

Public Comment Analysis

Date: June 9, 2015

Topic: The Proposed Expansion of Success Academy Charter School-Williamsburg (84K182) with Existing School J.H.S. 050 John D. Wells (14K050) in Building K050 Beginning in the 2016-2017 School Year

Date of Panel Vote: June 10, 2015

Summary of Proposal

On April 23, 2015, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) and Building Utilization Plan (“BUP”) describing a proposal to expand Success Academy Charter School-Williamsburg (84K182, “SA- Williamsburg”) to include grade five beginning in the 2016-2017 school year. SA-Williamsburg is a charter school currently serving students in kindergarten through grade three in building K050 (“K050”), located at 183 South 3rd Street, Brooklyn, NY 11211, in Community School District 14 (“District 14”) where it is currently co-located with J.H.S. 050 John D. Wells (14K050, “J.H.S. 50”), an existing district middle school serving students in grades six through eight. In 2015-2016, SA- Williamsburg will phase in to serve students in kindergarten through fourth grade. SA- Williamsburg will also serve one section of full-day pre-kindergarten (“Pre-K”) beginning in the 2015-2016 school year. K050 also provides space to two community-based organizations (“CBOs”), El Puente and the Relationship Abuse Prevention Program (“RAPP”). K050 also contains an adult education program (“79K755@K050”) that operates after school hours and is administered by the Office of Adult and Continuing Education (“OACE”) for adults age 21 and over.

The grade expansion of SA- Williamsburg in K050 is intended to support the educational continuity of students currently enrolled in SA- Williamsburg. If this proposal is approved, SA- Williamsburg’s future fourth-grade students who are eligible for promotion will have the opportunity to remain in SA-Williamsburg at K050 for fifth grade beginning in 2016-2017.

Pursuant to recent amendments to the Education Law which provide certain new and expanding charter schools with access to facilities, SA- Williamsburg made a co-location request to the DOE for space in District 14 for its fifth through eighth grades. Although SA- Williamsburg requested space for its fifth through eighth grades, at this time the DOE is proposing to site SA- Williamsburg’s fifth grade only at K050.

Additionally, J.H.S. 50 is part of the School Renewal Program. If this proposal is approved by the PEP, it will not impact the school’s participation in the School Renewal Program or its ability to offer additional programming and supports for students. As part of the School Renewal Program, J.H.S. 50 will adopt a Community School model beginning in the 2015-2016 school year. While the DOE does not expect this potential expansion to impact any tailored ancillary services, extended instruction time, or other additional resources J.H.S. 50 may receive as a result of the School Renewal Program and the school’s designation as a Community School, the DOE will re-evaluate the space allocations outlined in the attached BUP after J.H.S. 50’s particular Community School model is developed. The DOE will continue to work closely with the J.H.S. 50 community to ensure all students receive the individualized support they need.

The DOE evaluates public school buildings throughout the City that are “under-utilized,” meaning they have space to accommodate additional students. Building K050 has the capacity to serve 1,166 students. Currently, the building is serving approximately 580 students, yielding a building utilization rate of approximately 50%. Therefore, building K050 is “under-utilized.” In 2015-2016, when SA- Williamsburg phases in to serve fourth grade students and begins serving Pre-K at K050, there will be 588-718 students in the building served by both schools, yielding a projected utilization rate of 50%-62%. If this proposal is approved by the PEP, in 2016-2017,

when SA- Williamsburg expands to serve fifth grade students at K050, there will be 653-803 students in the building served by both schools, yielding a projected utilization rate of 56% -69%.

SA- Williamsburg will continue to use shared spaces with J.H.S. 50. As set forth in the BUP that accompanies this proposal, there is sufficient space in the building to accommodate this expansion.

Copies of the EIS and BUP are also available in the main offices of SA- Williamsburg and J.H.S. 050 or on the DOE's website at <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2014-2015/June2015SchoolProposals>.

Summary of Comments Received

A Joint Public Hearing regarding this proposal was held at building K050 on June 2, 2015. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 350 people attended the hearing and 44 people spoke. Present at the meeting were: Chancellor's Designee and District 14 Superintendent Alicja Winnicki; District 14 Community Education Council ("CEC 14") President Maria Farley and Vice President Mario Aguilar; City Councilmember Antonio Reynoso; J.H.S. 050 Principal Denise Jamison; SA- Williamsburg Assistant Principal Michael LaFrances; J.H.S. 050 School Leadership Team ("SLT") Representative Ginger Brown; SA- Williamsburg SLT representative Michelle Lisfokin; Evelyn Cruz representing Congresswomen Nydia Velasquez; Katarina Matic representing Assemblymember Maritza Davila; Jason Pagan representing Senator Martin Dilan; Frances Lucerna and Luis Garden Acosta from El Puente and Timothy Castanza, Brandon Bloomfield, Greg Whitten and Jyoti Folch from the DOE.

Information on the joint public hearing and PEP meeting can be found on the DOE website at: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2014-2015/June2015SchoolProposals>.

The following comments and remarks were made at the joint public hearing on the proposal:

1. CEC 14 President Maria Farley stated that she supports J.H.S. 50's inclusion in the School Renewal Program and looks forward to working with J.H.S. 50 to assure further success.
2. CEC 14 Vice President Mario Aguilar stated that he believed that the policies of separate and unequal should not exist in public schools and that charter and district schools should have equal rights.
3. Councilman Antonio Reynoso stated the following:
 - a. He thanks the DOE for investing in J.H.S. 50 by including the school in the School Renewal Program.
 - b. He is happy that El Puente was chosen as the CBO partner for J.H.S. 50.
 - c. He asked the DOE to revisit the decrease in projected enrollment for J.H.S. 50 described in the EIS given the school's inclusion in the School Renewal Program.
 - d. He is confident that the School Renewal Program will trigger a growth and expansion of enrollment at J.H.S. 50.
 - e. He believes that the continued partnership of the community with El Puente will promote success for students and families and will preserve the identity of J.H.S. 50 and the community.
 - f. He supports the expansion of SA- Williamsburg to 5th grade.
 - g. He urges that before considering any further expansion for SA- Williamsburg in K050, the DOE should review the BUP after the three year point for J.H.S. 50's Community School model.
4. Katarina Matic made the following comments on behalf of Assemblymember Maritza Davila:
 - a. I am glad to see that the two schools at K050 are willing to work together to make the expansion of SA- Williamsburg successful.
 - b. I am pleased that the DOE has proposed to site the fifth grade of SA- Williamsburg at K050 so SA- Williamsburg can accomplish its vision to prove that all children from all backgrounds can succeed, without serving middle school grades that are already being served by J.H.S. 50.

- c. As a Renewal School, J.H.S. 50 will have a unique opportunity to use its new resources and continue its partnership with El Puente to attract students and increase enrollment in grades six through eight.
 - d. I give my full support for the programming at El Puente and the continued partnership between El Puente and J.H.S. 50.
 - e. Why does the DOE believe that the School Renewal Program at J.H.S. 50 will not succeed as evidenced by the decline in projected enrollment for J.H.S. 50 outlined in the EIS?
 - f. Based on the projections indicated in the BUP, in 2015-2016, the DOE will take away 9 full-size rooms and 2 other rooms from J.H.S. 50 and allocate them to SA- Williamsburg and then take an additional 2 full size rooms away in 2016-2017.
 - g. Due to projected decreases in enrollment, J.H.S. 50, a Renewal School, will be allocated significantly less time in rooms that are considered shared space such as the library, gymnasium, theater room, science lab and auditorium.
 - h. The space allocation in the BUP should be re-visited and the DOE should familiarize the schools' leadership with the space allocation process.
 - i. This proposal is a unique opportunity for both schools to maximize their resources and work together to provide a good quality education to all students.
 - j. Enrollment projections by the DOE, when it comes to co-location proposals of any kind, undermine the potential of public schools, making co-locations a way to phase them out.
 - k. I am pleased that the DOE has "extended an arm" and is willing to schedule a meeting with stakeholders before the PEP votes on the proposed item.
5. Evelyn Cruz made the following comments on behalf of Congresswoman Nydia Velasquez:
 - a. Nydia Velasquez supports the proposal to expand SA- Williamsburg in K050.
 - b. She is very happy that the meeting was more of a collaborative dialogue and not a rally.
 - c. Nydia Velasquez believes that both schools should be able to grow equally in building K050.
 - d. Nydia Velasquez wants to ensure that J.H.S. 50 is able to grow and succeed as a Renewal School and will be able to remain partners with El Puente.
 6. J.H.S. 50 Principal Denise Jamison made the following comments:
 - a. She does not oppose the expansion of SA- Williamsburg.
 - b. She is excited and enthused with new energy as a result of being named a community and Renewal school.
 - c. She feels that J.H.S. 50 will be able to increase its existing partnerships and provide additional services to the community.
 - d. The entire team at J.H.S. 50 works hard to make sure that students progress during their time at J.H.S. 50.
 - e. She has concern that in the wake of the opportunity to become a Renewal School, that J.H.S. 50 will not have the space needed to grow the school's enrollment.
 - f. She does not have an issue with co-location or the expansion of SA-Williamsburg, but rather wants to appeal for J.H.S. 50 and their ability to grow.
 7. SA- Williamsburg Assistant Principal Michael LaFrances made the following comments on behalf of SA- Williamsburg Principal Abigail Johnson:
 - a. She is honored that SA- Williamsburg is part of the Williamsburg neighborhood and District 14.
 - b. SA- Williamsburg serves predominantly families from District 14.
 - c. SA- Williamsburg has an excellent relationship with J.H.S. 50 and thanks J.H.S 50 for their ongoing support.
 - d. She looks forward to continuing to partner with J.H.S. 50 and El Puente moving forward.
 - e. Without the necessary space, SA- Williamsburg will not be able to keep the promise made to families when the school opened.
 - f. She is overwhelmed by the demand for SA- Williamsburg from the community as seen by the number of applications submitted for the school.
 8. J.H.S. 50 SLT representative Ginger Brown stated the following:

- a. She feels very fortunate that J.H.S. 50 was chosen to be part of the School Renewal Program and looks forward to the new academic and extracurricular programming at J.H.S. 50.
 - b. She feels that J.H.S. 50 deserves the same space as SA-Williamsburg.
 - c. She wants the conversation to be about coming together as one school community rather than one school taking over another.
9. Jason Pagan, on behalf of Senator Martin Dillan said that he was there to listen to the ideas and opinions of both charter and district parents.
10. Frances Lucerna from El Puente made the following comments:
 - a. She is pleased that the DOE included J.H.S. 50 in the School Renewal Program and is honored that El Puente was chosen to remain the community partner for the school.
 - b. She wants to see all children in the community succeed.
 - c. She believes that meetings with the community and school should not be about which school has more but rather about collaboration between the schools.
 - d. She implores the DOE to honor its commitment to J.H.S. 50 and allow the school to grow its enrollment.
 - e. She hopes that current SA-Williamsburg students will consider attending J.H.S. 50 for middle school as the school continues to improve and become more innovative.
 - f. She wants J.H.S. 50 to be modeled off of the existing El Puente High School.
11. Luis Garden Acosta from El Puente made the following comments:
 - a. He is pleased tonight that the community stands together as one united community.
 - b. He supports the proposal to expand SA- Williamsburg to 5th grade.
 - c. He supports the growth of J.H.S. 50 and believes that the school should be able to grow.
 - d. He believes that the DOE should review the space allocations in the proposed BUP so that both schools can have equal use of the K050 building.
12. SA- Williamsburg SLT representative Michelle Lisfokin stated the following:
 - a. She is proud of SA- Williamsburg's students as well as other Success Academy students across the city.
 - b. Success Academy has had positive experiences with co-locations across the city.
 - c. The co-location of SA- Williamsburg at K050 has been a positive experience and they look forward to continuing to partner with J.H.S. 50 moving forward.
13. Multiple commenters expressed support for the proposal.
14. One commenter stated that he was a teacher at SA-Williamsburg and that he is very appreciative of the diverse culture that the Williamsburg neighborhood offers.
15. One commenter expressed support for J.H.S. 50's role as a pillar in the community and stated that the community looks forward to both schools growing together.
16. One commenter stated that she is a teacher at SA-Williamsburg who grew up in the neighborhood and is a proud advocate for SA-Williamsburg.
17. One commenter stated that she was a parent of a SA- Williamsburg student who went to school in the community and when choosing an educational option for her child, nothing could compare to SA- Williamsburg.
18. One commenter stated that she has lived in the community for 33 years and that she is a parent of a SA- Williamsburg student who benefits greatly from the neighborhood partnership with El Puente.
19. One commenter stated that he is an alumni of J.H.S. 50 and wishes that the resources that are available to the school were available when he was a student.
20. One commenter stated that:
 - a. She is a member of the local community and believes that there should continue to be a variety of educational options available to students and families.
 - b. She does not feel that the success of J.H.S. 50 and SA-Williamsburg are mutually exclusive.
21. Multiple students from J.H.S. 50 spoke in support of J.H.S. 50's inclusion in the School Renewal Program stating that they believe J.H.S. 50 should be able to grow and that they look forward to having access to the new programming and space that will come with the program.
22. Multiple commenters expressed support for the SA-Williamsburg teaching and administrative staff.
23. Multiple commenters stated that they hope SA-Williamsburg expands to serve high school grades.
24. Multiple commenters stated that they believe that the proposal does not provide J.H.S. 50 with the adequate space needed to grow as a Renewal School.

25. Multiple commenters expressed support for J.H.S. 50's inclusion in the School Renewal Program by the DOE.
26. Multiple commenters expressed support for J.H.S. 50 and thanked the DOE for supporting J.H.S. 50.
27. Multiple commenters expressed concern with the DOE's enrollment projections for J.H.S. 50 as described in the EIS, noting that it shows a decline in enrollment for J.H.S. 50, rather than an increase.
28. Multiple commenters expressed support for SA- Williamsburg.
29. Multiple commenters stated support for SA-Williamsburg's inclusion in the Williamsburg community.

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

The DOE received one email through the dedicated email address and no comments through the dedicated phone line.

The following comment was submitted to the DOE for response:

30. Leonie Haimson, Executive Director of Class Size Matters, submitted comments to the DOE in response to all proposals being voted upon at the June 10 PEP meeting. These proposals include: the proposed grade expansion to Success Academy Williamsburg (84K182) in District 14, the proposed grade expansion to Success Academy Cobble Hill (84K129) in District 15, the proposed expansion of Icahn 7 (84X362) in District 8, and the proposed new school co-location of Success Academy- New York 10 (84KTBD) in District 22. The written comments raised the following points:
 - a. She expresses concern that New York City schools are already over-crowded, and that co-locations exacerbate the problem of over-crowding by requiring duplicate administrative offices and cluster/specialty spaces.
 - b. She expresses concern that any expansion restricts the ability of existing schools in the building to reduce class size below current levels, which she claims are already too high.
 - c. She expresses concern with EIS's for proposals that project utilization rates of near or over 100 percent in future years, claiming that the current methodology for determining utilizations rates is already flawed.
 - d. She expresses concern that a Blue Book Working group appointed by the New York City Schools Chancellor made recommendations to improve utilization formulas, and that such recommendations have not yet been released.
 - e. She expresses opinion that Success Academy can afford rent in its own space, since Success Academy has millions of dollars in reserves raised through fundraising efforts.
 - f. She expresses belief that Success Academy enrolls fewer English Language Learners and special needs students than district schools.
 - g. She expresses belief that Success Academy suspends students at greater rates than district schools.
 - h. Further, the comment included comparative enrollment and suspension rates for all existing district schools and charter schools impacted through these proposals, alleging that the charter law prohibits charter schools from expanding or replicating if it does not enroll or retain equal numbers of high needs students.
 - i. She questioned why Success Academy schools have been able to add pre-kindergarten programs in 2015-2016 without having put those programs through the A-190 process.
 - j. She also attached a letter sent to Mayor Bill deBlasio and Chancellor Carmen Farina in Fall 2014 that requested a moratorium on all further co-locations and expansions until it is confirmed that the constitutional rights of the students in the existing schools have been remedied.

Analysis of Issues Raised, Significant Alternatives Proposed

Comments 3(f), 4(a-b, i), 5(a), 7(d-e), 11(b), 12(c), and 13 are in favor of the proposal and do not require a response.

Comments 2, 3(g), 10(f), 12(b) and 30(g, j) are not directly related to the proposal and thus do not require a response.

Comments 3(b), 4(a, d), 5(b), 6(a), 7(a-c, f), 8(c), 9, 10(b-c, e), 11(a), 12(a), 14, 19, 20(a-b) and 23 are self-explanatory in nature and do not require a response.

Comments 6(d), 15 and 26 state support for the J.H.S. 50 and Comments 16, 17, 18, 22, 28, 29 express support for SA- Williamsburg.

The DOE recognizes the praise for both J.H.S. 50 and SA- Williamsburg and commends both school communities for their hard work and dedication. The DOE is committed to supporting the school communities in K050 and looks forward to seeing continued partnership and growth as both school communities continue to serve the District 14 community.

Comments 1, 3(a, d-e), 4(c), 6(b-c), 8(a), 10(a) and 25 state support for J.H.S. 50's inclusion in the School Renewal Program and continued partnership with El Puente and thus do not require a response.

Comment 4(k) expresses satisfaction with engagement meetings scheduled by the DOE and thus does not require a response.

Comments 3(c), 4(e), 5(c-d), 6(f), 10(d), 11(c), 21 and 27 ask the DOE to review the enrollment projections for J.H.S. 50 in the EIS and/or express concern about the ability of J.H.S. 50, as a Renewal School, to grow its enrollment.

EIS enrollment projections for existing district elementary and middle schools assume future entry grade enrollment is aligned with current entry grade enrollment and a stable forward promotion of cohorts as they articulate up. EIS enrollment projections for new charter schools is based on planned sections per grade level and planned average class sizes and reflects the charter school's total authorized enrollment pursuant to its charter application as well as available space in a particular building. Additionally, the proposal does not decrease the current section counts offered at J.H.S. 50.

As stated above, in addition to additional supports and resources, the BUP allocates space to J.H.S. 50 such that it has sufficient space to grow to three sections per grade. This provides sufficient space for the school to accommodate more students should enrollment increase.

Comments 4(f, h), 6(e), 8(b), 11(d), and 24 are related to the allocation of space under the proposal, particularly regarding the impact of loss of space on the School Renewal Program at J.H.S. 50. Additionally, Comment 30(a) expresses concern that New York City schools are already over-crowded, and that co-locations exacerbate the problem of over-crowding by requiring duplicate administrative offices and cluster/specialty spaces.

There are currently hundreds of schools in buildings across the city that are co-located, which includes district schools with other district schools and district schools with charter schools. In all cases, the Footprint is applied to schools to ensure equitable allocation of classroom, resource, and administrative space. The Footprint sets forth the baseline number of rooms that should be allocated to a school based on the grade levels served by the school and number of classes per grade. For existing schools, the Footprint is applied to the current number of sections per grade, assuming class size will remain constant. A representative from the Office of Space Planning then confirms both the baseline and current space allocation totals during a walk-through of the building, where he/she is accompanied by a school representative.

The Footprint is available online at: http://schools.nyc.gov/NR/rdonlyres/961D691C-641D-4918-9798-8BA2C0A761FF/0/DOEFootprint_91114newlogo.pdf.

If approved, both J.H.S. 50 and SA-Williamsburg will receive their equitable allocation of space per the Footprint. The proposal currently under consideration provides all schools with their Footprint allocation based on each school's projected enrollment. Additionally, the excess space that remains in K050 after both schools have received their footprint will be divided proportionally based on enrollment. The location of classrooms for both schools will be determined by the Office of Space Planning in conjunction with the school leaders in building K050.

This proposal will not impact the school's participation in the School Renewal Program. J.H.S. 50 will adopt a Community School model beginning in the 2015-2016 school year. While the DOE does not expect this proposal to impact any tailored ancillary services, extended instruction time, or other additional resources the school may receive as a result of the School Renewal Program and the school's designation as a Community School, the DOE will re-evaluate the space allocations outlined in the BUP after the particular Community School model is developed. If this proposal is approved by the PEP, the DOE will continue to work closely with the school community to ensure all students receive the individualized support they need.

Additionally, as noted by many commenters, J.H.S. 50 will continue to work with the same CBO partner, El Puente as part of the School Renewal Program, which will promote resource sharing between the schools and maximize available space in the building.

In response to Comment 4(g) which specifically refers to the loss of time in shared spaces according to the proposed shared space plan in the BUP, specific allotments of time in the proposed shared space schedule are relative to the enrollment of each school in the building. The DOE notes that the current Building Council, which consists of leadership from both schools, is encouraged and empowered to work together, and with the Office of Space Planning, to determine a shared space plan that minimizes the disruption to the schools and the current use of shared spaces (e.g., in the gymnasium and cafeteria) and that provides sufficient time for all students to be served.

If the Building Council is unable to agree upon a schedule for shared spaces, school leaders should utilize the dispute resolution process outlined in the Campus Policy Memo, which is available at: <http://schools.nyc.gov/community/campusgov>.

As noted above, while the DOE does not expect this proposal to impact any tailored ancillary services, extended instruction time, or other additional resources the schools may receive as a result of the School Renewal Program and the schools' designations as a Community School, the DOE will re-evaluate the space allocations outlined in the BUP after the particular Community School model is developed. If this proposal is approved by the PEP, the DOE will continue to work closely with each school community to ensure all students receive the individualized support they need. Additionally, the School Renewal Program will promote resource sharing between the schools and maximize available space in the building.

In response to the assertions made in Comment 4(j) that co-locations undermine public schools and are a strategy used to phase them out, the DOE notes that co-location is common in New York City schools, with 44% of all DOE buildings housing more than one school organization. This includes co-location of district schools with charter schools and of district schools with other district schools. While schools share common spaces like auditoriums, gymnasiums, and cafeterias, each school is allocated particular classrooms and spaces for its own students' use. Though disagreement may exist as to whether a particular proposal is the best way to resolve community education needs, the DOE has found that after a proposal passes most school communities are able to successfully come together with amicable relationships and collaborative agreements. The assertion that co-locations are a strategy used to phase schools out is untrue and there is no plan to phase-out any school in K050.

Additionally and in response to Comment 30(e) which makes the statement that Success Academy can afford rent in its own space, since Success Academy has millions of dollars in reserves raised through fundraising efforts, pursuant to recent amendments to the Education Law which provide certain new and expanding charter schools with access to facilities, SA- Williamsburg made a co-location request to the DOE for space in District 14 for its fifth through eighth grades. Although SA- Williamsburg requested space for its fifth through eighth grades, at this time the DOE is proposing to site SA- Williamsburg's fifth grade only at K050.

Comment 30(b) expresses concerns that any expansion restricts the ability of existing schools in the building to reduce class size below current levels, which she claims are already too high.

As described in more detail in the Blue Book, which is available at: http://www.nycsca.org/Community/CapitalPlanManagementReportsData/Enrollment/2013-2014_Bookone_Target.pdf, a building's target utilization rate is calculated by dividing the aggregated enrollment of all the school organizations in the building by the aggregated "target capacities" of those organizations. Each

school organization's "target capacity" is calculated based upon the scheduled use of individual rooms as reported by principals during an annual facilities survey, the DOE's goals for maximum classroom capacities (which are lower than the United Federation of Teachers ("UFT") contractual class sizes and differ depending on grade level), and the efficiency with which classrooms are programmed (i.e., the frequency with which classes are scheduled in a given classroom). The target capacity assumes that the components underlying that target capacity (scheduled use of classrooms, goal maximum classroom capacity, etc.) remain constant. Per the UFT contract, class size maximums for district schools are as follows:

- Pre-Kindergarten: 18 students
- Kindergarten: 25 students
- Grades 1-6 in elementary schools: 32 students
- JHS/MS (all grades 4 – 8 or 5 – 9, if are located in a middle school, then middle school class size applies): 33 students in non-Title I schools; 30 in Title I schools.

Based on current enrollment, both SA- Williamsburg and J.H.S. 50 operate with average class sizes below UFT maximums. As mentioned, the General Education Charter School per-pupil rate is determined by the SED and is based on a formula used for all traditional public school districts.

Comment 30(d) expresses concern that a Blue Book Working group appointed by the New York City Schools Chancellor made recommendations to improve utilization formulas, and that such recommendations have not yet been released.

The Blue Book is an annual document that provides information on school organization and school building utilization. The utilization data is derived by using information from the Principal Annual Space Survey where principals report on how spaces are being used during a given school year. This Report is designed to provide a standardized assessment of capacity for each school and school building and assist decision-making relative to space utilization. The Blue Book is revisited and updated on a yearly basis; additionally, the School Construction Authority ("SCA") does random site visits each year to verify the information provided. In most instances, SCA finds the self-reported data on room usage to be accurate.

The current Blue Book has been simplified to adopt a new more user-friendly version under the advisement of the Blue Book Working Group. The Blue Book Working Group consists of representatives of parents, principals, Community Education Councils, the United Federation of Teachers, community groups, and elected officials. As the Blue Book Working Group continues to make progress, additional changes to any subsequent publications will likely be implemented. The purpose of the changes applied to the 2013-2014 Report is to make the document easier for the general public to navigate. The changes can be summarized into two types: 1. Organization of the Report and 2. Transportable Classroom Unit (TCU) capacity. The Blue Book is available online at: http://www.nycsca.org/Community/CapitalPlanManagementReportsData/Enrollment/2013-2014_Bookone_Target.pdf.

Comment 30(c), which expresses concerns about proposals that project utilization rates of near or over 100 percent in future years, claiming that the current methodology for determining utilizations rates is already flawed, is not relevant to this proposal as the projected building utilization rate of K050 if this proposal is approved would be approximately 56%-69% .

In response to Comment 30(f), which expresses belief that Success Academy enrolls fewer English Language Learners and special needs students than district schools and Comment 30(h) which states comparative enrollment and suspension rates for existing district schools and charter schools impacted through the posted proposals, Success Academy Charter Schools in Brooklyn serve predominately black and Hispanic students and students eligible for free and reduced price lunch, as well as ELL students and students with disabilities. Any child eligible for admission to a district school is eligible for admission to a public charter school. If the number of applicants exceeds the number of available seats at a charter school, a random selection process, such as a lottery, must be used. Lotteries select students randomly from among the applicant pool.

Charter schools must admit all students according to their lottery preferences and may not turn away a student because of language ability or services required by an IEP. The New York Charter Schools Act requires that charter

schools demonstrate good faith efforts to attract and retain students with disabilities, English language learners, and students who are eligible applicants for the free and reduced price lunch at rates comparable to those of the Community School District in which the charter school is located, pursuant to enrollment and retention targets established by the Board of Regents or SUNY, as applicable.

Comment 30(i) questions why SA- Williamsburg is able to add a pre-kindergarten program in 2015-2016 without having put those programs through the A-190 process.

For charter schools that are already in DOE buildings and co-located with district schools, because these schools were previously co-located together, the addition of a pre-K program to an existing school generally does not significantly impact co-located district schools and thus does not, in and of itself trigger the need for an EIS. In this particular case, the DOE determined that SA- Williamsburg's addition of a pre-K program, which will require the use of one full-size instructional classroom, did not significantly impact the co-located district school. As a result, an EIS was not required.

Changes Made to the Proposal

No changes have been made to this proposal.