



## Public Comment Analysis

**Date:** October 29, 2013

**Topic:** The Proposed Grade Expansion of Central Park East II (04M964) from K-5 to K-8 and the Proposed Co-location of the Middle School Grades of Central Park East II (04M964) with J.H.S. 13 Jackie Robinson (04M013), Central Park East I (04M497), Central Park East High School (04M555), East Harlem Scholars Academy Charter School II (84M168) and East Harlem Scholars Academy Charter School (84M518) in Building M013 Beginning in the 2014-2015 School Year

**Date of Panel Vote:** October 30, 2013

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### Summary of Proposal

The New York City Department of Education (“DOE”) is proposing to expand Central Park East II (04M964, “CPE II”) to serve students in kindergarten through eighth grade. CPE II is an existing district elementary school serving students in kindergarten through fifth grade in building M171 (“M171”) at 19 East 103rd Street, New York, NY 10029, in Community School District 4. CPE II also offers a pre-kindergarten program.

CPE II currently serves approximately 243 students in kindergarten through fifth grade, as well as 18 students in one section of full-day pre-kindergarten. If this proposal is approved, students enrolled in CPE II will have priority to remain at the school through eighth grade. Beginning in the 2014-2015 school year, CPE II will add one grade each year until 2016-2017, when it will reach full scale and serve students in kindergarten through eighth grade and pre-kindergarten. There is insufficient space in building M171 to house the middle school grades of CPE II. Therefore, if this proposal is approved, CPE II will serve its middle school grades in building M013 (“M013”), located at 1573 Madison Avenue, New York, NY 10029. This siting plan results in a “split-siting,” where the elementary grades of CPE II will remain in M171 and the new middle school grades will open and phase in at a different location, M013. M013 is located 0.2 miles away from M171.

The DOE strives to increase quality options for students. As part of the provisional approval process for a grade expansion, the DOE evaluates each school’s instructional capacity to serve the expanded school level by reviewing school expansion applications, conducting site visits, and facilitating panel interviews. Schools interested in expanding must have received at least a “C” on their most recent Progress Report to be eligible to apply to the grade reconfiguration process. Schools provisionally approved for expansion must receive at least a “C” on the Progress Report released prior to their expansion in order to remain eligible. In the event that CPE II does not receive a C or better on its 2012-2013 Progress Report, this proposed expansion will not be implemented.

The elementary grades of CPE II will not move from M171 due to this proposal, nor does the DOE anticipate that the proposed grade expansion of CPE II will affect the pre-kindergarten program at the school. CPE II’s elementary grades are currently co-located in building M171 with P.S. 171 Patrick Henry (04M171, “P.S. 171”), a kindergarten through eighth grade school that serves zoned students in kindergarten through fifth grade and middle school students in its screened program. P.S. 171 also serves students in two full-day sections of pre-kindergarten.

If this proposal is approved, the middle school grades of CPE II will be served in building M013. M013 will house five other schools in the 2013-2014 and 2014-2015 school years: J.H.S. 13 Jackie Robinson (04M013, “J.H.S. 13”), a District 4 middle school that is in the process of phasing out and will close in June 2015; Central Park East I (04M497, “CPE I”), the sister school of CPE II and a DOE choice elementary school serving students in kindergarten through fifth grade with one section of full-day pre-kindergarten; Central Park East High School (04M555, “CPE HS”), a high school serving students in grades nine through twelve; East Harlem Scholars Academy Charter School (84M518, “EHS I”), an existing charter elementary school that is in the process of phasing in; and East Harlem Scholars Academy Charter School II (84M168, “EHS II”), a new charter elementary school that opened for the 2013-2014 school year and is in the process of phasing in. EHS I will move out of M013 and into private space prior to the 2016-2017 school year, the year in which CPE II will reach full scale in M013. M013 also houses two community-based organizations (“CBOs”), the Harlem Family Institute and Girls Inc. This proposal is not expected to impact the siting of either CBO.

According to the 2011-2012 Enrollment Capacity Utilization Report (the “Blue Book”), M013 has a target capacity to serve 1,227 students. During the current 2013-2014 school year the building serves 1,126 students, yielding a building utilization rate of 92%. If this proposal is approved, the building will serve approximately 1,233-1,453 students and have a utilization rate of 100%-118% in 2020-2021 when CPE II and EHS II have both reached full scale. CPE II will reach full scale in the 2016-2017 school year when students in sixth grade through eighth grade will be served in M013.

While the anticipated utilization rate may exceed 100% in several school years, J.H.S. 13, CPE I, CPE HS and CPE II will receive at least their baseline allocation of space pursuant to the Citywide Instructional Footprint (the “Footprint”) and EHS I and II will receive sufficient space according to the schools’ leadership.

If this proposal is approved, fifth grade students enrolled in CPE II will have the option of continuing into sixth grade at the school beginning in 2014-2015. Students enrolled in CPE I for fifth grade will have first priority for admission to remaining seats available in CPE II’s sixth grade. Should additional seats become available, other eligible fifth grade students in District 4 will be able apply to attend middle school at CPE II through the District 4 Middle School Choice Process beginning in the 2014-2015 school year.

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

A joint public hearing regarding this proposal was held at building M013 on October 17, 2013. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 116 members of the public attended the hearing, and 23 people spoke. Present at the meeting were Gregg Bethel, Executive Director of Office of School Support and facilitator for the hearing; Meg Barboza, Chancellor’s Designee; Lindley Uehling, principal and School Leadership Team (“SLT”) member of CPE I; Jacob Michelman, principal and SLT member of J.H.S. 13; Bennett Lieberman, principal and SLT member of CPE HS; Naomi Smith, principal and SLT member of CPE II; Cheyenne Batista Sao-Roque, principal and SLT member of EHS I; I Steve Corbett, principal and SLT member of EHS II; Jasmine Velazquez, member of Community Education Council 4 (“CEC 4”); and Jennifer Peng and Drew Patterson of the DOE’s Office of Portfolio Management.

Below is a summary of the comments received:

1. Lindley Uehling, principal of CPE I, asserted the following:
  - a. The realization of a CPE middle school has been a long time coming. This proposal is an opportunity, although it has its challenges.
  - b. CPE I is open and ready to work with CPE II to form a successful middle school.
  - c. She recognizes that the M013 Building Council will continue to collaborate together in M013.
2. Bennett Lieberman, principal of CPE HS, asserted the following:
  - a. He is opposed to this proposal due to Portfolio's handling of the implementation of this plan.
  - b. M013 has a history of multiple co-locations and proposals for M013. Portfolio has always come to the building in the past, consulted, listened, and created a plan with community input. With this plan, the principals at the dais were not consulted. On the first day of school, the principals were alerted to this proposal. The plan was secret without the knowledge of the M013 principals. This proposal was neither inclusive nor collaborative and Portfolio did not seek other people's feedback and opinions.
  - c. Last time Portfolio commented on the building, they said there was no space in the M013 building. Portfolio then later on decided that construction would allow the middle school to fit.
  - d. This building will be over capacity, yet all of the schools will be at their Footprint. They cannot have an overcrowded building, nor can they have a plan where there is not clarity on where the construction will happen. No one came to the building to survey the space prior to writing the document to see if the walls could be taken down. Long-term, it is objectionable that the DOE will take this building over-capacity when it does not have to happen.
  - e. Instead of creating more change in the building, Portfolio should use M013 as a model for co-location. There will be six schools in this building next year, each under 1,200 students. He believes that this is a unique situation in the City.
  - f. One suggestion for improving this proposal: first, expedite the phase-out of J.H.S. 13. Student should not be in a school that is closing down. The DOE should find seats for all of those students next year.
  - g. A second suggestion for improving this proposal: CPE II should look at ways to minimize the enrollment impact that the middle school will have on the building. If both of these things happen, he believes that the co-location can work.
3. Jacob Michelman, principal of J.H.S. 13, asserted the following:
  - a. This proposed co-location will be difficult for the existing and new schools.
  - b. M013 is a co-location of mixed age students sharing spaces.
  - c. There is wasted space in the building due to multiple administrative offices. Multiple spaces for counseling will not exist: J.H.S. 13 is currently using a small space for counseling this year.
  - d. J.H.S. 13's phase-out has already been approved by the Panel for Educational Policy ("PEP"). The J.H.S. 13 staff has worked towards putting their students first. It is not fair or right that they be put through this one more time.
4. A parent leader at EHS I asserted the following:
  - a. EHS I and EHS II are part of East Harlem Tutorial Project ("EHTP"). The majority of their students are from East Harlem. EHS I and II serve many students with disabilities and students who qualify for free or reduced lunch. EHS I receives less money per pupil and does not receive any funding for space. Like the other schools in M013, EHS I and II are public schools that could not afford to run without public space.

- b. We think that East Harlem should have more space for high quality schools.
  - c. She supports EHS. EHS families are not here tonight because they have made their voices clear. There are many needs due to co-location and starting up a school. EHS' administrators and teachers hope to return to focus on student achievement.
5. Cheyenne Batista Sao Roque, principal of EHS I, asserted the following:
  - a. School leaders had hoped that CPE II's middle school grades would be sited elsewhere in the neighborhood. She worries that this building will be too crowded and will negatively impact student learning.
  - b. She does not agree with commenters who have asserted that EHS, unlike all other public schools, should find their own private space. EHS has been willing to sacrifice a lot to try to be good neighbors and partners in M013. They do not use the gym/cafeteria at all and only take 20 minute recesses. EHS I and II are fitting related services and all instruction on their fourth floor hallway. She knows that EHTP and CPE have a longer history of being good partners than of arguing over space. They will continue to cooperate.
6. Jasmine Velazquez, member of CEC 4, asserted the following:
  - a. She attended the M013 hearing in March 2013 and spoke in support of CPE middle school in M013.
  - b. It will be difficult, with potential overcrowding, but the spirit of collaboration should be in this room.
  - c. School choice means options for all kids. A progressive option for parents and community will be a positive thing.
7. Naomi Smith, principal of CPE II, asserted the following:
  - a. She wants to thank other principals and leaders in the M013 building. The CPE II community has been looking forward to this.
  - b. They have much to offer and CPE II has been successful not just for its students, but as a model for what others can do.
  - c. We understand overcrowding and we understand having to share. This co-location may be one that will work out in the long run.
  - d. She wishes that there were opportunities to discuss the proposed co-location of CPE II with the M013 principals through the summer.
8. Multiple commenters who were parents at CPE I asserted that they support a progressive middle school option but oppose its co-location in M013 due to concerns about overcrowding.
9. One commenter asked if a different space can be found for CPE II's middle school grades.
10. Two commenters asserted that CPE I students have experienced delays in exiting from the building during a fire drill.
11. One commenter asserted that the CPE HS students should not have to lose the space they are set to lose.
12. One commenter asserted that they support optimal education and not the bare minimum, and expressed the opinion that this proposal is the bare minimum.
13. Multiple commenters asserted that the co-location could be improved if the EHS schools are denied expansion in M013 or if the EHS schools enrolled within the EIS projections.
14. Multiple commenters expressed concerns about safety in the building due to this co-location.
15. Multiple commenters expressed concerns about shared spaces in the building: bathrooms, play area, and gym.
16. Multiple commenters asserted that while they want school choice, they are also concerned about safety and overcrowding in M013.
17. Parents at both CPE I and CPE II asserted the following:

- a. Their children have had very positive experiences at CPE I and CPE II and have benefited from the schools' progressive philosophy.
  - b. They support the middle school proposal. This proposal fulfills a long sought after need in this community for progressive middle school options.
  - c. There are difficulties to co-location but there are many people in the community who will collaborate to make this co-location work.
  - d. It is very positive that this proposed middle school expansion is at M013.
  - e. They are fortunate to be part of a progressive school and applaud the middle school proposal.
  - f. The CPE students deserve the continuity of the CPE experience.
  - g. Middle school is very important for making sure that children attend good high schools that can lead them to college.
18. Multiple commenters who are parents of students at CPE II asserted the following:
- a. The CPE II community's current co-location has had challenges with respect to instruction, space, families, but the school has solved those issues by working together with other people in M171. This same collaboration is expected once the school begins expanding into M013.
  - b. They support providing another option to kids in the neighborhood.
19. Julie Zuckerman, former principal of CPE I, asserted the following:
- a. CPE has applied for middle school expansion repeatedly in the past.
  - b. It is very positive to see CPE I and II collaborate to bring this together to create a progressive option.
  - c. Proposals for significant changes in utilization have brought challenges to the M013 building. However, the administration has changed and is changing.
  - d. This proposal will be a great way to extend CPE's philosophy from kindergarten through twelfth grade in M013.
20. One commenter who is the parent of a student at J.H.S. 13 asserted the following:
- a. The DOE is not putting students first.
  - b. He expects his son to remain in J.H.S. 13 through 2015 because that's the DOE's promise.
21. One commenter who is the parent of a student at J.H.S. 13 asserted that while her family was not happy with the phase-out of J.H.S. 13, she expects her child to remain enrolled and graduate from J.H.S. 13. It sounds like the DOE is pushing J.H.S. 13 out as fast as possible in order to let other schools get ahead.
22. One commenter who is a parent and teacher at J.H.S. 13 asserted that J.H.S. 13 students do not support giving up space for a progressive school to come into M013, based on her conversations with them.

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

23. A letter from Community Board 11 asserted the following:
- a. This expansion should not come before some thought is given as to why CPE II enrolls only 17% of District 4 students.
  - b. If this proposal is approved, CPE II should amend their admissions criteria to provide a 50% preference to District 4 students.
  - c. CPE II should hire staff necessary to teach English Language Learners and students with Individualized Education Programs.

**The DOE received the following comments through its feedback email address:**

24. Multiple commenters who are parents of students at CPE II asserted their support for this proposed expansion and described their children's improvements upon attending CPE II.
25. Two emails from District 4 and CPE I parents asserted the following:
  - a. There are fire drill concerns in M013.
  - b. There are part-time custodians in the building and, in their opinion, this proposal should not be implemented until a full-time custodian is hired for M013 who can plan for space sharing.
  - c. There was, in their opinion, insufficient notice and engagement regarding this proposal.
  - d. EHS I and EHS II should not enroll as many students. EHS I should move out as scheduled and EHS II should only be kindergarten through fifth grade in M013.
  - e. M013 should be surveyed again and the proposal redone.
  - f. The proposal should preserve spaces for schools in M013.
  - g. The wrong BUP was linked to on the Web page,  
<http://schools.nyc.gov/community/planning/changes/manhattan/portfolio.htm>
  - h. This proposal, in their opinion, will not benefit many District 4 families.
  - i. CPE I and II do not serve many English Language Learner students.
  - j. Another building in District 4 should be used.

**The DOE received the following comments through its feedback voicemail:**

26. Multiple commenters who are parents or teachers of students at CPE II asserted their support for this proposed expansion.

**The DOE received a number of comments which do not directly relate to the proposal. Those comments are summarized below.**

27. East Harlem Scholars I enrolls at the high end of their projected enrollment.
28. East Harlem Scholars I has not left after two years, as previously planned.
29. A CPE I parent who lives in Queens asserted concern that charter schools only accept students from East Harlem. Her daughter was not able to enroll in East Harlem Scholars Charter schools because she was not an East Harlem resident.

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

Comments 1a-c, 6a-c, 7a-c, 17b-g, 18b, 19d, 24, and 26 are in favor of the proposal and do not require a response.

Comments 3a, 5a, 8, 9, 22, 23a-c, and 25h-j ask that this proposed expansion of CPE II into the middle school grades be sited into another building and/or express general opposition to the proposal siting CPE II's middle school grades in M013.

The DOE attempts to use all of its school buildings as efficiently as possible. In planning where CPE II's middle school grades could be sited, multiple factors were considered during the proposal process including location, utilization and other co-located organizations, among other factors. As evidenced by comments 1a-c, 6a-c, 7a-c, 17b-g, 18b, 19d, 24, and 26, the expansion of CPE II and the siting of CPE II's middle school grades in M013 are supported by many families in the community. CPE II is intended

to serve students and families who are interested in its progressive model of education, and as such, the school offers first admissions priority in elementary school to students in District 4 and second priority to students in District 5. In the 2012-2013 school year, 20% of CPE II's population were students who resided in District 4. In this proposal, the middle school admissions for CPE II, after admissions priorities for continuing fifth graders from CPE II and fifth grade students from CPE I who attend an information session, prioritizes District 4 students who attend an information session. Diversity in a school body is measured in many ways. In the elementary school directory, CPE II is listed as offering English as a Second Language for its English Language Learner students. CPE II's percentage of students with IEPs is higher than the District 4 average for the 2012-2013 school year. Students with disabilities at CPE II will continue to receive mandated services in accordance with their IEPs. All students enrolled at CPE II will continue to receive their mandated special education and/or ELL services if this proposal is approved. The DOE is confident that M013 is the best location for this proposal and that this proposal will create a successful progressive middle school option in District 4.

With respect to [comment 23c](#), CPE II will likely need to hire additional teachers during its grade expansion as it expands to serve new grades. The precise number of positions needed for the addition of sixth grade in the 2014-2015 school year will be determined once annual enrollment projections are released in the Spring of 2014. Similarly, the number of new positions created to serve students in seventh and eighth grades will be determined based on annual enrollment projections available as the school grows to serve those grades. Administrative staff and non-pedagogical positions at CPE II may also be added over the course of the grade reconfiguration. Those decisions will be made at the school based on need and budgetary considerations. Schools follow the hiring process consistent with the procedures set forth in the collective bargaining agreement between the DOE and UFT.

The DOE acknowledges that there is community and school-specific opposition to this proposal. There are times when the DOE and certain members of the community differ in their opinions about specific projects. However, it is apparent that a significant number of District 4 community members and community organizations support the expansion and co-location of Central Park East II's middle school grades into M013 as evidenced by the many comments supporting this proposal made by parents of students at CPE I and CPE II and district representatives.

[Comments 2f-g, 3d, 11, 13, 20a-b, 21, and 25d](#) relate to suggestions that specific schools in M013 should alter their enrollments or phase-in and phase-out plans to accommodate this expansion and co-location proposal.

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. As detailed in the Building Utilization Plan, with the planned construction of one additional full-size classroom, M013 has a sufficient number of rooms to accommodate all of the organizations in the building as planned. The DOE has not changed this proposal and is confident that the existing and proposed leadership at M013 will be able to create a collaborative and mutually respectful environment for all students, staff, and faculty members in the building.

[Comments 2a-b, 7d, 25c, and 25g](#) concern community engagement and feedback about this proposal.

The DOE appreciates all feedback from the community regarding a proposal. When the Educational Impact Statement and Building Utilization Plan were issued, they were made available to the staff, faculty and parents at J.H.S. 13, CPE HS, CPE I, CPE II, EHS I and EHS II, on the DOE's website on multiple webpages, and in each school's respective main office. In addition, the DOE dedicates a proposal-specific website and voicemail to collect feedback on this proposal. The Building Utilization Plan link has been corrected on the proposal-specific website as of October 28, 2013 and has always been correct on the

Panel for Educational Policy’s public notice website. Furthermore, all schools’ staff, faculty and parent communities were invited to the Joint Public Hearing to provide further feedback.

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 J.H.S. 13, CPE HS, CPE I, CPE II, EHS I and EHS II will be able to create productive and collaborative partnerships.

Comments 3b and 14 claim the proposal compromises student safety.

The DOE believes M013 will provide a safe environment for students with the proposed expansion of CPE II’s middle school grades in the building. The DOE is proposing this co-location in order to provide strong educational options.

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.

Across New York City, these examples include:

- 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 kindergarten through five, and Democracy Prep Charter School, a charter high school serving students in grades nine through twelve.
- 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 kindergarten through five, and Bedford Stuyvesant Collegiate, an existing charter secondary school, which is currently in the process of growing to serve students in grades five through twelve. Members of the building council worked together to secure financing from KaBOOM to resurface the schoolyard and playground for all of the children at K324.

As mentioned above, given the finite number of buildings available in New York City, the DOE attempts to use all of its school buildings as efficiently as possible. Co-location is therefore very common in New York City schools as there are not sufficient school buildings to allow each school organization to operate its own building. A co-location means that two or more school organizations are located in the same building.

While they share common spaces like auditoriums, gymnasiums, and cafeterias, each school is allocated particular classrooms and spaces for its own students’ use. M013 is an existing co-location that has pre-kindergarten through twelfth grade students in the building and the DOE is confident that the Building Council of M013 can continue to maintain a positive co-location. The DOE is confident that the principals will be able to create a collaborative and mutually respectful environment for all students, staff, and faculty members in M013.

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; 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 principals when it identifies the need for

additional security measures.

The Office of Safety and Youth Development (“OSYD”) will regularly monitor the campus schools’ DOE incident data and the NYPD building crime data for spiking trends. When there is evidence of spikes in incidents and crime, OSYD will schedule a review of the data with representatives from all the co-located schools and follow up with a safety walk or a full comprehensive safety assessment to identify areas of concern and re-establish safety and security systems for the campus, as appropriate. The DOE makes available the following supports to schools relating to safety and security:

- Providing “Best Practices Standards for Creating and Sustaining a Safe and Supportive School,” as a resource guide;
- Reviewing and monitoring school occurrence data and crime data (in conjunction with the Criminal Justice Coordinator and the New York City Police Department);
- Providing technical assistance via the Borough Safety Directors when incidents occur;
- Providing professional development and support to Children’s First Network (“CFN”) Safety Liaisons;
- Providing professional development and kits for Building Response Teams; and
- Monitoring and certifying School Safety Plans annually.

With respect to comments 10 and 25a, which specifically refers to safety during fire drills, every school has a fire safety plan which includes plans for fire drills and evacuations in case of emergencies. All schools work with the Office of Safety and Youth Development to address any concerns or modify the fire safety plan as needed. Additionally, the School Safety Committee, described in detail above, 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 principals when it identifies the need for additional security measures. Finally, several buildings in the city that are co-located with both district and/or charter schools have to make similar plans for fire safety in the face of stairwells, and other building configuration issues. The final decision on how to appropriately plan for these situations resides with the Building Council of M013.

With respect to comments 2c-d, 3c, 5a, 8, 12, 16, and 25e-f, which express concerns that M013 will be overcrowded, the DOE verified the amount of space available in the building through a walkthrough performed by the Manhattan Director of Space Planning, and did not rely upon the annual facilities survey to determine the number or availability of classrooms. The DOE believes that the walkthrough properly identified the available space in the building, and serves as a more reliable space analysis than the facilities survey for space planning purposes. The DOE annually reassesses space available in district buildings. 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. 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/8CF30F41-DE25-4C30-92DE-731949919FC3/87633/NYCDOE\\_Instructional\\_Footprint\\_Final9210TNT.pdf](http://schools.nyc.gov/NR/ronlyres/8CF30F41-DE25-4C30-92DE-731949919FC3/87633/NYCDOE_Instructional_Footprint_Final9210TNT.pdf). The space allocation plan

in the revised BUP demonstrates that J.H.S.13, CPE HS, CPE I, and CPE II would receive their baseline footprint allocation of rooms as they continue to phase into M013, or in the case of J.H.S. 13, phase out of M013. EHS I and EHS II would receive sufficient instruction space, according to the schools' leadership. With respect to comment 3c, guidance suites are part of a school's administrative footprint. The school leadership determines the use of specific rooms.

Comments 15 and 25b relate to shared space scheduling and the process by which space is allocated to schools.

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. In buildings with a charter school, there is also a Shared Space Committee, which meets at least 4 times per year, and includes a parent and teacher representative from each school. This committee, and not the building custodian, monitors the implementation of the shared space schedule that has been determined by the Building Council, 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. The Building Council and the Shared Space Committee therefore make all determinations on the actual co-location scheduling for all years of the co-location.

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

The DOE seeks to fully utilize all its building capacity to serve students. The DOE does not distinguish between students attending public charter schools and students attending DOE schools. In all cases, the DOE seeks to provide high quality education and allow parents/students to choose where to attend.

For detailed information regarding space allocation in M013, please consult the revised BUP for this proposal. The Building Utilization Plan 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. The final shared space schedule will be collaboratively drafted by the Building Council if this proposal 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 2e, 4a, 5b, 17a, 18a, and 19a-b give history and positive instructional or cultural highlights of CPE II, J.H.S. 13, CPE HS, CPE I, EHS I, and EHS II. The DOE acknowledges the value of each school in the eyes of the community.

Comments 4b, 4c, 19c, 27, 28, and 29 do not relate directly to the proposed co-location and, therefore, have not been addressed.

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

No changes have been made to this proposal in response to public comment.