



Amended Notice  
June 13, 2011

## **The Revised Proposed Co-location of a New Public Charter School, Brooklyn Success Academy (84K367), with Existing Schools Urban Assembly School for Urban Environment (14K330), Foundations Academy (14K322), a District 75 School (P368K@I033K) and an Alternative Learning Center in School Building K033**

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

On January 14, 2011, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) describing a proposal to site Brooklyn Success Academy Charter School (84K367, “Brooklyn Success”), a new public charter school that would serve students in kindergarten through fourth grade, in Building K033 (“K033”), located at 70 Tompkins Avenue, Brooklyn, NY 11206, in Community School District 14. Brooklyn Success would be co-located in K033 with Urban Assembly School for the Urban Environment (14K330, “Urban Environment”), an existing DOE district middle school that serves sixth through eighth grade, Foundations Academy (14K322, “Foundations”), an existing high school that serves ninth through twelfth grade, and an existing District 75 school (75K368, “P368K@I033K”) serving students in sixth through eighth grade. The building also houses an Alternative Learning Center (88K988, “ALC”), a suspension center serving students in ninth through twelfth grades. A “co-location” means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, libraries, and cafeterias. This proposal was approved by the Panel for Educational Policy (“PEP”) on March 1, 2011.

On May 26, 2011, the DOE published a revised Educational Impact Statement (“EIS”) and revised Building Utilization Plan (“BUP”). The revisions made to the EIS and BUP are described in Section II below.

**This amended notice is to advise you that the location where the Panel for Educational Policy meeting will be held and where the vote for this proposal will take place has changed as indicated in Section VI below.**

Brooklyn Success has been approved by its authorizer, the State University of New York (“SUNY”) to open a new public charter school in District 14. Brooklyn Success 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 424 students in kindergarten through fourth grade. Brooklyn Success will provide a preference to District 14 students in its charter school lottery application process.

Brooklyn Success would be co-located with Urban Environment, Foundations, and P368K@I033K, as well as the ALC, in K033. In 2011-2012, the first year of the proposed co-location, Brooklyn Success would enroll approximately 82 students in kindergarten and 108

students in first grade. In 2012-2013, Brooklyn Success would expand to serve second grade for a total enrollment of 249 students. In 2013-2014, Brooklyn Success would expand to serve third grade for a total enrollment of 352 students. In 2014-2015, Brooklyn Success would achieve full scale and serve approximately 424 students in kindergarten through fourth grade.

Urban Environment is an existing middle school that admits students through the District 14 middle school choice process and currently serves 141 students in sixth through eighth grades. Foundations is an existing high school that admits students through the Citywide High School Admission Process and currently serves 174 students in ninth through twelfth grades. The ALC provides an educational setting for students on a Superintendent suspension for up to 90 days and currently serves 52 students in ninth through twelfth grades. P368K@I033K currently serves 72 students in sixth through eighth grades and provides mandated services for students with emotional disturbances or autism. The current total building enrollment is 439 students.

K033 has been identified as an under-utilized building, meaning it currently has at least 300 seats available. In 2009-2010, K033 had a target capacity to serve 1,213 students. The three schools within the building and the ALC enrolled a total of 466 students – 209 students at Foundations, 140 students at Urban Environment, 75 students at P368K@I033K, and 42 students at the ALC. Thus, the target building utilization was 37%. Although the building has the capacity to serve 1,213 students, in 2010-11, K033 only served 439 students, which yields an estimated utilization rate of 35%. In 2014-15, when Brooklyn Success completes its expansion and achieves full scale, K033 would serve approximately 824-899 students, which yields an estimated utilization rate of 71%.

The DOE notes that there will be a number of rooms that remain after all organizations have received their baseline footprint allocation that can also fulfill also the baseline footprint for the ALC. However, due to the physical layout of the building, some school organizations would need to be spread across different parts of the building if the ALC were to remain. In an effort to ensure that all organizations remain as self-contained as possible and in contiguous space, the ALC will be re-sited to an alternate location within District 14 or to a district in need of an additional ALC by the 2013-2014 school year.

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

This EIS has been revised in the following manner: the shared spaces in K033 have been clarified; enrollment numbers for Foundations and Urban Environment, total building enrollment, building utilization, and demographic information has been updated to reflect the 2010 Audited Register; Urban Environment's enrollment projections for 2011-2012 and future years has been adjusted consistent with budget register projections; the 2014-2015 building enrollment and utilization rate has been updated accordingly; a footnote about projections has been added to this revised EIS; P368K@I033K's projections have been adjusted, its demographic data has been updated, and the revised EIS includes a footnote that explains that the data pertains to 75K368 as a whole; footnotes referencing incorrect years as sources have been fixed; typographical errors have been fixed; references to Brooklyn Success's application and lottery process have been updated to include the dates on which applications were due and when the lottery took place; an incorrect reference that stated this proposal was temporary has been removed; an erroneous reference to international and transfer schools has been removed; and the status of the High School Admissions Process has been updated.

The BUP for this proposal, which is annexed, has also been revised in the following manner: the

proposed shared space schedule has been adjusted and the DOE has clarified the rationale for the amount of time that each co-located school is allocated in the shared spaces under this proposal.

### **III. Summary of all public comment received to date.**

The following comments and remarks were made at the joint public hearing on February 17, 2011, regarding the co-location proposal:

1. The CEC 14 representative stated that the DOE's engagement process moved too quickly. Specifically, she stated that the CEC was not able to meet with the Success Academy Charter Network or to spread information to their community about the proposal. She also stated that the signatures supporting the proposed school came from the Bronx, not from the District 14 community.
2. A representative of the P369K@I033K SLT stated that the school organizations currently in building K033 have a great relationship and expressed concern that this relationship would be negatively affected by the co-location of Brooklyn Success in the building. Additionally, she asked whether charter schools are given more money than traditional schools. Finally, she said the co-location will cause overcrowding that will push the other schools out.
3. A representative of the Foundations Academy SLT questioned what Brooklyn Success would add to the building and expressed concern about the impact of co-locating an elementary school with a middle school and a high school on all students. She asked if Brooklyn Success is expecting to enroll students from a specific demographic. Moreover, she cited a Stanford study that says only 17% of charter schools outperform traditional schools while 83% perform worse. Finally, she questioned how shared resources in the building would be allocated and whether any school's instructional programming would be impacted by the co-location.
4. New York City Council Member Albert Vann disagreed with the DOE's assessment that the co-location would not have negative impact on students enrolled in the schools that are currently sited in the building. He stated that he opposed this proposal because there is no space in the building and because he was concerned about the siting elementary school students in the same building with middle and high school students. Additionally, he contended that comments made at the joint public hearing would not impact the final decision. He also stated that the DOE's engagement process moved too quickly.
5. A representative of the Urban Assembly School for Urban Environment SLT stated that it was inappropriate to co-locate elementary and middle and high school students together. She stated that the building is underutilized, but she also stated that the space would be better used by the school organizations already in the building or another school organization that would serve students of a similar age as the school organizations currently in the building.
6. The principal of Urban Assembly School for Urban Environment stated her belief that Brooklyn Success would not be a good fit with the other school organizations in the building because they serve high school students, autistic students, and students at the ALC, while Brooklyn Success would enroll elementary students.
7. Multiple commenters stated that they support the proposal because:
  - a. They've had positive experiences with their children in Success Charter Network schools.

- b. Charter schools that are working well should be given a chance to grow because the DOE is failing children.
8. A commenter stated that the engagement process did not effectively engage the community. He also asked whether it is legal for Success Charter Network to be asking for applications already, which he said do not say anything about a lottery and seem to suggest the program is screened.
9. A commenter said charter schools have inequitable access to resources and school spaces. He also stated that charter schools often exhibit a lack of collaboration with their co-located schools.
10. Multiple commenters expressed opposition for the proposal because:
  - a. The current schools have worked hard.
  - b. The extra space in the building should be used for schools that currently exist.
  - c. The new school should be placed somewhere like Greenpoint where people want this type of school.
  - d. There are already enough elementary schools in the area.
  - e. The community has not expressed a desire for this school. Signatures supporting the school were obtained from the Bronx, not Brooklyn.
  - f. Younger students should not be sited in a building older students.
  - g. Charters are run like corporations. The charter school process destroys the rights of the people and community because it is only through public schooling and public comment that the community has democracy.
  - h. The building is a public building, and charter schools should not be taking away public funds from public schools.
  - i. Charter schools create racial segregation.
  - j. Good results have come from public schools, so charters are not needed.
11. A commenter said it is problematic that charter schools are only put into neighborhoods with high minority populations.

No comments were received through the DOE's dedicated written and oral comment mechanisms.

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

The revised EIS and revised BUP can be found on the Department of Education's Web site: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/June2011Proposals>

Copies of the revised EIS and revised BUP are also available in the main offices of Urban Environment, Foundations, and P368K@I033K.

## **III. Submission of public comment.**

Written comments can be sent to [D14Proposals@schools.nyc.gov](mailto:D14Proposals@schools.nyc.gov).

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

## **IV. 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: [D14Proposals@schools.nyc.gov](mailto:D14Proposals@schools.nyc.gov)

Phone: 212-374-0208

**V. Date, time and place of joint public hearings for this proposal.**

June 16, 2011 at 6:00 p.m.  
Foundations / Urban Environment / P368K@I033K  
70 Tompkins Avenue  
Brooklyn, NY 11206

Questions about the proposal can be directed as indicated in section IV 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.

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

June 27, 2011 at 6:00 p.m.  
Prospect Heights Campus  
883 Classon Ave  
Brooklyn, NY 11225