



**Amended Notice**  
April 14, 2011

*Chancellor*

## **The Revised Proposed Re-siting and Co-location of Brooklyn East Collegiate Charter School (84K780) with Existing Schools P.S. 9 (13K009) and M.S. 571 (13K571) in Building K009**

### **I. Description of the subject and purpose of the proposed item under consideration.**

On December 20, 2010, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) describing a proposal to re-site Brooklyn East Collegiate Charter School (84K780, “Brooklyn East Collegiate”), an existing public charter school that serves 80 students in fifth grade and is temporarily housed in Building K434, located at 1485 Pacific Street, Brooklyn, NY 11216 in Community School District 17, to Building K009 (“K009”), located at 80 Underhill Avenue, Brooklyn, NY, 11238, in Community School District 13. Brooklyn East Collegiate would be co-located in K009 with an existing DOE zoned elementary school serving grades kindergarten through five, P.S. 9 Teunis Bergen (“P.S. 9”), that also offers 3 sections of pre-kindergarten, and an existing DOE middle school that serves grades six through eight, M.S. 571 The Bergen Upper School (13K571, “M.S. 571”). 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.

The EIS was amended on January 21, 2011 to correct typographical errors and formatting, delete redundant language, and adjust projected enrollment ranges to better reflect the DOE’s enrollment projections for the schools that would be served in K009. The Panel for Education Policy (“PEP”) approved the amended EIS on February 3, 2011.

In a separate EIS published on December 20, 2010 the DOE proposed to gradually phase out and eventually close M.S. 571 because of its low performance and inability to turn around quickly to better support student needs. On January 21, 2011, that EIS was amended to correct typographical errors and formatting, delete redundant language, and adjust projected enrollment ranges to better reflect the DOE’s enrollment projections for the schools that would be served in K009. That proposal was approved by the PEP on February 3, 2011. As a result, M.S. 571 will no longer accept incoming students, and one grade will be phased out per year. M.S. 571 will close at the end of the 2012-2013 school year.

On March 31, 2011, the New York State Commissioner of Education sustained in part a petition filed by P.S. 9 community members, thus annulling the PEP’s vote that approved the co-location of Brooklyn East Collegiate in K009 and prohibiting the DOE from proceeding with the co-location until the DOE complies with the Commissioner’s order and Education Law Section 2853(3)(a-3)(2)(C) by preparing a Building Utilization Plan (“BUP”) that is consistent with the Commissioner’s decision and the statute.

On April 8, 2011, the DOE published a revised EIS and revised Building Utilization Plan (“BUP”). The revised EIS corrected typographical errors that incorrectly referenced building K332 in the

original posting instead of building K009, deleted an incorrect statement in the EIS that stated there were two gymnasiums in K009, corrected the year in which K009 was built, referenced the planned repair work at K009 to address flooding and playground construction, added a footnote related to P.S. 9's out-of-zone enrollment, added additional text related to zoned enrollment and over-the-counter admissions at P.S. 9 in the future, clarified the impact of this proposal on extracurricular activities at the existing schools, deleted the specific cost related to building a library and adding lockers at the building (two projects that have already been completed), included additional information related to the use of shared spaces and the proposed shared space plan described in the revised Building Utilization Plan ("BUP"), and referenced the Citywide Gifted and Talented program that is currently offered at P.S. 9. Additionally, the revised BUP that is annexed to the EIS was revised in the following manner:

- the room allocations for all organizations were adjusted in order to more accurately reflect the total full-size, half-size, and quarter-size rooms in the K009 building;
- the application of the DOE Instructional Footprint was corrected for the 2010-2011 school year;
- the number of sections that each co-located school will serve in 2012-13 and 2013-14 was adjusted and the Baseline Footprint allocation was adjusted accordingly;
- an additional table was inserted in the BUP on page 4 for the 2010-2011 school year to clarify the total number of rooms that are unallocated amongst the schools this year;
- the proposed shared space schedule on page 13 was adjusted and the DOE clarified the rationale for the amount of time that each co-located school is allocated in the shared spaces under this proposal; and
- additional information regarding the planned construction at the K009 building was included.

The revised notice published on April 8, 2011 also provided information about a new joint public hearing that will take place on this proposal. The proposal will also be subject to a new vote by the PEP. The revised notice also provided a new date and location for the PEP vote.

**This amended notice provides a date for the joint public hearing that will take place on this proposal.**

M.S. 571 admits students in the sixth grade through the District 13 Middle School Choice application process and is a district choice middle school. M.S. 571 will no longer admit sixth grade students after the conclusion of the 2010-2011 school year. One grade will be phased out per year. During the 2011-2012 school year, M.S. 571 will serve students in grades seven and eight. In 2012-2013, M.S. 571 will serve students in eighth grade only. The school will close after June 2013.

P.S. 9 is a zoned district elementary school and serves 544 students in kindergarten through fifth grade and also offers three sections of a pre-kindergarten program.

Brooklyn East Collegiate is an existing public charter school that currently serves students in the fifth grade at its temporary location. Brooklyn East Collegiate was not intended to remain in its current location as a permanent siting, and the current location does not have adequate space to allow for Brooklyn East Collegiate to grow to scale. If this proposal is approved, Brooklyn East Collegiate's current fifth grade will be re-sited to K009 and, beginning in the 2011-2012 school year, Brooklyn East Collegiate will expand to serve approximately 77 students in sixth grade in K009. In 2012-13, Brooklyn East Collegiate would expand to serve approximately 73 students in seventh grade. In 2013-14, the final year of the phase-in, Brooklyn East Collegiate would expand to serve

approximately 69 students in eighth grade. In 2013-14, when Brooklyn East Collegiate completes its expansion and achieves full scale, it will serve approximately 300 fifth- through eighth-grade students in K009.

Brooklyn East Collegiate would be co-located with P.S. 9 and M.S. 571 as M.S. 571 phases out and as Brooklyn East Collegiate phases in. Once Brooklyn East Collegiate has completed its expansion and M.S.571 has completed its phase-out, there will be approximately 969-1,029 students served in the building by both P.S. 9 and Brooklyn East Collegiate, yielding a target building utilization rate of 86%.

**IV. Information regarding where the full text of the proposed item may be obtained.**

The revised Educational Impact Statement and revised Building Utilization Plan can be found on the Department of Education's Web site:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/May182011Proposals>

Copies of the revised EIS and revised Building Utilization Plan are also available in the main offices of M.S. 571, P.S. 9, and Brooklyn East Collegiate.

**V. Submission of public comment.**

Written comments can be sent to [D13Proposals@schools.nyc.gov](mailto:D13Proposals@schools.nyc.gov).

Oral comments can be left at 212-374-0208.

**VI. The name, office, address, email and telephone number of the city district representative, knowledgeable on the item under consideration, from whom information may be obtained concerning the item.**

Name: Benjamin Taylor  
Office: Division of Portfolio Planning  
Address: 52 Chambers St  
Email: [D13Proposals@schools.nyc.gov](mailto:D13Proposals@schools.nyc.gov)  
Phone: 212-374-0208

**VII. Date, time and place of joint public hearings for this proposal.**

A joint public hearing regarding the original proposal was held at M.S. 571 on January 24, 2011.

A full transcript of this hearing can be found here:

<http://schools.nyc.gov/community/planning/changes/brooklyn/MS571>

A new joint public hearing will be held to gather public comment on this proposal:

May 13, 2011 at 6:00 p.m.

M.S. 571 / P.S. 9, 80 Underhill Avenue, Brooklyn, NY 11238

Questions about the proposal can be directed as indicated in section VI above.

Speaker sign-up will begin 30 minutes before the hearing and will close 15 minutes after the start. To request interpretation services, please contact Mr. Taylor at the e-mail address or telephone number above.

**VIII. Date, time and place of the Panel for Educational Policy meeting at which the Panel will vote on the proposed item.**

May 18, 2011 at 6:00 p.m.

Long Island City High School, 14-30 Broadway, Queens, NY 11106