

Public Comment Analysis

Date: October 29, 2013

Topic: The Proposed Co-location of Coney Island Preparatory Public Charter School (84K744) Grades Kindergarten through Four with Existing Schools I.S. 281 Joseph B. Cavallaro (21K281) and P811K@I281K (75K811) in School Building K281 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”) describing a proposal to co-locate grades kindergarten through four of Coney Island Preparatory Public Charter School’s (84K744, “Coney Island Prep”) in building K281 (“K281”), located at 8787 24th Avenue, Brooklyn, NY 11214 in Community School District 21 (“District 21”). Coney Island Prep is an existing public charter school that currently serves students in grades five through eight in building K303 (“K303”), located at 501 West Avenue, Brooklyn, NY 11224 in District 21, and students in ninth grade in private space. If this proposal is approved, Coney Island Prep will serve students in kindergarten and first grade in K281 beginning in the 2014-2015 school year. Coney Island Prep will add one grade each year until it reaches full scale in the 2017-2018 school year when it will serve students in kindergarten through fourth grade in K281. Coney Island Prep will be co-located in K281 with I.S. 281 Joseph B. Cavallaro (21K281, “I.S. 281”), an existing district middle school that serves students in sixth through eighth grade, and P811K@I281K, a District 75 inclusion program, which is one site of a multi-sited District 75 school (75K811), that serves District 75 students in sixth through eighth grade in I.S. 281 classes. A “co-location” means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, and cafeterias.

Coney Island Prep applied in spring 2013 to its charter authorizer, the DOE, to expand its charter to serve students in kindergarten through twelfth grade. The proposal to co-locate Coney Island Prep in K281 described in this Educational Impact Statement (“EIS”) is contingent upon the DOE’s approval of Coney Island Prep’s application for a grade expansion. If the expansion application is not approved, the DOE will withdraw this co-location proposal. In this case, the DOE may propose an alternate use of the space in K281. Any proposed use that involves a significant change in school utilization will be the subject of a future EIS in accordance with Chancellor’s Regulation A-190.

For the purposes of this proposal, it is assumed that DOE will approve Coney Island Prep’s application. If this proposal is approved, Coney Island Prep will serve approximately 110-140 students in kindergarten and first grade when it opens in K281 in the 2014-2015 school year. The school will add approximately 55-70 kindergarten students each subsequent year until it reaches full scale in the 2017-2018 school year. At that time, Coney Island Prep will serve approximately 275-350 students in kindergarten through fourth grades. The school will admit students via its charter lottery application process, with preference given to District 21 residents.

I.S. 281 is a DOE middle school that admits students through the District 21 middle school choice process via two admissions programs: (1) a zoned program open to students residing in the I.S. 281 zone; and (2) the Joseph B. Cavallaro Magnet Program, a screened program for which students are tested in specific talent areas. See section III of the EIS additional information. If this proposal is approved, I.S. 281 will continue to admit students through these two programs.

District 75 inclusion programs enroll students with disabilities who receive special education services in a general education classroom along with general education students. Thus, students at P811K@I281K are enrolled in general education classes at I.S. 281 based on their Individualized Education Program (“IEP”) recommendations and receive Special Education Teacher Support Services (“SETSS”) from a District 75 special education teacher. If this proposal is approved, students at P811K@I281K will continue to be enrolled in general education classes and will continue to receive all mandated services.

According to the 2011-2012 Enrollment Capacity Utilization Report (the “Blue Book”), building K281 has a target capacity of 1,508 students. In 2013-2014, I.S. 281 is serving approximately 1,212 sixth-through eighth-grade students, while P811K@I281K is serving approximately 7 sixth- through eighth-grade students, for a combined total building enrollment of 1,219. This yields a projected utilization rate of approximately 81%. This means that the building is “underutilized” and has space to accommodate additional students.

In 2017-2018, when Coney Island Prep reaches full-scale, P.S. 281, P811K@I281K and Coney Island Prep will serve a combined total of 1,466 - 1,573 students, yielding a projected building utilization rate of 97%-104%. Although a utilization rate in excess of 100% may suggest that a building will be over-utilized or overcrowded in a given year, this rate does not account for the fact that rooms may be programmed for more efficient or different uses than the standard assumptions in the utilization calculation. In addition, charter school enrollment plans are frequently based on larger class sizes than target capacity, contributing to building utilizations above 100%, while not impacting the utilization of the space allocated to the traditional district school.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at K281 on October 2, 2013. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 330 members of the public attended the hearing, and approximately 56 people spoke. Present at the meeting were Community School District 21 Superintendent Isabel DiMola; Principal of I.S. 281 Maria Bender; Principal of Coney Island Prep, Jacob Mnookin; President of Community Education Council (“CEC”) 21 Heather Fiorica; and President of CEC 20 Laurie Windsor. The following elected officials were present at the meeting: New York City Councilmember Vincent Gentile; New York City Councilmember Dominic Recchia, New York State Senator Diane Savino, and New York State Assembly member William Colton. Elizabeth Rose, Chief of Staff of the DOE’s Office of the Deputy Chancellor for Operations, served as the Chancellor’s Designee. Estelle Acquah from the DOE, Division of Portfolio Planning was also present.

The following comments and remarks were made at the Joint Public Hearing on October 21, 2013:

- 1) CEC 20 President Laurie Windsor stated that:
 - a) CEC 20 is very concerned about the future of I.S. 281 and opposes the proposed co-location with Coney Island Preparatory Charter.

- b) The zone for I.S. 281 has more students from District 20 than from District 21. I.S. 281 has historically been a feeder school for District 20 elementary schools. Currently, approximately 58% of I.S. 281's zone is from District 20; therefore our district has a vested interest in the future of I.S. 281. Additionally P.S. 200 in District 20 is zoned entirely to I.S. 281. P.S. 200 is extremely overcrowded and has been at 112% utilization for the 3rd year in a row and this is even after being rezoned in 2012.
 - c) District 20 is extremely overcrowded and also has approximately 5,000 additional elementary seats coming to fruition due to new elementary schools, the Capital Plan, construction, rezoning, and an increase in the number of families that have moved into the district. This overcrowding and increase in elementary schools seats will turn into a future need for middle school seats.
 - d) Besides new seats and rezoning, we've built an addition for I.S. 259 and reconfigured P.S. 163 and P.S. 229 as Kindergarten to 8th grade schools to help relieve I.S. 201. Yet, we are still overcrowded at these junior high schools: I.S. 201 is at 108%, P.S./I.S.163 is at 104% and P.S./I.S.229 is at 103%. These numbers don't take into account the thousands more children that have entered our district at the elementary level in the past few years.
 - e) We do not need a new elementary school as more middle school seats are needed to accommodate the growing number of elementary school students. Putting an elementary level charter school in this building is certainly not the solution.
- 2) CEC 21 President Heather Fiorica stated that:
- a) CEC 21 adamantly opposes this proposal and has passed a resolution stating as such.
 - b) Sharing space is difficult. I.S. 281 had to temporarily share space with another school post-Hurricane Sandy; this was extremely problematic. For example, the award winning student newspaper team was displaced. Additionally, we foresee issues with the cafeteria schedule, including the creation of disparate situations where Coney Island Prep students eat organic lunches, while the district students only have access to cafeteria food.
 - c) The EIS fails to properly account for future growth capacity of I.S. 281, which will increase the building utilization rate from its current utilization rate. The EIS' projection of flat to decreased enrollment at I.S. 281 is flawed, considering current and future growth in District 20 and 21's elementary schools. This proposal will cap the enrollment at I.S. 281. The DOE should revisit their utilization and student enrollment calculations as it does not take into account future needed space.
 - d) The EIS states that the DOE supports parent choice; however, District 21 has numerous programs such as two Gifted and Talented programs, two Autism Spectrum Disorder NEST programs, technology programs, and a Community Learning Schools Initiative. District 21 does not need another kindergarten through fourth grade school.
 - e) The EIS states that the co-location of Coney Island Prep may have a mild impact on enrollment at other District 21 schools and that the DOE has no way to reliably predict which schools would be impacted; let's not use our schools and children to test out theories and probabilities on how a district will be impacted.
 - f) Coney Island Prep should co-locate their elementary school inside their private space that they are currently using for their high school.
 - g) The DOE paints a poor picture of District 21's performance. In the state exams, District 21 outperformed the state and the city on English Language Arts (ELA) and math state exams, including being the 6th highest performing district in the city. I.S. 281 also out-performed the city and state on both ELA and math.
 - h) District 21 needs more middle school seats to accommodate demand.

- i) I.S. 281 has state of the art programs and facilities (e.g., TV studio, print shop, dance room). These cluster/specialty rooms are not always taken into consideration when the DOE does their walkthrough.
 - j) This proposal was rushed and the DOE did not give information in a timely manner.
 - k) The DOE only provided translated proposal documents in Chinese and Spanish; however this community has other language needs (e.g., Russian, Bengali) and parents were not properly serviced in their native language.
- 3) Coney Island Prep Principal Jacob Mnookin stated that:
- a) We have been and continue to be honored to serve families in District 21. We opened in August 2009 and now serve 450 students in grades 5-9.
 - b) We are proud of our results to date. We have been rated the 5th best middle school in the city to date based on the DOE's progress report. We have consistently ranked in the top 5% of schools based on how our scholars ranked in reading, writing, and math. We have always rated amongst highest performing school in District 21 on learning environment survey.
 - c) We are most proud of our students with IEPs and remain committed to serving every student who is admitted through our lottery. More than 22% of our students have IEPs, which is the second highest percentage of any public school in District 21.
 - d) We know there is incredible demand in this district; there are 300 applications for every available seat in Coney Island Prep and parents have asked us to expand to serve elementary school grades.
 - e) We will work with I.S. 281 and the District 75 inclusion school to be partners in the shared space, just as we have done in Building K303.
 - f) The Elected officials here care deeply about the community, especially Councilman Dominic Recchia, who has supported Coney Island Prep in the past.
- 4) New York Senator Diane Savino stated the following:
- a) The DOE and Panel for Educational Policy ("PEP") should vote against this co-location.
 - b) I have never supported a co-location in my district because it has been a divisive policy and has done nothing to enhance the education environment for students, educators and parents.
 - c) Coney Island Prep has done good work; however, we should not be pitting children against each other.
 - d) There is a time limit on this mayoral administration and we should not be forcing through divisive co-location policies.
 - e) Coney Island Prep should withdraw their application to expand.
- 5) Assemblyman William Colton stated the following:
- a) The DOE must have flunked math because the EIS is inaccurate; it is an injustice for all students. The EIS states that the building is 81% utilized however I.S. 281 is using this space well and its elementary feeder schools are over 100% utilized. The EIS acknowledges that at the end of the proposal, K281's building utilization rate at scale will be over 100%; this makes no sense and it is wrong for all the students involved.
 - b) The DOE is disregarding common sense and the numbers. This proposal makes no sense; DOE should withdraw Coney Island Prep's application and the PEP should vote it down.
 - c) This is about children and it is their interest that we must protect.
 - d) The programs that exist in I.S. 281 must be preserved because they benefit the children. The excellent, award winning school newspaper programs and other programs will be lost.

- e) The building on Avenue T is underutilized right now and will be for a couple of years; Coney Island Prep should be placed there, so children can received a good education without being over-crowded.
 - f) The PEP needs to speak with its conscience, put children first, and reject this plan.
- 6) New York City Councilman Dominic Recchia stated the following:
- a) People in this community don't know the facts and we should not be here tonight. Coney Island Prep leaders previously stated if the school grows, they will find a building to put the school in. We found a new home for them in a new construction. The DOE provided \$20 million, the City Council provided \$5 million, and Coney Island Prep had to provide \$6 million as their share. Coney Island Prep walked away from the table instead of trying to raise the money. Coney Island Prep Principal Jacob Mnookin betrayed the community because Coney Island Prep's board refused to raise the money. The community was double crossed.
 - b) The mayoral candidate has indicated that all DOE proposals will be put on hold and re-examined.
 - c) Do not blame the elected officials; Coney Island Prep needs its own building to allow I.S. 281 to blossom. There is a building on West 8th street down the block near the police station that can accommodate Coney Island Prep.
- 7) New York City Councilmember Vincent Gentile stated the following:
- a) District 21 has strong, traditional schools, including I.S. 281; the PEP has to vote this co-location down.
 - b) Coney Island Prep should lease space in other available buildings in District 21; it doesn't need to come to K281.
 - c) At I.S. 281, there is so much potential with the music, art, drama, and technology programs; why would the DOE jeopardize all of the great things this school offers by siting an unnecessary elementary school in a building tailored to middle school students?
 - d) Last week I announced an allocation of \$125,000 in capital money to upgrade the media lab at I.S. 281 because I believe in the students and administration of I.S. 281.
 - e) The DOE is ignoring the pleas we are making here tonight and ignoring the opportunity to have more middle schools to serve future District 21 and 20 students. All of this is to open the doors for a charter school that is not needed.
 - f) The DOE is forcing this through because the clock is ticking or because of a financial incentive. We need to remain focused on our children and their education.
 - g) I oppose this co-location.
- 8) An I.S. 281 School Leadership Team member stated the following:
- a) Charter schools do not follow the same regulations as district schools.
 - b) During our after-school programming, Coney Island Prep representatives did not want to wait outside the building when they first arrived at the joint public hearing.
 - c) There will be safety issues with having elementary school and middle school students together in the building.
 - d) We had to help another school in our district during the aftermath of Hurricane Sandy. If there is another emergency like Sandy, where will we put the students if there is no space because this building is at full capacity with another school in it?
- 9) An I.S. 281 School Leadership Team member stated the following:

- a) Just because a charter school can fit in the building doesn't mean it should be done. Available square footage and a count of classrooms should not be an invitation to taking over one-third of a school.
 - b) We want to grow slowly in our own school and co-locating with a charter school will squash these dreams. If our school is trying to grow and our feeder schools are overcrowded, how can adding a new school makes sense?
 - c) The DOE shouldn't force charter schools into local public schools.
 - d) Separate but equal is not equal.
- 10) An I.S. 281 School Leadership Team member stated the following:
- a) We don't have enough room in this building for this co-location. This is a nightmare. God help the people who will have to clean the bathrooms.
 - b) We have awesome students and amazing teachers. The children are most important. We are not fighting with Coney Island Prep; we are fighting with the administration.
 - c) Let's see if Bloomberg wants to co-locate some of his mansions.
- 11) A CEC 21 member stated the following:
- a) This school administration is hard working and trying to make students' dreams come true. The numbers do not matter, it is about the parents and the community and I will fight for District 21.
 - b) Give Coney Island Prep its own building.
 - c) Co-locating the charter school will cause disparities and segregation.
- 12) A CEC 21 member, stated the following:
- a) I adamantly oppose the co-location.
 - b) Parents need options but co-location of charters with district schools creates conflict and inequality.
 - c) I.S. 281 has a Progress Report Grade of A, which means students are receiving a quality education.
 - d) Principal Bender is a new Principal and if this is approved, this will put her at a disadvantage in terms of building up her school.
 - e) Building K281 wasn't made to accommodate a kindergarten through eighth grade school.
 - f) The better option is for Coney Island Prep to go into private space.
- 13) A commenter stated the following:
- a) The Mayor and Chancellor just want rampant charter schools to fill the city.
 - b) Placing elementary school and middle school students together is against children's interests; what evil mind would do this?
 - c) I.S. 281 needs a Gifted and Talented program, not a charter school.
 - d) Coney Island Prep stole the best students from district schools and sent them back when they didn't meet expectations.
 - e) Coney Island Prep is not welcome in our district; leave our schools and our kids alone.
- 14) A commenter stated the following:
- a) All we do is repeatedly fight the same fight when we need to deal with other issues in the world.
 - b) We need to talk to the real decision makers and fight this on a legislative level. When politicians don't listen to the people, we should vote them out of office.

- 15) A representative from the Citywide Council on High Schools stated the following:
- The DOE has purposely manipulated the numbers in the EIS and BUP in order to portray that there is space in K281. According to the DOE, even the library and other specialty spaces are available rooms.
 - No one consulted the I.S. 281 staff on how they use the space.
 - The EIS claims that there will be no instructional or programmatic impact on I.S. 281; however, I.S. 281 will have to increase class sizes if they get less space.
 - Mayor Bloomberg sponsors charter schools.
 - Coney Island Prep had a choice to exist but not in a co-location, and especially not in a school that doesn't have the space.
- 16) A commenter stated the following: Coney Island Prep should not be here and they are not welcome. This plan is outrageous and I am against it. We should absolutely not have this co-location. Why put a charter school into a school that is a family?
- 17) A commenter stated the following:
- I.S. 281 has helped me become who I am today. This school is a loving, safe and caring environment.
 - According to the DOE, it is 81% utilized but it is not true because we don't have space and we are squeezed together.
 - The talent programs will be affected.
- 18) A commenter asserted the following:
- The talent programs will be affected.
 - I oppose the co-location.
 - The teachers already have to share rooms because there is not enough space. It will be chaotic with another school in here.
- 19) A commenter stated the following:
- This co-location will affect me and the other 8th graders. They will take over the 4th floor and the 6th graders will have to be moved from the 4th floor.
 - The talent programs will be affected.
- 20) A commenter stated the following:
- I.S. 281 is a great school with talent programs such as dance, vocal, and science.
 - The co-location will affect the 6th graders the most; we deserve our own space and the space we do have is fully utilized.
- 21) A commenter stated the following: There will be a lot of pushing and shoving in the hallways and it will be very dangerous. It is not a good idea to bring the charter school in.
- 22) A commenter stated the following:
- The charter schools will take over the space.
 - There will be pushing and shoving in the hallway which won't be good or safe for the little students.
 - The co-location will impact programs such as sports.
 - There is no emergency or important reason for the charter school to come into our building.

- 23) The commenter stated the following:
- I chose I.S. 281 because it is like a second home. Adding 355 more kids into the building is ridiculous.
 - It will be dangerous for students in all schools; there will be danger in having little kids with older kids and there will be pushing and shoving;
 - Coney Island Prep is invading our schools and we need to fight back.
- 24) A commenter stated the following:
- It will not be safe having little kids in the building with the big kids.
 - We don't have the room for this.
 - This co-location will not be the right thing.
- 25) A commenter stated the following:
- We do not have enough room.
 - During the post Hurricane Sandy co-location it wasn't easy: the 1st floor was taken and the lunchroom was completely full. We know what's it's like to be crowded in our school.
 - I.S. 281 provides a good education to all students; please re-consider.
- 26) A commenter stated the following:
- The school is like a family; everyone knows each other's names.
 - During the post Hurricane Sandy co-location we housed a school as a favor but we don't have any space at all. My class is crowded and I have 31 children in a class so I don't know where there is room. If teachers have to share rooms it won't be good.
 - This will take away our talent programs.
 - I am against charter schools and always will be.
- 27) A representative from the Neighborhood Improvement Association Community Services Network spoke in opposition of the proposal, stating:
- The charter school is a very bad idea, please cancel it.
 - How can we share rooms with little kids when the building is for a middle school?
 - The halls will be crowded, causing safety issues.
 - Our schedules will be completely changed.
 - Don't take away our talent programs.
- 28) A commenter stated the following:
- Coney Island Prep should get its own building. I.S. 281 deserves its own space and identity.
 - We don't have space; the school is already crowded and we have so many people. sixth graders shouldn't have this torture of having other kids on their floors.
- 29) A commenter stated the following:
- We don't have any more space.
 - I say no to charter schools and we won't go down without a fight.
- 30) A commenter stated that the charter school students will suffer as well, if we mix little kids with big kids.

- 31) A commenter stated the following:
- Coney Island Prep does not belong here. This is our home.
 - A crowded space is not a home.
- 32) A commenter stated the following: Charter schools do not receive funding for school buildings, but district schools do. In fact, as a charter school parent, my child's school receives 25% less funding than district schools receive per child. Charters get Fair Student Funding, but no building funding. My son has an IEP and Coney Island Prep has served him well; he has been declassified from his IEP. Coney Island Prep has wonderful teachers. Thank you to I.S. 303 and Rachel Carlson High School for providing a home for my kids. I am part of this community; I was born and raised here. We are not invaders. We are kids and parents that want the same school. All of the schools in K303 are high performing. We are not coming to take away we are here to share in the best education possible for all. Please treat us as neighbors.
- 33) A commenter stated the following: I am in support of the proposal. My child with special needs has gone up over 3.5 levels. My children are excited to go to school and are excited that they understand their lessons. My daughter is not off her IEP yet but she is on her way there.
- 34) A commenter stated the following: I am here today to support Coney Island Prep. Coney Island Prep has a random lottery system and serves students from every walk of life. My son was in a public school before but is at Coney Island Prep now; I was so lucky when my children were picked. A lot of people are waiting to go to good schools. My son is listening, behaving well and doing his homework properly each and every day.
- 35) A commenter asserted the following: I am here to support this co-location. Coney Island Prep is a community whose greatest strength lies in a unique ability to empower students to perform academically and become future leaders of NYC and the community. All members of the Coney Island Prep community are truly committed to working together with I.S. 281 to benefit both communities. The school embodies respect, civility and academic excellence. My son was in public school and previously behind; after one year at Coney Island Prep, he was on grade level and scored a 3. He was adopted from China. Opening an elementary school here will give parents more options.
- 36) A commenter stated the following: I support Coney Island Prep. My 3 year old son is going to be a participant in Coney Island Prep elementary school. My daughter already attends, she went from below grades level and is now skyrocketing. I am a part of this community. Do not shoot this down and do not say no to my son.
- 37) A commenter stated the following: I am here tonight to support the co-location. The Coney Island Prep administration focuses on building great character and relationships. We are already family so just let us in. My son was below average and now he is doing better and will be the next president. There was a student with a chronic disease that caused him to miss school. Coney Island Prep made it possible for him to Skype into class while he was fighting his disease; he felt like a normal child. We are all here to have great schools and individuals and we want the best for our children.
- 38) A commenter stated the following: I am here to support Coney Island Prep. The students, teachers and staff have become a part of my family. Coney Island Prep will join I.S. 281 and become a great

family. Parents from all schools should work together and there should be no animosity. College is not just a dream, it's a plan. Let us share that vision with you.

- 39) A commenter stated the following: I support this co-location. Every school should be provided with excellent resources regardless of whether or not parents fundraise in a public building. Our children will rise to the expectations if we expect them to do so. We should strive to be cooperative and respect one another.
- 40) A commenter stated the following: Coney Island Prep should not withdraw its application. I am also a part of this community just like any other parent and student.
- 41) A representative from the Neighborhood Improvement Association Community Services Network spoke in opposition of the proposal, stating:
- Charters may be necessary in some communities but they are not needed in this community as the schools are high performing.
 - Charter schools will negatively impact local schools by decreasing enrollment.
 - With fewer resources, local schools will not be able to provide the same opportunities to students.
- 42) A commenter stated the following:
- The school previously had a less than positive reputation and parents were not choosing it. Over the past 29 years, the community has worked endlessly to change the perception of the school. It now accommodates students at 14 bus stops because parents want to enroll.
 - The DOE does not know the building and is flawed. This is not about mathematical formulas. Our school will be impacted. The hallways will become more crowded. You can't force teachers and students to have traveling classes with less space.
 - The schools in K303 would close the doors on Coney Island Prep in a minute if they had the choice.
 - Students will be less safe and their education will be compromised. Less space equals less safe.
 - Vote down this co-location; it's just plain wrong.
- 43) A commenter stated the following:
- On their website, Coney Island Prep publishes skewed and misstated data on District 21 ELA and math results and is misrepresenting District 21 middle schools. They are liars.
 - They canceled classes on 10/8/13 to have students and families attend a rally even though they say they care about education.
 - They don't pay rent so they have better environments with better classrooms and organic food.
 - Their discipline policy says that students who do not wear appropriate attire will not be permitted to attend class; this is wrong. They perpetuate verbal abuse by asking students who violate the discipline code to wear orange shirts.
- 44) A commenter stated the following:
- Staff and future students will be affected by this co-location. It will be particularly unfortunate if any staff or teachers lose their jobs as a result of this co-location.
 - If future parents can't enroll because there is no space, that will be wrong.
 - Class sizes may go up to 40 or 45 children if this goes through.
 - Leave us alone. I.S. 281 is an A school.

- 45) A commenter stated the following:
- Coney Island Prep administration was rude in this hearing; they were on their Blackberries.
 - The DOE is trying to throw out every union in this city.
 - Coney Island prep should be appalled; you are using the children in every aspect. We have a problem with the way this is being handled. This is not a joke; it's reality.
 - There are three charter schools scheduled for this district and 6th grade enrollment is dropping at the district schools. This sounds like a conspiracy from the DOE.
 - You want to take away our children's schools and we are not going down without a fight.
 - We need the highest decision makers from the DOE; why aren't they here?
- 46) A commenter stated the following:
- I am here in support of I.S. 281; we are a family we don't want people coming here and being disrespectful.
 - We already have 30 children in our classroom; we will have 40 kids in our classrooms if we have less space.
 - Coney Island Prep should find its own building and raise its own funds to do so.
 - You are not welcome here; this is our home.
 - When the supporters of I.S. 281 started speaking, the Coney Island Prep attendees left and it is obvious they don't care.
- 47) A commenter stated the following:
- We do not have the space because we already utilize every space in this building.
 - We don't want Coney Island Prep here. They have lied to the K303 community and the DOE.
- 48) A commenter stated the following: We have nothing against Coney Island Prep students and the school but does Coney Island Prep really want 350 of its students coming in here? The community is divided over this; there is other space available for Coney Island Prep. It's not personal, it's business.
- 49) A commenter stated the following:
- I have nothing against Coney Island Prep; this is not Coney Island Prep's fault. This proposal is not going to happen because Councilman Recchia has a good relationship with Mayor Bloomberg.
 - There is a new YMCA building that Coney Island Prep can move into instead of coming to I.S. 281.
 - We need to bring more STEM and gifted and talented programs to come into District 21; we only have 3 G&T programs in this district.
- 50) A commenter stated the following:
- These people are out of their minds; money is the object here with a tyrannical mayor who ran for three terms and is dictating his whims on the DOE. The DOE follow him like fools.
 - Only fools would put young kids with teenagers.
 - All our elected officials are putting their power together to get the mayor's policies out.
- 51) A commenter stated the following:
- The staff has worked hard to turn I.S. 281 into an A school. We can't allow any other school to come into here.

- b) P.S. 188 was here after Hurricane Sandy and I gave up my room and went without access to resources.
- c) Parents need to remember that their children will be affected. Coney Island Prep will displace students and take space from current students. Charter schools will take over piece by piece.

52) A commenter stated the following:

- a) Charter schools are getting our best students.
- b) There is another building that Coney Island Prep can move into.

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- a) Charter schools are getting our best students.
- b) There is another building that Coney Island Prep can move into.
- c) Co-location will impact the learning experience at I.S. 281.
- d) When P.S 188 was co-located here after Hurricane Sandy, there was no space.
- e) Mayor Bloomberg and his cronies need to go. Instead of putting money into big fat corporations, put money into our schools.
- f) We will fight back.

54) A commenter stated the following:

- a) The DOE is getting a taste of its own medicine tonight.
- b) The I.S. 281 community has taken ownership of its work and its school.
- c) This mayoral administration has pitted parents against parents and children against children. The DOE should be preparing to vacate, not co-locate this time. This is a time to begin to transition and give the new administration time to prepare. The next mayor said that every decision of co-location will be put on hold and then reversed so this process is a waste of time and money.
- d) I truly care about our public school system; having a policy of co-locating and closing schools in not in the best interest of our students; I strongly oppose this.

55) A Commenter stated the following:

- a) This is a classic case of no good deed goes unpunished. We hosted P.S. 188 and now we are getting a charter school. I vehemently oppose this co-location.
- b) Coney Island Prep does not have a sense of community. Coney Island Prep parents left once they finished speaking.
- c) I.S. 281 is a very caring school and Principal Bender is a great caring leader.
- d) Elementary school and middle school students have very different needs and co-locating them will not benefit either school.
- e) Coney Island Prep will come in and take up rooms and our talent program will go away.
- f) NYC is a competitive city. Now little children won't have a safe place to get away from that competition and will have to fight for space in their own schools.

56) A commenter stated the following:

- a) 15% of I.S. 281's students are ELLs and our service providers are running from room to room, giving services in closets and bathrooms. It may make sense on paper but we don't have the space. We don't have space for students with special testing needs.
- b) Little kids should not be walking around with 15 year olds.

In addition to collecting feedback at the Joint Public Hearing referenced above, the DOE solicited feedback on this proposal via email, telephone and an internet feedback form.

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

- 57) Multiple callers expressed support for the proposed co-location.
- 58) Multiple callers expressed opposition to the proposed co-location.
- 59) Multiple commenters emailed expressing opposition to the proposal.
- 60) A commenter stated the following:
- a) I am against the Coney Island charter school being relocated in my school.
 - b) Helping another school that was destroyed due to Hurricane Sandy was difficult as I.S. 281 students had to give up the first floor and certain bathrooms, share the gym, and keep our noise levels down so we wouldn't disturb the other students. These issues will get worse if we have another school here all year.
 - c) There is enough traffic in the hallways and with additional and younger students, they might get hurt easily and create an unsafe environment.
 - d) It is unfair that we have to give up our space for the other kids.
- 61) A commenter stated the following:
- a) I want to protest the charter school problem.
 - b) I don't want to be kicked out of my talent classes and share classes with small kids next year. We won't be able to concentrate in class and we want to have fun in talent too.
 - c) I don't want to be cramped in the halls.
- 62) A commenter stated the following:
- a) Currently the elementary schools, such as P.S. 101, in District 21 are overcrowded. Eventually I.S. 281 will be as well.
 - b) Let's avoid having an unhealthy environment.
- 63) A commenter stated the following:
- a) We are very concerned about this matter and we strongly disagree that a charter school should be co-located with I.S. 281.
 - b) District 21 is experiencing an increase in residents; as such, it is hard and will continue to get harder for our kids even to be accepted by our zoned schools due to overpopulation and limited seat availability.
 - c) The charter school will bring in more students into already limited space in I.S. 281, which is not fair to students of both the district and charter school.
 - d) The study environment will be greatly impacted, the existing students will be distracted, the teachers will be challenged and teaching quality will certainly drop. It will affect students' academic achievements and impact their physical and emotional health.
 - e) This will affect the safety of the school and the community.
 - f) Please reconsider this decision for the best interests and benefits of our students.

- 64) CEC 20 submitted a formal resolution which was passed on October 9, 2013. The resolution opposes the co-location of Coney Island Prep with I.S. 281.
- 65) A commenter stated the following:
- I am strongly against the proposed charter school co-location in I.S. 281.
 - With younger children sharing the spaces of the school, our children will have to fight for space in restrooms, the lunchroom, the gym, the playground and other public areas in school.
 - Our children can't concentrate on their work with the increased noises from these young kids. Bullying and misconduct could rise in this kind of environment.
 - Don't mess up the traditional school system - middle school should be only for middle school students, not for kindergarteners and other young kids.
- 66) CEC 30 submitted Resolution #95, calling for a moratorium on all school closures, phase outs and charter school co-locations.
- 67) A commenter stated the following: I embrace the creation of two more charter schools in District 21 and the main reason is because of performance; public schools in the district are failing our kids.
- 68) A commenter stated the following:
- Our children in Districts 20 and 21 are doing just fine both academically and socially.
 - The preemptive strike of allowing charter schools in our districts completely opposes the very reason why charter schools are formed, which is when district schools are underperforming. I.S. 281 is not underperforming and serves the community well.
 - Mr. Walcott should be ashamed of himself for allowing this forceful detriment of Charter Schools to harm our children, especially having been an educator himself.
 - Stop inserting charter schools, thereby closing our schools and hurting our children in a mayoral election year for the economic benefit of the city and state that it can't fix itself.
- 69) A commenter submitted the following:
- Please stop the charter school from coming to I.S. 281.
 - Our classes are big enough and our community is working very hard to succeed, please do not destroy our success of our community.
- 70) A commenter stated the following:
- I.S. 281 is a wonderful school with great programs that need to grow.
 - We already have quality elementary schools in our district and do not need this charter school.
 - Coney Island Prep already has a private facility that is under enrolled; they should use that space to site their elementary school.
 - Charter schools cherry pick students, council out special needs and ELLs. Many Coney Island Prep students were sent back to their zoned schools because of this.
 - Coney Island Prep has a reputation of previously lying publicly saying they will not use district school facilities, and then they subsequently did.

- f) Charter school co-locations cause a lot of tension in neighborhoods and school buildings, due to disparities in resources between the charter and district schools.
- g) Coney Island Prep is targeting a neighborhood with a better socio-economic status and not helping the children in Coney Island.
- h) What we also need is a new PEP, as this one, has rubberstamped every single co-location in the Bloomberg administration. It is absolutely disgusting.

71) A commenter stated the following:

- a) I disapprove of the idea of co-location as it will affect educational quality.
- b) There won't be an increase in classroom space, teachers, or facilities in I.S. 281, but there will be more students in the building.
- c) Eventually this will cause too much competition between students; students will not be able to focus on their studies and compete with other countries if they have to worry about classroom seating, cafeteria seating and equipment sharing.

72) A commenter stated the following:

- a) Schools are not schools anymore, they have become markets.
- b) I.S. 281 is crowded to begin with; where will the new students go?
- c) Future I.S. 281 students will suffer because of this co-location. The auditorium cannot even hold all of the students now, the cafeteria is small to begin with, the art rooms are almost non-existent, and gym classes are few and far between.
- d) Coney Island Prep has temporary arrangements; why would this school even be created without a permanent building?

73) A commenter stated the following:

- a) After a local school was damaged due to hurricane Sandy, several hundred children were temporarily housed in I.S. 281. This was a temporary situation under extraordinary circumstances, which cannot be repeated under long term duration of a co-location of another school.
- b) There simply is not enough space. K281 is already maxed out at almost 1,000 students.

74) A commenter stated the following:

- a) I am extremely concerned about the safety of little kids. It does not make sense to house 4 year olds and 15 year olds in the same building.
- b) How can a school that is already at capacity make room for more students? It won't benefit anyone to be squeezed even more. Kids need room to grow, and not be sitting on top of each other.
- c) If Charter Schools' curriculums are really better, then district schools should also be allowed to use that curriculum.
- d) Charter Schools should not be able to solicit the best children from district schools.
- e) Charter Schools don't have the capacity or the resources to serve IEP students.

- f) We need more great options for Gifted and Talented programs. How can the whole of Brooklyn have only 1 Citywide Gifted and Talented School that only has 50 available spots?
 - g) Please do not put Charter Schools into K281. Our schools are doing great and I don't really believe charter schools would benefit anyone.
- 75) A commenter stated the following:
- a) I am very upset that K281 will have a new charter school.
 - b) The Charter school will attract bad kids.
- 76) A commenter stated the following: Regardless of the perceived need to find a new home for the proposed schools, I feel that I.S. 281 is full and having approximately 1200-1300 students is not conducive to success if all different ages and grades are mixed together in one building.
- 77) A commenter submitted the following:
- a) I intensely oppose the integration of Coney Island Prep into I.S. 281. The integration of Coney Island Prep into K281 would be an incredible disservice to both sides.
 - b) This is a classic case of "No Good Deed Goes Unpunished." I.S. 281 hosted another district school during the aftermath of Hurricane Sandy; students and staff sacrificed a lot for this but were happy to lend a hand as it was a temporary, emergent situation that had an endpoint in sight.
 - c) This proposal to put Coney Island Prep in K281 is impractical from a physical, safety, and educational standpoint.
 - d) It is basic common sense that kindergarteners through 4th graders have very different needs than those children in the 6th through the 8th grade; this, coupled with the higher behavioral, emotional and academic needs of Coney Island Prep students, will not allow every child to have a quality education.
 - e) Coney Island Prep stated that they want to be a part of the community but they were disrespectful during the Joint Public Hearing, and did not stay to hear the I.S. 281 community's concerns.
- 78) A commenter submitted the following:
- a) I oppose this co-location; children are our future, stop disrupting their daily routines.
 - b) The DOE states charter schools are public schools; however they are funded by major corporations. Just because the parents in the charter schools do not pay tuition does not make the schools public.
 - c) Charter Schools hand pick only those students with high grades and do not service children with IEPs or behavioral issues.
 - d) Charter School teachers are not unionized.
 - e) Charter School students do not follow the same curriculum or take the same state exams as students in district schools.
 - f) The DOE lied when it stated that I.S. 281 will not be affected. I.S. 281's September 2014 enrollment will be limited.
 - g) The proposal will limit the space that is needed to accommodate children with special needs as well as those children who have 504 provisions for extended time on testing.

- h) I.S. 281 students will be forced to share space with younger children who have no business being with middle school children. This is totally absurd and unsafe for all the children.
- i) There is not sufficient space in the building to accommodate this charter school and I.S. 281 utilizes every space. I.S. 281 has 1200 students and approximately 130 staff members. The building capacity is a little more than 1400.
- j) If enrollment decreases because I.S. 281 has to turn away students, the principals' budget will be cut.
- k) How did the DOE have the nerve to give the charter school 20-30 million dollars of District 21 tax payer funds to open. Not to mention that Coney Island Prep did not secure their end of the funds and invaded I.S. 303, taking over space that was never agreed upon. Those funds could have been distributed to supply District 21 schools with scientific calculators, composition notebooks, and loose leaf paper.
- l) Charter School students are given all organic foods at lunch time. They receive special treatment that is consistent with private schools.

79) A commenter submitted the following:

- a) At the Joint Public Hearing, Coney Island Prep arrived extremely earlier than expected at 4:30 pm while I.S. 281 still had after-school programs going on in the building. They were asked more than once by the safety agents to wait outside the building until the scheduled 5:30 meeting time. They refused and would not leave the lobby. They were rude and arrived with attitudes to cause a problem. They purposely arrived early to sign in so that they would be the first of the general public to speak. They not wait to hear the I.S. 281 parents. As soon as all Coney Island Prep staff and parents spoke, they were motioned by the founder of C.I.P. to leave. There was no respect shown to I.S. 281 parents or staff.
- b) If this co-location goes through, there is going to be a large amount of friction in the building. Common courtesy and respect is not something that appears to be present for Coney Island Prep parents or staff. After they showed their disrespect and arrogant attitudes last night, I would definitely not want them in the building.

80) A commenter submitted the following:

- a) I am very disappointed at the new proposal for a Coney Island Charter School co-location planned for the next year at I.S. 281. Do not stop and reverse the improvements our schools have fought for, especially the schools that strive to prepare our kids for better future.
- b) For the last couple years, the DOE advertised that they are trying to minimize class sizes. By way of co-location we are going in the opposite direction by cramping the schools, endangering our children in more cramped spaces and we're making the work of the teachers and School administrators much more difficult by creating co-administrations and building divisions that will definitely follow if co-location takes over.
- c) There are plenty of options available to site this school; there are empty buildings waiting for developers, such as the building on Cropsey Avenue near K281, located between Bay Parkway

and 23rd Avenue. I am sure there are more vacant buildings in the area closer to Coney Island Prep's current location in K303.

- d) We have to find new ways of improving our children's education without coming up with a proposal to put more kids like chickens in the coop and then see what happens.

81) A commenter submitted the following:

- a) I am against the proposal of co-locating a charter school in building K281.
- b) I don't like the idea of my child and his schoolmates sharing the building with a charter school. The charter school is going to serve kindergarten through fourth grades students.
- c) The classrooms are already too crowded for the students that are there now. I can't imagine how they are going to have their normal activities while another school is inside the same building. It is just not fair for the kids.

82) A commenter submitted the following:

- a) My daughter is eager and excited to attend school at Coney Island Prep. Classes are not overcrowded and students are allowed to contemplate the consequences of their good and bad actions and self-correct.
- b) I believe opening an elementary school will be an awesome idea and would benefit children who are struggling with the unstableness of the public school system.

83) A commenter submitted the following:

- a) I oppose Coney Island Prep at I.S. 281.
- b) I.S. 281 is a middle school and K281 was built to accommodate middle school students as opposed to students in elementary grades. I.S. 281's students deserve to have their middle school experience be the best that it can be; I.S. 281 can deliver that, but not while housing a charter school that does not have the middle school students' best interests at heart.
- c) Coney Island Prep can find another good home.

84) CEC 21 submitted a formal resolution which was passed on July 17, 2013. The resolution opposes this proposal.

85) A commenter submitted a link to an op-ed article, which opposed the co-location of Coney Island Prep with I.S. 281.

86) Community Education Council 30 submitted Resolution#82, calling on New York State Legislators to amend the school governance law to give CECs authority over school closures and co-locations.

87) Multiple commenters wrote in opposition to the proposal.

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

Comments 3(a), 3(b), 3(c), 3(d), 3(e), 3(f), 32, 33, 34, 35, 36, 37, 38, 39, 40, 57, 67, 82(a) and 82(b) are in favor of the proposal and do not require a response.

Comments 6(a), 6(b), 7(d), 8(b), 10(c), 13(a), 14(b), 15(d), 42(c), 43(a), 43(b), 45(a), 45(b), 45(f), 46(e), 55(b), 43(d), 53(e), 70(e), 70(h), 72(a), 74(c), 77(e), 78(k), 79(a), and 86 are not directly related to the proposal and thus do not require a response.

Comments 1(a), 2(a), 4(a), 4(b), 4(e), 10(b), 11(a), 12(a), 12(d), 13(e), 13(c), 14(a), 16, 18(b), , 2(d), 22(d), 23(a), 23(c), 24(c), 25(c), 26(d), 27(a), 29(b), 31(a), 42(e), 45(e), 45(c), 46(d), 47(b), 49(a), 5(b), 5(f), 5(c), 50(a), 50(c), 51(a), 53(c), 53(f), 54 (a), 54(d), 54(c), 55(a), 58,59, 60(a), 61(a), 62(b), 63(a), 63(f), 64, 65(a), 66, 68(a), 68(b), 68(d), 68(c), 7(a), 7(g), 69(a), 70(b), 71(a), 74(g), 75(a), 77(a), 77(c), 78(a), 79(b), 80(a), 81(a) 83(a), 84, 85, and 87 voice general opposition to the proposal.

The DOE notes there is a need for increased options for students in the Brooklyn, including those students located in District 21. The DOE strives to ensure that all students in New York City have access to various educational options at every stage of their education.

Coney Island Prep is currently the only charter school in District 21. There are currently no charter elementary schools in District 21. The DOE believes in Coney Island Prep's record of success and supports the expansion of its charter school to serve elementary school students in District 21. Coney Island Prep is serving the District 21 community. In 2012-2013 72% of Coney Island Prep's students were from District 21. Coney Island Prep scored a Progress Report Grade of A in both 2010-2011 and 2011-2012. Sub-categories of Progress, Performance, and Environment were all A as well. Coney Island Prep's students ELA proficiency score for 2011-2012 is in the 98th percentile of the school's peer group; Math proficiency is in the 90th percentile of its peer group. The DOE believes it provides a strong option for District 21 families.

Although the DOE recognizes that some members of the community may have strong feelings against this proposal, the DOE believes that, if this proposal is approved, the school communities at K281 will be able to create productive and collaborative partnerships.

Comments 70(a), 12(c), 17(a), 20(a), 26(a), 42(a), 44(d), 46(a), 54(b) and 55(c) express support for I.S. 281 and Principal Maria Bender.

The DOE acknowledges the support Principal Bender has from the community and is pleased to receive feedback about support for the school's programming and performance. The DOE anticipates that this proposal will not impact the ability of I.S. 281's leadership to support its students and continue to reinforce a strong school culture.

Comments 2(g) and 41(a) suggest that District 21 does not need a charter school because it is a high performing district.

The DOE acknowledges that District 21 is a relatively high performing district; however this does not preclude the siting of charter schools in the district given available space. The DOE aims to provide additional parent choice to all families across New York City regardless of performance at existing schools. Coney Island Prep is already phasing in to serve its middle school grades in K303 and is serving ninth grade in private space; thus Coney Island Prep already has a presence in District 21.

As previously stated, the DOE notes that there is a need for increased options for students in Brooklyn, including those students located in District 21. The DOE strives to ensure that all students in New York City have access to various educational options at every stage of their education. This proposal aims to provide a new option for these students.

Based on New York City Charter School Center findings, New York City (“NYC”) charter schools have outperformed the citywide district averages in ELA and Math proficiency on statewide exams each year from 2009-10 through 2011-12. In terms of academic growth, from 2010-11 to 2011-12, NYC charter school students’ ELA proficiency increased by seven percentage points (from 44.5% in 2010-11 to 51.5%), four points greater than the increase in traditional district schools (44.0% to 46.9%). NYC charter performance increased by three points in Math (from 68.4% to 72.0%), on par with district school students’ increase (from 57.4% to 60.0%).

NYC Charter schools have also performed better than traditional public schools on the NYC Progress Report, earning a higher percentage of As, and a higher average percentile rank than district schools. On the 2011-12 Progress Report, close to half (46%) of all charter schools received an A grade, compared to only 25% of public schools citywide. In addition to receiving higher overall grades, NYC charters also scored better in each subcategory: Progress, Performance, and Environment.

Comments 8(a), 78(b), 78(e) and 9(c) suggest that charter schools are not public schools nor are they required to follow the same regulation as district schools. Comment 78(d) states that charter school teachers are not unionized.

According to The New York State Charter Schools Act of 1998, charter schools are independent public schools that operate under five year charters. A charter school is free to organize around a core mission, curriculum, theme, or innovative teaching model. A charter school controls its own budget and employs its own teachers and staff. In return for this freedom, a charter school must demonstrate success within five years or risk losing a subsequent five year renewal of its charter.

Additionally, Charter schools are not for profit entities. Almost 10% of New York City charter schools are unionized. Charter schools are public schools available for all residents of New York City. They are publicly funded in a similar manner as district schools, but are operated by external organizations. Each school is governed by an independent board of directors. The DOE believes that charter schools can be an important tool in supporting the DOE’s overall goal of maximizing student and parent choice

Comments 11(c), 12(b), 4(c), 41(c), 43(c), 70(f), 71(c), and 9(d), 78(l) assert that the co-location of charter schools causes segregation and inequality amongst the schools in a building. Comments also assert that charter co-locations demonstrate disparities between charter and district schools.

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 – with 44% of all DOE buildings housing more than one school organization - as there are not

sufficient school buildings to allow each school organization to operate its own building. While schools share common spaces like auditoriums, gymnasiums, and cafeterias, each school is allocated particular classrooms and spaces for its own students' use. The DOE is confident that Coney Island Prep and I.S.281's principals will be able to create a collaborative and mutually respectful environment for all students, staff, and faculty members in K281.

With regard to funding and other resources, charter schools receive public funding pursuant to a formula created by the state legislature, and overseen by the New York State Education Department. The DOE does not control this formula, and the funding formula for Coney Island Prep is not affected by the approval or rejection of this proposal. 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 (e.g., Smartboards, school lunches, advertising, fieldtrips, etc). However, pursuant to Chancellor's Regulation A-190, the Chancellor or his/her designee must first authorize in writing any proposed capital improvement or facility upgrade in excess of five thousand dollars, regardless of the source of funding, made to accommodate the co-location of a charter school within a public school building. For any such improvements or upgrades that have been approved by the Chancellor, capital improvements or facility upgrades shall be made in an amount equal to the expenditure of the charter school for each non-charter school within the public school building.

Comments 53 (a), 70(d), 74(d), 74(e), 78(c), 13(d) and 52(a) assert that charter schools are able to "cherry pick" and select the best students, while failing to serve students with IEPs, thus leading to better performance outcomes. Alternatively, Comment 75(b) claims that the charter school will attract bad students.

In order to admit students fairly, public charter schools run a lottery if the number of students who apply for admission to a class is greater than the number of seats available in that class. Lotteries select students randomly from among the applicant pool. In contrast, screened schools, such as I.S.281, are able to select their students based on 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.

Application rules, procedures, and deadlines for charter schools vary, but most charter schools accept applications for the following school year until April 1 and conduct admissions lotteries during the second week of April. Interested parents should contact each charter school individually to obtain an application. Many schools also post applications on their websites.

Furthermore, charter schools serve the communities they reside in. As previously noted, Coney Island Prep overwhelmingly serves District 21 students. Students are admitted to charter schools through an application lottery process that gives preference to students who live in the community school district in which the charter school is located.

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

The DOE’s annual Progress Report compares school performance with the 40 schools serving the most similar student populations. The Progress Report also provides “extra credit” to schools that succeed at helping ELL and Special Education students achieve. Thus, the incentive is for schools to serve its ELL and Special Education students well, and a school is not advantaged by having a lower enrollment of ELL and Special Education students.

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 English Language Learner (“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 IEP.

Comments 5(a), 20(b), 28(b), 61(c), 62(a), 69(b), 71(b), 72(b), 72(c), 74(b), 80(b), 80(d), 81(c), 17(b), 18(c), 31(b), 60(d), 63(c), 73(b), 78(i), 9(a), 10(a), 15(c), 15(e), 22(a), 24(b), 25(a), 29(a), 44(b), 44(c), 46(b), 47(a), 51(c), 55(f) and 42(b) assert that the school does not have enough space to accommodate the charter school and the co-location will lead to larger class sizes for I.S. 281, Coney Island Prep taking over the spaces, and overcrowding in Building K281. Comments 2(b), 25(b), 26(b), 51(b), 53(d), 60(b), 73(a), 77(b) and 8(d) specifically assert that I.S. 281’s emergency co-location with P.S. 188 due to the effects of Hurricane Sandy was difficult and exacerbated space issues in the building.

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 involve DOE schools and public charter schools sharing space. The DOE seeks to fully utilize all of 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 and students to choose where to attend.

The Citywide Instructional Footprint (the “Footprint”) is the guide used to allocate space to all schools based on the number of class sections the school programs and the grade levels served by the school. The number of class sections at each school is determined by the Principal based on enrollment, budget, and student needs and there is a target class size based on the 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 for lunch period. The full text of the Instructional Footprint is available at http://schools.nyc.gov/NR/rdonlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.pdf.

The Building Utilization Plan (“BUP”) sets forth the baseline number of rooms to be allocated to each school pursuant to the Footprint, as well as the total number of rooms in a building to provide a more complete picture of the availability of space in a building. The BUP also provides the number of class

sections each school is anticipated to serve each year during the phase-in of Coney Island Prep. Currently, I.S. 281 is using space in excess of its baseline footprint; as such, some of these excess spaces will go to Coney Island Prep as its students phase into the building. If this proposed co-location is approved, in 2017-2018 I.S. 281 will be allocated 45 full-size, 15 half-size, 4 quarter-size rooms and 1.5 full size equivalent spaces (“FSE”) in designed administrative space.

In that year, Coney Island Prep will receive its baseline allocation of instructional rooms and administrative space, including 15 full-size and 3 half-size rooms. Because I.S. 281 and Coney Island Prep will receive their full allocation of instructional and administrative space in the final year of this proposal, the DOE believes there is enough space to accommodate both schools.

As noted in the EIS, K281 has the capacity to serve 1,508 students. If this proposal is approved, building K281 would collectively serve 1,466 - 1,573 students in the building, which yields a projected utilization rate of 97% - 104%. Building K281 has the capacity to serve all students projected to be in the building. Although a utilization rate in excess of 100% may suggest that a building will be over-utilized or over-crowded in a given year, this rate does not account for the fact that rooms may be programmed for more efficient or different uses than the standard assumptions in the utilization calculation. In addition, charter school enrollment plans are frequently based on larger class sizes than target capacity, contributing to building utilizations above 100% while not impacting the utilization of the space allocated to the traditional public school.

Additionally, the BUP puts forth a proposed shared space schedule for the co-located schools which demonstrates both schools will have enough time in all the shared spaces in the building to meet programming requirements. The final shared space schedule will be decided upon by the Building Council if this proposed co-location is approved by the PEP.

Nothing leads us to believe that the proposed co-location will impact the district school’s enrollment or class sizes. The enrollment projections in the EIS are based on current enrollment at I.S.281 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.

The proposed co-location is not expected to change the number of personnel positions assigned to I.S. 281 or P811K@I281K, nor is it expected to significantly alter the duties of current staff at either school. Coney Island Prep is expected to hire additional teachers as each new grade is added. The precise number of positions needed for the 2014-2015 school year would be determined once annual enrollment projections are released in the spring of 2014. Similarly, the number of new positions created to serve students in the new grades would be determined based on annual enrollment projections that become available as the school grows to serve those grades.

The DOE acknowledges that a co-location in the event of a natural disaster is particularly difficult on all school communities. In this co-location proposal, the DOE is planning a year in advance, and believes that this forward planning will allow the school communities the time and opportunity to adequately plan for any needed changes in the building.

Comment 27(d) asserts that I.S. 281’s schedule will be changed.

As stated above, the BUP puts forth a proposed shared space schedule for the co-located schools; however all of the school's daily schedules are up to each Principal and the Building Council.

Comments 15(a) and 15(b) assert that the DOE did not consult I.S. 281 staff on how it uses space and does not have a sufficient grasp of what space is available to use.

The DOE discussed the space implications of the proposal with school leadership. At this time, Principal Bender relayed information regarding the way I.S. 281 is programmed and uses its space. As stated in the BUP, the library is a shared space that not included in either school's instructional footprint. Additionally, specialty rooms have been allocated to I.S. 281 in its instructional footprint.

Comment 19(a) asserts that Coney Island Prep will displace 6th graders from the 4th floor.

The assignment of specific rooms and location for each school in the building will be made in consultation with the Building Council, which is comprised of the principal of each school, and the Office of Space Planning if the proposal is approved.

Comment 49(c) and 74(f) assert that District 21 only has three gifted and talented programs, District 21 needs more STEM programming, and the borough of Brooklyn only has one Citywide Gifted and Talented School that only has 50 available spots.

The DOE appreciates community feedback on district level needs and will continue to work with key stakeholders to determine if any new programming needs will benefit District 21. Gifted and Talented programming is dependent on demand, which is assessed by the number of students who test and quality for gifted and talented programs. The DOE does an annual assessment of gifted and talented demand to determine if it is necessary to change the number of programs available in any particular district. At this point, the three programs are sufficient to meet District 21 demand.

Comments 1(d), 1(c), 1(e), 2(c), 2(h), 7(e), 9(b), and 63(b) assert that due to an increasing number of families moving into District 21, overcrowding in District 20 schools, and additional elementary school seats in District 20, the co-location of Coney Island Prep does not address the need for more middle school seats in District 21 and 20. Comment 1(b) specifically states that approximately 58% of I.S. 281's zone is in District 20, and P.S. 200 in District 20 is completely zoned to I.S. 281.

The DOE acknowledges that a portion of I.S. 281's enrollment does come from District 21; however enrollment patterns do not necessitate a change in the proposal at this time. 38% of I.S. 281's zone is in District 20 and 31% of I.S. 281's total enrollment in 2012-2013 comes from District 20. In the 2012-2013 school year, 30% of I.S. 281's 6th grade enrollment came from the District 20 portion of I.S. 281's zone. Despite this, I.S. 281 has experienced steady to slightly decreasing enrollment (8%) over the last 5 years, with an 11% decrease in both overall 6th grade and 7th grade enrollment. Additionally, both P.S. 200 and P.S. 748 are almost entirely zoned to K281. P.S. 748 is still in the process of phasing in and the DOE has found that P.S. 200 has not experienced much growth over the past 5 years, with only 0%-5% annual increases in enrollment at I.S. 281. The DOE has not seen a large increase in demand for I.S. 281's zoned program from the 2012-2013 to 2013-2014 school year.

Comments 2(e) and 41(b) concern the potential impact of the co-location on enrollment at other District 21 schools.

As stated in the EIS, the opening and co-location of Coney Island Prep may have a mild impact on enrollment at other District 21 schools by enrolling students who would otherwise attend another District 21 elementary school. The DOE does not expect this proposal to have a material impact on any individual District 21 elementary school. However, at present, there is no way to reliably predict which schools would be impacted or by how many seats.

Comments 2(i), 17(c), 18(a), 19(b), 22(c), 26(c), 27(e), 45(d), 5(d), 55(e), 61(b), 7(c), 78(f), 78(j) relate to the issue of Coney Island Prep's co-location impacting enrollment, talent programming, and extracurricular activities at I.S. 281.

The DOE understands that I.S. 281 students and parents and the community in general are enthusiastic about the range of performing arts and extracurricular programming offered at the school. As stated in the EIS the proposed co-location of Coney Island Prep in K281 is not expected to impact student instructional programming or enrollment at I.S. 281. As stated previously, enrollment projections set forth in the EIS are based on the current enrollment of the entry point grade and assume that the same number will articulate up and that there is stable incoming enrollment at the entry point. Therefore, there is nothing that leads the DOE to believe that the proposed co-location will have an impact on I.S. 281's enrollment.

In regard to the talent programs, the proposal is not expected to impact the methods by which I.S. 281 currently admits students, which includes talent testing for the Joseph B. Cavallaro Magnet Program. Additionally, the DOE does not anticipate the proposal will impact I.S. 281's ability to continue to offer programming currently in place. The building utilization plan notes that all performing arts spaces - dance room, TV studio, print shop, art room, and music rooms – have been included as part of I.S. 281's baseline footprint to allow I.S. 281 access to these spaces for programming reasons. As such, the school will have exclusive access to these spaces. If this proposal is approved, I.S. 281 may continue to offer its talent based academic programming within the space allocated to the school under the Footprint.

Additionally, the DOE does not anticipate that this proposal will affect the extra-curricular programs or partnerships currently offered at I.S. 281. The co-location may change the way some programs are configured; school leaders are empowered to make decisions about how to utilize space allocated to each school. For example, some activities may need to share classroom space or the scheduling of these activities may change as a result of greater demands on the available space during or after school hours. Students will continue to have the opportunity to participate in a variety of extracurricular programs though the specific programs offered at a given school are always subject to change. It is difficult to predict precisely how those changes might be implemented as decisions will rest with 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, the Footprint assumes that students in middle school grades move from class to class and that classrooms should be programmed at maximum efficiency. The Footprint does not require that every teacher have his or her own designated classroom.

Comments 8(c), 12(e), 13(b), 21, 22(b), 23(b), 24(a), 27(c), 30, 42(d), 50(b), 55(d), 56(b), 60(c), 63(e),

65(b), 65(c), 65(d), 74(a), 76, 77(d), 78(h), 81(b) and 83(b) relayed concerns that the co-location would exacerbate safety issues in K281, and particularly question the safety of placing elementary students in a building with middle school students.

Due to space limitations, it is not unusual for varying grade levels to be co-located in a building together. There are successful examples of mixed grade co-located school buildings or campuses in New York City. These examples include:

- Building K324 currently houses three schools: M.S. 267, an existing middle school serving students in grades sixth through eighth, La Cima Charter school, a charter elementary school serving students in grades K-5, and Bedford Stuyvesant Collegiate, an existing charter secondary school, which is currently in the process of growing to serve students in grades 5-12.
- The Julia Richman Educational Complex, which houses four small high schools, a K-8 school, and a District 75 program;
- Building M092 currently houses three schools: St. Hope Leadership Academy Charter School, a charter middle school serving students in grades fifth through eighth, P.S. 92, a district elementary school which serves students in grades K-5, and Democracy Prep Charter School, a charter high school serving students in ninth through twelfth grades.

The DOE believes that this proposal will not cause any safety concerns and the DOE is proposing to co-locate Coney Island Prep in District 21 in order to provide additional educational options for families. Pursuant to Chancellor's Regulation A-414, every school or campus is mandated to form a School Safety Committee, which is responsible for developing a comprehensive School Safety Plan that defines the normal operations of the site and what procedures are in place in the event of an emergency. The School Safety Plan is updated annually by the Committee to meet the changing security needs, changes in organization and building conditions and any other factors; these updates could also be made at any other time when it is necessary to address security concerns. The Committee will also address safety matters on an ongoing basis and make appropriate recommendations to the Principal(s) when it identifies the need for additional security measures. If this proposal is passed, the School Safety Plan would be revised to ensure the safety of all students on the K281 campus.

Comment 27(b) states that the K281 building is not appropriate for elementary school students, because it is a middle school building.

As noted above, there are many examples of mixed grade co-location throughout NYC. The DOE does not believe that K281 is inappropriate for elementary school students.

Comments 56(a) and 78(g) express concerns over the proposal's potential impact on special education students.

As discussed in the EIS, the proposed co-location is not expected to impact instructional programming at I.S. 281. In addition to General Education ("GE") classes, I.S.281 currently offer Integrated Co-Teaching ("ICT"), self-contained ("SC") special education classes, Special Education Teacher Support Services ("SETSS"), and an English as a Second Language ("ESL") program for ELL students. I.S. 281 will continue to provide all of these programs, and students with disabilities will continue to receive all mandated services in accordance with their IEPs. ELL students at I.S. 281 will also continue to receive mandated services. The DOE does not anticipate any impact to instructional programming at any of the schools or programs in the K281 building.

Comments 2(f), 5(e), 6(c), 7(b), 11(b), 12(f), 28(a), 46(c), 48, 49(b), 52(b), 53(b), 70(c), 80(c), and 83(c), suggest that Coney Island Prep should open in private space. Comment 70(g) specifically states that Coney Island Prep is agreeing to be co-located in K281, which is in the Bensonhurst area of Brooklyn, rather than the Coney Island section.

The DOE seeks to provide space to all educational options for all students, regardless of whether they are served in DOE or public charter schools. The DOE welcomes public charter schools to lease space or provide their own space, but will continue to offer space in DOE schools where it is feasible to do so and in buildings in where there is sufficient capacity to accommodate a new school.

Comment 72(d) states that Coney Island Prep has temporary arrangements.

Grades five through eight of Coney Island Prep are permanently sited in Building K303. Its ninth grade is sited in private space.

Comment 2(k) asserts that the DOE did not provide translations in Russian and Bengali for the proposal document.

The EIS for this proposal was issued on September 13th and sent for translation into Spanish and Chinese directly thereafter. Given the length of the document and the translation quality control measures, this process took considerable effort. Consistent with our long standing practice to provide translated copies of proposal documents for the joint public hearing, we anticipated posting and distributing translated copies of the proposal documents on or in the days leading up to the October 21, 2013 joint public hearing.

All translated proposal related documents, including the hearing notice and the parent letters, were distributed to the school on October 15th, approximately one week ahead of the Joint Public Hearing. The parent letter summarizes the proposal and describes opportunities to provide feedback, including the October 21 joint public hearing and dedicated phone and email venues for feedback.

The hearing notice also includes a brief overview of the proposal and outlines opportunities for feedback including the October 21 joint public hearing and dedicated phone and email venues for feedback.

This is consistent with the notification guidelines provided in NY State Education Law 2590. According to the language needs submitted by I.S. 281, approximately 10% of students speak Spanish and 17% of students speak Chinese, while the remainder either speaks English or another language spoken by less 7% of the student population. Therefore, the DOE provided translated documents for Spanish and Chinese.

Additionally, Spanish, Chinese, and Russian interpreters were available at the joint public hearing on October 21, 2013 to assist attendees in need of translation services. The DOE believes that it has complied with all applicable regulations.

Comment 63(d) asserts that the co-location will have an impact of I.S. 281's students' emotional and physical health, the study environment, and teacher quality.

As previously noted, there are many examples of co-located schools throughout the city. The DOE believes that, if this proposal is approved, the school communities at K281 will be able to create a productive and collaborative environment that nurtures all students.

Comments 2(j), 4(d) and 7(f) assert that the DOE has rushed this proposal to suit a larger political agenda, which is to site and sponsor as many charter schools as possible.

These proposals represent a continuation of DOE's strategy to increase access to high quality schools in communities that need better options for the 2014-2015 school year. This timeline is not new. The PEP already approved 45 proposals for September 2014 implementation during the May, June and October 15th PEP meetings. The development of these 2014-2015 proposals reflects our extensive strategic planning to advance our proven strategy of bringing high quality district and charter schools online, as well as our desire to allow the maximum allotment of time for communities and educators to work towards their successful implementation.

Forward planning allots more time for:

- School/leaders to meet each other; and
- OSP to plan school placement and implement any needed facilities upgrades; and
- Charters to submit proposals for facilities matching; and
- Division of Facilities to review and conduct work on approved proposals.

Comment 44(a) asserts that I.S. 281 teachers and staff will lose their jobs as a result of this co-location.

As stated in the EIS, the proposed co-location is not expected to change the number of personnel positions assigned to I.S. 281 or P811K@I281K, nor is it expected to significantly alter the duties of current staff at either school.

Changes Made to the Proposal

No changes have been made to the proposal.