

### **Public Comment Analysis**

Date: October 29, 2013

Topic: The Proposed Grade Reconfiguration and Extension of the Co-location of Children’s Aid College Prep Charter School (84X124), with P.S. 211 (12X211) and I.S. 318 The School of Mathematics, Science & Technology through the Arts (12X318) in Building X193, Beginning in 2014-2015

Date of Panel Vote: October 30, 2013

---

### **Summary of Proposal**

On September 13, 2013, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) and Building Utilization Plan (“BUP”) describing a proposal to indefinitely extend the co-location of Children’s Aid College Prep Charter School (84X124, “CACPCS”) and reconfigure CACPCS’ grade span served in building X193 (“X193”), located at 1919 Prospect Avenue, Bronx, New York 10457, in Community School District 12 (“District 12”) beginning in the 2014-2015 school year.

CACPCS is an existing public charter school that serves students in grades kindergarten through two in the X193 building, where it is co-located with P.S. 211 (12X211, “P.S. 211”), an existing school that serves students in grades kindergarten through eight and offers a pre-kindergarten program; and I.S. 318 The School of Mathematics, Science & Technology through the Arts (12X318, “I.S. 318”), an existing middle school that serves students in grades six through eight. Building X193 also provides space to an additional pre-kindergarten program run by Children’s Aid Society (“CAS”), the same community-based organization (“CBO”) that manages CACPCS. 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. If this proposal is approved, CACPCS will remain in X193, where it will eventually serve grades five through eight indefinitely.

The State University of New York Trustees (“SUNY”) approved CACPCS’ charter application to serve kindergarten through fifth grades on June 15, 2011. Under this charter, CACPCS admits students through a charter lottery, giving preference to at-risk elementary school students who reside in District 12. The school’s admissions process and preference criteria are explained in further detail in Section III.A of the EIS.

In a separate EIS issued on December 1, 2011, the DOE proposed to temporarily site grades kindergarten through three of CACPCS in X193 from the 2012-2013 school year through the 2014-2015 school year. That proposal was approved by the Panel for Educational Policy (“PEP”) on January 18, 2012. At the time, Children’s Aid Society had informed the DOE of the organization’s intention to acquire private space to serve all of CACPCS’ grade levels. CACPCS planned to move into the private space after the 2014-2015 school year.

CAS has since provided the DOE with several updates. First, it has informed the DOE that when its charter is up for renewal in 2017, CACPCS will apply to expand its grade span to serve kindergarten through eighth grades. Only SUNY has the authority to approve or deny that request. Should SUNY deny CACPCS request to expand, the DOE may consider alternate options for the space in X193, which will be described in another EIS consistent with Chancellor’s Regulation A-190, as applicable. For the purpose of this proposal, it is assumed that SUNY will approve CACPCS’ application for charter renewal and grade expansion.

Second, CAS has updated the DOE about the progress of its private space plan. CACPCS does not expect to be able to move into its private space until the start of the 2016-2017 school year due to a delay in the space acquisition, design, and construction process.

Thus, the DOE proposes that CACPCS continue to serve some grade levels in X193 on a long-term basis. Specifically, CACPCS will continue to scale up in X193 until it serves grades kindergarten through four in the 2015-2016 school year. Thereafter, it will gradually re-site grades kindergarten through four to its private facility, while continuing to add grades five through eight in the X193 building. In the 2019-2020 school year, when CACPCS is serving students in grades kindergarten through eight, grades five through eight will be located in the X193 building, and grades kindergarten through four will be located in private space.

Thus, this EIS proposes to change both the duration of the co-location (so that CACPCS can remain in the building indefinitely, beyond 2014-2015) and the grades of CACPCS that will be co-located with P.S. 211 and I.S. 318 (grades five through eight, rather than kindergarten through three). The determination to eventually move the younger grades to the private space is based on the proximity of that space to Children's Aid Society's other community services, allowing the younger students to be closer to those locations.

If this proposal is approved, CACPCS is projected to serve 235 – 300 students in kindergarten through third grades in X193 in the 2014-2015 school year. In 2015-2016, CACPCS is projected to serve 280 – 355 students in kindergarten through fourth grades in X193. In 2016-2017, CACPCS is projected to serve 245 – 315 students in second through fifth grade in X193, while kindergarten and first-grade students are served in private space. In 2017-2018, CACPCS is projected to serve 245 – 315 students in third through sixth grade in X193. In 2018-2019, CACPCS is projected to serve 245 – 315 students in fourth through seventh grades in X193. In 2019-2020, the final year of the grade reconfiguration, CACPCS is projected to serve 245 – 315 students in fifth through eighth grades in X193.

According to the 2011-2012 Enrollment, Capacity, Utilization Report ("Blue Book"), X193 has a target capacity of 1,574 students, but in 2013-2014, the building serves approximately 1,140 students, yielding a building utilization rate of 72%. This means that the building is "under-utilized" and has space to accommodate additional students. In 2019-2020, when CACPCS' grade reconfiguration is complete, CACPCS, P.S. 211 and I.S. 318 will collectively serve 1,166 -1,356 students in X193 yielding a building utilization rate of 74% - 86%. As detailed in the BUP, all schools will receive space that meets their instructional needs, and the building has space to accommodate P.S. 211, I.S. 318 and CACPCS at scale.

The proposal to reconfigure the grades and extend the co-location of CACPCS is not expected to impact the admissions, enrollment, or educational options of students currently attending P.S. 211 or I.S. 318. Additionally, this proposal is not expected to impact academic or extracurricular offerings for P.S. 211 or I.S. 318 students. All students will continue to receive mandated special education services and instruction for English Language Learners.

The EIS and BUP can be found on the Department of Education's Web site:  
<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2013-2014/Oct30SchoolProposals>.

Copies of the EIS and BUP are also available in the main offices of P.S. 211, I.S. 318, and CACPCS.

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

A joint public hearing regarding this proposal was held at building X193 on October 23, 2013. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 310 members of the public attended the hearing and 38 people spoke. Present at the meeting were: Community School District 12 Superintendent Myrna Rodriguez; Community Education Council ("CEC") 12 President Ilka Rios, CEC 12 representatives Catherine Baez, Lilliam Reye, and Dupatie Budhram; P.S. 211 School Leadership Team ("SLT")

representatives Principal Betty Gonzalez-Soto and Theresa Massaro; I.S. 318 SLT representatives Principal Maria Lopez and Jason G. Brown; CACPCS SLT representatives Principal Ife Lenard, Vilma Vargas, Miguel Balbuena, and Casey Vier; and Gilbert Cox and Ashley Davies from the DOE's Division of Portfolio Planning.

**The following comments and remarks were made at the joint public hearing on October 23, 2013:**

1. Theresa Massaro, a member of P.S. 211's SLT made the following comments:
  - a. She advocated for the co-location of CACPCS two years ago because she thought the school offers great services and would help the building, but she is now against the co-location.
  - b. Five years from now, there will be a new proposal.
  - c. What is the address of CACPCS' private facility?
  - d. She teaches at P.S. 211, had a daughter who graduated from P.S. 211, and loves the school.
  - e. P.S. 211 needs more bathrooms and more space.
2. Miguel Balbuena, Community School Director at CACPCS, stated the following:
  - a. CACPCS is here to work in collaboration with the other schools in the X193 building.
  - b. All the schools need to work together.
  - c. CACPCS has programs that support the other schools in the building.
3. Ife Lenard, Principal of CACPCS, stated the following:
  - a. CACPCS' transition into the building was not as smooth as she would have liked.
  - b. She has worked in the Bronx with schools and children in the community since 1993.
  - c. CACPCS's private space facility is located at 1232 Southern Boulevard, which is close to the Freeman train station.
  - d. Architects have bid for the design and development of the new property, but the site still needs to be surveyed.
  - e. This proposal to permanently site CACPCS in the X193 building and reconfigure the grade span that the school will serve in the building were not her decisions.
  - f. The school's charter was written so that there are 24 students in a class.
  - g. She supports the proposal.
4. Casey Vier, a member of the SLT at CACPCS, stated the following:
  - a. She supports the co-location of CACPCS in the X193 building.
  - b. She was a former teacher and has worked with students in the community.
  - c. The co-location of CACPCS in the X193 building is an opportunity for adults to share best practices and resources.
  - d. All the schools share similar goals, including closing the achievement gap.
5. Multiple commenters voiced general opposition to the proposal.
6. Multiple commenters expressed overall support for the proposal and for CACPCS; particularly its academic programing, after-school programing, summer programing, and staff members.
7. Several commenters stated that P.S. 211 has bridged classes and asked how students are supposed to learn the necessary curriculum when they are mixed with students in other grades.
8. One commenter stated that P.S. 211 will lose 11 rooms as a result of this proposal.
9. Multiple commenters expressed general opposition to co-locating schools.
10. Multiple commenters stated that it is unfair that charter schools have 24 students in a class whereas P.S. 211 has over 32 students per class.
11. Multiple commenters asked why the PEP vote was being held in Brooklyn and not in the Bronx.
12. Multiple commenters suggested that CACPCS should find its own building.
13. Multiple commenters suggested that charter schools should pay rent for public space.
14. A teacher from P.S. 211 stated the following:
  - a. He has had to change classrooms three times over the past three years as the charter school has phased into the building.
  - b. He expressed doubt that grades kindergarten through four of the charter school will move out of the X193 building and into private space and contended the DOE would eventually house grades kindergarten through eight in the X193 building.

15. A teacher from P.S. 211 stated that P.S. 211 has been through a lot of change over the past several years, and there needs to be a moratorium on change.
16. Multiple commenters stated that there will be a new mayor soon and things will change.
17. Multiple commenters stated that P.S. 211 is a bilingual school, and there are not enough options for students who speak other languages than English.
18. Multiple commenters stated that this co-location will cause P.S. 211 to fail and as a result the school will be phased out.
19. One commenter stated that CACPCS has built a great partnership with the other schools in the building, and if CACPCS moves out another school is likely to come in who does not have that same relationship.
20. Multiple commenters stated that the building is already crowded, and there is not enough space for CACPCS to remain in the building.
21. One commenter suggested that the outcome of this proposal has already been decided upon.
22. Multiple commenters suggested that if CACPCS stays in the building, the district schools will not be allowed to grow.
23. One commenter asked why the charter school is not serving students in the community.
24. Multiple commenters stated that there are not enough bathrooms in the building for three schools, and as a result, the schools have a schedule for when they can use the bathroom which results in student accidents.
25. One commenter stated that students have to eat lunch later now that another school is in the building.
26. Multiple commenters expressed support for P.S. 211's principal, staff, and school programming.
27. One commenter stated that CACPCS has provided his child with the proper special education accommodations needed.
28. Drema Brown, Vice President of Education at the Children's Aid Society, commented that:
  - a. The other schools have no fight with CACPCS because the school looks to support all the schools at the X193 building.
  - b. Children's Aid Society has been in the District 12 for 15 years.
  - c. Their vision is to create a robust campus with many support services like the campus in Washington Heights where all students on the campus are supported.
  - d. CACPCS is not here to take away resources from the other schools.
  - e. She supports the proposal.
29. One commenter stated that CACPCS does not serve special needs students, and thus the other schools' percentage of special needs students will increase.
30. One commenter asked where the resources for the new school will come from.
31. One commenter stated the mayor is responsible for co-locations and this is his way of discouraging parental involvement.
32. A representative from CACPCS, stated the following:
  - a. She supports the co-location.
  - b. CACPCS is a public school like the other schools in the building.
  - c. CACPCS is trying to support, not take away resources from the other schools in the building.
  - d. Charter schools get less money than DOE public schools, and thus have to fundraise for additional funds.
  - e. CACPCS did not ask for public space; they were offered public space.
  - f. CACPCS is here to serve all students.
33. One commenter stated that they were not given notice of the joint public hearing.
34. Multiple commenters spoke about the strong leadership of all the principals in the building.
35. One commenter stated that CACPCS offers a wide range of services, including mental health services, which benefit all students on the campus.
36. A representative of Children's Aid Society commented that they anticipated only being temporarily co-located in the X193 building when the last proposal was released, but they are happy to continue to build the relationship they have with the other schools in the building.
37. One commenter stated that more parents need to work together.
38. Multiple commenters expressed concern that CACPCS' private space will not be ready in time.

39. Multiple commenters stated that there is no collaboration between CACPCS administration and the other schools in the building.
40. One commenter stated that CACPCS wants to be partners with the other schools and will work with the other schools to be more of a community.
41. One commenter expressed concern over the small size of the gym and questioned how all three schools will continue to share gym space.
42. One commenter stated that the cafeteria is too small to accommodate all the students in the building, thus some students are eating upstairs and now there are rodents.
43. One commenter questioned why P.S. 211 was a “C” school if the charter school has been in the building providing support for two years.
44. One commenter stated that as result of this co-location, P.S. 211 will not have room for programs such as music and art.
45. One commenter stated he supported the initial co-location of the elementary grades of the charter school, but he does not support the new proposal because more middle school children in the building will result in more violence.
46. One commenter stated that the charter school has taken students out of the public schools.
47. One commenter stated that the DOE needs to change its policy concerning the co-location of schools.
48. One commenter stated that all charter schools should be located in their own buildings.

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

49. One written comment received expressed the following:
  - a. Support for P.S. 211’s staff and academic programs.
  - b. General opposition to the proposal.
50. One oral comment received expressed general opposition to the proposal.

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

Comments 3(b, e), 4(b), and 16 are not directly related to the proposal and thus do not require a response.

Comments 2(a, b, c), 3(g), 4(a, c, d), 6, 19, 27, 28 (a-e), 32 (a, b, c, f), 34, 35, 36, and 40 express support for CACPCS, the services it offers, its administration, and are generally in favor of the proposal; thus, they do not require a response.

Comments 1(a), 5, 15, 49(b), and 50 voiced general opposition to the proposal.

While some members of the P.S. 211 and I.S. 318 community object to the proposal, the DOE is committed to providing a portfolio of high quality school options to students and families. CACPCS earned higher-than-average scores on the 2012-2013 Learning Environment Survey, indicating a high level of satisfaction with the school from parents and staff. Additionally, CACPCS received 652 applications for 82 seats for the 2013-2014 school year. This demonstrates that CACPCS is a highly sought after option in the community. The DOE strives to ensure that all students in New York City have access to a high-quality school at every stage of their education and believes that if this proposal is approved, the school communities at P.S. 211, I.S. 318, and CACPCS will be able to continue developing productive and collaborative partnerships that will maximize the opportunities available to students.

Comments 1(b, c), 3(c, d), 14(b), and 38 relate to the status of CACPCS’s private space.

On January 18, 2012 the PEP approved the proposal to temporarily site grades K-3 in the X193 building from the 2012-2013 school year through the 2014-2015 school year. At the time, CAS intended to move into private space after the 2014-2015 school year where it would house grades K-5. CAS has since informed the DOE that it does not expect to be able to move into its private space until the start of the 2016-2017 school year due to a delay in the

space acquisition, design, and construction process. Additionally, CAS plans to apply to expand its grade span to serve grades K-8 when its charter is up for renewal in 2017.

Specifically, in response to comment 1(c) which inquires about the location of the CACPCS' private space, CAS has stated that the site is located at 1232 Southern Boulevard, which is within a mile of X193, and within District 12. CAS feels the site of its private facility is better suited for an elementary school than the X193 building given its proximity to other services CAS operates.

CAS' offer on the site has been accepted. CAS has conducted both Phase I and Phase II environmental testing on the site, as well as a geotechnical analysis. CAS is awaiting the results of those studies. Meanwhile, CAS plans to select an architect to begin work before the end of 2013, so that it remains on schedule to have the new site ready for the 2016-17 school year.

Comments 1(d), 26, and 49(a) express support for P.S. 211.

The DOE acknowledges and commends the students and staff of P.S. 211 for their hard work, dedication, and passion for the school.

Comments 1(e), 14(a), 20, 24, 25, 41, and 42 express concerns about the adequacy and ability of the X193 facilities to support an expanded co-location, as well the feasibility of scheduling usage of the shared spaces between the three schools.

The Citywide Instructional Footprint (the "Footprint") is the guide used to allocate space to all schools based on the number of class sections they program and the grade levels of the school. The number of class sections at each school is determined by the principal based on enrollment, budget, and student needs; there is a standard guideline of target class size (i.e., number of students in a class section) for each grade level. For elementary schools serving grades kindergarten through five (and for all pre-kindergarten programs), the Footprint assumes that classes are self-contained. Therefore, the Footprint allocates one full-size room for each general education or Integrated Co-Teaching section and a full-size or half-size room to accommodate each Self-Contained special education section served by the school. In addition to these rooms, schools serving grades kindergarten through five receive an allocation of cluster or specialty rooms proportionate to the number of students enrolled. These spaces can be used at the principal's discretion for purposes such as art and/or music instruction, among other things. At the middle school and high school levels, the Footprint assumes every classroom is programmed during every period of the school day except one lunch period. The full text of the Instructional Footprint is available at [http://schools.nyc.gov/NR/ronlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011\\_FINAL.pdf](http://schools.nyc.gov/NR/ronlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.pdf).

As demonstrated in the BUP, all schools will continue to receive their respective adjusted baseline Footprint allocation of rooms if this proposal is approved. In fact, there will continue to be at least four full-size instructional rooms in excess after each school has received its baseline (or adjusted baseline) allocation in each year of the proposal's implementation.

Thus, while the extended co-location and grade reconfiguration will reduce the amount of excess space which is currently available to P.S. 211 and I.S. 318, as stated in the EIS and BUP, the co-location is not expected to impact instructional programming, extracurricular offerings or partnerships at either of these schools. With respect to complaints about the potential disruption of changing the assignment of classrooms between the schools, the allocation of instructional and administrative rooms in the BUP is intended to minimize disruption.

With respect to concerns about the use of the gymnasium and cafeteria, the proposed shared space schedule included in the BUP demonstrates that the shared spaces in the building can be allocated in a manner that is both equitable

and feasible based on the projected enrollments for each co-located school, current space allocation plans, current lunch schedules, the total capacity of each shared space, the grades served and the number of sections served by each of the co-located schools, and the start and end times of the school day. Furthermore, where possible, the proposed schedule maintains schools' current allocations of time for each shared space to minimize disruption. The final shared space schedule will be collaboratively drafted by the Building Council if the proposed co-location is approved by the PEP.

Additionally, in buildings that include a charter school, there is also a Shared Space Committee, which meets at least four times per year, and includes the principal, a teacher, and a parent from each co-located school. This committee monitors the implementation of the shared space schedule, and identifies areas of concern that can be addressed by the Building Council. According to Chancellor's Regulation A-190, the Shared Space Committee shall be comprised of the principal, a teacher, and a parent from each co-located school. With respect to a non-charter school's teacher and parent members, such Shared Space Committee members shall be selected by the corresponding constituent member of the SLT at that school.

As to concerns about the availability of bathrooms, building X193 has at least one set of student bathrooms per floor, with most floors having two sets. As such, there are sufficient bathrooms throughout the building to accommodate the needs of three schools. While the schools in X193 may currently be allocating time in the restrooms to each school, in many buildings where schools are co-located, each school is assigned bathrooms on the floors or hallways of 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. The intention is not to be punitive to any one group of students. If the allocation of time in bathrooms is not working or is inadequate, the Building Council may discuss alternative arrangements, such as the assignment of specific bathrooms.

Comments 2(b), 3(a), and 39 relate to collaboration among school leadership in co-located schools.

All co-located school buildings have a Building Council, consisting of the principals of all schools in the building. The Building Council meets regularly to address issues related to space allocations and shared space usage. The principals of P.S. 211, I.S. 318, and CACPCS sit on the Building Council for X193, and work together to create a plan for the allocation of shared spaces. In addition, the Shared Space Committee, described above, will review the implementation of the BUP. Although the DOE has proposed how the shared spaces in the building may be utilized in the BUP, the Building Council is free to deviate from the proposed Shared Space Plan to accommodate specific programmatic needs of all special populations or groups within each school as is feasible and equitable, provided that the Building Council comes to an agreement of the final Shared Space Plan collaboratively.

In the event that a Building Council cannot reach resolution on an issue, the dispute resolution procedures set forth in the Campus Policy Memo and Procedures, available at <http://schools.nyc.gov/community/campusgov>, shall be applicable.

Comments 3(f), 7, and 10 concern the proposal's impact on the class sizes and structure at P.S. 211.

In New York City, schools are funded through a per pupil allocation. That is, funding "follows" the students and is weighted based on students' grade level and need (incoming proficiency level and special education/ELL/Title I status). Principals have discretion over their budget and make choices about how to prioritize their resources, including programming the number of classes needed for each grade.

Furthermore, space in building X193 is allocated to P.S. 211, I.S. 318, and CACPCS according to the Footprint, which takes into account the number of sections served by each school. The DOE will closely monitor any changes in demand for P.S. 211 and I.S. 318. Given that P.S. 211's enrollment has seen a decline and I.S. 318's enrollment has remained stable, it is not anticipated that this proposal will require P.S. 211 or I.S. 318 to program larger class sizes as a result of space constraints. Enrollment for each school will be carefully evaluated to ensure that appropriate seat targets are established on an annual basis.

Comments 9, 12, 32(e), 47, and 48 express opposition to co-locations.

Given that building space is scarce in New York City neighborhoods, and the growing enrollment needs of 1.1 million students, the DOE must use its existing public buildings in the most efficient manner possible. Sharing space is central to New York City's strategy for school improvement. The DOE has over 900 schools and programs co-located with at least one other district or charter school in multi-school campus buildings. Co-locating new charter schools with district schools is necessary to ensure that students and families in every community have access to high-performing educational options.

There are several structures to facilitate a smooth co-location between 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 shall review the implementation of the BUP once it has been approved by the PEP. To the extent that principals and charter leaders are unable to reach agreement upon 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>.

With respect to comments relating to charter school's use of public space, 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. We welcome public charter schools to lease or provide their own space, but we will offer space in DOE buildings where it is feasible to do so. The DOE does not lease space directly for charter schools; a charter school interested in parochial school or other space would have to acquire or lease that space with private funds.

With respect to CACPCS' extended co-location in the X193 building, when CAS informed the DOE of the delay in the construction of their private space, CAS requested the use of public space beyond the 2014-2015 school year. According to the 2011-2012 Enrollment, Capacity, Utilization Report ("Blue Book"), X193 has a target capacity of 1,574 students, but in 2013-2014, the building serves approximately 1,140 students, yielding a building utilization rate of 72%. This means that the building is "under-utilized" and has space to accommodate additional students. The DOE's proposal to extend the co-location of CACPCS in the X193 building, helps to ensure that we are using our existing capital in the most efficient manner possible so that students and families in every community have access to high quality educational options.

The DOE believes this proposal is in the best interests of the District 12 community.

Comment 8 relates to the number of rooms that will be reallocated as a result of the proposal.

As stated in the BUP, both P.S. 211 and I.S. 318's allocations of excess space will decrease as a result of the proposal to reconfigure the grades and extend the co-location of CACPCS in the X193 building. In total, the BUP indicates that P.S. 211 will lose two full-size rooms and one half-size room and I.S. 318 will lose two full-size rooms as a result of the proposal.

Comment 11 queries why the October 30, 2013 PEP vote is scheduled to take place in Brooklyn and not the Bronx.

The PEP votes on several proposals impacting schools across the city at each meeting, 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 August meeting was held in Manhattan, the September meeting was held in Queens, and the October meetings are being held in Brooklyn. Additionally both the December 2013 and June 2014 meetings will be held in the Bronx. Locations are chosen based on school buildings' 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>.

Comment 13 proposes that charter schools should pay rent to use DOE space.

Proposals about where new schools are sited are made by the DOE's Division of Portfolio Planning ("Portfolio") in conjunction with the Office of Space Planning. The DOE proposes co-locations of district and charter schools in public school buildings to ensure that we are using our existing capital in the most efficient manner possible so that students and families in every community have access to high-performing educational options. Although individual buildings may house multiple district and/or charter school organizations, these options are available to all students.

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

Comments 17, 43 and 44 question the impact of the co-location of CACPCS on the academic and extracurricular offerings at the other schools in the building.

As discussed above in response to comments 1(e), 14(a) 20, 24, 25, 41 and 42, each school will continue to receive its adjusted baseline allocation of space, and there will continue to be excess space available in the building. P.S. 211 and I.S. 318 will continue to offer special programs and initiatives, and extracurricular programs based on student interests, available resources, and staff support for those programs. However, 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. It is difficult to predict precisely how those changes might be implemented as decisions will rest with the school administrators and will be made based on student interests and available resources. That is true for any City school as all schools modify extracurricular offerings annually based on student demand and available resources.

Additionally, all students will continue to receive mandated special education services and instruction for English Language Learners ("ELL").

Comment 18 suggests that P.S. 211 will be phased out as a result of the proposal.

The proposed co-location is not expected to impact P.S. 211's or I.S. 318's enrollment. The enrollment projections in the EIS are based on current enrollment at P.S. 211 and I.S. 318 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, this proposal is not expected to impact the admissions, educational or extracurricular options of students currently attending P.S. 211 and I.S. 318. The DOE has no plans to phase-out P.S. 211 or I.S. 318.

Comment 21 suggests that a decision has already been made on the proposal.

While the DOE supports the extension of the co-location and grade reconfiguration of CACPCS in the X193 building beginning in the 2014-2015 school year, the proposal must be approved by the PEP before it can take effect. The PEP will vote on this proposal at its October 30, 2013 meeting after this analysis of public comments has been provided. Interested stakeholders are welcome to provide additional comments at that PEP meeting.

Comment 22 concerns the proposal's impact on P.S. 211 and I.S. 318's ability to grow.

As discussed above, the enrollment projections in the EIS are based on current enrollment at P.S. 211 and I.S. 318 at the entry point grade level, and assume that the same number of students will age up. As discussed earlier, P.S. 211's enrollment has declined and I.S. 318's enrollment has remained stable. The DOE will closely monitor any changes in enrollment at P.S. 211's and I.S. 318's demand. Enrollment for each school will be carefully evaluated to ensure that appropriate seat targets are established on an annual basis. In addition, the DOE notes that P.S. 211 and I.S. 318 will receive excess spaces above their Footprint allocation for the 2014-2015 school year and beyond if this proposal is approved, which may accommodate potential increased demand for these schools.

Comments 31 and 37 relate to the proposal's impact on parent involvement at P.S. 211 and I.S. 318.

The DOE supports parent involvement in all aspects of their students' education. When families are involved in education, schools and students benefit. The DOE acknowledges the efforts being made by P.S. 211, I.S. 318, and CACPCS families and encourages continued parental participation in the school community and at the PEP meeting on October 30<sup>th</sup>. The proposal is not intended to, nor is it anticipated to, adversely affect parental involvement at X193.

Comment 33 relates to the sufficiency of the notice of the proposal provided by the DOE.

Consistent with applicable laws and regulations, the EIS and BUP were published on the DOE's website on September 13, 2013, and hard copies were made available in the main offices of P.S. 211, I.S. 318, and CACPCS. Hard copies of the EIS and BUP were also sent to the impacted CEC, the impacted community boards, the community superintendent, the SLTs of the impacted schools, the Citywide Council on English Language Learners ("CCELL"), and the Citywide Council on Special Education ("CCSE"). Parents were notified of the proposal and the joint public hearing via English and Spanish parent letters and joint public hearing notices that were backpacked home with students. The DOE solicited feedback from community members at the hearing, as well as through voicemail and email. The fact that more than three hundred people attended the joint public hearing demonstrates that the community was well aware of the proposal and had a robust opportunity to provide public comment. 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 publicly available on the DOE Web site.

Comments 23 and 29 contend that CACPCS does not serve students in the community and that, in general, charter schools do not serve the same population of high needs students as district schools.

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). CACPCS provides a preference for District 12 students.

In May 2010 the Charter Schools Act was amended to expressly require that charter schools demonstrate good faith efforts to attract and retain ELLs, students with disabilities, and students eligible for free or reduced lunch at rates comparable to those of the Community School District.

Pursuant to state law, public charter schools must 1) serve all students who are admitted through their lotteries, and 2) serve a percentage of special education and ELL students comparable to the district average. Charter schools which fail to meet the special education and/or ELL targets set by their authorizer risk being closed or having their renewal applications rejected. Charter schools must admit all students according to their lottery preferences, and may not turn away a student because of language ability, behavioral problems, or services required by an Individualized Education Program.

Comments 30 and 32(d) relate to funding for charter schools.

Charter schools receive public funding for general education students pursuant to a formula created by the state legislature, and overseen by the New York State Education Department. 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.

Comment 45 concerns the proposal's potential impact on safety on the campus.

Pursuant to Chancellor's Regulation A-414, every school/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 changing security needs, changes in organization and building conditions, and any other factors. Updates can also be made at any other time if 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.

Additionally, 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, including those in X193, 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. 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 46 relates to the impact of the proposal on the enrollment at the other district schools.

If this proposal is approved, CACPCS' grade expansion will allow it to serve 65-85 sixth-grade students who may have otherwise enrolled in other District 12 middle schools. At present, there is no way to reliably predict which middle schools would be impacted, or by how many seats. However, given that District 12 enrolls middle school students through a district-wide choice process, and that CACPCS offers preference for all District 12 students, this slight reduction is not expected to have a significant impact on any particular school in District 12.

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

No changes have been made to this proposal.