

### **Public Comment Analysis**

Date: January 28, 2015

Topic: The Proposed Co-location of the High School Grades of Achievement First Bushwick (84K538) and the High School Grades of Achievement First East New York (84K358) with Existing Schools I.S. 347 School of Humanities (32K347) and I.S. 349 Math, Science and Tech (32K349) in Building K111 Beginning in 2015-2016

Date of Panel Vote: January 29, 2015

### **Summary of Proposal**

In an Educational Impact Statement (“EIS”) and Building Utilization Plan (“BUP”) posted on December 15, 2014, the New York City Department of Education (“DOE”) proposed to co-locate the high school grades of Achievement First Bushwick Charter School (84K538, “AF Bushwick”) and the high school grades of Achievement First East New York Charter School (84K358, “AF East New York”) in Building K111 (“K111”) with two existing middle schools beginning in the 2015-2016 school year. K111 is located at 35 Starr Street, Brooklyn, NY 11221, in Community School District 32 (“District 32”). The combined high school grades of AF Bushwick and AF East New York function as one high school under the name of Achievement First University Prep Charter High School (“AF University Prep”). Under this proposal, AF University Prep would be co-located at K111 with I.S. 347 School of Humanities (32K347, “I.S. 347”) and I.S. 349 Math, Science and Tech. (32K349, “I.S. 349”). K111 also provides space to Beacon, a community-based organization. If approved, this proposal will provide current AF University Prep students with educational continuity by allowing continuing and future students to attend school in a building with adequate space for the school’s entire grade span.

Additionally, I.S. 349 is part of the School Renewal Program, which will result in the school becoming a community school. As stated in the amended EIS posted on January 28, 2015, as a part of the School Renewal Program, I.S. 349 will adopt a Community School model beginning in the 2015-2016 school year. While we do not expect this potential co-location to impact any tailored ancillary services, extended instruction time, or other additional resources I.S. 349 may receive as a result of the School Renewal Program and the school’s designation as a Community School, the DOE will re-evaluate the space allocations outlined in this EIS after I.S. 349’s particular community school model has been developed. This proposal will not impact the school’s participation in the School Renewal Program. If this proposal is approved by the Panel for Educational Policy (“PEP”), the DOE will continue to work closely with the I.S. 349 community to ensure all students receive the individualized support they need.

Pursuant to recent amendments to the Education Law which provide certain new and expanding charter schools with access to facilities, AF Bushwick and AF East New York made a co-location request to the DOE for space to accommodate AF University Prep’s authorized and planned enrollment and grade span.

AF Bushwick is authorized by the State University of New York (“SUNY”) to serve grades K-12. AF East New York is authorized by the DOE to serve grades K-12. As part of its recent charter renewal

application, AF East New York has informed the DOE that it intends to continue its phase-in to serve grades K-12, if renewal is approved. Should the DOE deny AF East New York's application for renewal, the EIS and BUP will be revised accordingly. For the purposes of the posted EIS and BUP, it is assumed that AF East New York's renewal application will be approved by its authorizer, the DOE, to serve K-12.

As stated above, AF University Prep functions as one high school entity, and is currently serving the combined high school grades of AF Bushwick and AF East New York in Building K434 ("K434"), located at 1485 Pacific Street Brooklyn, NY 11216, in Community School District 17. In order for the high school grades of both schools to be able to grow to their fully authorized enrollment and fully authorized and planned grade spans in one location and continue to function as AF University Prep, the school must be located in a building with sufficient available space to enable that growth. AF University Prep will be comprised of the high schools grades of AF Bushwick, whose middle school grades are currently sited in building K383, located at 1300 Greene Avenue, Brooklyn, New York 11237, 0.5 miles away from K111, and the high school grades of AF East New York, whose middle school grades are currently sited in building K065, located at 158 Richmond Street, Brooklyn, New York 11208 in Community School District 19 ("District 19"), 3.6 miles from K111.

According to the Under-utilized Space Memorandum published on December 27, 2013, building K111 is "under-utilized" and has space to accommodate additional students. According to the 2013-2014 Enrollment, Capacity, Utilization Report (the "Blue Book"), K111 has a target capacity to serve 1,435 students; in 2014-2015, the two schools currently located at K111 are serving a total of 683 students. This yields an estimated building utilization rate of approximately 48%, which demonstrates that the building is "under-utilized" and has space to accommodate additional students. As set forth in the posted BUP, there is sufficient space in the building to accommodate this co-location.

The details of this proposal have been released in an Amended EIS and BUP, which can be accessed online at: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2014-2015/January2015SchoolProposals>.

Copies of the Amended EIS and BUP are also available in the main offices of I.S. 347 and I.S. 349.

### **Summary of Comments Received at the Joint Public Hearing**

A Joint Public Hearing regarding this proposal was held at building K111 on January 14, 2015. At that hearing, interested parties had the opportunity to provide input on the proposal. Approximately 295 members of the public attended the hearing, and approximately 23 people spoke. Present at the hearing were: Lillian Druck, District 32 Community Superintendent who served as Chancellor's Designee; Victorina Lugo, Community Education Council ("CEC") 32 President; Dr. John Barbella, Principal of I.S. 347; Mr. Roy Parris, Principal of I.S. 349; Maureen Murphy of SUNY; and Timothy Castanza, Adrien Siegfried, Brandon Bloomfield and Jyoti Folch from the DOE.

### **The following comments and remarks were made at the Joint Public Hearing**

1. Principal John Barbella of I.S. 347 stated that he and his staff serve his school community as best as they can and that everything they do is for students and their community.
2. Principal Roy Parris of I.S.349 stated the following:
  - a. The building currently serves 1,000 students and was co-located 14 years ago.

- b. Both principals know how to operate as co-located schools and have had an effective partnership throughout the years.
  - c. He wants an opportunity to serve the students of Bushwick.
  - d. The charter school will not serve the Bushwick community.
  - e. He does not want to spend his time negotiating use of the cafeteria, gym and other shared spaces.
3. CEC 32 President Victorina Lugo stated the following:
  - a. The CEC stands with the community in opposition to the proposal.
  - b. She disagrees with co-locations.
  - c. She feels that co-locations present troubles for DOE schools in terms of scheduling and use of space in the building.
  - d. She believes that the DOE is taking away the opportunity for schools to expand by co-locating schools.
4. Council Member Antonio Reynoso stated the following:
  - a. This proposal puts an unfair burden on Principal Parris of I.S. 349 given that the school was recently designated as a Renewal School.
  - b. The proposal will add complexity in planning for both existing schools.
  - c. The proposal will prevent I.S. 349 from implementing the necessary changes needed as a Renewal School due to AF University Prep using existing excess space.
  - d. The DOE is playing a part in systematically displacing people from this community.
  - e. He has concerns around the gentrification of communities.
  - f. He is an advocate of community schools and the Renewal School model.
  - g. He is not anti-charter school and cited MESA Charter School in District 32 as an example of a charter school that operates effectively and serves students from the community.
  - h. He disagrees with co-locations and feels that the DOE supports co-locations too often and that co-locations make it difficult for schools.
  - i. He is pleased that the DOE withdrew the previously approved proposal to co-locate AF North Brooklyn Prep at K299 in 2015-2016 and urges the DOE to do the same with this proposal.
5. Assemblymember Maritza Davila stated the following:
  - a. She strongly opposes the proposal.
  - b. She strongly supports I.S. 347 and I.S. 349.
  - c. She is not opposed to charter schools.
  - d. She does not support co-locating charter schools in public space.
  - e. Charter Schools have resources that public schools do not.
  - f. She feels that this proposal is disrespectful and has concerns that it co-locates a high school inside a building with two middle schools.
  - g. She has concerns about the scheduling issues that this will cause for the existing schools in the building.
  - h. She has concerns that this proposal is an example of segregation.
  - i. She feels that the building is being utilized properly and already has a large number of after school programs and activities.
  - j. The building has already lost many resources that it once had.
  - k. She wonders if the DOE would co-locate in Manhattan or other boroughs.

- l. She is a strong Puerto Rican woman who was born and raised in the community and will not let this proposal go through.
  - m. She has concern that the PEP vote is being held in the Bronx and that many members of the community will be unable to attend the meeting.
  
6. A representative from Congresswoman Nydia Velasquez's office stated the following:
  - a. The congresswoman urges the DOE to withdraw this proposal.
  - b. The children of this community deserve the right to a solid education.
  - c. The congresswoman believes that every parent has the right to send their child to a charter school, but that one should not be forced on parents.
  - d. You do not need a lottery ticket to attend public schools, which serve all students.
  - e. Charter schools do not serve all students.
  - f. The congresswoman believes that the DOE should focus on further investing in the existing schools in the building to make it greater than it is today.
  - g. The building is a middle school building for middle school students, not high school students.
  - h. She has concerns about the sharing of resources and the negotiation of shared spaces.
  - i. Achievement First will not take our students at the high school level.
  - j. The proposal is a disruption to the existing schools' progress.
  
7. An SLT member from I.S. 347 opposed to the proposal commented that:
  - a. The proposal will cause the space usage of the existing schools in the building to shrink drastically.
  - b. He fears that this means that one or both of the schools in the building will be phased out.
  - c. Charter schools illuminate the Tale of Two Cities message that Mayor DeBlasio spoke about.
  
8. An SLT member from I.S. 347 opposed to the proposal commented that:
  - a. Achievement First already has ten locations across Brooklyn, is not satisfied, and is looking for more space.
  - b. She feels that Achievement First has been given enough public space already.
  - c. She feels that the plan of Achievement First is to eventually take over the K111 building.
  
9. An SLT member from I.S. 349 opposed to the proposal and feels that Achievement First should look for another location.
  
10. An SLT member from I.S. 347 opposed to the proposal expressed support for the existing schools in the building.
  - a. This SLT member also asserted that budget cuts already decimated both schools and that this proposal will further destroy the schools.
  
11. An SLT member from I.S. 349 opposed to the proposal and stated the following:
  - a. The DOE should provide increased bi-lingual programming to the schools rather than supporting a charter school co-location.
  - b. It is hard for the community to be at peace when they feel their rights are being stepped on and feelings are being disregarded.

- c. The proposal will pit charter school parents and parents at the existing schools against one another.
12. Several commenters expressed concerns about the process by which space is allocated to schools and about sharing spaces and resources between three schools.
13. Several commenters expressed support for I.S. 347 and I.S. 349.
14. Several commenters expressed concern that their voices and opinions are not respected by the DOE.
15. Several commenters stated that they oppose the co-location of a charter school in building K111.
16. Several commenters stated that the co-location of a high school with two middle schools provides safety concerns for the middle school students currently in the building.
  - a. Additionally, one commenter stated that no additional security guards would be added to the K111 building if the proposal is approved, which is a safety concern.
17. Several commenters stated that I.S. 347 and I.S. 349 serve all students from the community and that Achievement First will not serve all students from the community.
18. One commenter expressed concern that students from I.S. 347 and I.S. 349 would begin to eat lunch at 10:00 am as a result of the proposal.
19. Several commenters expressed concerns over gentrification and other changes happening in the community.
20. Several commenters stated that charter schools bring segregation to schools and communities.
21. Several commenters expressed concern that this proposal would negatively impact the new Renewal Program at I.S. 349 and hold it back from being successful.

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

The DOE received seven emails through the dedicated email address for this proposal and two comments through the dedicated phone line.

#### **The following comments were submitted through the dedicated email address and phone line**

22. Multiple commenters expressed opposition to the proposal and support for I.S. 347 and I.S. 349.
23. One commenter expressed opposition to siting two high schools in the K111 building.
24. Multiple commenters expressed support for the proposal.

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

Comment 24 expresses support for the proposal and thus does not require a response.

Comments 4(d-e, g), 5(c), 7(c), 10(a), 19 and 20 - are not directly related to the proposal and thus do not require a response.

Comments 1, 2(b-c), 4(f), 5(b, d), 10, and 13 express support for I.S. 347 and I.S. 349.

The DOE acknowledges the gains and achievements of I.S. 347 and I.S. 349. The DOE believes that this proposal will not prevent I.S. 347 or I.S. 349 from continuing to provide the supports needed for the success of each school community, and will continue to support I.S. 347 and I.S. 349 moving forward.

Comment 2(a) states that the K111 serves over 1,000 students.

According to the 2013-2014 Enrollment, Capacity, Utilization Report (the “Blue Book”), K111 has a target capacity to serve 1,435 students; According to the Unaudited Register dated October 31, 2014, in 2014-2015, the two schools currently located at K111 are serving a total of 683 students, yielding an estimated building utilization rate of 48%

Comments 3(a), 5(a, h, l), 6(a-c, j) 9, 11(c), 15 and 22 state general opposition to the proposal.

Achievement First has a record of success and the DOE supports the permanent placement of an Achievement First charter high school in District 32. Achievement First’s schools have a strong track record of academic success: on the 2013-2014 New York State exams, Achievement First Charter School’s demonstrated strong results in ELA, math, and science. The co-location of a public charter school does not impact the resources available to other District 32 schools. The DOE supports parent choice and is committed to providing different educational options to communities.

There are several structures to facilitate a smooth co-location between the two schools. Co-located schools on campuses must actively participate in a Building Council, which is a campus structure for administrative decision-making for issues impacting all schools in the building. Additionally, a Shared Space Committee will review the implementation of the BUP once it has been approved by the Panel for Educational Policy. To the extent that principals and charter leaders are unable to reach agreement on the use of shared spaces, they may avail themselves of a mediation process outlined in the Campus Policy Memo, which is available at <http://schools.nyc.gov/community/campusgov>.

Comment 5(i) states that the building is already being utilized correctly and efficiently.

As stated above according to the Under Utilized Space Memorandum, K111 is under-utilized and has the space to accommodate additional students. According to the 2013-2014 Enrollment, Capacity and Utilization Report (the Blue Book), K111 has a target capacity to serve 1,435 students . According to the Unaudited Register dated October 31, 2014, the two schools currently located in K111 are serving a total of 683 students, which yields a building utilization rate of approximately 48%. This demonstrates that the building is underutilized and has the space to accommodate additional students. As set forth in the BUP, there is sufficient space in the building to accommodate this co-location.

Comments 11(b) and 14 state that the DOE does not support the community or consider their feedback when making decisions.

The DOE appreciates all feedback from the community regarding a proposal.

Extensive public engagement was conducted in the course of creating this proposal, which included:

- Meeting with members of CEC 32 to inform the CEC of the recent amendments to the Education Law, as well as present a district needs assessment for District 32; this meeting included a discussion of the rationale of this proposal.
- A Community Needs Assessment Forum which included elected officials and representatives from Brooklyn CECs and District Presidents Councils at which this proposal was discussed along with other potential District Planning needs and priorities in Brooklyn.
- A meeting with the SLTs of both schools as well as the Deputy Chancellor, Community Superintendent and representatives from the Office of District Planning and the Office of Space Planning to discuss the proposal further, listen to questions and concerns from both school communities, and determine whether significant logistical or other concerns would prevent the implementation of this proposal if approved by the PEP.

When the Educational Impact Statement and Building Utilization Plan were issued, they were made available to the staff, faculty and parents at both I.S. 347 and I.S. 349, placed in the main offices of I.S. 347 and I.S. 349, and posted on the DOE's website. In addition, the DOE dedicates a proposal-specific website and voicemail to collect feedback on this proposal. Furthermore, all schools' staff, faculty and parent communities were invited to the Joint Public Hearing, which was attended by 295 members of the public, to solicit further feedback. In the case of this proposal, the DOE solicited feedback from community members at the hearing, as well as through email and voicemail. Each school distributed parent letters and notices provided by the DOE in English and Spanish to all students informing parents of the proposal and the various ways they could provide feedback. All feedback received from the community via email, phone or at the hearing is included in this document, which has been provided to the PEP and is publically available on the DOE website.

The DOE's public review process is governed by Chancellor's Regulation A-190 and this process was followed for this proposal.

Although the DOE recognizes that people in the community may have strong feelings against this proposal, the DOE believes that, if this proposal is approved, the school communities at I.S. 347, I.S. 349, and Achievement First will be able to create productive and collaborative partnerships.

Comments 7(b) and 8(c) express concern that I.S. 347 or I.S. 349 will be phased out or closed.

This proposal does not propose the phase-out or closure of either I.S. 347 or I.S. 349. As stated in the EIS, the proposal is not expected to impact admissions, enrollment or programming at either I.S. 347 or I.S. 349.

Comments 8(a-b) and 20 oppose charter school sitings in public buildings.

The DOE seeks to provide space for additional education options for all students, regardless of whether students are served in DOE or public charter schools. The DOE welcomes public charter schools to lease or provide their own space, but will offer space in DOE buildings where it is feasible to do so.

Additionally, pursuant to recent amendments to the Education Law which provide certain new and expanding charter schools with access to facilities, AF Bushwick and AF East New York made a co-

location request to the DOE for space to accommodate AF University Prep's authorized and planned enrollment and grade span.

Comment 11(a) expresses concern that this co-location proposal would prevent I.S. 347 and I.S. 349 from offering additional programming and asks that the schools at K111 be provided with additional bi-lingual programming.

While the co-location will reduce the amount of excess space that is currently available to both I.S. 347 and I.S. 349, both schools will continue to receive their adjusted baseline footprint allocation of rooms throughout the course of the phase-in of Achievement First University Prep. The DOE does not believe that the co-location will necessarily prevent either school from offering any programming that they currently offer or from offering new programming. As stated in the EIS, the co-location may change the way those programs are configured. 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. Students will continue to have the opportunity to participate in a variety of extracurricular programs, though the specific programs offered at a given school are always subject to change.

The DOE will work with the K111 community as well as the Community Superintendent to determine the need for additional bi-lingual programming for both I.S. 347 and I.S. 349. As stated above, this proposal does not prevent either school from receiving any additional programs for English Language Learners.

Comments 5(f), 6(g) and 16 express concern over the co-location of high school students in a building with middle 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. These examples include:

- Building K324 currently houses three schools: M.S. 267, an existing middle school serving students in grades sixth through eighth, La Cima Charter school, a charter elementary school serving students in grades K-5, and Bedford Stuyvesant Collegiate, an existing charter secondary school, which is currently in the process of growing to serve students in grades 5-12.
- The Julia Richman Educational Complex, which houses four small high schools, a K-8 school, and a District 75 program
- Building M092 currently houses three schools: St. Hope Leadership Academy Charter School, a charter middle school serving students in grades fifth through eighth, P.S. 92, a district elementary school which serves students in grades K-5, and Democracy Prep Charter School, a charter high school serving students in ninth through twelfth grade.
- Building Q226 currently houses four schools: J.H.S 226 Virgil I. Grissom, a district middle school which serves students in grades 6-8, Hawtree Creek Middle School, a district middle school which serves students in grades 6-8, P.S. Q233, a District 75 school that serves students in grades 6-8 and Epic High School-South, a district high school that will serve grades 9-12 at scale.

Additionally, Comment 16 also expresses concerns about safety issues at building K111.

With respect to Achievement First University Prep’s proposed co-location in K111, it should be noted that in many buildings housing co-located schools, each school is assigned floors or hallways for their classrooms and specific stairways for students to use. These measures are taken to cultivate cohesive cultures within each school. Separation between schools is intended to limit any issues that might arise from groups of students who may not know each other well and to nurture school unity. Pursuant to Chancellor’s Regulation A-414, every campus is mandated to form a School Safety Committee, which is responsible for developing a comprehensive School Safety Plan that defines the normal operations of the site and what procedures are in place in the event of an emergency. The School Safety Plan is updated annually by the Committee to meet the changing security needs, changes in organization and building conditions and any other factors; these updates could also be made at any other time when it is necessary to address security concerns. The Committee will also address safety matters on an ongoing basis and make appropriate recommendations to the principal(s) when it identifies the need for additional security measures. The Office of School and Youth Development (“OSYD”) supports schools in maintaining a safe, orderly, and supportive school environment. We encourage all schools, including those in K111, to seek support from OSYD to address any issues involving safety and security, including gang-related issues.

Comment 16(a) expresses concern over the number of safety agents that will be assigned to K111 after the proposal.

School Safety Agents (“SSAs”) are allocated to schools based on each building’s projected enrollment. 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.

Comment 5(e) pertains to charter schools and district schools having disparate access to resources. Comment 5j states that the building has lost resources in the past.

Charter schools receive public funding for general education students pursuant to a formula created by the state legislature, and overseen by the State Education Department (“SED”). The General Education Charter School per-pupil rate is based on a formula used for all traditional public school districts. The formula divides the district’s Approved Operating Expenditures (“AOE”) by Total Allowable Pupil Units (“TAPU”). Special Education funding is an allocation that Charter Schools may qualify for and receive for serving students that receive special education services for more than 20% of the week as mandated by an IEP. Due to this funding formula, the opening of a new charter school does not impact the budgets or allocations of district schools any differently than opening a new district school, as funding “follows the child” pursuant to the Fair Student Funding Formula (“FSF”). Charter management organizations, just like any other school citywide, may also choose to raise additional funds to purchase various resources they feel would benefit their students.

The DOE notes that in accordance with New York State Charter Schools Act of 1998 (as amended), any proposed capital improvements or facility upgrades in excess of five thousand dollars, regardless of the source of funding, that is made to accommodate the co-location of a charter school within a public school building, must first be approved by the Chancellor. The Act states: “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 public school

within the public school building. For any capital improvements or facility upgrades in excess of five thousand dollars that have been approved by the Chancellor, regardless of the source of funding, made in a charter school that is already co-located within a public school building, matching capital improvements or facility upgrades shall be made in an amount equal to the expenditure of the charter school for each non-charter public school within the public school building within three months of such improvements or upgrades.”

Comment 6(f) asserts that more resources should be given to I.S. 347 and I.S. 349 in place of the proposal

Fair Student Funding (FSF) dollars are used by all district schools to cover basic instructional needs and are allocated to each school based on the number and need-level of students enrolled at that school. All money allocated through FSF can be used at the principals’ discretion, such as hiring staff, purchasing supplies and materials, or implementing instructional programs. As the total number of students enrolled changes, the overall budget will increase or decrease accordingly, allowing the school to meet the instructional needs of its student population.

Principals have discretion over their budget and make choices about how to prioritize their resources. New schools may choose to hire fewer administrative staff (e.g. only a single assistant principal) freeing up dollars to be directed toward other priorities.

Comments 2(e), 3(c), 4(b), 5(g) 6(h), 7(a) and 12 question the process by which shared spaces are divided amongst the co-located schools and express concern that the proposal will make scheduling difficult for the existing schools.

There are currently hundreds of schools in buildings across the City that are co-located; some of these co-locations are multiple DOE schools while others are DOE and public charter schools sharing space. In all cases, the Citywide Instructional Footprint is applied to both DOE and public charter schools to ensure equitable allocation of classroom, resource and administrative space.

The BUP puts forth a proposed shared space schedule for the co-located schools that is feasible and demonstrates that the co-located schools may be treated equitably and comparably in the use of shared spaces. If this proposal is approved, all three schools will have access to the shared spaces in building K111. The final shared space schedule will be collaboratively drafted by the Building Council if the proposed co-location is approved by the PEP.

If the Principals are unable to agree upon a schedule for shared spaces, there is a mediation process outlined in the Campus Policy Memo, which is available at <http://schools.nyc.gov/community/campusgov>.

Comments 2(d), 6(d-e, i) and 17 relates to charter schools and district schools serving dissimilar populations and claim that Achievement First will not serve the community.

Any child eligible for admission to a district public school is eligible for admission to a public charter school. If the number of applicants exceeds the number of available seats at a charter school, a random selection process, such as a lottery, must be used. Lotteries select students randomly from among the applicant pool. In contrast, screened schools are able to select their students based on factors including academic achievement, attendance, teacher recommendation, and admissions tests.

Zoned schools admit students based on home address, which is frequently correlated with income and parental education levels.

Charter schools give preferences to students based on various factors, including, but not limited to, whether the applicant has a sibling already enrolled in the charter school, lives in the charter school's community school district, and/or is eligible for free or reduced price lunches. Charter may also include additional preferences for students that may be considered at-risk of academic failure (as defined by the school).

Moreover, per amendments to New York State charter law in 2010, charter schools "shall demonstrate good faith efforts to attract and retain a comparable or greater enrollment of students with disabilities or English language learners; and students who are eligible applicants for the free and reduced price lunch program when compared to the enrollment figures for such students in the school district in which the charter school is located."

Comment 5(m) asks why the PEP meeting is being held in the Bronx and not in Brooklyn.

The PEP will be voting on several proposals impacting schools across the city and the monthly meeting locations vary from month to month. Throughout the school year, PEP meetings rotate amongst locations throughout all five boroughs. For example, the September meeting was held in Brooklyn, the October and November meetings were held in Manhattan, the December meeting was held in Queens, the January meeting is being held in the Bronx and the February meeting will be held in Staten Island. Locations are chosen based on the schools ability to accommodate large public meetings and convenience to public transportation as well as accessibility. Travel directions to the meetings can be found here: <http://schools.nyc.gov/AboutUs/leadership/PEP/meetings/Directions/default.htm>

Comments 3(b), 4(h), and 5(d-e) express dissatisfaction with co-locations. Comments 5k inquires specifically about co-locations in other boroughs

There are currently hundreds of schools in buildings across the City, in every borough, that are co-located; some of these co-locations are multiple DOE schools while others are DOE and public charter schools sharing space. In all cases, the Citywide Instructional Footprint is applied to both DOE and public charter schools to ensure equitable allocation of classroom, resource and administrative space.

The DOE believes in Achievement First's record of success and supports the permanent placement of an Achievement First charter high school in District 32 in order to continue providing educational continuity for students.

Comment 18 expresses dissatisfaction with students at I.S. 347 and I.S. 349 having lunch at 10:00 am as a result of the proposal.

As stated above, the use of shared spaces such as the cafeteria is decided by the building council. The BUP proposed a shared space schedule, which included suggested use of the cafeteria. This schedule considers lunch times that are currently being offered by the schools at K111, as well as feedback obtained during conversations with the principals of I.S. 347 and I.S. 349. The proposed shared space

schedule suggests that the first lunch time offered at K111 be 10:45, which is later than the 10:30 lunch time currently being offered.

The final shared space schedule will be collaboratively drafted by the Building Council if the proposed co-location is approved by the PEP.

Comment 4(i) expresses support for the decision by the DOE to withdraw the previously approved proposal to co-locate Achievement First University Prep at building K299 and urges the DOE to do the same for this proposal.

The withdrawal of the proposal to co-locate Achievement First North Brooklyn Preparatory Charter School's grades 5-8 at K299 is unrelated to the proposal to co-locate Achievement First University Prep High School at K111 and therefore no response is required.

Comments 4(a, c) and 21 express concern that the proposal will negatively impact the School Renewal Program that is to be implemented at I.S. 349.

As stated in the amended EIS, as a part of the School Renewal Program, I.S. 349 will adopt a Community School model beginning in the 2015-2016 school year. While we do not expect this potential co-location to impact any tailored ancillary services, extended instruction time, or other additional resources I.S. 349 may receive as a result of the School Renewal Program and the school's designation as a Community School, the DOE will re-evaluate the space allocations outlined in this EIS after I.S. 349's particular community school model has been developed.

This proposal will not impact the school's participation in the School Renewal Program. If this proposal is approved by the PEP, the DOE will continue to work closely with the I.S. 349 community to ensure all students receive the individualized support they need.

Comment 3(d) expresses concern that the proposal will prevent I.S. 347 and I.S. 349 from expanding.

As stated in the EIS, the proposal is not expected to impact the enrollment at either I.S. 347 or at I.S. 349 and thus does not prevent either I.S. 347 or I.S. 349 from growing their enrollment. Additionally, should either school's enrollment increase, both schools have been allocated excess space in the BUP to accommodate new sections that would be needed to open in order accommodate these students.

Comment 23 expresses concern that the proposal will site two high schools in the K111 building.

As stated in the EIS, AF University Prep functions as one high school entity, and is currently serving the combined high school grades of AF Bushwick and AF East New York. AF University Prep is the only high school that the DOE is proposing to be co-located in K111.

### **Changes Made to the Proposal**

At this time, there are no changes being made to the proposal.