



Revised Notice
April 15, 2011

The Revised Proposed Expansion of Brooklyn Prospect Charter School (84K707) and its Temporary Co-location with Existing Schools Sunset Park High School (15K667) and a District 75 School (75K371) in Building K564

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

Brooklyn Prospect Charter School (84K707, “Brooklyn Prospect”) currently enrolls 202 students in sixth and seventh grade in Building K564 (“K564”) at 153 35 Street, Brooklyn, NY 11232 in Community School District 15. It is currently co-located with Sunset Park High School (15K667, “Sunset Park”), a DOE high school that currently enrolls ninth and tenth grade students, and a District 75 School (75K371, “P371K@H667”),¹ currently serving ninth through twelfth grade students in classes for emotionally disturbed and autistic students.

In 2008-2009, before Chancellor’s Regulation A-190 stipulated the process that must be followed when there is a significant change in building utilization, the DOE allowed Brooklyn Prospect to be sited and temporarily co-located in K564 to serve sixth and seventh grades while a permanent facility was secured. This private facility will not be completed and ready for Brooklyn Prospect’s occupancy for the 2011-2012 school year. In an Educational Impact Statement (“EIS”) posted on March 4, 2011, the DOE proposed to re-site Brooklyn Prospect from K564 and temporarily co-locate Brooklyn Prospect in the seven transportable classroom units (“TCU”), referred to as K979 (15K979, “K979”), that are located on the same grounds as the main building, K032 (“K032”) for the 2011-2012 school year while its permanent private facility, located at 265-271 Douglass Street, Brooklyn, NY 11217 is readied for occupancy. Under the original proposal, Brooklyn Prospect would have been co-located with P.S. 32 Samuels Mills Spole (15K032, “P.S. 32”), an existing DOE zoned elementary school that serves kindergarten through fifth grade students and also offers an Autism Spectrum Disorder (“ASD”) Nest program and two full-day pre-kindergarten sections, and New Horizons School (15K442, “New Horizons”), an existing DOE middle school that serves sixth to eighth grade students.

The DOE has now revised that original proposal. As described in the revised EIS, the DOE now proposes to temporarily allow Brooklyn Prospect to remain in its current location, where it is co-located with Sunset Park and P371K@H667, and to expand by one additional grade. If this revised proposal is approved, Brooklyn Prospect would only remain in the K564 building for one additional year. The DOE has also revised the Building Utilization Plan (“BUP”), which now outlines the number of rooms that will be allocated to Brooklyn Prospect, Sunset Park, and P371K@H667 and the proposed allocation of shared spaces, among other things.

¹ 75K371 is sited at three locations: P371K@Lillian L. Rashkis School is located at 355 37th Street, Brooklyn, NY 11232; P371K@H667 is located at 153 35th Street, Brooklyn, NY 11220; and P371K@Telecommunications is located at 350 67th Street, Brooklyn, NY 11220. P371K@H667 is the only site impacted by this proposal; this proposal will not affect the other sites.

Please be advised that a hearing will not be held at K032 as previously planned as a result of the revision. A joint public hearing on the revised proposal will take place in K564 on a date to be determined. Notice will be provided once this hearing has been finalized. This notice also provides a new date and location for the Panel for Educational Policy meeting at which this proposal will be considered.

II. Identification of all revisions, including substantial revisions to the item.

After receiving public feedback, the DOE has revised the original proposal, and now proposes to temporarily allow Brooklyn Prospect to remain in its current location, where it is co-located with Sunset Park and P371K@H667, and to allow Brooklyn Prospect to expand to serve one additional grade for the 2011-2012 school year. If this proposal is approved, Brooklyn Prospect would only remain in the K564 building for **one additional year**.

The EIS and BUP have been revised in the following manner:

- The revised EIS includes a description of the revised proposal; the proposed or potential use of K564; the impact of the revised proposal on affected students, schools and community; enrollment, admissions and performance information concerning the affected schools; initial costs and savings resulting from the revised proposal; the revised proposal's effect on personnel needs, costs of instruction, administration, transportation and other support services; and information about the K564 building.
- The revised BUP includes the number of rooms each of the co-located schools would be allocated next year in building K564; a proposal for the collaborative usage of shared resources and spaces between Brooklyn Prospect, Sunset Park and K371K@H667; a justification of the feasibility of the proposed room allocations and shared space plan, and how such proposed allocations and shared usage would result in an equitable and comparable use of K564; building safety and security information; communication strategies to be used by the schools at K564; and collaborative decision-making strategies to be used by the schools at K564.

III. Summary of all public comment received to date.

40 comments were received through the DOE's dedicated written and oral comment channels in connection with the original proposal.

1. In particular, 35 commenters expressed opposition to the initial proposal to re-site Brooklyn Prospect in K032 for the following reasons:
 - a. Commenters stated that the addition of 300 students to K032 would limit the space available to students currently served in the building who receive mandated services pursuant to their Individualized Education Plans, which would prevent these students from receiving a quality education in the future.
 - b. Commenters stated that P.S. 32 has small class sizes and highly specialized facilities, which are designed for the benefit of students in the Autism Spectrum Disorder ("ASD") Nest program. These commenters suggested that the proposal would negatively impact the ASD Nest program. They also suggested that the proposal would reduce the time that P.S. 32's students have in the shared spaces, which would be antithetical to the mission of the ASD Nest program.

- c. One commenter suggested that a lawsuit which would require additional assessments, re-evaluation of the proposal, and an independent analysis of building utilization formulas used by the DOE would probably postpone the proposal to re-site and co-locate Brooklyn Prospect in K032.
 - d. One commenter speculated that the City would probably have to pay for the private education of all students in the ASD Nest program at K032 because this proposal would reduce the school's ability to provide mandated services.
 - e. A commenter stated that New York State law mandates small class sizes for students in P.S. 32's ASD Nest program and therefore K032 is not an underutilized building because the ASD Nest program requires more space.
 - f. A commenter suggested that the DOE should provide alternate proposals for Brooklyn Prospect's siting, which would do less harm to such high-needs populations as at the ASD Nest Program at P.S. 32.
 - g. A commenter felt that placing older students in a building with young children will expose young children to inappropriate behavior and unsafe conditions.
 - h. Another commenter felt that the proposal discriminates against students with special needs.
 - i. A commenter felt that the co-location in K032 would result in an inequitable distribution of library time, especially considering the funds the P.S. 32 community has invested in the library.
2. A commenter stated that moving Brooklyn Prospect out of its current location would unnecessarily disrupt the learning of Brooklyn Prospect students. During the year or two that the school waits for its new building to be built, it should stay in its current location to avoid such disruption.
 3. Multiple commenters asserted that if Brooklyn Prospect is not going to K032, it should nonetheless be moved out of its current location until its permanent location is built.

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

The Revised Educational Impact Statement and the Revised Building Utilization Plan may be found on the Department of Education's Web site:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/May182011Proposals.htm>

Copies of the revised EIS and revised BUP are also available in the main offices of Brooklyn Prospect, Sunset Park, and 75K371.

V. Submission of public comment.

Written comments can be sent to D15Proposals@schools.nyc.gov.

Oral comments can be left at 212-374-0208.

VI. The name, office, address, email and telephone number of the city district representative, knowledgeable on the item under consideration, from whom information may be obtained concerning the item.

Name: Benjamin Taylor
Office: Division of Portfolio Planning
Address: 52 Chambers St
Email: D15Proposals@schools.nyc.gov
Phone: 212-374-0208

VII. Date, time and place of joint public hearing for this proposal.

The hearing will be held on either May 4, 2011 or May 10, 2011, pending finalized scheduling.
Brooklyn Prospect / Sunset Park / 75K371
153 35 Street
Brooklyn, NY 11232

Notice will be provided once the final hearing date has been scheduled. Questions about the revised proposal can be directed as indicated in section VI above.

Speaker sign-up will begin 30 minutes before the hearing and will close 15 minutes after the start. Interpretation services will be provided in Spanish. To request interpretation services in another language, please contact Mr. Taylor at the e-mail address or telephone number above.

VIII. Date, time and place of the Panel for Educational Policy meeting at which the Panel will vote on the proposed item.

May 18, 2011 at 6:00 p.m.
Long Island City High School
14-30 Broadway
Queens, NY 11106