



## **Revised Public Comment Analysis**

Date: February 24, 2010

Topic: Proposed Siting of Ocean Hill Collegiate and Leadership Prep Ocean Hill with Existing Schools in School Building K271

Date of Panel Vote: February 24, 2010

The analysis of public comment regarding the proposed siting of Collegiate Charter School Ocean Hill (“Ocean Hill Collegiate”) and Leadership Prep Ocean Hill Charter School (“Leadership Prep Ocean Hill”) was revised on February 24, 2010, to reflect additional comments that had not been captured in the analysis that was posted on the New York City Department of Education’s (“DOE”) Web site on February 23, 2010.

One advocacy organization submitted general comments objecting to all proposed co-locations of charter schools with existing district schools. Although the comments did not address any one co-location proposal in particular, the DOE has appended these comments to the public comment analysis for each of the proposed charter co-locations.

## **Summary of Proposal**

In 2010-2011, Collegiate Charter School Ocean Hill and Leadership Preparatory Ocean Hill Charter School—two new public charter schools—will open in school building K271 and will co-locate with two existing DOE schools. K271 currently houses Eagle Academy for Young Men II, Mott Hall IV, and Achievement First Crown Heights Charter School. In June 2010, before Ocean Hill Collegiate and Leadership Prep Ocean Hill open, Achievement First Crown Heights will relocate to a new facility located at 510 Waverly Avenue in Brooklyn. Eagle Academy II and Mott Hall IV will remain in K271. Eagle Academy II, which opened as a new school in K271 in 2008, currently serves grades 6-7 and has an enrollment of 147 students. It will continue to add one grade per year until the school reaches its full 6-12 grade scale in 2014-2015. Mott Hall IV is operating at full scale serving students in grades 6-8, and currently enrolls 218 students.

Collegiate Charter will open with a fifth-grade class in September 2010 and will add a cohort of students annually until it serves students in grades 5-8 when operating at full scale. Leadership Prep Ocean Hill will serve grades Kindergarten and 1 in its first year of operation and add one additional grade each school year until the school reaches its full grade scale (grades K-

8) in 2017-2018; however Leadership Prep will only be incubating in K271 temporarily while the Department seeks a longer-time siting option for the school.

In 2010-2011 and 2011-2012, four schools will be located in K271: (1) Ocean Hill Collegiate; (2) Leadership Prep Ocean Hill; (3) Eagle Academy II; and (4) Mott Hall IV. In the 2012-2013 school year K271 will not have sufficient capacity to accommodate the four schools and Leadership Prep Ocean Hill will need to relocate from K271. Before the start of the 2012-2013 school year, Leadership Prep Ocean Hill will move out of K271 and Ocean Hill Collegiate, Eagle Academy II, and Mott Hall IV will remain in the building.

This proposal addresses the need to provide higher quality K-8 and middle school options in District 23 and responds to the request of some District 23 community members for more middle school choice options. By creating Collegiate Charter Ocean Hill and incubating Leadership Preparatory Ocean Hill Charter School into underutilized space in building K271, this proposal will increase the number of elementary and middle school seats available in District 23. Admission to both schools will be via lottery, but District 23 students will have preference in those lotteries. Both Ocean Hill Collegiate and Leadership Prep Ocean Hill are operated by the Uncommon Schools charter network. There are currently nine Uncommon Schools operating in Brooklyn, five of which have State testing data showing that the schools are serving their students very well. Last year, 84.9 percent of students attending Brooklyn's Uncommon Schools scored Level 3 or Level 4 on State ELA exams (16 points higher than the Citywide average); 97.6 percent of students scored Level 3 or 4 in Math (16 points higher than the Citywide average). There are currently 3,370 students on the combined waitlists for Uncommon Schools.

K271 has the capacity to house both of these new schools. The building has a target capacity of 1,389, but combined enrollment at the existing schools in the building is well below that figure. Its 2008-2009 target utilization rate was 39 percent, including students from Achievement First Crown Heights, who will be relocating next fall.<sup>1</sup> The building has sufficient space for Ocean Hill Collegiate, Leadership Prep Ocean Hill, Eagle Academy II, and Mott Hall IV to operate through the 2011-2012 school year and for Ocean Hill Collegiate, Eagle Academy II, and Mott Hall IV to operate at full organizational capacity.

An Educational Impact Statement on this proposal was posted on the Department of Education's Web site on January 8, 2010.

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

A joint public hearing was held at K271 on February 9, 2010, and all interested parties had an opportunity to provide input on the proposal. Twenty-four people were in attendance, and three people spoke. One member of the public spoke in opposition to the proposal, citing concerns about charter schools' ability to properly serve special education and English Language Learner students. School leaders of Ocean Hill Collegiate and Leadership Prep Ocean Hill spoke in favor of the proposal and expressed their enthusiasm to join the Ocean Hill community. They stated that their schools would provide high quality K-8 and middle school options in District 23.

---

<sup>1</sup> 2008-2009 Blue Book

### **Summary of Issues Raised in Written and Oral Comments and Significant Alternatives Suggested**

The DOE received five written comments in favor of the proposal. Commenters noted that students deserve more high-quality schools to choose from in Brooklyn and asked that the Panel vote to bring Uncommon charter schools to Brownsville, Brooklyn. No oral comments have been received. No significant alternatives were proposed.

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

Regarding concerns about charter schools' ability to properly serve special education and English Language Learner students, this is absolutely untrue.

Pursuant to New York State Education Law, Ocean Hill Collegiate and Leadership Prep Ocean Hill will admit students via lottery and will not discriminate based on student achievement, race, gender, or whether a student has an Individualized Education Plan or requires English Language Learner services. Both Ocean Hill Collegiate and Leadership Prep Ocean Hill are operated by the Uncommon Schools charter network. There are currently nine Uncommon Schools operating in Brooklyn, five of which have State testing data showing that the schools are serving their students well. Last year, 84.9 percent of students attending Brooklyn's Uncommon Schools scored Level 3 or Level 4 on State ELA exams (16 points higher than the Citywide average); 97.6 percent of students scored Level 3 or 4 in Math (16 points higher than the Citywide average). Last year, 11.3 percent of students attending Uncommon Schools had Individualized Education Plans and 2.7 percent of students attending Uncommon Schools received English Language Learner services.

No significant alternatives were proposed to the co-location of Ocean Hill Collegiate and Leadership Prep Ocean Hill with Eagle Academy II and Mott Hall IV in school building K271. Accordingly, no changes to the proposal have been made. The proposal will be presented to the Panel for Educational Policy as it is currently posted.

A copy of the educational impact statement for this proposal can be obtained at <http://schools.nyc.gov/NR/ronlyres/585A6F4E-316F-45AF-A1C4-0F38AC7260E8/75217/K271CollegiateLeadershipPrepEISFinal1811.pdf>.

### **Summary of Issues Raised and Significant Alternatives Suggested**

One advocacy organization submitted general comments objecting to all proposed co-locations of charter schools with existing district schools. In opposing the DOE's proposed co-locations, the comments cited the following reasons: (1) the DOE did not use accurate data in analyzing the utilization and capacity of school buildings; (2) the utilization formula used by the DOE is inadequate and assumes inappropriate target class sizes; (3) charter schools enroll fewer high needs students than district and citywide averages, leading to higher concentrations of high needs students in district schools; and (4) the expansion of charter schools has eliminated critical space from district schools.

The comments suggest a moratorium on any new charter co-locations, or expansions of existing charter schools within shared public school space, until an independent review is conducted to assess the capacity in existing public school buildings and make determinations about the amount of space required to reduce class size to mandated levels.

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

The comments assert that the DOE did not use accurate data in analyzing utilization and capacity of school buildings. The data used in analyzing the utilization and capacity of school buildings comes from "The Enrollment, Capacity and Utilization Report" (also known as the "Blue Book"), which is the standard by which the DOE measures the maximum capacity of a school building compared to the enrollment. These calculations are based on information provided by principals in the Annual Facilities Survey conducted by the School Construction Authority. In addition to considering the Blue Book information, the DOE conducts a physical survey of school buildings and takes into consideration current programming prior to proposing a change in utilization.

With regard to the comment regarding the use of inappropriate target class sizes, the DOE does use aspirational targets for school buildings but feels that these goals are appropriate for ensuring a quality education for all students. The DOE understands that building usage varies by schools and leaves programming decisions to school leaders. However, it is important to have a standard means of assessing the use of our limited physical plant resources consistently across the city. The class size targets used for the 2008-2009 Blue Book calculations of target capacity and utilization are lower than those used for determining historical capacity and utilization.

The comments assert that charter schools enroll fewer high needs students than the citywide and district averages, thereby leading to higher concentrations of high needs students in district schools. It is important to note that charter school admissions are done by lottery as

required by State Education Law. Charter schools do in fact serve the full range of public school students.

**Prepared by  
Department of Education**