

Public Comment Analysis

Date: June 21, 2016

Topic: The Proposed Re-siting and Co-location of The New American Academy Charter School (84K736) in Building K233 with P.S. 233 Langston Hughes (18K233) Beginning in the 2016-2017 School Year

Date of Panel Vote: June 22, 2016

Summary of Proposal

On March 1, 2016, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) and Building Utilization Plan (“BUP”) describing a proposal to re-site and co-locate The New American Academy Charter School (84K736, “New American”) in building K233 (“K233”) with P.S. 233 Langston Hughes (18K233, “P.S. 233”), a district elementary school serving students in kindergarten through fifth grade and offering a pre-kindergarten program, beginning in the 2016-2017 school year. K233 is located at 9301 Avenue B, Brooklyn, NY 11236 in Community School District 18 (“District 18”). New American currently serves students in kindergarten through third grade in building K415 (“K415”) and will be at full scale in the 2017-2018 school year, serving students in kindergarten through fifth grade. K415 is located at 5800 Tilden Avenue, Brooklyn, NY 11203, also in District 18, where New American is co-located with It Takes a Village Academy (18K563, “It Takes a Village”), Kurt Hahn Expeditionary Learning School (18K569, “Kurt Hahn”), and Cultural Academy for the Arts and Sciences (18K629, “Cultural Academy”), three district high schools serving students in ninth through twelfth grades. K233 is located 0.6 miles from K415.

As noted above, New American currently serves students in kindergarten through third grade. Pursuant to a proposal previously approved by the Panel for Educational Policy (“PEP”) in 2013, New American was approved to serve students in kindergarten through fifth grade in K415 beginning with kindergarten and first grade in the 2013-2014 school year and add one grade per year. If this proposal is approved, New American will be re-sited and co-located with P.S. 233 beginning in the 2016-2017 school year and will no longer serve students in K415.

The proposed re-siting and co-location of New American from K415 to K233 is expected to benefit the New American school community. If this proposal is approved, New American will no longer be co-located with high schools and will instead share a building with an elementary school, which may create new opportunities to collaborate with P.S. 233 on extra-curricular activities, programming and staff development. In addition, if this proposal is approved, the re-siting and co-location of New American will allow It Takes a Village, Kurt Hahn, and Cultural Academy to expand their enrollments. All three high schools are currently serving a higher number of students than projected in the previous EIS from 2013 and there is growing demand for seats at the schools, evidenced by each school’s ratio of applications to seats. If the re-siting and co-location of New American is approved, there would be space in K415 for enrollment at It Takes a Village, Kurt Hahn, and Cultural Academy to continue to increase subject to demand.

K233 has the capacity to serve a total of 954 students. If this proposal is approved, New American will serve a projected 325-375 students in kindergarten through fourth grade in K233 in the 2016-2017 school year and P.S. 233 will serve a projected 494-554 students in kindergarten through fifth grade and pre-kindergarten. K233 will have a total projected building enrollment of 819-929 students, yielding a projected building utilization rate of 86%-97% in the 2016-2017 school year. In the 2017-2018 school year, New American will reach full scale and serve a projected 390-450 students in kindergarten through fifth grade and P.S. 233 will serve a projected 499-559 students in kindergarten through fifth grade and pre-kindergarten in K233. K233 will have a total projected building enrollment of 889-1,009 students, yielding a projected building utilization rate of 93%-106%.

The details of this proposal have been released in an EIS and BUP, which can be accessed here: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2015-2016/June222016SchoolProposals>

Copies of the EIS and BUP are also available in the main offices of New American, P.S. 233, Kurt Hahn, Cultural Academy, and It Takes a Village.

Summary of Comments Received

Public engagement was conducted by the DOE in the course of creating this proposal, which included:

- On February 11, 2016, a Deputy Chancellor from the DOE conducted a walkthrough of K233 and a School Leadership Team (“SLT”) debrief was held. At this debrief, DOE representatives were available to answer questions and address concerns from representatives of the impacted school communities in advance of the PEP vote. Participants included the principal and SLT members of P.S. 233 and New American, representatives from Community Education Council 18 (“CEC 18”), District 18 Superintendent Beverly A. Wilkins, the Office of District Planning (“ODP”), the Office of Space Planning (“OSP”), and other DOE leadership members.
- On March 10, 2016, ODP attended a community meeting at K415 at the request of the New American community. At this community meeting, DOE representatives were available to answer questions and receive feedback regarding the proposal.
- On March 16, 2016, ODP attended a parent meeting at K233 as the request of the P.S. 233. At this parent meeting, DOE representatives were available to answer questions and receive feedback regarding the proposal.
- On April 15, 2016, a Deputy Chancellor from the DOE conducted an additional walkthrough of K233 with Elected Officials and an SLT debrief was held. At this debrief, DOE representatives were available to answer questions and address concerns from representatives of the impacted school communities in advance of the PEP vote. Participants included the principal and SLT members of P.S. 233, Elected Officials, District 18 Superintendent Beverly A. Wilkins, ODP, OSP, and other DOE leadership members.

The DOE also held two Joint Public Hearings regarding this proposal: one at K233 on March 31, 2016, and the other at K415 on April 7, 2016.

At the meeting at K233 on March 31, 2016, interested parties had an opportunity to provide input on the proposal to re-site New American to K233. Approximately 400 members of the public attended the hearing at K233 and there were thirty-seven (37) speakers. Individuals present at the meeting included: Deputy Chief Operating Officer, Melissa Harris; District 18 Superintendent, Beverly A. Wilkins; CEC 18 President, James Dandridge; P.S. 233 Principal, Denean Spellman; P.S. 233 SLT members, Nicole Campbell and Gail Ericsson; New American Headmaster, Lisa Silva; Council Member, Inez Barron; and Albery Corona, Jamie Dollinger, and Greg Whitten from the DOE.

At the meeting at K415 on April 7, 2016, interested parties had an opportunity to provide input on the proposal to re-site New American to K233. Approximately 200 members of the public attended the hearing at K415 and there were forty-one (41) speakers. Individuals present at the meeting included: Chancellor’s Designee and Brooklyn High Schools Superintendent, Michael Prayor; Brooklyn High School Superintendent, Kathy Pelles; District 18 Superintendent, Beverly A. Wilkins, CEC 18 President, James Dandridge; New American Headmaster, Lisa Silva; New American SLT member, Matthew Harrington; Kurt Hahn Principal, Veronica Coleman Xavier; Kurt Hahn SLT member, Suzette Billy; It Takes a Village Principal, Marina Vitskaya; It Takes a Village SLT member, Michelle DeRiggs; Cultural Academy Principal, Diane Varano, Cultural Academy SLT Member, William Conolly; and Timothy Castanza and Greg Whitten from the DOE.

The following comments and remarks were made at the Joint Public Hearing on March 31, 2016:

- 1) Nicole Campbell, SLT member for P.S. 233, expressed the following comments:
 - a. This proposal will result in a loss of space for students with related services.
 - b. New American should be provided its own space.
- 2) Gail Ericson, United Federation of Teachers (“UFT”) representative for P.S. 233 expressed the following comments:
 - a. She believes that charter schools were devised to ensure that teachers had the right to teach children the way they need to learn, but have turned into entities to break up the teachers’ union.
 - b. She feels that this proposal will result in a loss of space in the building.
 - c. She noted that while enrollment had been declining in P.S. 233, the school is now on the upswing.
 - d. She stated that P.S. 233 is a great school and needs money and resources to grow its enrollment.
- 3) City Council Member Inez Barron expressed the following comments:
 - a. She was a teacher, special assistant to the Superintendent, assistant principal, and a retired principal of a New York City Public School.
 - b. She believes that charter schools are not public schools but rather are private schools using city money. She noted that they are not accountable to the chancellor and not a part of the system.
 - c. She has fought against mayoral control.
 - d. She believes that there is only enough space for one school in K233.
 - e. She believes the charter school will ultimately want to take over the entire building.
 - f. She believes that charter schools are not held accountable for their actions.
 - g. She commented that the BUP is preferential to New American regarding space and was not created in consultation with P.S. 233.
 - h. She noted that President Obama has an initiative to support schools that have “dedicated space for additional programs within their building.” This proposal precludes P.S. 233’s eligibility for President Obama’s initiative because P.S. 233 will lose space if this proposal is approved.
 - i. She believes P.S. 233 has done a great job creating a positive culture in K233. The school has fundraised and put a lot of programs into the building, including art rooms, technology rooms, a garden, and other rooms.
 - j. She is opposed to this co-location.
- 4) Principal Denise Spellman of P.S. 233 expressed the following comments:
 - a. She is opposed to this co-location because it would lead to a loss of resources.
 - b. She believes it is not fair that P.S. 233 needs to give up resources such as technology room, indoor garden, and other specialty rooms without being given anything back in return.
 - c. She expressed that the A-190 process showed preferential treatment to New American and didn’t provide the same process to P.S. 233.
 - d. She has specific issues with the A-190 process, which includes New American using K233’s address at charter school fair, OSP’s comments at a community meeting held at building K285 (“K285”) about I.S. 285 Meyer Levin (“Meyer Levin”) that New American would be co-located with themselves, mail from New American arriving at K233, and open house sessions where New American said they would be located at K233.
 - e. She feels that the A-190 process and engagement has been disrespectful and not thorough.
 - f. P.S. 233 is opposed to this co-location.
- 5) CEC 18 President James Dandridge expressed that he is opposed to this co-location and commented that tax payers need to find a way to put a stop to these decisions.
- 6) Aaron Adelson, a representative on the P.S. 233 SLT, expressed the following comments:
 - a. He feels that this proposal constitutes as bullying, because the charter is presenting that they are already moving in to K233 by the letters being sent to their families.
 - b. He believes that the city should focus on helping under-utilized schools rather than co-locating them.
- 7) Lisa Silva, Headmaster of New American, expressed the following comments:

- a. She views this as an opportunity for partnership and collaboration with P.S. 233 and additional District 18 families.
 - b. She views this as an opportunity for the District 18 high schools in K415 to grow and for New American to serve students in an age appropriate community.
 - c. She feels that New American has worked very well with its neighbors in K415 and has found repeated opportunities for collaboration with the high schools.
 - d. She supports this proposal because it will provide an opportunity for collaboration and partnership, allow the high schools in K415 to grow, and will benefit all of the schools involved.
 - e. She sees this proposal as a benefit for all schools impacted by the proposal.
- 8) Multiple commenters expressed that this proposal will force P.S. 233 to lose access to rooms they have created, such as the media room, outdoor garden, and indoor garden.
 - 9) Multiple commenters expressed opposition to charter schools as private organizations with resources to fund their own space elsewhere.
 - 10) Multiple commenters expressed opposition to this proposal, stating that K233 does not have enough space to house two schools.
 - 11) One commenter questioned the quality of education at New American.
 - 12) Multiple commenters expressed concern that this proposal will prevent P.S. 233 from growing in the future.
 - 13) Multiple commenters expressed support for New American.
 - 14) Multiple commenters expressed support for the quality of education provided by New American.
 - 15) Multiple commenters expressed support for parent choice in their child's education.
 - 16) Multiple commenters expressed support for the staff of New American.
 - 17) Multiple commenters expressed frustration with the A-190 process and claim that their voices have not been heard.
 - 18) Multiple commenters stated that this proposal provides opportunity for collaboration between New American and P.S. 233 and expressed enthusiasm about potential collaboration.
 - 19) Multiple commenters expressed support for this proposal due to the concern of co-locating elementary school students with high school students.
 - 20) Multiple commenters expressed support for this proposal, as it will allow the high schools at K415 to grow.
 - 21) Multiple commenters expressed support for P.S. 233.
 - 22) Multiple commenters stated that this proposal provides a developmentally appropriate site for New American students by sharing a building with other elementary school students.
 - 23) Multiple commenters stated that this proposal will teach children to share and show children that sharing is appropriate.
 - 24) Multiple commenters stated the following regarding New American serving District 18:
 - a. Many students from New American come from District 18 and even from within the P.S. 233 zone, and both schools should help continue to serve District 18 students.
 - b. This proposal will allow the children to remain close to home and interact with friends and family at P.S. 233.
 - 25) Multiple commenters expressed that P.S. 233 would lose resources as a result of this proposal.
 - 26) One commenter questioned the validity of the Citywide Instructional Footprint ("Footprint") in providing adequate space for schools.
 - 27) Multiple commenters expressed the following regarding school enrollment growth:
 - a. P.S. 233 can only recruit students from its zone and this limits its school growth and makes it unfair to compete with charters.
 - b. New American can recruit citywide, allowing it to grow.
 - 28) One commenter expressed that the special education spaces lost in P.S. 233 as a result of this proposal would be in violation of students' free appropriate public education as required by the Individuals with Disabilities Education Act ("IDEA").
 - 29) One commenter questioned how this proposal would impact P.S. 233's ability to access its indoor and outdoor gardens.

- 30) Multiple commenters stated that New American sent letters to their families, which assumes the proposal is already a done deal, and does not demonstrate collaboration, and further stated that the letters suggests that New American will not be willing to share its space.
- 31) Multiple commenters suggested that charter schools serve as a form of segregation, and one claimed that it was in violation of the Supreme Court ruling outlawing segregation in *Brown v. Board of Ed.*
- 32) Multiple commenters stated that the New York City DOE Chancellor does not support charter schools.
- 33) One commenter accused the DOE of being racist and neglectful towards members of the public.
- 34) One commenter questioned why this proposal does not assume that P.S. 233 will grow.
- 35) Multiple commenters stated that the “empty” space identified by the DOE and the Footprint is in fact not empty, but used for special needs and extracurricular activities.

The following comments and remarks were made at the Joint Public Hearing on April 7, 2016:

- 36) Suzette Billy, a member of the SLT at Kurt Hahn, expressed the following comments:
 - a. She agrees that this proposal is best for all schools in K415.
 - b. She believes this proposal will help all children at Kurt Hahn to succeed.
- 37) CEC 18 President, James Dandridge, expressed the following comments:
 - a. He is not opposed to charters, but is opposed to co-locations.
 - b. He believes that the issue with this co-location is that K233 is already occupied leaving no space for another school in K233.
 - c. He feels that charter schools present options that are separate and unequal.
 - d. He believes that New American and P.S. 233 should each have their own building in which to succeed.
 - e. He stated that we are all neighbors and he wants to see an environment where all children can succeed in District 18.
- 38) City Council Member Inez Barron expressed the following comments:
 - a. She was a teacher, special assistant to the Superintendent, assistant principal, and a retired principal of a New York City Public School.
 - b. She believes that charter schools are not public schools but rather private schools using city money. She noted that they are not accountable to the Chancellor and not a part of the system.
 - c. She has fought against mayoral control.
 - d. She believes there’s only enough room for one school in K233.
 - e. She believes that the charter school will ultimately want to take over the entire K233 building.
 - f. She believes that charter schools are not held accountable for their actions.
 - g. She believes that the BUP is preferential to New American and was not designed in consultation with P.S. 233.
 - h. She noted that President Obama has an initiative to support schools that have “dedicated space for additional programs within their building.” This proposal precludes P.S. 233’s eligibility for President Obama’s initiative with the loss of space for additional programs.
 - i. She believes that P.S. 233 has done a great job creating a positive culture in K233 noting that the school has fundraised and put a lot of programs into the building, including art rooms, technology rooms, a garden, and other rooms.
 - j. She is opposed to this co-location.
 - k. She asked if the shared space schedule is pre-determined and believes each school should be able to determine their own shared space schedule.
 - l. She believes the Footprint does not acknowledge the holistic needs of children and disregards the arts and other specialized programming.
- 39) Lisa Silva, the Headmaster at New American Academy, expressed the following comments:
 - a. She believes that New American and P.S. 233 can collaborate in the following ways to maximize opportunities for all children: they can plan together; they can have a music program together;

- they can have a garden and horticultural program together that both schools can enjoy; they can have the Fit for Life program together.
- b. She expressed that the claims regarding New American having enough money to fund its own site is not true and noted that New American only receives public funds through the Fair Student Funding (FSF) formula and does not receive any private funds.
 - c. She stated that she has been an educator in the DOE for 27 years and has worked in 4 different schools, all of which were co-located.
 - d. She noted that 66% of schools in New York City are co-located and believes this co-location can work.
 - e. She stated that New American has a strong relationship with its neighbors in K415 and can build the same in K233.
 - f. She believes that this is a great opportunity for partnership with P.S. 233 and a great opportunity for all of our children to learn and grow together.
 - g. She stated that New American is excited for this proposal and feels that this is in the best interests of all schools involved.
- 40) Matthew Harrington, a member of the New American SLT, expressed the following comments:
- a. He wants to discuss misinformation that has been raised throughout the A-190 process. Our school is not anti-union and has invited UFT into our school this past year and is in the process of creating a UFT contract with our teachers.
 - b. New American does not receive private funding and only receives per-pupil public funding.
 - c. He stated that New American has similar demographics as P.S. 233 and holds a public lottery where they give preference to District 18 students.
 - d. New American accepts all District 18 families that have applied to the school and are demographically very similar to the other District 18 elementary schools.
 - e. He believes that charter schools were funded to achieve former UFT President, Albert Shanker's vision.
- 41) Marina Vitskaya, Principal at It Takes a Village, expressed the following comments:
- a. She believes that all of the high schools at K415 have grown larger than projected in the original proposal that sited New American in K415.
 - b. She stated that It Takes a Village is in favor of this proposal because it needs space for programming that it currently has, such as computer technology programs, coding, and computer science.
 - c. She stated that we have had to be mindful about the age of different students in this building for years, and this proposal is best for all children involved.
- 42) Veronica Coleman Xavier, Kurt Hahn Principal, expressed that as a building council the schools in K415 have prepared a statement stating that they are in support of the proposal, and that all schools have been extremely collaborative with New American and feel that they are great neighbors in the building.
- 43) Diane Varano, Principal at Cultural Academy, expressed the following comments:
- a. She expressed that the current co-location has been difficult due to space concerns and safety concerns.
 - b. New American has been a great partner in this building.
 - c. Cultural Academy is in support of this proposal.
- 44) Michelle DeRiggs, an SLT representative from It Takes a Village, expressed the following comments:
- a. She is a parent of a child in It takes a Village, and has frequently heard concerns about safety for the elementary school students in the building.
 - b. She is not sure why New American was placed in K415 in the first place.
 - c. She is in support of this proposal.
- 45) William Connolly, an SLT representative from Cultural Academy, expressed the following comments:
- a. He is in favor of this proposal to re-site New American from K415.
 - b. He believes that while there has been a strong relationship with all schools in K415, more space should be given to the high schools and New American should leave the building.

- c. The DOE should consider what is best for the children, which is placing elementary school students in a building with another elementary school.
- 46) Assemblyman Nicholas Perry expressed the following comments:
 - a. He hopes that this decision has not yet been made without community input.
 - b. He is not opposed to charter schools and recognizes that they are here to stay in New York City.
 - c. He is not here to fight against charter schools, but rather to fight for good public schools.
 - d. He has seen the spaces in K233 and can state that he does not see space for another school in that building.
 - e. He believes that New American should have its own space.
 - f. He believes that this proposal would hurt P.S. 233 and its students by taking away resources.
 - 47) Multiple commenters expressed support for this proposal.
 - 48) Multiple commenters expressed support for New American.
 - 49) Multiple commenters expressed support for the quality of education provided by New American.
 - 50) Multiple commenters stated support for parent choice in their child's education.
 - 51) Multiple commenters expressed support for the staff of New American.
 - 52) Multiple commenters emphasized that a majority of New American students reside in District 18, stating that the proposal serves the District 18 community overall.
 - 53) Multiple commenters stated that this proposal provides opportunity for collaboration between New American and P.S. 233 and expressed enthusiasm about potential collaboration.
 - 54) Multiple commenters expressed support for this proposal due to the concern of co-locating elementary school students with high school students.
 - 55) Multiple commenters expressed support for this proposal as it will allow the high schools in K415 to grow.
 - 56) Multiple commenters expressed support for P.S. 233.
 - 57) Multiple commenters stated that this proposal provides a developmentally appropriate site for New American students by sharing a building with other elementary school students.
 - 58) Multiple commenters expressed confidence that K233 has enough space to house a successful co-location with New American and P.S. 233.
 - 59) Multiple commenters expressed that this proposal will force P.S. 233 to lose access to rooms that it has built, such as the media room, outdoor garden, and indoor garden.
 - 60) Multiple commenters expressed opposition to charter schools as private organizations with resources to fund their own space elsewhere.
 - 61) Multiple commenters expressed opposition to this proposal, stating that K233 does not have enough space to house two schools.
 - 62) Multiple commenters expressed opposition to co-locations.
 - 63) Multiple commenters stated that because charter schools receive additional funding, it creates a school environment that is separate and unequal from district schools.
 - 64) Multiple commenters expressed that P.S. 233 utilizes all space in its building, and they disagree with the DOE's analysis of space in K233.
 - 65) One commenter claimed that this proposal gives money to New American to move, but that it does not give any money to P.S. 233.
 - 66) Multiple commenters expressed opposition to this proposal, stating that this will prevent P.S. 233 from growing in the future.
 - 67) One commenter stated that the DOE has a history of making bad decisions – including the original placement of New American in K415.
 - 68) Multiple commenters claimed that P.S. 233 is only able to recruit students from its zone, and if the school could recruit citywide like New American, it would grow P.S. 233's student enrollment.

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

The DOE received thirteen (13) voicemails through the dedicated phone number for this proposal.

- 69) Twelve commenters expressed support of the proposal to allow the high schools at K415 the space needed to accommodate their growth.

- 70) One commenter expressed the following:
- She is opposed to the proposal, stating that charter schools will have a negative impact on the P.S. 233 community.
 - She believes that Mayor DeBlasio does not want charter schools in their community and she agrees with him.

The DOE received fifty-three (53) emails through the dedicated email address for this proposal.

- 71) Thirty commenters expressed support of the proposal, stating that this proposal will allow the District 18 high schools in K415 to grow their enrollments and succeed.
- 72) Multiple commenters sent letters from students in New American in support of the proposal.
- 73) One commenter expressed the following comments:
- Supports the re-siting and co-location proposal.
 - Wants to understand the new bus schedule and start time if the proposal is approved.
 - She is uncertain that the re-siting and co-location will work out for her child without knowing what changes regarding scheduling will occur.
- 74) An SLT Member from New American expressed the following comments:
- He questions if P.S. 233 desires their specialty rooms or desires to bolster their enrollment to over 1,000 students.
 - He believes that if P.S. 233 grows in student enrollment, then the school would ultimately have to eliminate several of those specialty rooms.
- 75) One commenter expressed the following comments:
- She believes the DOE expects dissatisfaction to brew between the two schools, but she has come to realize that the community energy is spent on the wrong entity because New American can't find new space on its own.
 - She believes the DOE has caused despondence, animosity and resentment from schools by taking away space.
 - She commented that the DOE should help the schools that are struggling with the funds and resources they need instead of limiting its function.
 - She requested that the DOE give New American its own space, otherwise they are going to be constantly moving.
- 76) One commenter expressed the following comments:
- She expressed that the news about New American is very upsetting. P.S. 233 is a highly regarded and well-ranked school in our community.
 - She believes that P.S. 233 cannot afford to share an entire floor and possibly part of another.
 - She expressed that P.S. 233 needs room to grow; they have exceeded their expectations with 2015 enrollment, and this means they will encounter the same in 2016 and will need room to continue to grow.
 - She believes the placement of New American into P.S. 233 will remove rooms, services and resources for children currently enrolled there and that the co-location will cause students to lose their new digital media room, the indoor garden, art gallery and modern band space.
 - She believes this proposal is unacceptable because New American uses state funds, corporate funds and possibly funds from others sources.
 - She believes New American should be able to find another private space to house their students.
 - She believes the PEP has a responsibility to the District 18 community to allow P.S. 233 to continue to be great and to grow.
- 77) Senator Kevin S. Parker expressed the following comments:
- He requested that the DOE look at other options for New American, which does not include K233.
 - He expressed the concern of P.S. 233 minimizing the services and resources to special needs students and English Language Learners as a result of the proposal.
 - He expressed that this proposal, if approved, will limit the growth of P.S. 233.
 - He expressed that the DOE needs to ensure that all parents and children for both schools be treated fairly and have access to the best education.
- 78) P.S. 233 PTA Member, Nicole Campbell, expressed the following comments through a letter addressed to the members of the Panel for Educational Policy:
- She expressed that P.S. 233 has worked hard to provide a quality education and get off of the Focus List.

- b. She expressed that the DOE and the community need to put an end to segregation and ensure that all D18 students received a great education.
- c. She expressed that the P.S. 233 parent community is in opposition to this proposal.
- d. She believes New American should be housed in their own building.
- e. She believes that the proposal will result in a loss of cluster space, space for enrichment programs, and space for extracurricular activities for P.S. 233.
- f. She expressed concerns that the proposal plans the building to have a utilization rate over 100%.
- g. She expressed concerns regarding the specific allocation of rooms if this proposal is approved.

Analysis of Issues Raised, Significant Alternatives, Significant Alternatives Proposed

Comments 7(d), 19, 20, 22, 23, 36(a-b), 39(f), 42, 43(c), 44(c), 45(a-c), 47, 54, 55, 69, 71, 72 and 73(a) are in favor of the proposal and do not require a response.

Comments 1(a), 2(b), 3(h), 4(a-b) 8, 25, 28, 29, 38(h), 59, 46(f), and 78(e) express the concern of loss of space and resources for P.S. 233. Comments 76(d), 77(b) specifically refer to specialty rooms being lost at P.S 233.

As stated in the EIS, the proposed co-location of New American with P.S. 233 in K233 is not expected to impact current or future student enrollment or admissions at P.S. 233. P.S. 233 will continue to offer current after school programming based on student interests, available resources, and staff support for those programs. While the co-location will reduce the amount of space that is currently available to P.S. 233, the school will continue to receive its adjusted baseline Footprint allocation of rooms, which includes a full-size room for every class section as well as three additional full-size rooms for specialty instruction, which may be programmed at the principal's discretion. The DOE does not believe that the co-location will prevent the school from offering any programming that they currently offer, although some programming may need to be offered in different rooms.

P.S. 233 will continue to have enough space to serve special education students. This proposal maintains space for the three self-contained sections that P.S. 233 has historically served, as well as two resource rooms for additional services. The DOE is committed to ensuring that there is no interruption in services for students with disabilities and English Language Learners, and that these students continue to be supported at P.S. 233.

If approved, each school in K233 will receive its equitable allocation of space per the Footprint. The proposal currently under consideration provides all schools with their instructional Footprint allocation of space based on each school's projected enrollment. Even after the schools receive their baseline or adjusted baseline allocation of space under the Footprint, P.S. 233 will still have an excess room available in the building. The ultimate location of classrooms for both schools will be determined by the OSP in conjunction with the principals in K233.

In terms of financial resources, this proposal is not expected to impact initial costs or allocations at P.S. 233 or New American in K233. In other words, the DOE does not anticipate that P.S. 233 or New American would lose any funding as a result of this proposal.

Comments 41(a), 43(a), 44(a-b), and 67 express concerns with the original co-location of New-American in K415.

The DOE understands the concerns that have derived from the co-location of New-American in K415. Those concerns are part of the rationale to re-site and co-locate New American to K233. The proposed re-siting and co-location of New American from K415 to K233 is expected to benefit the District 18 community. If this proposal is approved, New American will no longer be co-located with high schools and will instead share a building with an elementary school, which may create new opportunities to collaborate with P.S 233 on extra-curricular activities, programming and staff development. In addition, all three high schools at K415 are currently serving a higher numbers of students than projected in the previous EIS and there is growing demand for seats at the schools, evidenced by each school's ratio of applications to seats. If the re-siting and co-location of New American is approved, there would be space in K415 for enrollment at It Takes a Village, Kurt Hahn, and Cultural Academy to continue to increase subject to demand.

Comments 10, 3(d), 37(b), 38(d), 46(d), 61 and 76(b) express the opinion that K233 only has space for one school organization, while Comments 26, 35, 38(l), 64, and 78(g,f) question the accuracy of the Instructional Footprint and Comments 3(g), and 38(g & k) state that the BUP is not equitable and the shared space schedule is pre-determined.

Comments 10, 3(d), 37(b & d), 38(d), 46(d), 61, and 76(b) express concern about K233 only having space for one school. If this proposal is approved, there is sufficient space for both school organizations in K233. As described in the EIS, K233 has the capacity to serve 954 students. Currently, the building serves approximately 508 students, yielding a utilization rate of 53%. The DOE strives to ensure that all students in New York City have access to a diverse range of high-quality schools at every stage of their education. To this end, the DOE evaluates public school buildings throughout the City that are “under-utilized,” meaning they have space to accommodate additional students. K233 is currently “under-utilized.”

With specific reference to Comments 26, 35, 38(l), 64, and 78(f) there are currently hundreds of schools in buildings across the city that are co-located, which includes district schools with other district schools, district schools with charter schools, and schools with mixed grade levels. 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 OSP 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.

In reference to Comments 3(g), 38(g), 78(g) if this proposal is approved, OSP will work with the Building Council to ensure an equitable allocation of space in K233 based on each school's Instructional Footprint. In determining an equitable allocation, OSP may consider factors such as the relative enrollments of the co-located schools, the instructional and programmatic needs of the co-located schools, and the physical location of the excess space within the building.

With specific reference to Comment 38(k), which expresses the concern that the use of shared spaces is pre-determined. If the proposed co-location is approved by the PEP, the Building Council, consisting of principals from both schools, are encouraged and empowered to work together with OSP to determine a shared space plan that minimizes the disruption to the schools and the current use of shared spaces that will also provide sufficient time for all students to be served (e.g., in the gymnasium and cafeteria). Specific decisions regarding the allocation of the shared spaces will continue to be made by the Building Council in conjunction with OSP. In any building where more than one school is co-located, the Building Council meets regularly to address issues related to space allocations, shared space usage, and space issues. Additionally, a Shared Space Committee meets a minimum of four times a year and reports back to the Building Council regarding shared space questions.

If the principals are 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>.

Comments 3(e) and 38(e) express New American taking over all the space within K233.

The DOE has no plans to provide New American with all of the space in K233, and this is reflected in the EIS and BUP for this proposal. As previously mentioned, if approved, both P.S. 233 and New American will receive their equitable allocation of space per the Footprint. The proposal currently under consideration provides all schools with their Instructional Footprint allocation based on each school's projected enrollment. Until New American is at full scale in 2017-2018, there will be an excess room available in K233 which is allocated to P.S. 233 in the BUP that accompanies this proposal. The location of classrooms for both schools will be determined by OSP in conjunction with the school leaders in K233.

Comments 1(b), 9, 37(d), 46(e), 60, 75(e), 76(f), and 78(d) express the opinion that New American requires its own private space and shouldn't be co-located with a district school.

There are currently hundreds of schools in buildings across the city that are co-located, which includes district schools with other district schools, district schools with charter schools, and schools with mixed grade levels. The DOE aims to build the capacity of school communities to support interschool collaboration, leadership development, and resource sharing. The DOE has programs that foster environments where innovation and critical thinking can thrive, enabling schools to provide a quality education to all District 18 student. More information can be found online at: <http://schools.nyc.gov/Academics/InterschoolCollaboration/default.htm>.

Principals of co-located schools are encouraged to collaborate and can use the Building Council as a forum for doing so.

Comments 2(c-d), 3(i), 21, 38(i), 56, 76(a,c,g), and 78(a) express support for P.S. 233 and the school's growth, and concern that the school will no longer be successful if this proposal is approved.

The DOE recognizes the praise for P.S. 233 and commends the school community for their hard work and dedication. The DOE is committed to supporting each school in K233 and assisting with the co-location, if this proposal is approved. The DOE does not anticipate that this proposal will preclude P.S. 233's ability to grow and thrive, or prevent the school from offering any programming that they currently offer, although some programming may need to be offered in different rooms. The DOE pledges to work with the principals to support both schools, if this proposal is approved.

Comment 7(b) expresses that this proposal will allow for the high schools in K415 to grow.

If this proposal is approved, the re-siting and co-location of New American will allow It Takes a Village, Kurt Hahn, and Cultural Academy to expand their enrollments. All three high schools are currently serving a higher numbers of students than projected in the previous EIS and there is growing demand for seats at the schools, evidenced by each school's ratio of applications to seats. If the re-siting and co-location of New American is approved, there would be space in K415 for enrollment at It Takes a Village, Kurt Hahn, and Cultural Academy to continue to increase subject to demand.

Comments 12, 34, 66, 76(c) and 77(c) express concern that this proposal will limit enrollment growth at P.S. 233 and Comment 74(a) questions if P.S. 233 actually wants their enrollment to grow.

Historical enrollment trends does not indicate that P.S. 233 will grow significantly in the immediate years to come. If zoned demand significantly increases at P.S. 233, the school can offer fewer seats to out-of-zone students in order to accommodate the increased number of students from the zone. In that circumstance, some students participating in the Kindergarten application process who rank and/or apply to (as applicable) P.S. 233 but are not matched to P.S. 233 may receive an offer for a different elementary program. This would not change the school's overall enrollment or the ways students can apply and are admitted to P.S. 233.

Comments 27(b) and 40(c,d) refer to New American admitting students citywide. Comments 27(a) and 68 refer to P.S. 233 being treated unfairly because the school can only recruit from its zone.

New American will continue to admit students via lottery for available seats in kindergarten through third grade, and once at full scale, it will admit students via lottery for available seats in kindergarten through fifth grade, using the lottery preferences described below. Applications are available on the New American website and the New York City Charter School Center website.

New American's current lottery preferences in order, are as follows:

- Students who attended the school the previous year and are returning to the school;
- Siblings of students already enrolled in the school or accepted via the lottery;
- Students residing in District 18;

- Students who are identified as eligible for English Language Learner services;
- Students who are identified as eligible for special education services; and
- Students who will be eligible for Free or Reduced-Price Lunch.

Once the available spaces are filled by students whose names are drawn or by students whose siblings are selected for enrollment, the remaining applicants are placed on a waiting list in the order in which their names are drawn.

Parents can find additional information on the admissions criteria on the New American website:

<http://www.tnaacs.org/register>.

In reference to Comments 27(a) and 68, P.S. 233's admissions policy, as stated in the Kindergarten directory, gives priority to students residing in the zone, who have a sibling at the school in grades K-5, and students residing in the zone who do not have a sibling in the school. If space allows, students residing outside the zone may also be admitted, in the following priority order:

1. Students residing in the district, who have a sibling at the school in grades K-5
2. Students residing outside the district, who have a sibling at the school in grades K-5
3. Students residing in the district, who currently attend the school's pre-kindergarten program
4. Students residing outside the district, who currently attend the school's pre-kindergarten program
5. Students who reside in the district, other than those in (1) and (3) above
6. Students who reside outside the district, other than those in (2) and (4) above

For the 2015-2016 school year, P.S. 233 enrolled 33% of out of zoned students, which is an increase from the 2014-2015 school year. This is indicative that P.S. 233 has the ability to enroll students from outside of its zone, if there are available seats once their zone has been served.

For more information regarding the Kindergarten Directory:

<http://schools.nyc.gov/NR/ronlyres/37854091-E06A-4E58-BD63-FE1ACA8F7A9E/0/2016NYCKindergartenDirectoryBrooklynENGLISH.pdf>.

Comments 4(c, e) and 17 offer the opinion that the DOE should have more thoroughly engaged the communities impacted by this proposal through the A-190 Process.

The DOE is committed to engaging with the community for all proposals to implement a significant change in school utilization, as detailed in Chancellor's Regulation A-190. Chancellor's Regulation A-190 sets out the public review and comment process that the DOE undertakes with respect to all such proposals by the Chancellor, including re-sitings and co-locations. In addition to the information about this proposed re-siting and co-location provided in the EIS and BUP, the DOE has also provided this information through public engagement for this proposal. The DOE provided parent letters for distribution to the P.S. 233, New American, Kurt Hahn, Cultural Academy, and It Takes a Village school communities about the proposal after the EIS and BUP were posted, which describe the proposal and includes information about the Joint Public Hearings and PEP vote. Separate notices for the Joint Public Hearings and PEP vote were also provided to the school communities for distribution. Lastly, this proposal and notices for the Joint Public Hearings and PEP hearing have been posted to the DOE website since March 2, 2016, available at <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2015-2016/June222016PanelMeeting.htm>

In addition, on February 11, 2016 the DOE conducted a walkthrough and SLT debrief of building K233 led by a Deputy Chancellor where members of P.S. 233's SLT and New American's SLT were present, in addition to individuals from CEC 18, ODP, the District 18 Superintendent Beverly A. Wilkins, and OSP. Last, the DOE offered each school impacted by this proposal the opportunity to request an optional community meeting to further discuss this proposal, which both schools requested and held as stated above.

In addition to the above-described events that took place before this proposal will be voted upon and those events set out by Chancellor's Regulation A-190, ODP attended the P.S. 233 public meeting on March 16, 2016, where this proposal was discussed, and where representatives of ODP and the District 18 Superintendent answered questions about this considered proposal and others from present District 18 community members.

Comments 2(a), 3(a, b, c, f), 5, 6(b), 11, 15, 31, 32, 33, 37(c, e), 38 (a–c, f), 39(c), 40(a & e), 46(b–c), 50, 63, 70(b), 74(b), 75 (a–d), 77(d), and 78(b) are not directly related to the proposal and thus do not require a response.

Comment 65 expresses that New American receives re-siting funding as a result of the re-siting from K415 to K233.

If this proposal is approved, New American will not receive re-siting funding from the DOE. For a re-siting, the DOE calculates an estimated cost that will include moving all materials and furniture for the current site. This cost is not expected to impact budget allocations to New American or P.S. 233.

Comments 3(j), 4(f), 38(j), 70(a), 77(a), and 78(c), express general opposition to the proposal within K233 and the P.S. 233 community.

There are times when the DOE and certain members of the community differ in their opinions about specific projects. This proposal is driven by the DOE's desire to use building capacity to serve students and to provide equitable access to a quality education in District 18. This proposal is expected to benefit the New American school community. If this proposal is approved, New American will no longer be co-located with high schools and will instead share a building with an elementary school, which may create new opportunities to collaborate with P.S. 233 on extra-curricular activities, programming and staff development. In addition, if this proposal is approved, the re-siting and co-location of New American will allow It Takes a Village, Kurt Hahn, and Cultural Academy to expand their enrollments.

Comment 46(a) expresses hope that the PEP has not decided on the proposal. Comments 4(d), 6(a) and 30 also suggest that due to New American sending letters to their families regarding the proposal, it is implied the proposal is already approved.

No decision has yet been made on this proposal. As mentioned, the PEP is scheduled to vote on this proposal, along with others, at its June 22, 2016 meeting at M.S. 131, located at 100 Hester Street, New York, NY 10002.

Comments 37(a) and 62 express discontent with the DOE's co-location policy and co-locations in general.

Co-location is common in New York City schools, with 66% of all DOE buildings housing more than one school organization. This includes co-location of district schools with charter schools and 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.

Comments 24(a, b), 39(d, f, g), 41(b–c), 52 and 58 state that this co-location will benefit both schools, the District 18 community, and all students. These comments were uttered in support of the proposal and do not require a response.

Comments 7(a, e), 13, 14, 16, 18, 39 (a), 48, 49, 51, 53 and 57 express support for New American and the education it provides to students, and believes this proposal is an opportunity for collaboration. These comments were uttered in support of the proposal and do not require a response.

Comments 7(c), 39(e) and 43(b) express how well New American partners with the existing high schools in K415.

The DOE recognizes the praise for the schools in K415 and commends the school community for their hard work and dedication. The DOE is committed to supporting each school in K415 and assisting with the co-location in K233, if this proposal is approved.

Comments 39(b) and 40(b) describe New American's per-pupil funding.

Most funding in schools' budgets is allocated on a per-pupil basis, based on Fair Student Funding per capita allocation levels. Schools receive additional funds for students with disabilities, English Language Learner students,

and those with other supplemental academic needs. More information on Fair Student Funding can be obtained here: http://schools.nyc.gov/offices/d_chanc_oper/budget/dbor/allocationmemo/fy15_16/FY16_PDF/FSF_Guide.pdf.

Charter schools receive public funding for general education students 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. 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, furniture, etc.).

Comment 73(b) questions the busing policy if this proposal is approved.

If this proposal is approved, the Office of Pupil Transportation (“OPT”) will work with the school organizations to identify the most appropriate plan for drop-off and pick-up. Final student busing routes will be determined based on the home addresses of students at the school organizations.

Comment 73(c) questions the changes to the school day schedule if this proposal is approved.

If the proposed re-siting and co-location is approved by the PEP, the Building Council, consisting of principals from both co-located schools, is encouraged and empowered to work together, and with OSP, to determine school day schedules, entrances, and shared spaces.

In any building where more than one school is co-located, the Building Council meets regularly to address issues related to space allocations, shared space usage, and space issues. Additionally, a Shared Space Committee meets a minimum of four times a year and reports back to the Building Council regarding shared space questions.

If the principals are 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>.

Changes Made to the Proposal.

No changes have been made to this proposal.