Department of Education
Dennis M. Walcott, Chancellor

Public Comment Analysis[1]

Date: October 11, 2013

Topic: The Proposed Expansion and Extension of the Co-location of Mott Hall Charter School (84X177) with P.S. 63 Author's Academy (09X063) in Buildings X063 and X862, Beginning in the 2014-2015 School Year

Date of Panel Vote: October 15, 2013

Summary of Proposal

On August 29, 2013, the New York City Department of Education ("DOE") issued an Educational Impact Statement ("EIS") and Building Utilization Plan ("BUP") describing a proposal to expand and extend the co-location of Mott Hall Charter School (84X177, "MHCS") in buildings X063 and X862, beginning in the 2014-2015 school year.

MHCS is an existing charter school currently serving students in grades six and seven in the X063 and X862 school buildings. Building X063 and annex building X862 are both located at 1260 Franklin Avenue, Bronx, NY 10456, in Community School District 9 ("District 9"). MHCS is currently co-located in these buildings with P.S. 63 Author's Academy (09X063, "P.S. 63"), a zoned elementary school that serves students in grades kindergarten through five and offers a pre-kindergarten program. A "co-location" means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, libraries, and cafeterias.

On April 26, 2012, the Panel for Educational Policy ("PEP") approved the siting of MHCS in the X063 and X862 buildings as a temporary co-location of MHCS's sixth and seventh grades. This co-location was identified as temporary because MHCS planned to move to a permanent location in private space after the 2013-2014 school year, where it would grow to scale as a middle school serving students in grades six through eight. While the expectation was that MHCS would move to private space at the end of the 2013-2014 school year, those plans, which were underway when the first EIS was published, unfortunately fell through. MHCS has been unable to identify any other suitable space nearby to meet its needs and as such, in order for MHCS to continue serving the District 9 community, the DOE is now proposing to extend the co-location of MHCS in X063 and X862 beyond the 2013-2014 school year.

If this proposal is approved, MHCS will begin serving eighth grade students in the X063 and X862 in 2014-2015, and will continue to serve grades six through eight in these buildings indefinitely. MHCS and P.S. 63 will both continue to use shared spaces in the X063 (main) building as they currently do; however, MHCS will additionally begin using classroom and administrative space in the main building in addition to the classroom and administrative space it currently occupies in the X862 (annex) building. As indicated in the BUP that accompanies this proposal, there is sufficient space in the buildings to accommodate this expansion.

MHCS is a public charter school that opened in the 2012-2013 school year and is authorized to serve students in grades six through eight at scale. Its mission is to provide rigorous academics and strong supports to prepare students for success in high school, college, and their future careers. The school's charter was approved by the New York State Education Department ("SED") in December 2010. In accordance with this charter, MHCS admits

[1] This Analysis of Public Comments reflects those public comments received to date. The DOE will continue to accept public comments until Monday, October 14 at 6 p.m. If any additional comments are received, they will be addressed in an amended analysis.

students through a charter lottery, giving preference to middle school students whose siblings attend MHCS and students who reside in District 9. The school's admissions process and preference criteria are explained in further detail in Section III.A of the EIS.

This proposal is not anticipated to impact P.S. 63's admissions process, enrollment, instructional programming, partnerships, or extra-curricular offerings for its students in grades kindergarten through five, as discussed in further detail in Section III.A of the EIS. Moreover, this proposal will not impact P.S. 63's pre-kindergarten program which will still be offered, subject to continued funding and demand.

If this proposal is approved, MHCS will begin to serve eighth grade in 2014-2015 and reach full grade span. The school will reach stable enrollment in 2016-2017, at which time MHCS is projected to serve approximately 245 – 310 students and collectively with P.S. 63, the main building and annex will serve approximately 891 – 1,016 total students, yielding a projected utilization rate of 100%-114%.

The buildings have sufficient space to provide both schools with space appropriate for their respective needs, despite the possibility of a utilization rate over 100%. Although a utilization rate in excess of 100% may suggest that a building will be over-utilized or over-crowded in a given year, this rate does not account for the fact that rooms may be programmed for more efficient or different uses than the standard assumptions in the utilization calculation. In addition, charter school enrollment plans are frequently based on larger class sizes than target capacity, contributing to building utilizations above 100% while not impacting the utilization of the space allocated to the traditional public school. Therefore, the X063 and X862 buildings have the capacity to accommodate both P.S. 63 and MHCS at full scale.

The EIS and BUP describing the proposed expansion and extension of the co-location of MHCS in building X063 and its annex can be accessed here: http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2013-2014/Oct15SchoolProposals.

Copies of the EIS and BUP are also available in P.S. 63's and MHCS's main offices.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at building X063 on October 8, 2013. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 50 members of the public attended the hearing and 23 people spoke. Present at the meeting were: District 9 Superintendent Dolores Esposito; P.S. 63 Principal, Reinaldo Diaz-Lens; P.S. 63 School Leadership Team ("SLT") representative, Agustin Rosa; MHCS Principal, Michael Williams; MHCS Executive Director, Bob Lesser; District 9 Community Education Council ("CEC 9") representatives, Marilyn Espada, Nora Mercado, and Carmen M. Ramos; New York State Assemblywoman Vanessa L. Gibson; a representative from the New York State Education Department ("SED"), Susan Megna; and Laurie Price, Stephanie Crane, DawnLynne Kacer, Annabelle Eliashiv and Yael Kalban from the DOE's Division of Portfolio Planning.

The following comments and remarks were made at the joint public hearing on October 8, 2013:

1. Susan Megna, an SED representative explained why charter schools are allowed to operate in DOE space.
2. Marilyn Espada, the president of CEC 9, expressed:
    a. P.S. 63 is a high performing school in the Bronx which surpasses District 9 averages.
    b. The proposal was posted despite negative feedback from parents and the community.
    c. The DOE had previously discussed the possibility of co-locating a District 75 school in the building in the space that MHCS was to vacate, as MHCS's co-location in X063 was intended to be temporary. The community wants a District 75 school, not a charter school.
    d. This was meant to be a temporary co-location and now the DOE is proposing to permanently site MHCS in the building.
    e. Having a charter school in the building will negatively impact students in P.S. 63.

   f. Charter schools have an abundance of benefactors and resources. This imbalance in resources will perpetuate inequity between the charter school and district school students.
   g. If the charter school is sited in P.S. 63, P.S. 63 will be phased out.
   h. Charter schools do not serve the same population of students as district schools. District schools serve students with higher needs.
   i. Parents are opposed to having a middle school and elementary school sited in the same building.
   j. The community gathered over 700 signatures on a petition against this proposal.

3. Reinaldo Diaz-Lens, the principal of P.S. 63, commented that:
   a. Multiple school options are good for the community.
   b. He is concerned that if the proposed expansion and extension of the co-location takes effect, he will lose his pre-kindergarten program and pilot programs.
   c. He is concerned about how both schools will function effectively in the long run.
4. Augstin Rosa, a representative of P.S. 63's SLT, stated that:
   a. He is concerned about elementary school and middle school students being in the same building.
   b. He is frustrated that the DOE is moving forward with a proposal that is not in the best interest of the community.
   c. The co-location will negatively impact P.S. 63.
5. Michael Williams, the principal of MHCS, shared that:
   a. He commends P.S. 63 on its record of excellence.
   b. He articulated MHCS's mission, goals, and programs.
   c. He explained that MHCS could be a great middle school option for students of P.S. 63 once they finish elementary school and explained the charter's sibling preference in the lottery process.
   d. He and Principal Diaz-Lens of P.S. 63 have worked closely together in the past are partners.
6. Bob Lesser, the Executive Director of MHCS, explained that:
   a. As stated in the EIS that originally sited MHCS in the X063 building and its annex, MHCS planned on moving into private space. Although it fully intended to do so, in light of the recent economic downturn, some of its sponsors fell through. As such, the developer was unable to secure financing for the private space.
   b. MHCS asked the DOE to stay in X063 and X862 until the school can secure funding and find a building for themselves.
   c. There are not many high quality middle school options in the neighborhood, and MHCS strives to be a quality middle school option for the community.
7. New York State Assemblywoman Vanessa L. Gibson expressed that:[2]
   a. She strongly opposes the proposed expansion and extension of MHCS.
   b. She questioned whether there would be an equitable allocation of space between the district and charter school.
   c. This proposal contradicts the original proposal siting MHCS in the X063 and X862 buildings that was approved by the PEP in April 2012.
   d. This proposal will have a negative impact on P.S. 63's students.
   e. This proposal does not help alleviate the overcrowding in District 9.
   f. The building utilization might go above 100% in the final year of implementation.
8. Multiple commenters expressed support for the expansion and extension of the co-location of MHCS in the main building and annex and their belief that MHCS should continue to be a high quality option for students in District 9.
9. Multiple commenters expressed their opposition to the expansion and extension of the co-location of MHCS, but also expressed their belief that it should remain a high quality middle school option for students in District 9.
10. Jose Vargas, the United Federation of Teachers ("UFT") Bronx representative, asserted that:
    a. He generally opposes the co-location.

[2] Assemblywoman Gibson also submitted a written letter to the DOE expressing general opposition to the proposal.

   b. When P.S. 2 was co-located with P.S. 63 the building was overcrowded.
   c. He is concerned there will not be enough space for P.S. 63 to offer services to students with special needs.
11. Several commenters opposed the co-location on the grounds that there will not be enough space for both schools.
12. Multiple commenters expressed frustration that the proposal in April 2012, which temporarily sited MHCS in buildings X063 and X862, misrepresented the situation.
13. Multiple commenters articulated a concern for safety with regard to elementary school and middle school students sharing a building.
14. One commenter declared his opposition to the proposal on the grounds that charter schools should be required to pay rent for space in DOE buildings.
15. One commenter asserted that the proposal will create overcrowding in the school as signified by the projected building utilization rate above 100%.

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

The DOE received 65 written comments concerning this proposal.

16. 63 letters were submitted by community members and parents of students at MHCS supporting the expansion and extension of the co-location of MHCS in the X063 and X862 buildings based on:
   a. There were no altercations between MHCS and P.S. 63 students since the co-location began.
   b. MHCS is a high quality middle school option in District 9, which does not have many high performing middle schools.
   c. There is a high demand for seats at MHCS, as seen by their waitlist of 350 students.
17. One commenter expressed her opposition to the proposal due to her concern that it would lead to larger class-sizes for P.S. 63 and negatively impact her daughter's education.
18. The DOE received a petition in June of 2013 with approximately 280 signatures opposing the proposal on the grounds that:
   a. P.S. 63 has a record of high performance.
   b. The co-location with MHCS was meant to be temporary.
   c. When P.S. 63 was co-located with P.S. 2 there was significant overcrowding and there was not enough room for specialty classes.

No oral comments were received via voicemail.

The DOE received a comment which did not directly relate to the proposal. This comment is summarized below.

19. One commenter emphasized that parents should be examples for their children.

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

Comment 1 pertains to the reason charter schools are able to operate in DOE space.

This comment is explanatory in nature and does not require a response by the DOE.

Comments 2a, 5a, and 18a pertain to P.S. 63's high performance on the Progress Report.

The DOE acknowledges and commends the students and staff of P.S. 63 for their hard work, dedication, and passion for the school.

Comments 2b and 2j pertain to the way the DOE considers community feedback when creating and voting on proposals, and reference a petition submitted in spring 2013 against this proposal.

The DOE appreciates all feedback from the community regarding a proposal. When the EIS and BUP were issued on August 29, 2013, they were made available to the staff, faculty and parents of P.S. 63 and MHCS, placed in P.S. 63's and MHCS's main offices, and posted on the DOE Web site. In addition, the DOE dedicates a proposal-specific website and voicemail to collect feedback on this proposal. Furthermore, all schools' communities are invited to the Joint Public Hearing to provide further feedback. In the case of this proposal, the DOE solicited feedback from community members at the hearing, as well as through voicemail and email since the proposal was posted on August 29, 2013. Each school distributed parent letters and notices provided by the DOE in English and Spanish to all students informing parents of the proposal and the various ways in which they could provide feedback. All feedback received from the community via email, phone, or at the hearing is included in this document, which has been provided to the PEP and is publicly available on the DOE Web site.

The DOE's public review process is governed by Chancellor's Regulation A-190 and this process was followed for this proposal.

While the DOE supports the expansion and extension of the co-location of grades six through eight of MHCS in X063 and its annex beginning in the 2014-2015 school year, the DOE notes that no decision has yet been made on this proposal. Any such proposed change to school utilization must be approved by the PEP before it can take effect. The PEP will vote on this proposal at its October 15, 2013 meeting. Interested stakeholders are welcome to provide additional comments that that PEP meeting.

Although the DOE recognizes that people in the community may have strong feelings against this proposal, the DOE believes that if this proposal is approved, the school communities at P.S. 63 and MHCS will be able to continue developing productive and collaborative partnerships that will maximize the opportunities available to students.

Comment 2c pertains to the possibility of co-locating a District 75 school with P.S. 63 after MHCS was expected to vacate the space.

The DOE makes every effort to ensure families have a range of high quality options from which to choose. Although opening and siting a new District 75 program in the space MHCS was meant to vacate was one of the options considered a few years ago, nothing was promised to the community. After carefully assessing the options and current situation, the DOE believes that this proposal is in the best interest of the District 9 community.

Comments 2d, 7c, 12, and 18b pertain to proposing to site MHCS in the X063 building and its annex beyond the initial two years approved by the PEP in April 2012.

As articulated in the EIS, on April 26, 2012, the PEP approved the siting of MHCS in the X063 and X862 buildings as a temporary co-location of MHCS's sixth and seventh grades. This co-location was identified as temporary because MHCS planned to move to a permanent location in private space after the 2013-2014 school year, where it would grow to scale as a middle school serving students in grades six through eight. While the expectation was that MHCS would move to private space at the end of the 2013-2014 school year, those plans, which were underway when the first EIS was published, unfortunately fell through. MHCS has been unable to identify any other suitable space nearby to meet its needs and as such, in order for MHCS to continue serving the District 9 community the DOE initiated this proposal.

At the Joint Public Hearing on October 8, 2013, Bob Lesser, the Executive Director of MHCS, explained that although MHCS wanted to move into a new building beginning in the 2014-2015 school year, the developer the school was working with was unable to secure financing for that building. Given these circumstances, MHCS has requested to remain in the main building and its annex.

Comments 2e, 4c, 7a, 7d, 9, and 10a generally oppose the proposal to continue to site a charter in the building.

Given that building space is scarce in New York City neighborhoods, and the growing enrollment needs of 1.1 million students, the DOE must use its existing public buildings in the most efficient manner possible. Sharing space is central to New York City's strategy for school improvement. DOE has over 900 schools and programs co-located with at least one other district or charter school in multi-school campus buildings. Co-locating new charter schools with district schools is necessary to ensure that students and families in every community have access to high-performing educational options.
There are several structures to facilitate a smooth co-location between the two schools. Co-located schools on campuses must actively participate in a Building Council, which is a campus structure for administrative decision-making for issues impacting all schools in the building. Additionally, a Shared Space Committee shall review the implementation of the BUP once it has been approved by the PEP. To the extent that principals and charter leaders are unable to reach agreement upon the use of shared spaces, they may avail themselves of a mediation process outlined in the Campus Policy Memo, which is available at http://schools.nyc.gov/community/campusgov.

The DOE believes this proposal is in the best interests of the District 9 community.

Comment 2f pertains to charter schools and district schools having disparate access to resources.

Charter schools receive public funding for general education students pursuant to a formula created by the state legislature, and overseen by the SED. The General Education Charter School per-pupil rate is based on a formula used for all traditional public school districts. The formula divides the district's Approved Operating Expenditures ("AOE") by Total Allowable Pupil Units ("TAPU"). Special Education funding is an allocation that Charter Schools may qualify for and receive for serving students that receive special education services for more than 20% of the week as mandated by an IEP. Due to this funding formula, the opening of a new charter school does not impact the budgets or allocations of district schools any differently than opening a new district school, as funding "follows the child" pursuant to the Fair Student Funding Formula ("FSF"). 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.

The DOE notes that in accordance with New York State Charter Schools Act of 1998 (as amended), any proposed capital improvements or facility upgrades in excess of five thousand dollars, regardless of the source of funding, that is made to accommodate the co-location of a charter school within a public school building, must first be approved by the Chancellor. The Act states: "For any such improvements or upgrades that have been approved by the Chancellor, capital improvements or facility upgrades shall be made in an amount equal to the expenditure of the charter school for each non-charter public school within the public school building. For any capital improvements or facility upgrades in excess of five thousand dollars that have been approved by the Chancellor, regardless of the source of funding, made in a charter school that is already co-located within a public school building, matching capital improvements or facility upgrades shall be made in an amount equal to the expenditure of the charter school for each non-charter public school within the public school building within three months of such improvements or upgrades."

Comment 2g suggests that P.S. 63 will be phased out as a result of the proposed extension of the co-location.

The proposed co-location is not expected to impact P.S. 63's enrollment. The enrollment projections in the EIS are based on current enrollment at P.S. 63 at the entry point grade level (kindergarten), and assume that the same number of students will age up and that there will be stable incoming enrollment at the entry point grade.

As noted in the EIS, this proposed expansion and extension of the co-location of MHCS is also not expected to impact the admissions, educational or extracurricular options of students currently attending P.S. 63. P.S. 63 will continue to admit students zoned to P.S. 63. The DOE has no plans to phase-out or remove P.S. 63 from the X063 building.

Comment 2h relates to charter schools and district schools serving dissimilar populations with respect to high needs students.

Any child eligible for admission to a district public 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. In contrast, screened schools are able to select their students based on factors including academic achievement, attendance, teacher recommendation, and admissions tests.
Zoned schools admit students based on home address, which is frequently correlated with income and parental education levels.

Charter schools give preferences to students based on various factors, including, but not limited to, whether the applicant has a sibling already enrolled in the charter school, lives in the charter school's community school district, and/or is eligible for free or reduced price lunches. Charter may also include additional preferences for students that may be considered at-risk of academic failure (as defined by the school).

Moreover, per amendments to New York State charter law in 2010, charter schools "shall demonstrate good faith efforts to attract and retain a comparable or greater enrollment of students with disabilities or English language learners; and students who are eligible applicants for the free and reduced price lunch program when compared to the enrollment figures for such students in the school district in which the charter school is located."

Comments 2i, 4a, and 13 oppose the placement of middle school aged children in the same building as elementary school aged children.

Elementary school and middle school students have been sharing a campus since September 2012. As mentioned in comment 16a there have not been any altercations to date between P.S. 63 students and MHCS students.

Furthermore, due to space limitations, it is not unusual for varying grade levels to be co-located in a building together. There are numerous examples of buildings and campuses in New York City, and in the Bronx specifically, that successfully house mixed grade co-locations.

These examples include:

- Building 166 in District 9 which currently houses three schools: Grant Avenue Elementary School (09X449) which serves students in grade K-5; Science and Technology Academy: A Mott Hall School (09X454) which serves students in grades 6-8; and Bronx Early College Academy for Teaching & Learning (09X324) which serves students in grades 6-12.

- Building X193 in District 12 which currently houses three schools: P.S. 211 (12X211) which serves students in grades K-8, I.S. 318 Math, Science and Technology Through the Arts (12X318) which serves students in grades 6-8, and Children's Aid College Prep Charter School (84X124) which currently serves students in grade K-2.

- Building X026 in District 10 which currently houses two schools and a District 75 program: M.S. 390 (10X390) which currently serves students in grades 6-8, P.S. 396 (10X396) which serves students in grades K-5, and P.S. X010, a District 75 program which serves students in grades K-5.

The DOE is optimistic that this success and cooperation can be replicated in the X063 and X862 buildings.

Furthermore, Pursuant to Chancellor's Regulation A-414, every school/campus is mandated to form a School Safety Committee, which is responsible for developing a comprehensive School Safety Plan that defines the normal operations of the site and what procedures are in place in the event of an emergency. The School Safety Plan is updated annually by the Committee to meet changing security needs, changes in organization and building

conditions, and any other factors. Updates can also be made at any other time if it is necessary to address security concerns. The Committee will also address safety matters on an ongoing basis and make appropriate recommendations to the principal(s) when it identifies the need for additional security measures.

Comments 3a, 5c, and 6c generally support multiple educational options for students and do not require a response.

Comments 3b and 10c question the impact of the proposed extension and expansion of the co-location on P.S. 63's programming, including the impact of pre-kindergarten, pilot programs, and services for special needs students.

As stated in the EIS, the proposed co-location is not expected to impact future instructional programming at P.S. 63. As stated in the EIS, the DOE intends to maintain the pre-kindergarten program at P.S. 63, subject to continued funding and demand. Additionally, the DOE does not anticipate that the proposed extended and expanded co-location should prevent P.S. 63 from continuing to participate in pilot programs that may be underway.

Moreover, P.S. 63 currently offers Integrated Co-Teaching ("ICT") classes, Self-Contained ("SC") special education classes, and Special Education Teacher Support Services ("SETSS") along with English as a Second Language ("ESL") services. With respect to concerns that the co-location will impact P.S. 63's ability to provide individualized instruction and other types of special education services, it is worth noting that the Instructional Footprint takes into account the number of self-contained and bridged sections offered by a given school to ensure that the school is allocated appropriate space to continue providing these services. As indicated in the BUP associated with this proposal, if this proposal is approved, all schools in the X063 main building and its annex will be allocated enough space to meet their instructional needs as identified by the Instructional Footprint. Furthermore, the EIS provides that the existing ICT, SC, and SETSS classes will not be affected by this proposal, and students with disabilities will continue to receive mandated services in accordance with their Individualized Education Programs ("IEPs").

Comments 3c, 7b, 7f, 11, and 15 question how space will be allocated between P.S. 63 and MHCS and express concern that the building does not have space to accommodate both schools, as evidenced by the fact that the building utilization rate may exceed 100% over the course of the proposal.

The Citywide Instructional Footprint (the "Footprint") is the guide used to allocate space to all schools based on the number of class sections they program and the grade levels of the school. The number of class sections at each school is determined by the Principal based on enrollment, budget, and student needs; there is a standard guideline of target class size (i.e., number of students in a class section) for each grade level. At the middle school and high school levels, the Footprint assumes every classroom is programmed during every period of the school day except one lunch period. The full text of the Instructional Footprint is available at http://schools.nyc.gov/NR/rdonlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.pdf.

While the expanded co-location will reduce the amount of excess space which is currently available to P.S. 63, as stated in the EIS and BUP, the co-location is not expected to impact instructional programming, extra-curricular offerings or partnerships at either of these schools. P.S. 63 will continue to receive its baseline (or adjusted baseline, as applicable) Footprint allocation of rooms if the proposal to expand and extend the co-location of MHCS is approved.

Several commenters asserted that the building is already full and that the co-location proposal will result in overcrowding at X063 and its annex. However, the EIS indicates that X063 and its annex are currently only operating with a building utilization rate of 88%, and, the BUP reflects that there are currently 5 full size rooms, 1 half-size room, and 1 quarter-size room available in excess of P.S. 63's baseline allocation of space. This information suggests that there is space to serve additional students in the building and for that both schools can meet the instructional needs of their respective students.

With respect to concerns that the building utilization is projected to exceed 100% once MHCS serves grades six through eight in X063 and its annex, it should be noted that the utilization rate does not account for the fact that rooms may be programmed for more efficient or different uses than the standard assumptions in the utilization calculation.

In addition, charter school enrollment plans are frequently based on larger class sizes than target capacity, contributing to building utilizations above 100% while not impacting the utilization of the space allocated to the traditional public school. Moreover, the BUP demonstrates that there is sufficient space in the building to accommodate the proposed co-location once MHCS serves grades six through eight.

Comment 4b claims this proposal is not in the best interest of the community.

As part of the DOE's Children First reform, the DOE strives to provide parents with multiple educational options for their children. These choices include a family's local zoned school, like P.S. 63, choice schools, which enroll students throughout the district, or public charter schools, like MHCS. As such, the DOE believes this proposal is in the best interest of the community.

Comment 5b pertains to MHCS's mission, goals, and programs.

This comment was explanatory in nature and does not require a response.

Comments 5d, 6a, 6b, 8, 16a, 16b, and 16c generally support the proposal to expand and extend the co-location of MHCS and do not require a response.

Comment 7e pertains to overcrowding in District 9.

District 9 has shown a need for high quality middle school seats and the DOE believes that MHCS will be a valuable addition to the District 9 community. Additionally, MHCS gives preference to students residing in District 9 and thus can help alleviate overcrowding in nearby schools. MHCS will not prevent P.S. 63 from continuing to serve all students who seek to enroll there.

Comment 14 relates to charter schools not paying rent to use DOE space.

Proposals about where new schools are sited are made by the DOE's Division of Portfolio Planning ("Portfolio") in conjunction with the Office of Space Planning. The DOE proposes co-locations of district and charter schools in public school buildings to ensure that we are using our existing capital in the most efficient manner possible so that students and families in every community have access to high-performing educational options. Although individual buildings may house multiple district and/or charter school organizations, these options are available to all students.

According to the 2011-2012 Enrollment, Capacity, Utilization, Report (the "Blue Book"), building X063 and X862 have a combined capacity to serve 890 students. During the 2013-2014 school year, the building serves a total of approximately 783 students, yielding a building utilization rate of approximately 88%. According to the Under-Utilized Space Memorandum, building X063 and its annex are "under-utilized" and have extra space to accommodate additional students. Further, the DOE seeks to provide space to high quality education options for all students, regardless of whether they are served in DOE or public charter schools. We welcome public charter schools to lease or provide their own space, but will offer space in DOE schools where it is feasible to do so.

Comment 17 relates to class sizes at P.S. 63 increasing as a result of this proposal.

In New York City, schools are funded through a per pupil allocation. That is, funding "follows" the students and is weighted based on students' grade level and need (incoming proficiency level and special education/ELL/Title I status). Principals have discretion over their budget and make choices about how to prioritize their resources, including programming the number of classes needed for each grade.

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Furthermore, space in building X063 and its annex is allocated to P.S. 63 and MHCS according to the Footprint. P.S. 63 will not have to program larger class sizes as a result of space constraints. Class size is a reflection of student enrollment trends, and is ultimately up to the discretion of a school's principal and administration Thus the DOE does not anticipate that class sizes would increase at any of the existing schools.

The DOE will closely monitor any changes in demand for P.S. 63. Enrollment for each school will be carefully evaluated to ensure that appropriate seat targets are established on an annual basis.

Comments 2c, 10b, 18c, and 19 are not directly related to the proposal and therefore do not require a response.

Changes Made to the Proposal

No changes have been made to the proposal in response to public feedback.