Amended Revised Notice
March 8, 2011

Cathleen P. Black
Chancellor

The Amended Revised Proposed Co-Location of a New Charter School, Explore Charter School, with an Existing DOE School, P.S. 114 Ryder Elementary (18K114) in Building K114

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

On January 14, 2011, the New York City Department of Education ("DOE") proposed to co-locate a new zoned elementary school, P.S. 521 (18K521, "P.S. 521"), and a new charter elementary school, Explore Charter School ("Explore") with an existing elementary school, P.S. 114 Ryder Elementary (18K114, "P.S. 114"). at 1077 Remsen Avenue, Brooklyn, NY, 11236, in Community School District 18, in Building K114 ("K114"). P.S. 114 is an existing zoned elementary school that currently serves kindergarten through fifth grade, and offers 1 section of full day pre-kindergarten program. An amended Educational Impact Statement ("EIS") was released on February 14, 2011 to correct typographical errors, include information about the community-based organization in Building K114, and clarify further information in regards to P.S. 114.

In a separate EIS published on December 17, 2010, the DOE proposed to gradually phase out and eventually close P.S. 114. On December 29, 2010, the DOE amended the EIS to correct typographical errors and formatting, delete a redundant table and correct two erroneous references to the District 19 Middle School Choice process instead of the District 18 process. The EIS was revised on January 12, 2011, to modify the proposed phase-out enrollment plan for P.S. 114, which was initially described in the original EIS published on December 17, 2010. In addition, the revised EIS identified the charter school that will open in K114 in 2011-2012, clarified text and footnotes related to building capacity and utilization, included information related to charters occupying DOE space, included 2010-2011 unaudited register information, and included estimated 2010-2011 building utilization rates. The EIS was amended on January 14, 2011, to correct one erroneous mention of the State Education Department ("SED") as the charter authorizer and clarify that the lottery priority for Explore would give preference to students who currently attend a school that is phasing out or where phase-out has been proposed in an EIS issued by the DOE.

Both proposals were originally scheduled to be voted upon by the Panel for Education Policy ("PEP") on February 3, 2011 and March 1, 2011 respectively. However, the vote for the phase-out proposal for P.S. 114 was postponed until March 1, 2011. On March 3, 2011, the DOE ultimately decided to withdraw its proposal to phase out P.S. 114. P.S. 114 will now remain open and the DOE will no longer site P.S. 521 in the K114 building. As a result, in an EIS published on March 4, 2011, the DOE published a proposal that revised the amended proposal regarding the co-location of new schools in the K114 building.

Explore was approved by its authorizer, the State University of New York Charter School Institute ("SUNY") to open a new public charter elementary school in District 18. If this revised proposal is approved, in 2011-2012, Explore would open in K114 and would serve approximately 56 students per grade in grades kindergarten through three, admitted through the charter lottery application process with a preference for District 18 students. In 2012-2013, Explore will expand to serve approximately 56 additional students in fourth grade. In 2013-2014, Explore would be at full-scale in K114 and would serve

approximately 336 students in kindergarten through fifth grades. This amended notice provides a date for the joint public hearing.

II. Identification of all revisions, including substantial revisions to the item.

This proposal revises the amended proposal in the following manner:

- All references throughout the document related to the phase-out of P.S. 114 have been removed because P.S. 114 will no longer be phased out (all sections);
- All references throughout the document related to the phase-in of a new DOE school (P.S. 521) have been removed because P.S. 521 will no longer be sited at K114 (all sections);
    - Grade levels served and enrollment projections for building K114 have been updated (Section II and Section III);
    - The enrollment projections for P.S. 114 show a decline in total enrollment because in the future the school will limit its out-of-zone enrollment (Section III, Section VI);
    - Personnel Needs and Administrative positions at P.S. 114 will change (Section VI) as a result of a decrease in enrollment over time at P.S. 114;
    - The pre-kindergarten program at P.S. 114 will continue to be offered. (Summary, Section III);
- If this proposal is approved, Explore will be the only school that is co-located in the building with P.S. 114 (all sections);
- The lottery preferences for Explore have been updated (Summary, Section III);
- The EIS now reflects the 2010 audited register, instead of the unaudited register;
- Also, a revised Building Utilization Plan ("BUP") will be issued to outline the number of rooms allocated to each school and the use of shared spaces.

III. Summary of all public comment received to date.

Comments were received through the DOE's dedicated written and oral comment mechanisms.

1. A commenter questioned the DOE's characterization of the P.S. 114 building as under-utilized, stating that the classrooms are already crowded.
2. A commenter expressed concern that the DOE had not provided a safety plan or a detailed report on how three schools would share the lunchroom, auditorium and library.
3. A commenter stated that the Deputy Chancellor said that the DOE cannot afford to build new buildings for charter schools, but it appears that the DOE is disrupting P.S. 114's educational activities to provide charter schools a home. The commenter questioned the rationale for the phase-out, stated that the money used to start new schools should be given to P.S. 114 and suggested that room should be made for charter schools in successful school buildings as well.

<u>The following comments and remarks were made at the joint public hearing on February 16, 2011:</u>

4. The representative from Councilman Charles Barron's office expressed his opposition for this co-location proposal, and stated that a charter school should not be sited in a public school building. He expressed concern that current students at P.S. 114 will not be able to get in to the charter school, and that it is unfair that the DOE is supporting the charter school instead of offering these supports to current students. He questioned whether the new school would offer sports and noted that current students at P.S. 114 felt that the

DOE had failed by not providing sports in the past. He also noted that this joint public hearing was not meaningful as the DOE had already made a decision on the proposal.

5. Multiple commenters expressed their support for this proposal and noted that Explore is currently offering successful special education models. A commenter stated that teachers would want their own children in a similar program. The commenters noted that parents deserve access to outstanding educational options for their children.
6. Multiple students currently enrolled at Explore expressed their support for this proposal and noted that at Explore they have had positive experiences and enjoyed academic and personal success. They also expressed their hope that other students might enjoy these similar opportunities in the future.
7. Multiple commenters expressed their support for this proposal and noted that their children attended Explore. They expressed support for Explore and noted that the school teaches students to respect one another, collaborate together, strive for academic achievement, which had resulted in their children's eagerness to learn. They expressed hope that other parents would understand that Explore would provide a good option for parents and their children to receive a better education.
8. Multiple staff members at Explore expressed their support for this proposal and noted that although they understood the opposition to the proposal to phase out P.S. 114, Explore would provide an excellent education for future students, and would also provide extracurricular activities based on student interest. They asked parents to consider Explore as an option for their children.
9. A commenter expressed his support for this proposal and noted that charter schools are public schools that provide options for families and students; he also stated that Explore has outperformed many district schools on state exams.
10. A commenter expressed his support for the proposal and recognized the hard work of the staff at P.S. 114, but expressed support for this proposal and noted that charter schools should be able to open to provide an additional option for parents.
11. A question was submitted about why there were two joint public hearings at the school.
12. A question was submitted regarding the qualifications or requirements for teachers employed by charter schools.
13. A question was submitted by a commenter who inquired how special education students would be served in the two new schools.

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

The revised amended Educational Impact Statement can be found on the Department of Education's website: http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Mar232011Proposals.htm

Copies of the revised EIS are also available in the main office of P.S. 114 Ryder Elementary School.

V. Submission of public comment.

Written comments can be sent to D18Proposals@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: D18Proposals@schools.nyc.gov
Phone: 212-374-0208

VII. Revised date, time and place of joint public hearing for this proposal.

March 22, 2011 at 6:00 p.m.
P.S. 114 Ryder Elementary School
1077 Remsen Avenue
Brooklyn, NY, 11236

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

March 23, 2011 at 6:00 p.m.
Brooklyn Technical High School
29 Fort Greene Place
Brooklyn, NY 11217