular activities, though the way these programs are configured may change. For example, some activities may need to share classroom space or the scheduling of these activities may change as a result of greater demands on the available space during or after school hours.
- Comment 8 notes that one full-size classroom in K308 has been converted to a physical education space and that it lacks proper ventilation. The DOE allows schools to allocate space based on their discretion. In this case, P.S. 308's Principal allocated one full size classroom to be used as the physical education space based on her discretion. It should be noted that building K308 does have a gymnasium that has the capacity to serve 175 people and is properly ventilated. Building K308 also has an outdoor playground with a track. During the building walkthrough conducted on October 15, 2010, the Director of Space Planning did not find any violations of any building codes in the building.
- Comments 2 and 9 noted that P.S. 308 provides a supportive environment for students, discuss the lack of engagement and oppose charter schools. The DOE acknowledges that P.S. 308 students and families are satisfied with their experiences at the school and that P.S. 308 continues to offer a positive environment for all students. The DOE believes that even if this proposal is approved, P.S. 308 would continue to offer a supportive and positive environment for its students in the zone.

The DOE appreciates all feedback that it has received from the community regarding this proposal. The DOE has extensive efforts to collect and incorporate all feedback that it has received on this proposal. Before this EIS was issued, DOE staff from the Office of Portfolio met with P.S. 308's School Leadership Team and parents to collect feedback. When the EIS was issued, it was made available to the staff, faculty, and parent communities at P.S. 308 on the DOE's Web site and in P.S. 308 main office. In addition, the DOE set up a dedicated website and voicemail to collect feedback on this proposal. P.S. 308's staff, faculty, and parent community were invited to the joint public hearing to solicit further feedback.

The joint public hearing regarding this proposal was held on February 8, 2011, and all comments made at the joint public hearing were included in this analysis of public comment. The Panel for Educational Policy will vote on various proposals, including this proposal, on March 1, 2011, and there will a period designated for public comment at that hearing when the vote is scheduled.

There are currently 125 charter schools in New York City. Charter schools are held accountable, through the terms of five-year performance contracts called "charters," for high student achievement. Charter schools must meet the same Regents' performance standards established for all public schools as well as the goals established in their charter. If a charter school fails to meet those terms, it can be closed. There are currently 6 charter schools in District 16: Excellence Charter School of Bedford Stuyvesant, Bedford Stuyvesant Collegiate Charter School, La Cima Charter School, Excellence Girls Charter School, Brooklyn Excelsior Charter, and Bedford Stuyvesant New Beginnings Charter School. The DOE believes that, by siting Teaching Firms in District 16, it will introduce another high quality option for families and students in District 16. If the proposal is approved, the school would enroll students through a lottery with a preference for students who reside in District 16. As discussed in the EIS for this proposal, building K308 does have space to accommodate P.S. 308 and Teaching Firms when at full scale because the target building utilization rate will only be 76% at that point.

Changes Made to the Proposal

No changes were made to this proposal as a result of public comment.