

Public Comment Analysis¹

Date: June 24, 2011

Topic: Second Revised Educational Impact Statement: The Proposed Co-location of a New Charter High School, ROADS Charter High School I (84K653), with an Existing DOE School, Aspirations Diploma Plus High School (23K646), in School Building K894

Date of Panel Vote: June 27, 2011

Summary of Proposal

On March 3, 2011, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) and a Building Utilization Plan (“BUP”) describing a proposal to “co-locate” a new charter high school, ROADS Charter High School I (84K653, “ROADS Charter School I”) in school building K894 (“K894”), located at 1495 Herkimer Street, Brooklyn, NY 11233, within the geographical confines of Community School District 23 (“District 23”). If approved, ROADS Charter School I would be co-located in K894 with Aspirations Diploma Plus High School (23K646, “Aspirations Diploma Plus”), an existing transfer high school, beginning in the 2012-2013 school year. Aspirations Diploma Plus currently serves students who are classified as ninth, tenth, eleventh, and twelfth graders based on their credit accumulation. K894 also provides space to the following programs: Learning To Work (“LTW”) and Living for the Young Family through Education (“LYFE”). In addition, East Brooklyn Congregation/East New York High School for Public Safety and Law (23K645, “EBC/ENY”), an existing ninth through twelfth grade school, is currently housed in K894. EBC/ENY is in the process of phasing out and will close in June 2011. 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.

The DOE published a revised EIS and a revised BUP on April 15, 2011. The EIS was revised to include additional information related to the use of shared spaces and the proposed shared space plan, to note that the charter school’s application was approved by the New York State Department of Education Board of Regents, and to correct a statement regarding Appendix B. The BUP was revised in the following manner:

¹ This Analysis of Public Comments reflects those public comments received to date. The DOE will continue to accept public comments until Sunday, June 26 at 6 p.m. If any additional comments are received, they will be addressed in an amended analysis.

- The full-size science lab was re-classified as a shared space.
- The room allocation for each school organization was adjusted in order to more accurately reflect the total full-size, half-size and quarter-size spaces in K894.
- The proposed shared space schedule was adjusted.
- The DOE clarified the rationale for the amount of time that each co-located school is allocated in each of the shared spaces.

On May 26, 2011, the DOE published a second revised EIS and second revised BUP. The second revised EIS changed the date on which ROADS Charter School I would open from September 2011 to September 2012 because the charter school requires an additional year to continue planning for the school’s development. In addition, the second revised EIS included final enrollment projections for Aspirations Diploma Plus for the 2011-2012 school year. The second revised BUP includes the following modifications:

- The DOE noted that ROADS Charter School I would open in September 2012 and not in September 2011 as originally intended.
- Projected enrollment for Aspirations Diploma Plus in 2011-2012 was adjusted based on final register budget projections.

Reinventing Opportunities for Adolescents Who Deserve Success (“ROADS”) submitted a charter school application for ROADS Charter School I on January 14, 2011 to the State University of New York (“SUNY”) Charter Schools Institute. On February 25, 2011, ROADS re-submitted its charter school application in response to SUNY’s Request for Amendments. The charter school application for ROADS Charter School I was approved by the New York State Department of Education Board of Regents on March 29, 2011.

ROADS Charter School I is designed to serve disconnected youth—over-age and under-credited students — in grades nine through twelve. ROADS Charter School I will offer these students customized and rigorous curriculum, socio-emotional support, and work-based experiences that foster student engagement and enhance student learning. ROADS Charter School I will enroll students through the charter lottery application process. Students who are 15-17 years of age and who have 0-11 academic credits would be eligible to participate in the charter lottery for a ninth grade seat in 2012-2013. Preference in the charter lottery application process for the 2012-2013 school year will be given to students who: (1) have been in prison or juvenile detention or have a criminal record; (2) are or have been involved with the foster care system or child welfare system; (3) are or have been homeless or runaway youth; (4) have formerly dropped out of school; or (5) are at least a year behind their graduation cohort. Students who reside in District 23, and other students who meet the school’s preference criteria, would receive admissions preference through the charter lottery application process.

The co-location of ROADS Charter School I in K894 is intended to provide an additional option for students and families in District 23 and Brooklyn. This proposal is in line with the DOE’s commitment to investing in schools that optimize student performance and ensuring that every student graduates from high school equipped with the skills necessary to achieve success in college, careers, and life.

If this proposal is approved, ROADS Charter School I would enroll approximately 125-150 ninth grade students for the 2012-2013 school year. ROADS Charter School I would phase into K894 gradually, adding new ninth grade students each year until it reaches full scale in 2015-2016 when it would serve students in grades nine through twelve. The school is expected to reach its full grade span of nine through twelve in the 2015-2016 school year, however it would operate at full scale in terms of enrollment numbers in the 2014-2015 school year.

In 2012-2013, during the first year of implementation, K894 would serve approximately 350-400 students, including the new charter school and Aspirations Diploma Plus, which would yield an approximate building utilization rate of 73% of target capacity. EBC/ENY will close in June 2011 and, therefore, will not affect the utilization rate at the time of the co-location. When ROADS Charter School I is at full scale in the 2014-2015 school year and beyond, the building would serve approximately 450-500 students combined, which yields a building utilization rate of approximately 91% of target capacity.

The second revised EIS can be accessed, along with the second revised BUP, through the following Website: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/June2011Proposals>. Copies of the second revised EIS and second revised BUP are also available in the main office of Aspirations Diploma Plus.

Summary of Comments Received at the Joint Public Hearing

A Joint Public Hearing regarding the second revised proposal was held at K894 on June 15, 2011. At the hearing, interested parties had an opportunity to provide input on the second revised proposal. Approximately 14 members of the public attended the hearing and 5 people spoke. Present at the meeting were: District 23 Community Superintendent Ainslie Cumberbatch; Aspirations Diploma Plus Principal and School Leadership Team (“SLT”) representative Matt Molloy; Sarah Sandelius from the District 79 Office of Alternative Schools and Programs; Jeff Li, Executive Director of Teach for America and lead applicant for ROADS Charter High School I; Thomas Franta, a representative from SUNY; Miriam Sondheimer and Rosa Fernández from the DOE Office of Portfolio Management; and Nicole Scott and Lajuan White from the DOE Office of New Schools. Ervin Charles, Community Education Council (“CEC”) President for District 23, confirmed prior to the hearing that he would be able to attend, but was unable to do so.

The following comments and remarks were made at the Joint Public Hearing on June 15, 2011:

1. Jeff Li, Executive Director of Teach for America and lead applicant for ROADS Charter School I, stated the following:
 - a. Mr. Li has taught in New York City public schools for six years and is currently the Executive Director of Teach for America, an organization that supports communities in New York City by recruiting, training and supporting teachers and education leaders.
 - b. The founding team of ROADS Charter School I has spent a lot of time carefully planning for the school and developing a comprehensive model that

- addresses the specific needs of the student population the school is intended to serve.
- c. The school model draws on five major components: competency assessment, literacy and numeracy, customization and integration of technology, job readiness, socio-emotional support, and other wraparound services.
 - i. Competency assessment: Students will work on gaining skills and meeting their goals as they progress toward college and career readiness.
 - ii. Literacy and numeracy: In order for students to successfully master academic content, they must also possess basic literacy and math skills. Students will learn to think critically and support their ideas with meaningful evidence.
 - iii. Customization and integration of technology: Students will have a tailored program that meets their individual needs and helps them set clear academic and personal goals.
 - iv. Job readiness: Students will gain job readiness skills.
 - v. Socio-emotional support and other wraparound services: Students will have the opportunity to work with caring adults, including teachers, social work interns, AmeriCorps members, and other community mentors.
 - d. ROADS Charter School I has received positive initial support from the community, including from organizations such as Good Shepherd Services, Boys Town, the Vera Institute of Justice, Opportunities for a Better Tomorrow, the Department of Corrections, and others.
 - e. ROADS Charter School I is committed to trying something new and different and recognizes the many challenges ahead. ROADS Charter School I is excited to partner with the community and to work to ensure that New York City children receive the great education they truly deserve.
2. Sarah Sandelius, Deputy Director of Strategy and Accountability of the District 79 Office of Alternative Schools and Programs, stated the following about the school's admissions criteria and charter lottery application process:
 - a. ROADS Charter School I intends to enroll students who (1) have been in prison or juvenile detention or have a criminal record; (2) are or have been involved with the foster care system or child welfare system; (3) are or have been homeless or runaway youth; (4) have formerly dropped out of school; or (5) are at least a year behind their graduation cohort.
 - b. If the number of applicants exceeds the number of available seats, in this case 150 ninth grade seats during the first year of implementation, student applicants will be drawn from a lottery, which would be run by an outside organization.
 - c. Students will receive preference in the lottery based on the number of criteria they meet. The lottery is open to all New York City students, with preference to those who reside in District 23 in Brooklyn.
 - d. The school will have an open wait list and will enroll students at different points throughout the year upon seat availability.
 3. Thomas Franta, SUNY representative, stated the following:

- a. ROADS Charter School I is a new charter high school authorized by the SUNY Board of Trustees. The New York State Education Law requires SUNY to conduct a public hearing whenever there is a proposal that one of its authorized charter schools share space in an existing district school building.
 - b. The purpose of this public hearing is to receive comments related to the proposed co-location of ROADS Charter School I in K894. In this instance, SUNY is conducting its hearing at the same time as the DOE. However, SUNY has to make a separate decision regarding the school using the space.
 - c. Anyone wishing to send written comments to SUNY related to the proposed co-location of ROADS Charter School I in school building K894 may do so at the following address: 41 State Street, Suite 700, Albany, New York 12207. Written comments can also be faxed to (518) 427-6510 or e-mailed to charters@suny.edu. Written comments should be submitted no later than noon on July 5, 2011.
4. Matt Molloy, Principal of Aspirations Diploma Plus, stated that he wishes to work out the details of the co-location with ROADS Charter School I in the coming months and ensure a smooth transition. He further stated that the services provided to Aspirations Diploma Plus students should be preserved and expanded.
 5. Jeff Kaufman, a teacher at Aspirations Diploma Plus, expressed the following points in opposition to the proposal:
 - a. Mr. Kaufman stated that he taught at Rikers Island for seven years and part of his efforts focused on getting his former students into local public schools once they were discharged from detention centers. He encountered many difficulties in doing so and he applauds the efforts of ROADS Charter School I and its desire to serve this high-needs and high-risk population.
 - b. Mr. Kaufman further stated that he testified before the City Council Education Committee in 2004 and 2005 and argued that this school model has been tested before and has not been successful. Community Prep High School, a transitional program for students coming out of juvenile detention centers, is a good example. In 2010, the DOE announced the closure of Community Prep High School. The commenter believes that Community Prep High School did not succeed because it could not meet the special needs of its student population in a segregated school environment. It is detrimental to students and the community at large to segregate former delinquents and inmates into a school facility.
 - c. Aspirations Diploma Plus is a transfer school which serves students who are considered at risk, some of whom have had interactions with the criminal justice system. The school experienced a considerable amount of gang violence during its first two years of existence. One student was killed by gunfire and others had been seriously injured. Elements of gang-related violence have diminished considerably this year, but it is difficult to prevent gang-related involvement and violence if these students are segregated from the larger school community.
 - d. The University of Maryland runs a successful transitional program for recently released incarcerated youth. Once students go through the transitional program, they are placed in a regular high school and the program continues

to follow their progress until graduation. It is very challenging to integrate these students into society and expect them to become college ready by teaching them in a segregated school environment.

- e. The commenter asked why the DOE is proposing to open ROADS Charter School I in this community where no one is speaking out against it. Commenter believes this decision is racist.
- f. The commenter stated that the DOE did not provide proper notice to parents and the community at large about this proposal.
- g. The commenter encouraged the community to read an article published by the New York Law School Law Review which discusses the integration of youth from juvenile justice placements back into school.

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

No written or oral comments were received by the DOE in regards to the original, revised or second revised proposal.

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

- Comments 1(a-e) and 2(a-d), which discuss ROADS Charter School I's model and admissions policy, are in support of the proposal and therefore do not require a response.
- Comment 3(a-c), an announcement by SUNY representative Thomas Franta regarding SUNY's facilities hearing, does not require a response.
- In response to comment 4, which relates to the co-location proposal's impact on Aspirations Diploma Plus: The co-location of ROADS Charter School I in school building K894 is not anticipated to impact the admissions process, instructional or extracurricular offerings, or partnerships of Aspirations Diploma Plus. In addition, Aspirations Diploma Plus will continue to receive critical support from its Children First network team. For more information concerning the anticipated impact of the proposal on Aspirations Diploma Plus, please refer to pages 5-10 of the second revised EIS available at <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/June2011Proposals>.
- In response to comments 5(a), 5(b), 5(d) and 5(e), which relate to the many challenges faced by schools that serve students formerly involved in the juvenile justice system: The DOE and the founding and planning team of ROADS Charter School I recognize the many challenges ahead and are fully committed to creating a high quality educational option for this high risk and historically underserved population. The opening of ROADS Charter School I in the District 23 community is not intended to segregate students. The DOE strongly believes that these students deserve special attention and creating a school that is tailored to their specific needs is the best way to address systemic inequalities in the educational achievement and outcomes of these students.

The ROADS Charter School I model, which is based on competency assessment and job readiness, draws heavily on a broad array of national evidence-based practices and the extensive experience of District 79, which will support the school in its partnership role, in working with over-age, under-credited, and at risk youth. As described in the second revised EIS, the ROADS Charter School I founding and planning team has successfully built a model that capitalizes on research and best-in-class programs. It has also engaged key stakeholders, partners, and community-based organizations that work with youth who have been in prison or who have been involved with the foster care or child welfare systems.

ROADS Charter School I has also received widespread support from the community. There is a tremendous need in the community for a high quality school that tailors its instruction and services to students who have been involved in the criminal justice, foster care, or child welfare systems and have fallen behind in school. ROADS Charter School I will offer its students socio-emotional supports in addition to a customized curriculum that integrates technology into the classroom. ROADS Charter School I plans to work closely with its multiple partners, including District 79, social workers and mental health professionals, highly trained teachers, and community organizations to support student development and to provide counseling services and other wraparound supports.

As stated above, the co-location of ROADS Charter School I in K894 is intended to offer an additional option for students and families in District 23 and Brooklyn. There is an increasing need for high quality seats for over-age and under-credited students across the City. This year, the DOE proposed to gradually phase out Pacific High School (15K520, “Pacific”), a transfer high school, due to low performance and gradually replace it with a new transfer high school, Brooklyn Frontiers High School (15K423, “Brooklyn Frontiers”). The PEP approved the phase-out and replacement of Pacific on April 28, 2011. The approximately 200 seats lost as a result of the phase-out of Pacific will be recovered through the phase-in of Brooklyn Frontiers and ROADS Charter School I. These two new transfer high schools will provide additional high quality seats to Brooklyn students who are over-age and under-credited and need additional supports to earn a high school diploma.

- With regard to comment 5(c) concerning safety: The DOE recognizes that safety is a concern among parents, students and staff. The DOE is fully committed to working closely with Aspirations Diploma Plus and ROADS Charter School I to provide safety and security in the building for all students and to create a positive culture.

The Office of School and Youth Development (“OSYD”) supports schools in maintaining a safe, orderly and supportive school environment. OSYD works directly with Children’s First Network Safety Liaisons and schools to establish and implement integrated safety, discipline and intervention policies and procedures, to promote respect for diversity, and to nurture students' pro-social behavior by providing them with meaningful opportunities for social-emotional learning. We encourage all schools to seek support from OSYD to address any issues involving safety and security, including gang-related issues.

School Safety Agents (“SSAs”) are allocated to schools based on each building’s projected enrollment. As enrollment in building K894 increases in 2012-2013 and beyond, the number of SSAs at the school will be adjusted accordingly. The NYPD’s School Safety Division looks at a set of variables to determine the number of SSAs to deploy to a particular school building, including the crime rate, size and design of the building, enrollment, and grade span.

Furthermore, pursuant to Chancellor’s Regulation A-414, every school/campus must have a School Safety Committee. The committee plays an essential role in the establishment of safety procedures, the communication of expectations and responsibilities of students and staff, and the design of prevention and intervention strategies and programs specific to the needs of the school. The committee is comprised of various members of the school community, including Principal(s), charter school leader(s), designees of all other programs operating within the building, the United Federation of Teachers (“UFT”) Chapter Leader, a Custodial Engineer designee, and an in-house School Safety Agent Level III. The committee is responsible for addressing safety matters on an ongoing basis and making appropriate recommendations to the Principal(s) and charter school leader(s) when it identifies the need for additional tactics, such as security measures, intervention, or training.

- In response to comment 5(f), which relates to the lack of notice to the community about the proposal and public hearing: In accordance with the relevant provisions of the New York State Education Law, the DOE published the original, revised and second revised proposals on its website on March 3, April 15, and May 26, respectively (available at <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/June2011Proposals>). Spanish translations of the proposal are also available online. In addition, hard copies of the second revised EIS and second revised BUP are currently available in the main office of Aspirations Diploma Plus.
- Comment 5(g) is unrelated to the proposal and therefore does not require a response.

Changes Made to the Proposal

The DOE revised the original EIS and BUP on April 15, 2011 and revised the first revised EIS and first revised BUP on May 26, 2011. The revised EIS published on April 15, 2011 was modified to include additional information related to the use of shared spaces and the proposed shared space plan, to note that the charter school’s application was approved by the New York State Department of Education Board of Regents, and to correct a statement regarding Appendix B.

In addition, the revised BUP was modified in the following manner:

- The full-size science lab was re-classified as a shared space.
- The room allocation for each school organization was adjusted in order to more accurately reflect the total full-size, half-size and quarter-size spaces in K894.

- The proposed shared space schedule was adjusted.
- The DOE clarified the rationale for the amount of time that each co-located school is allocated in each of the shared spaces.

The second revised EIS and second revised BUP published on May 26, 2011 were both modified to reflect the change in date on which ROADS Charter School I would open from September 2011 to September 2012 and to include final enrollment projections for 2011-2012.

No further changes have made to this proposal.