Department of Education
Carmen Fariña, Chancellor

Amended Public Comment Analysis

Date: February 24, 2015

Topic: The Proposed Expansion of Success Academy Charter School – Bed-Stuy 1 (84K367) in Building K033 with The School for the Urban Environment (14K330), Foundations Academy (14K322), and a District 75 Program (75K368), Beginning in the 2015-2016 School Year

Date of Panel Vote: February 25, 2015

Summary of Proposal

On December 22, 2014, the New York City Department of Education ("DOE") issued an Amended Educational Impact Statement ("EIS") describing a proposal to expand the grades served by Success Academy Charter School – Bed-Stuy 1 (84K367, "SA Bed-Stuy 1") in Building K033 ("K033") to include grade five beginning in the 2015-2016 school year. SA Bed-Stuy 1 is a charter school currently serving students in kindergarten through grade four in K033, located at 70 Tompkins Avenue, Brooklyn, NY 11206, in Community School District 14 ("District 14"). SA Bed-Stuy 1 is currently co-located in K033 with The School for the Urban Environment (14K330, "Urban Environment"), a district middle school; Foundations Academy (14K322, "Foundations Academy"), a district high school; and a District 75 program (75K368, "P368K@I033K") that serves students in grades six through twelve.

This proposal was originally scheduled to be voted on by the Panel for Educational Policy ("PEP") in a meeting on January 29, 2015; however, the vote for this proposal was rescheduled to take place on February 25, 2015. Consequently, the original Public Comment Analysis that was prepared for the January 29th hearing has been amended to include all comments received through February 24, 2015.

The grade expansion of SA Bed-Stuy 1 in K033 is intended to support the educational continuity of students currently enrolled in SA Bed-Stuy 1. If this proposal is approved, SA Bed-Stuy 1's fourth-grade students who are eligible for promotion will have the opportunity to remain in SA Bed-Stuy 1 at K033 for fifth grade beginning in 2015-2016.

Pursuant to recent amendments to New York State Education Law, which provide certain new and expanding charter schools with access to facilities, SA Bed-Stuy 1 made a co-location request to the DOE for space in District 14 for its fifth through eighth grades. Although SA Bed-Stuy 1 requested space for its fifth through eighth grades, at this time the DOE is only proposing to site SA Bed-Stuy 1's fifth grade at K033.

Success Academy Charter Schools ("SACS") is a charter management organization ("CMO") that currently operates elementary, middle and high schools, including SA Bed-Stuy 1, in New York City. SA Bed-Stuy 1 is a charter school that opened in the 2011-2012 school year, is currently serving students in grades kindergarten through four, and plans to expand to serve students in grades kindergarten through twelve. The school's charter was authorized in October 2010 by The State University of New York Trustees ("SUNY").

In a revised EIS posted on May 26, 2011, the DOE proposed the siting and co-location of SA Bed-Stuy 1's kindergarten through fourth grades at K033. The EIS also stated that the DOE would consider long-term options to accommodate the anticipated growth of SA Bed-Stuy 1. On June 27, 2011, the PEP approved the siting and co-location of SA Bed-Stuy 1's kindergarten through fourth grades at K033.

Additionally, Foundations Academy is part of the School Renewal Program, which will result in the school becoming a community school. As stated in the Second Amended EIS posted on January 28, 2015, as a part of the School Renewal Program, Foundations Academy 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 Foundations Academy 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 Foundations Academy'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 Foundations Academy community to ensure all students receive the individualized support they need.

According to the 2013-2014 Enrollment, Capacity, Utilization Report ("Blue Book"), K033 has a target capacity of 1,019 students. During the current school year, K033 serves approximately 683 students, yielding a utilization rate of approximately 67%, which means that the building is "under-utilized," and has excess space to accommodate additional students. If this proposal is approved, in 2015-2016, when SA Bed-Stuy 1 expands to serve fifth grade students at K033, there will be approximately 690-860 students in the building served by all three schools and P368K@I033K, yielding a projected utilization rate of approximately 68%-84%, which demonstrates that there is sufficient space for all school organizations.

SA Bed-Stuy 1 will continue to use shared spaces with Urban Environment, Foundations Academy, and P368K@I033K. As set forth in the Building Utilization Plan ("BUP") that accompanies the EIS, there is sufficient space in the building to accommodate this expansion.

The details of this proposal have been released in a Second Amended EIS and a BUP, which can both be accessed here:
http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2014-2015/January2015SchoolProposals.

Copies of the Second Amended EIS are also available in the main offices of SA Bed-Stuy 1, Urban Environment, Foundations Academy, and P368K@I033K.

Summary of Comments Received

- Extensive public engagement was conducted by the DOE in the course of creating this proposal which included:
    - Meeting with members of CEC 14 on October 9, 2014 to inform the CEC of the recent amendments to the Education Law and the DOE's plans to assess available space at District 14 buildings, including the K033 building, for SA Bed-Stuy 1's space requests.
    - Convening a Community Needs Assessment Forum on November 13, 2014 which included representatives from elected officials, Brooklyn CECs and District Presidents Councils at which this proposal was discussed along with other potential District Planning needs and priorities in Brooklyn.
    - Conducting a walkthrough of building K033 with a Deputy Chancellor on November 26, 2014. On that day, the Deputy Chancellor and other DOE leadership members met with the principals and School Leadership Team members of Urban Environment, Foundations Academy and P368K@I033K to further discuss the proposal, listen to questions and concerns from the school communities, and determine whether significant logistical or other concerns would prevent the implementation of this proposal if approved by the Panel for Educational Policy ("PEP").

The DOE also held a joint public hearing regarding this proposal at the K033 building on January 21, 2015. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 400 members of the public attended the hearing. There were forty-three (43) speakers. Individuals present at the meeting included: CEC 14 President Tesa Wilson and CEC 14 First Vice President Debbie Feiner; Foundations Academy Principal Neil Monheit, and Foundations Academy SLT members Vanessa Maldonado, Tyannah Johnson, Vishaul Harding, and Jenna Forde; Urban Environment Principal Kourtney Boyd, and Urban Environment SLT members Natasha Godley, Ms. Longo, and Ms. King; SA Bed-Stuy 1 Principal Javeria Khan, and SA Bed-Stuy 1 SLT member Stefanie Coyle; P368K@I033K Principal Joycelyn Nedd, and P368K@I033K SLT members Cecila Green, Lorna Perkins, Arzie Goodman, and Ms. Haynes; and Vicki Javier and Jyoti Folch from the DOE's Office of District Planning.

The following comments and remarks were made at the joint public hearing on January 22, 2015:

1. Tesa Wilson, CEC 14 President, commented as follows:
    a. She expressed support for the district schools.
    b. She is opposed to the proposal because she feels that it is detrimental to all of the schools in K033.
2. A member of the P368K@I033K SLT commented as follows:
    a. The projected building utilization rate is too high and it will eventually cause the D75 program to leave the building due to lack of space.
    b. D75 admissions is based on placement offers, and not necessarily tied to geography, but the D75 program in K033 serves many students from the neighborhood.
3. Neil Monheit, principal at Foundations Academy, commented as follows:
    a. His school has been working with Success Academy since last year.
    b. His team has focused a great deal on recruitment and expects to serve 215 students next year.
    c. As a renewal school, Foundations Academy will be able to provide wrap-around services for every student.
    d. He feels that all resources should be equitably distributed.
    e. He was informed that this proposal entails Success Academy moving to the 4th floor and sharing bathrooms with the middle school. He feels that if this plan is approved, all principals should come together to discuss the ultimate space plan.
4. Kourtney Boyd, principal at Urban Environment, commented as follows:
    a. She is not opposed to charter schools or co-locations, but is opposed to the inequitable allocation of space.
    b. The current use of the shared spaces is not ideal. The lunch period starts at 10:30 a.m. Her school is unable to provide afterschool services in the evening due to a lack of space.
    c. Her school's space allocation has changed frequently for the last 10 years, which has made it difficult to build a school culture.
5. Joycelyn Nedd, principal at P368K@I033K, commented as follows:
    a. She wants equity in the use of shared spaces. She stated that the building does not have a library. The library that K033 used to have was dismantled when SA Bed-Stuy 1 first entered the building. In the present conditions, it is already difficult to schedule enough time in the shared spaces, and an expansion to SA Bed-Stuy 1 is going to worsen this.
6. Javeria Khan, principal at SA Bed-Stuy 1, commented as follows:
    a. Her school has been able to foster a great relationship between teachers and students.
    b. She is in support of the proposal as it will provide continuity in education for her students.
    c. 98% of her students were deemed proficient on the Math state exam, top five in the entire state. Her school placed in top 15 in the state for ELA. Her students deserve more space to continue excelling academically.
7. An SLT member at SA Bed-Stuy 1, commented as follows:
    a. She is proud of what SA Bed-Stuy 1 has achieved and believes that SA students should have the opportunity to continue to 5th grade.
8. A student from Foundations Academy commented as follows:
    a. Gym time is limited since the sharing of shared spaces is difficult as is.
9. An SLT member at Foundations Academy, commented as follows:
    a. She is excited that her school will be doubling its enrollment due to its recruitment efforts.
    b. She believes that the expansion will perpetuate inequitable practices, namely in the use of space.
10. A student from Foundations Academy commented as follows:
    a. SA Bed-Stuy 1 is taking up all the space in the building.
    b. SA Bed-Stuy 1 will soon take up all the smartboards and may even end up taking the rooms that just got installed with air conditioners this year.
11. A student from Foundations Academy commented as follows:
    a. The mixing of students in different grade levels is wrong.
12. A parent from P368K@I033K commented as follows:
    a. She expressed regret that students do not feel comfortable in their school space.
    b. She feels that children should not be part of this hearing, given the contentious tone amongst parents.

13. A student from Urban Environment commented as follows:
    a. Believes that the proposal will lead to existing students having to leave the building due to lack of space.
14. A parent from SA Bed-Stuy 1 commented as follows:
    a. She expressed support for the proposal since it will allow her son to remain at SA Bed-Stuy 1 for 5th grade.
15. A parent from SA Bed-Stuy 1 commented as follows:
    a. She expressed support for the proposal since SA Bed-Stuy 1 has helped her daughter make a lot of academic progress.
16. A teacher from SA Bed-Stuy 1 commented as follows:
    a. Supports the proposal since it will allow SA Bed-Stuy 1 students to have the opportunity to continue at SA Bed-Stuy 1.
17. A parent from SA Bed-Stuy 1 commented as follows:
    a. Supports proposal since SA Bed-Stuy 1 provides a quality education and believes that there is sufficient space to facilitate the expansion.
18. A teacher from SA Bed-Stuy 1 commented as follows:
    a. SA kids should have the best education possible and that's why he supports the proposal.
    b. The space SA Bed-Stuy 1 acquires will go far in promoting SA kids' educational outcomes.
19. A teacher from SA Bed-Stuy 1 commented as follows:
    a. She supports the proposal since her students who have IEPs need and deserve the extra space.
20. A teacher from SA Bed-Stuy 1 commented as follows:
    a. Her school is committed to providing the best education for her children.
21. A parent from SA Bed-Stuy 1 commented as follows:
    a. Supports the proposal, and feels that those who oppose the expansion are opposed to a good education.
22. A parent from SA Bed-Stuy 1 commented as follows:
    a. Stated that students shouldn't be denied the right to a great education, which SA provides. Traditional schools failed her child.
23. A parent from SA Bed-Stuy 1 commented as follows:
    a. All kids deserve a great education, and SA has provided that for her child.
24. A parent from Urban Environment commented as follows:
    a. Past proposals have made it difficult to share the lunch room and gym.
    b. HS and MS students should not share the same spaces.
25. A teacher from SA Bed-Stuy 1 commented as follows:
    a. She has enjoyed learning and growing with her scholars, and supports the proposal since her students deserve the space.
26. A parent from SA Bed-Stuy 1 commented as follows:
    a. She loves her SA Bed-Stuy 1 family, and she wants the best for her kids.
    b. She is happy to see such a great turnout from SA.
27. A parent from SA Bed-Stuy 1 commented as follows:
    a. She supports the proposal since it will enable her son to continue to succeed at SA, which has helped her son tremendously.
28. A parent from SA Bed-Stuy 1 commented as follows:
    a. She has seen her daughter make great progress in reading and math, thanks to SA Bed-Stuy 1. She believes SA will make her daughter college ready.
29. A parent from SA Bed-Stuy 1 commented as follows:
    a. She and the rest of SA are part of the D14 community and as such deserve space for 5th grade.
30. A parent from SA Bed-Stuy 1 commented as follows:
    a. SA Bed-Stuy 1 has made her daughter excited to learn. SA parents shouldn't have to make the case for why their children deserve more space.
31. A teacher from SA Bed-Stuy 1 commented as follows:
    a. She supports the proposal since her special education students need continuity in order to continue receiving customized instruction.
32. A teacher from SA Bed-Stuy 1 commented as follows:
    a. Her students are reading at grade level. SA teaches its students really well.
33. A parent from SA Bed-Stuy 1 commented as follows:

   a. SA Bed-Stuy 1 helped her student score well on ELA/math exams.
34. A parent from SA Bed-Stuy 1 commented as follows:
   a. SA Bed-Stuy 1 is home to her child. All kids deserve a good education, which SA Bed-Stuy 1 provides.
35. A parent from SA Bed-Stuy 1 commented as follows:
   a. SA Bed-Stuy 1 has worked hard for her son.
36. A teacher from SA Bed-Stuy 1 commented as follows:
   a. Her students make great progress and SA Bed-Stuy 1 parents are heavily invested in education, which is why they need more space.
37. A parent from SA Bed-Stuy 1 commented as follows:
   a. SA Bed-Stuy 1 has stepped up when traditional schools have failed students.
38. A parent from SA Bed-Stuy 1 commented as follows:
   a. SA Bed-Stuy 1 provides a great education for her kids.
39. A parent from SA Bed-Stuy 1 commented as follows:
   a. Her daughter is excelling academically, thanks to SA Bed-Stuy 1. Her daughter is excited to learn.
40. A teacher from SA Bed-Stuy 1 commented as follows:
   a. SA Bed-Stuy 1 is a family and provides a dedicated team for every child.
41. A parent from Foundations Academy commented as follows:
   a. Her daughter is in the honor roll and loves her teachers. She feels that her school is fighting for resources.
42. A parent from Foundations Academy commented as follows:
   a. SA Bed-Stuy 1 should have its own building as space is limited at K033.
43. A parent from SA Bed-Stuy 1 commented as follows:
   a. SA Bed-Stuy 1 prepared her son to excel academically. Her kindergarten son is reading at 1st grade level.

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

The DOE received 54 emails through the dedicated email address for this proposal.

The following comments were submitted through the dedicated email address.

44. Nine (9) commenters expressed opposition to this proposal.
   a. Six (6) commenters were in general opposition to this proposal.
   b. One (1) commenter expressed concern about co-locating multiple grade levels in the same building.
   c. Two (2) commenters expressed concern about space in the building to accommodate SA Bed-Stuy 1's expansion.
45. Forty-five (45) commenters expressed support for this proposal.

The DOE received 2 voicemails through the dedicated phone number for this proposal.

The following comments were submitted through the dedicated phone number.

46. Both callers expressed general opposition to the proposal.

Analysis of Issues Raised, Significant Alternatives Proposed

Comments 6, 7, 14-23, 25-40, 43, and 45 are in favor of the proposal and do not require a response.

Comments 3(d-e), 4-5, 8, 9(b), 10, 24(a), and 41 concern how space and resources will be shared in the building as a result of the proposal.

There are currently hundreds of schools in buildings across the city that are co-located; some of these co-locations consist of multiple DOE schools sharing a building while others consist of 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 K033. While the BUP outlines a shared space schedule for the implementation of this proposal, the final shared space schedule will be collaboratively drafted by the Building Council, a campus structure consisting of the Principal of each school that meets regularly to address issues related to space allocations and shared space usage. In addition to the Building Council, a Shared Space Committee will review implementation of the BUP once it has been approved by the Panel for Educational Policy. Combined, the Building Council and Shared Space Committee aim to ensure that shared spaces are equitably distributed and allocated with at least as much shared space time as outlined in the BUP.

Last, 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. In any building where more than one school is co-located, the Building Council – consisting of the Principal of each school – meets regularly to address issues related to space allocations and shared space usage.

Comments 1, 44(a), and 46 express general opposition to the proposal.

The DOE respects that there may be a difference of opinions in regards to this proposal; however, the DOE believes that the grade expansion of SA Bed-Stuy 1 in K033 will support the educational continuity of students currently enrolled at SA Bed-Stuy 1 in their current school building. Moreover, there is sufficient space in K033 to support this expansion.

Comment 42 proposes that SA Bed-Stuy 1 receive its own school site.

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, SA Bed-Stuy 1 made a co-location request to the DOE for space to accommodate its grade expansion.

Comment 12 expressed regret with regards to the general tone of the meeting. This comment is not pertinent to the proposal and therefore does not require a response.

Comments 2 and 13 raise concerns that students will be forced out of the building over time due to enrollment shifts in either school program.

There are currently hundreds of schools in buildings across the city that are co-located; some of these co-locations involve multiple DOE schools, while others are DOE and public charter schools sharing space.

This proposed co-location is not expected to impact the enrollment of the other schools in the building. The enrollment projections in the EIS are based on current enrollment at the existing schools at the entry point grade level and assume that the same number of students will age up and that there will be stable incoming enrollment at the entry point grade.

As noted in the EIS, the proposed expansion of SA Bed-Stuy 1 is also not expected to impact the admissions, educational or extracurricular options of students currently attending Foundations Academy, Urban Environment, or P368K@I033K.

Comments 11, 24(b), and 44(b) assert that students from multiple grade levels sharing school space will have an adverse effect on the school.

The DOE does not believe that the grade extension in this proposal will create an unsafe learning environment for any student being served in the building. 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. For example, 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.

Comments 3(a-c), 9(a) discuss the renewal efforts of Foundations Academy, but those comments are not directly pertinent to this proposal.

We understand that Foundations Academy is a part of the School Renewal Program, which will result in Foundations Academy becoming a Community School. We are in strong support of this program and believe the DOE's specific implementation plan for Foundations Academy will not be impacted by this proposal.

We do not expect this proposed grade expansion to impact any tailored ancillary services, extended instruction time, or other additional resources Foundations Academy may receive as a result of the School Renewal Program.

Should this proposal be approved by the PEP, the DOE will continue to work closely with the entire school communities to ensure all students receive the individualized support that they need.

Comment 44(c) asserts that there is not enough space in the building to accommodate SA Bed-Stuy 1's expansion without affecting the current programming at other schools in the building.

While the co-location will reduce the amount of excess space that is currently available to other schools, each school will continue to receive their adjusted baseline footprint allocation of rooms as allocated in the BUP.

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.

Changes Made to the Proposal

No changes have been made to this proposal.