Department of Education
Dennis M. Walcott, Chancellor

Amended Public Comment Analysis[1]

Date: October 14, 2013

Topic: The Proposed Co-location of Success Academy Charter School – New York 3 (84KTBD), with Existing School I.S. 096 (21K096) in Building K096 Beginning in 2014-2015

Date of Panel Vote: October 15, 2013

Summary of Proposal

The New York City Department of Education ("DOE") is proposing to site Success Academy Charter School – New York 3 (84KTBD, "SA – New York 3"), a new public elementary charter school that will serve students in kindergarten through fourth grade, in building K096 ("K096") located at 99 Avenue P, Brooklyn, NY 11204, in Community School District 21 ("District 21"). If this proposal is approved, SA – New York 3 will be co-located in K096 with I.S. 096 I.S. 096 (21K096, "I.S. 096") beginning in 2014-2015. I.S. 096 is an existing district middle school that currently serves students in sixth through eighth grade. K096 also houses Beacon, a community-based organization ("CBO"), and a United Federation of Teachers ("UFT") Center.

I.S. 096 enrolls students through the District 21 Middle School Choice Process via zoned and screened admissions methods, described in more detail below. If this proposal is approved, SA – New York 3 will open in September 2014 serving 150-200 students in kindergarten and first grade and will add one grade each year until it serves students in grades kindergarten through four in the 2017-2018 school year. Although SA-New York 3 will be at full grade scale in terms of the grade levels it will serve in K096 in 2017-2018, it will not be at full scale for enrollment purposes until the 2018-2019 school year. At that point, SA – New York 3 is projected to reach stable enrollment and will serve approximately 450-600 students in kindergarten through fourth grade. The school will admit students via the charter lottery application process, with preference given to District 21 residents as described in more detail below. SA – New York 3 will be operated by Success Academy Charter Schools ("SACS"), a charter management organization ("CMO") that currently operates 18 public charter schools in New York City, including six new public elementary schools serving students for the first time in 2013-2014. The four SACS elementary schools that received a Progress Report for the 2011-2012 school year each received an overall grade of "A."

SA – New York 3 has submitted a preliminary application for charter authorization from the State University of New York Trustees ("SUNY") to serve students in kindergarten through fifth grades. This proposal deals only with the kindergarten through fourth grades of SACS. Any future proposal to co-

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[1] An initial public comment analysis for this proposal was posted on October 11, 2013; an amended public comment analysis was posted on October 14, 2013 to reflect additional comments received after 6:00 p.m. on October 11, 2013 and before 6:00 p.m. on October 14, 2013; and to correct the date the DOE attended the CEC 21's meeting. The DOE has responded to new comments and has also clarified certain other responses.

locate any other grade levels of SACS would be addressed in a separate EIS subject to another vote by the Panel for Educational Policy ("PEP"). The proposal to open and co-locate SA – New York 3 in K096 described in this Educational Impact Statement ("EIS") is contingent upon SUNY's approval of SA – New York 3's application for charter authorization. Only SUNY has the authority to approve or deny SA – New York 3's application for charter authorization. If SUNY does not approve SA – New York 3's charter application, this proposal will be withdrawn. Should SUNY deny SA – New York 3's application, the DOE may propose an alternate use of space in K096 that involves a significant change in school utilization, which would be the subject of a future EIS in accordance with Chancellor's Regulation A-190. For the purposes of this proposal, it is assumed that SUNY will approve SA – New York 3's application. The DOE believes there is sufficient space in K096 to accommodate both I.S. 096 and SA – New York 3. In 2018-2019, once SA – New York 3 has completed its phase-in and reached stable enrollment in K096, it is projected that there will be approximately 1,110-1,290 students served in K096, thereby yielding an estimated utilization rate of 83%-96%.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at K096 on September 30, 2013. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 330 members of the public attended the hearing, and approximately 37 people spoke. Present at the meeting were Senior Superintendent of Portfolio Planning Elaine Gorman, Community School District 21 Superintendent Isabel DiMola, Citywide Council on Special Education member Ellen Hughes, Principal of I.S. 096 Denise Levinsky, I.S. 096 School Leadership Team ("SLT") and United Federation of Teachers ("UFT") Representative Corrine Kaufman, President of Community Education Council ("CEC") 21 Heather Fiorica, and President of CEC 20 Laurie Windsor. The following elected officials were present at the meeting: New York City Councilmembers David Greenfield and Vincent Gentile; New York State Assembly members Alec Brook-Krasny, Peter Abbate and William Colton. Additionally, Carrie Marlin and Estelle Acquah from the Division of Portfolio Planning were present.

The following comments and remarks were made at the Joint Public Hearing on September 30, 2013:

1) CEC 21 President Heather Fiorica stated that:
   a) CEC 21 adamantly opposes the co-location of Success Academy Charter School with I. S. 096.
   b) Co-locations make the coordination and scheduling of shared spaces difficult. During the temporary co-location of I.S. 096 and P.S.90 due to Hurricane Sandy, there were many concerns about the younger children that were in the building and the coordination and scheduling of shared spaces became extremely difficult.
   c) District 21 has not had a great experience with the co-location of Coney Island Prep ("CIP") with I.S. 303 and Rachel Carson HS and has seen that CIP has better resources in terms of lunch service, technology and lighting.
   d) District 21 is starting to see an increase in enrollment. The area of Coney Island is experiencing revitalization with an enormous housing expansion which of course will require additional seats for all of these families who will be moving in.
   e) I.S. 096 has implemented an academy structure which will require additional space that will not be available to them in a shared building.
   f) SA-New York 3's charter application paints a poor portrait of District 21's performance on the state exams when in fact District 21, including its Hispanic, African American, English Language Learners ("ELLs"), and special education students outperformed the City and the State on the

English Language Arts and Math exams. Charter schools like to point out that they are a public school, but, charter schools report a total score for all students served in the school, which may include students outside of the district, unlike district schools which can only display scores by specific subgroup populations within the district.

g) District 21 has numerous programs such as two Gifted and Talented programs, two Autism Spectrum Disorders NEST programs, technology programs, a Community Learning Schools Initiative, a Common Core Lab Site, Launch Pilot School, a Council for Unity, and an edible schoolyard at P.S. 216. District 21 is a high performing district and another elementary school is therefore not needed.

2) CEC 20 President Laurie Windsor stated that:
   a) CEC 20 is very concerned about the future of I.S. 096 and opposes the proposed co-location of a Success charter school.
   b) The zone for I.S. 096 has more students from District 20 than from District 21. I.S. 096 has historically been a feeder school for District 20 elementary schools. Currently, approximately 53% of I.S. 096's zone is from District 20.
   c) District 20 has been and will continue to be in desperate need of more junior high school seats. CEC 20 has been relaying this message to the DOE for years and has had conversations with the DOE's Division of Portfolio Planning on this matter. Last fall, discussions were held on the subject of creating a talent program in the I.S. 096 building to fulfill a need for families.
   d) District 20 is extremely overcrowded and also has approximately 5,000 additional elementary seats coming to fruition due to new elementary schools, the Capital Plan, construction, rezoning, and an increase in the number of families that have moved into the district. This overcrowding and increase in elementary schools seats will turn into a future need for middle school seats.
   e) We do not need a new elementary school as more middle school seats are needed.

3) I.S. 096 Principal Denise Levinsky stated that:
   a) She is adamantly against this co-location.
   b) The I.S. 096 community has worked diligently to restructure and implement an academy structure that provides smaller learning communities. Each academy has its own administration and teachers. The co-location will hamper the academy structure as space needed to implement the academy structure will no longer be available and the academies will have to share floors.

4) I.S. 096 SLT and UFT Representative Corrine Kaufman stated the following:
   a) I.S. 096 has had passionate and well-trained teachers for 25 years.
   b) Children are more than scores and bring additional talents and skills outside of what can be measured in a standardized test.
   c) Charter schools do not service special education students or ELL students. I.S. 096 provides education to all students regardless of learning needs. At I.S. 096, 33% of students I.S. 096 receive special education services, and 20% of I.S. 096 students are ELL students.
   d) Charter schools encourage low performing students to leave before state tests are taken and discharge these students to district schools, which then lowers district schools' test scores.
   e) I.S. 096 may have extra space right now, but it has had overcrowding in the past.

5) Citywide Council for Special Education representative Ellen McHugh stated the following:
   a) DOE uses a utilization rate of 115% to say that a school is overcrowded. Using this percentage as the basis for an overcrowded building is problematic and can create other issues for this building.

b) Students receiving speech, language and occupational therapy services will lose space needed because the DOE looks at those rooms as available classrooms and will be taken away to and given to the charter school.
c) Recent special education reform has informed schools that they must service children who live in the school's area; these children have profound needs and need private space. Losing this space to charter school students would not benefit anyone.
d) It is unfortunate that Success Academy has refused to come to this meeting.

6) A representative from the office of Assembly member Alec Brook-Krasny read a written statement, which stated:
   a) He is generally opposed to the co-location of charter schools with existing public district schools.
   b) Students need a safe and equalizing environment, which is threatened when district school students see charter school students with more resources, such as ipads and organic lunches.
   c) Parents are fearful of the integration of elementary and intermediate-aged children and the educational and safety needs of 5-year-olds differ greatly from that of 13-year-olds.
   d) Middle school seats are in high demand and I.S. 096 has the capability to accommodate more students.
   e) I.S. 096 is located on a main thoroughfare with a constant flow of vehicular traffic that increases during peak travel times, which is precisely when younger children would be required to cross the street coming and going from school. These conditions are dangerous and are in no way ideal for children to navigate.

7) Councilmember David Greenfield stated the following:
   a) No one in the community asked for the charter school. The community does not need or desire one. The DOE is showing disrespect to the community by not listening to the community's desires.
   b) The DOE is attempting to co-locate a new school in a rush as there will be a new Mayor of New York City in the coming months.
   c) A charter school will divide the community and hurt District 21's schools.
   d) District 21 needs more support from the DOE to continue to grow the outstanding schools in the District.

8) Councilmember Vincent Gentile stated the following:
   a) He adamantly opposes this co-location.
   b) The Mayor and the DOE have no business making these decisions when a new Mayor will be elected soon.
   c) There is no need for a new elementary school in District 21 because there are currently excess elementary school seats in the district. Additionally District 20 is overcrowded and desperately needs more middle school seats.
   d) Since over 50% of students that come to I.S. 096 come from feeder schools in District 20, the DOE should help District 20 and 21 by giving I.S. 096 additional resources and help relieve the overcrowding from District 20.

9) Assembly member William Colton expressed the following:
   a) The DOE is attempting to ram this proposal through at full speed.
   b) This co-location does not serve the interests of children in this community and parents have expressed their opposition to the proposal.

c) The community was not given sufficient notice for SUNY's charter application hearing for Success Academy – New York 3; this makes the application hearing a nullity, in violation of education law.
d) I.S. 096 needs space to grow, especially given the elementary school overcrowding in District 20.
e) Charter schools should be in their own building.
f) I.S. 096 has special programs, including the Beacon program. The EIS states that programs in I.S. 096 will not be affected; however, this is erroneous as students will lose their special programs and services.
g) I.S. 096's academy structure will be stunted and cease to exist due to the loss of space.

10) Assembly member Peter Abbate stated the following:
a) The facts presented at the hearing show that District 21 does not need this charter school.
b) There is going to be a new administration coming in and making new education policy decisions.
c) It will be the worst mistake Success Academy ever makes to come into this community.

11) Councilmember Dominic Recchia stated the following:
a) Some families in District 21, especially in Coney Island, are trying to re-group after the devastation of Hurricane Sandy. Simultaneously, the DOE is attempting to push this proposal through and will further damage this community, as opposed to placing additional resources into district schools.
b) It is unfortunate that Success Academy did not come to this hearing.
c) The DOE did not respect the community's religion and rights when they scheduled the SUNY charter application hearing.
d) The EIS is flawed and we will take it court. There is no basis or proof of enrollment drop projected for I.S. 096. Enrollment decreased because the school didn't get support from the DOE. In fact, the DOE perpetuated the enrollment decrease in order to place a charter school in K096.
e) District 21 has great elementary schools and doesn't need this charter school.
f) Coney Island Prep charter school took the best students from the district; other charter schools will continue this practice as they don't know how to education children will special needs
g) Where is SUNY and Success? They are not here

12) Community Board 11 District Manager, Marnia Elias Parvia, stated the following:
a) The Lucretia Marcigliano Campus, located at 50 Avenue P, is home of the Brooklyn School of Inquiry P.S. /I.S. 686, the Academy of Talented Scholars P.S. 682, as well as P.S. 370. This campus, with a combined targeted enrollment of approximately 1100 children is located within 400 feet of I.S. 096.
b) According to the EIS, during the fourth and final year of the proposed implementation in 2017-2018, the projected enrollment for both buildings would be approximately 2,400 children with staff within a one-block segment on Avenue P.
c) An EIS pursuant to Citywide environmental quality review does not come before the Board for formal review. This particular location on Avenue P has had previously implemented traffic improvements as part of a school safety project. Most recently the Department of Transportation has released data showing that 92% of cars are speeding within a 1/4 mile of I.S. 096. The Board is very concerned about potential traffic, transportation, pedestrian and parking impacts in the surrounding areas of both schools on Avenue P. Therefore, at the general meeting of Community

Board 11 held on 9/10/13, a resolution was unanimously adopted opposing the siting of the co-location of Success Academy in K096 at 99 Avenue P.

13) Citywide Council for High Schools representative Marianne Russo stated that:
   a) The EIS states that the proposed co-location is not expected to impact to impact current and students' enrollment and admissions at I.S. 096; however this not true. The EIS states that current enrollment is 743, but the DOE expects approximately 690 students in the future. The DOE is limiting and capping enrollment in K096.
   b) We need more space for our elementary school students as they grow to attend middle school.

14) A commenter asserted that he or she did not want I.S. 096 to be crowded, thus hindering opportunities for current and future classes.

15) A commenter stated the following:
   a) I.S. 096 is big but the hallways and staircase are getting crowded. Smaller students can get injured because of other students who are running, hanging out and talking in the hallways. No student in I.S. 096 wants to be the cause of someone getting hurt.
   b) The co-location will impact the programming at I.S. 096, such as dance, writing, art, and music. There are 27-30 kids in each class, with more students coming in; this will impact the learning environment. We may not be able to have dance and talent shows.

16) A commenter stated the following:
   a) Students will not have access to some floors or classrooms and upcoming students will have to share space with other schools.
   b) The floors will be crowded and students will have larger class sizes and less classes overall.

17) A commenter stated the following:
   a) He disagrees with the charter school coming in as it will affect our learning schedule.
   b) I.S. 096 will not be unique and the charter school will take away space for 6th graders. Soon we will run out of room. We wouldn't be able to use the gym for physical education. There are many programs such as track where we use the fourth floor gym. We wouldn't be able to use this gym for track anymore.
   c) Parents won't want their kids to be at I.S. 096 anymore and teachers will be stressed.

18) A commenter stated that there is not enough space for another school. The co-location will cause a lot of conflict and controversy between charter and district students and it will be overcrowded.

19) A commenter asserted the following:
   a) The charter school will take resources from I.S. 096 students with special needs, foreign students and English Language Learners (ELLs).
   b) Teachers won't want to teach here because there won't be enough space.

20) A commenter stated the following:
   a) The DOE will save money if the K-4 school doesn't come into K096.
   b) The Beacon community based organization has teachers who instruct the dance program and Success Academy will monopolize the dance program.

21) A commenter stated that the community does not want the district's special needs students to be turned away because the charter school won't serve them.

22) A commenter stated the following:
   a) Charter schools exclude and won't serve ELL students. The federal government asked the Secretary of Education to investigate whether charter schools are meeting standards for serving ELL students.
   b) Charter schools are not reporting performance data for all students. We can assume that it's because charters aren't meeting all students' needs.

23) The school nurse stated that Success Academy will not bring in their own nurse and that she will have to serve charter students as well. District students will have to wait 60% longer to see the nurse. She saw 5,040 walk-ins in one year. When I.S. 096 had 1,300 students, she had an assistant. She doesn't have an assistant anymore because of funding cuts so she serves that many kids by herself. She does not get to help children faster. She assists 20 kids on a daily average; some days this is 40-60 children, depending on how large the student population. This is not right.

24) An alumnus of I.S. 096 stated the following:
   a) I.S. 096 is in the top 43% of all New York City public schools. The National Association of Charter Schools statistics states that 900-1300 out of privately run, publically financed schools are in the bottom 15% of schools in their state.
   b) I.S. 096 has made progress and allowing students to take more space will make the school more crowded.
   c) I.S. 096 allowed students to bring in their high school credits. Students are performing high on the algebra exam and earth science amongst other subjects.
   d) Do not allow students to fall behind.

25) A commenter stated the following:
   a) The Beacon program has been in the community for 15 years and has been supported with space and funds for many years.
   b) Beacon cannot operate programs such as ESL, Soccer for Success, Nike-sponsored basketball, arts and crafts, GED, or SAT prep without space.
   c) If the DOE wants the best for the community and students in the area, please reconsider this co-location.

26) A representative from the Neighborhood Improvement Association Community Services Network spoke in opposition of the proposal, stating:
   a) Charters may be necessary in some communities but they are not needed in this community as the schools are high performing.
   b) Charter schools will negatively impact local schools by decreasing enrollment.
   c) With fewer resources, local schools will not be able to provide the same opportunities to students.

27) A commenter stated the following:
   a) The community is dealing with tremendous traffic issues, which are made worse by student drop offs at schools. There is a large influx of K-5 students on the less than 2 block radius around I.S. 096 and this area is second in the city for speeding.

b) This co-location will add more buses and cars to an already congested area and affect safety of children.
c) A traffic analysis was not done when considering this proposal. DOE needs to investigate these issues and if any child is hurt, the DOE will be responsible.

28) The United Federation of Teachers Representative for District 21, Judy Gerowitz, stated the following:
a) I.S. 096 has created a new academy configuration that must be given time to flourish and grow. The developing arts and computer programs are important. Teachers use classrooms to work with students for enrichment and reinforcement. The gymnasiums are used by students throughout the day every day.
b) Students with special needs require sufficient space. Space is needed for students who have special testing needs, students who need special STEM instruction, and Beacon.
c) I.S. 096 offers a welcome class for students who are new to the United States. If the co-location is approved, all these programs will be taken away.
d) When I.S. 096 hosted P.S. 90 during Hurricane Sandy, there were space issues.
e) I.S. 096 is a District 20 feeder school and future middle school children will need schools to attend.
f) According to the building utilization plan, Success Academy will inhabit 27 rooms. This will limit space for I.S. 096 and will cause the school to close.
g) Success Academy did not show up at the SUNY charter application hearing.
h) I.S. 096 educates all students and doesn't discard students that don't live up to expectations.

29) An I.S. 096 speech pathologist expressed the following:
a) As a speech provider at I.S. 096, I have provided services for students in stairwells, in front of bathrooms, and other less than ideal places. I.S. 096 has special education support teachers and Integrated Co-teaching with pull-out services; this co-location will negatively impact these services.
b) The co-location will also impact the extended school day program, Beacon, and other programs.

30) A teacher at P.S. 188 stated the following:
a) There is a big need to assess the needs of the school and community. I would like to sit down with DOE and to work to build a gifted and talented career and technical education program in Districts 20 and 21.
b) This charter co-location may not be a bad thing but it needs to be tweaked because DOE does not understand the needs of the community and we need to educate DOE staff.

31) A commenter stated the following:
a) Charter schools may want to offer dynamic and efficient education for students; but I.S. 096 already does this for all students.
b) Delivering quality education required adequate space. The people who aren't on the front lines don't fully understand how this actually happens. Space is critical to quality delivery of services and critical to the I.S. 096's growth. Teachers want to make classrooms fun and inviting and provide quality education for students.

32) A commenter stated the following:
a) District 21 schools are already successful and don't need Success Academy.

b) When Marc Sternberg visited Grady High School, he saw that Grady had special education students who were building a house with their hands. Marc Sternberg told the principal that Grady was ineffective. We have students that have special needs and talents that must be brought out. We must broaden the way we measure student talents.
c) Success Academy is disgraceful and not taken any actions to integrate with community.
d) The scheduling of the SUNY application hearing was disrespectful, given that the notice went out on a Jewish holiday.
e) The Community is united against this application. K096's current building utilization rate reflects the lack of support the DOE has shown I.S. 096 over the last decade.
f) New York City needs leadership with education on its mind.

33) A commenter stated the following:
a) The DOE needs to keep its hands in its pockets and give us funds to support our kids.
b) We don't need invaders in our community and we don't have a repeat of what occurred with Coney Island Prep at I.S. 303.
c) The students don't want to be co-located; they want a free education with good educators.

34) A commenter asserted the following:
a) The PEP has never rejected a charter co-location proposal and the community needs to fight against this.
b) Success Academy's claim, in its charter application, that District 21 is underperforming is untrue as District 21 is outperforming city schools.
c) The EIS is flawed. Page 5 of the EIS discusses enrollment increases in District 20 and allocation of additional space for I.S. 096. As stated on page 3, why is enrollment projected to decrease as much as 12%?
d) The DOE has not implemented best practices from the financial services industry, such as listening to key stakeholders.

35) A commenter stated the following:
a) Eva Moskowitz would not want this for her own kids.
b) We shouldn't take away resources from the district schools and I want better for my child.
c) Don't let these charter schools come in and invade.

36) A commenter stated the following:
a) The DOE has said they want parental and community involvement but everything is done in the middle of the night just to get things checked off a list.
b) Parents have a right to send their kids where they want but we need to preserve public education.
c) Children that go to I.S. 096 should have the resources they need.

37) A commenter stated the following:
a) I.S. 096 provided services to all of my children, despite a range in their educational needs, including a child with an IEP.
b) The DOE representatives here are just doing their jobs on behalf of the mayor. The community should vote to ensure that elected officials are properly representing the community. Bloomberg is feeding his cronies instead of feeding the schools.
c) We have to put money back into the public schools. We have been fighting the fight to keep class sizes small.

d) Charter schools can be in their own buildings; they are private schools.

In addition to collecting feedback at the Joint Public Hearing referenced above, the DOE solicited feedback on this proposal via email, telephone and an internet feedback form.

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

38. Assemblyman Alec Brook-Krasny submitted a letter, the contents of which are represented in Joint Public Hearing comment #6.

39. A commenter asserted the following:
    a) Charter schools are opened when district schools are underperforming; that is not the case with I.S. 096. Therefore, the reason for bringing in a Success Academy is unacceptable and clearly unnecessary.
    b) It is evident that the reason the DOE is requesting space in our schools during an election year and during the very end of a three term Mayor is for economic purposes, to secure federal funding.
    c) Chancellor Dennis Walcott should be ashamed of himself for allowing this forceful detriment of Charter Schools to harm our children, especially having been an educator himself.
    d) With New York City $1 Billion in debt (and that doesn't include New York State numbers), it is clear that economics for the purposes of hurting our children is not going to affect the deficit right now.
    e) Success Academy should find its own building and not threaten the integrity of our district.
    f) The partial funding of Success Academy and other charter schools could be better used by giving it to district school children.
    g) The DOE should be aware that cities such as Philadelphia are in debt and planning to secede from the Common Core.
    h) Don't let our children be the guinea pigs as they are human and need to be respected.
    i) We will fight you tooth and nail on this until you back down. The DOE should back down now, in order to save time and effort that could be used more constructively.

40. A commenter wrote in support of the proposal stating that:
    a) Public schools are failing students and have low performance on state exams. The educational gap will decrease access to future socio-economic opportunities and mobility, continuing a cycle of poverty.
    b) Charter schools provide options for parents without the financial means to send their children to private schools or pay for gifted and talented examination testing, According to a Stanford University study, charter schools in New York provided better education for their students than public school options, as measured by both math and reading scores.
    c) Failing public schools fear competition and perpetuate a cycle of economic marginalization.
    d) A recent study by The Economist put United States as the country with the least social mobility among developed countries, with one of the lowest student performance.

41. An I.S. 096 student wrote in opposition to the proposal, stating that:
    a) The proposal will signal the end of I.S. 096 as the school may lose teachers and students will have their lunch time decreased.
    b) The charter school will not share resources and will take over the building.

c) There will be safety issues with having elementary school students in the building, especially in the event of a fire.
d) Eva Moskowitz has the resources to build her own school.

42. CEC 30 submitted Resolution #95, calling for a moratorium on all school closures, phase outs and charter school co-locations.

43. A commenter wrote in opposition to charter schools, asserting the following:
    a) Charter schools should not take over public school buildings.
    b) Schools are overcrowded and this will have a major impact teachers and children. I am completely against charter schools.

44. Multiple commenters stated that the DOE should stop the charter school invasions in Districts 20 and 21.

45. A commenter stated the following:
    a) I.S. 096 class sizes are big enough.
    b) The community is working very hard to succeed; please do not destroy the success of our community.
    c) The Coney Island area has enough places to put in schools.

46. A commenter wrote in opposition to the proposal, stating the co-location will affect educational quality and cause competition between students, as students will have to worry about the ramifications of sharing space and equipment. Schools will then resemble the free market and students will not be able to perform on par with students from other countries.

47. A commenter expressed the following concerns:
    a) Having elementary school and middle school students in the same building will cause safety issues.
    b) K096 is already at capacity and does not have space for additional students.
    c) If charter schools are allowed to use their own curriculum, this does not benefit public school students. Students should get the best education no matter where they attend school.
    d) Charter schools do not solicit students with special needs and IEPs and public schools do; as such, public schools deserve the credit for teaching these students.
    e) District 21 needs more options for gifted and talented programs as opposed to charter schools.

48. Community Board 11 District Manager Marnia Elias Parvia submitted a letter, the contents of which are represented in Joint Public Hearing comment #12.

49. A commenter submitted the following questions:
    a) Will overcrowded high schools with high utilization rates be proposed for co-location to reduce this issue common in large high schools? High schools like Edward R. Murrow with a 123% utilization rate housing 4,000 students in a building meant for 3,000 and Abraham Lincoln High School with a 122% utilization rate housing 500 more students than building capacity. Will these schools be the other proposals for co-location in District 21 due to their high utilization rates that leads to large class sizes and overcrowding? If not, will the DOE add these schools for the co-location proposals?

50. Councilmember Vincent Gentile also submitted a written statement, stating the following:
    a) The time for a charter school at this location has passed. The right time would have been when the Lucretia Marcigliano School was being built across the street several years ago. District 21 enrollment has decreased as a whole. Adding another elementary school would further decimate the existing elementary schools in District 21. There is more than enough room in other District 21 elementary schools.
    b) District 20 schools are feeders into I.S. 096 and are also overcrowded and in need of middle school seats. Over 50% of students currently enrolled at I.S. 096 are from neighboring District 20 elementary schools. Bringing in a K-4 charter will not alleviate problems in these districts, it will make them worse.
    c) The DOE should be providing help and support to build I.S. 096 back up as a leading middle school.
    d) We need to focus on our children, not non-educational reasons to push this charter into existence; this is worrisome especially if the motive includes financial incentive.
    e) Deny these charters entry into District 21 to consider the best interest of students.

51. Councilmember Dominic Recchia also submitted a written statement, stating the following:
    a) This proposal is flawed and cannot be implemented. It is not in the best interests of this community.
    b) The EIS is based on flawed enrollment projections and gives the expectation that enrollment at I.S. 096 will drop from 743 this year to 675-705 in 2014 and will maintain at that level until 2018-2019. There is reason to expect enrollment to increase, not decrease with new programs and increased in population in District 20 and District 21.
    c) The DOE notes that enrollment has been increasing at the elementary schools within in portion of District 20 zoned to I.S. 096. Thus, enrollment is assuredly going to increase at I.S. 096.
    d) Safety concerns are justified as there are already currently classes at I.S. 096 with over 30 students, which is too high.
    e) Available capacity at K096 should be used to hire more teachers and reduce class sizes. This would improve performance and environment.
    f) Combining elementary school students with older students is suspect as these children have different developmental, social, and educational stages; forcing them to share space increases safety concerns and impacts the environment.
    g) The process for handling the proposal has been offensive. The notice for the SUNY application hearing was sent after 5pm on Thursday 9/19 on a religious holiday; SUNY did not show up and DOE offered another potential charter application hearing date on another Jewish holiday. This shows blatant disregard for the community.
    h) SUNY and Success are trying to backdoor this application because they know the community strongly opposes the co-location.
    i) The community does not want co-location. CEC 21 has formally voted against it.

52. CEC 20 submitted a formal resolution which was passed on August 14, 2013. The resolution opposes this proposal.

53. CEC 21 submitted a formal resolution which was passed on July 17, 2013. The resolution opposes this proposal.

54. CEC 21 submitted three news articles from press outlets: Home Reporter News, The Brooklyn Eagle, and News 12, which provided an overview of the Joint Public Hearing and summarized participant opposition to the co-location of SA-New York 3 at K096.

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

Comments 40(a), 40(b), 40(c), and 40(d), are in favor of the proposal and do not require a response.

Comments 1(f), 9(c), 11 (c), 32 (b), 32 (d), 34(b), 34 (d), 37(b), 49, and 51(g) are not directly related to the proposal and thus do not require a response.

Comments 1(a), 2(a), 3(a), 4(a), 4(b), 6(a), 7(a), 8(a), 9(b), 10(a), 10(c), 11(e), 17(a), 17(c), 24(c), 24(d), 25(c), 26(a), 30(a), 30(b), 31(a), 32(a), 32(f), 33(b), 33(c), 34(a), 35(a), 35(c), 36(b), 38 ,39(a), 39(c), 39(d), 39(f), 39(g),39(h), 39(i), 42, 44, 45(b), 47(c), 50(e), 51(a), 51(h), 51 (i), 52, 53 and 54) voice general opposition to the proposal.

The DOE notes there is a need for increased options for students in the Brooklyn, including those students located in District 21. The DOE strives to ensure that all students in New York City have access to various educational options at every stage of their education. This proposal aims to provide a new option for these students.

The DOE believes in SACS's record of success and supports the permanent placement of a SACS charter school in District 21. SACS is a charter management organization that currently operates 18 public charter schools in New York City, including six new public elementary schools that will begin serving students in 2013-2014. SACS schools have a strong track record of academic achievement: each of the four SACS elementary schools that received a Progress Report in 2011-2012 earned an overall score of A. Furthermore, on the 2012-2013 New York State Exams, SACS demonstrated strong results in ELA, math, and science. The seven SACS schools with testing grades performed in the top 2% on the state math examination and in the top 7% on the state ELA examination. Additionally, 100% of SACS students who took the state science test passed the exam.

Comments 1(b), 4(e), 5(a) 13(b), 14, 16(a), 16(b), 17(b), 18, 19(b), 24(b), 28(d), 28(f), 31(b), 43(b), 45(a), 47(b), and 51(e) assert that the school does not have enough space to accommodate the charter school and that the co-location will lead to overcrowding in Building K096.

There are currently hundreds of schools in buildings across the city that are co-located; some of these co-locations involve multiple DOE schools, while others involve DOE schools and public charter schools sharing space. The DOE seeks to fully utilize all of its building capacity to serve students. The DOE does not distinguish between students attending public charter schools and students attending DOE schools. In all cases, the DOE seeks to provide high quality education and allow parents and students to choose where to attend.

The Citywide Instructional Footprint (the "Footprint") is the guide used to allocate space to all schools based on the number of class sections the school programs and the grade levels served by the school. The number of class sections at each school is determined by the Principal based on enrollment, budget, and student needs and there is a target class size based on the 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 for 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.

The Building Utilization Plan ("BUP") sets forth the baseline number of rooms to be allocated to each school pursuant to the Footprint, as well as the total number rooms in a building to provide a more complete picture of the availability of space in a building. The BUP also provides the number of class sections each school is anticipated to serve each year during the phase-in of SA-New York 3. If this proposed co-location is approved, in 2017-2018, I.S. 096 will be allocated 35 full-size, 5 half-size, 2 quarter-size rooms and 2.5 full size equivalent spaces ("FSE") in designed administrative space. The full-size room count includes 6 additional full-size rooms on top of the school's baseline footprint because, as the DOE notes, elementary-level enrollment patterns in the school's zone indicate that I.S. 096 may take in an increased number of sixth grade students in future years. SA- New York 3 will be allocated 27 full-size and 1 quarter-size rooms based on its adjusted baseline Footprint allocation.

In the fourth and final year of the proposal's implementation, SA-New York 3 will receive its adjusted baseline allocation of instructional rooms, but will not receive certain administrative space that it would otherwise receive under the Footprint. SA-New York 3 agrees, however, that it can adequately operate within the space the DOE has allocated in the BUP during the 2017-2018 school year and beyond because SACS uses different space programming assumptions than the Footprint. Therefore, SA-New York 3 believes it has the ability to continue to effectively deliver instruction in the space allocated by this BUP. Because I.S. 096 will receive its full allocation of instructional and administrative space, and SA-New York 3 will receive its full allocation of instructional space, in the final year of this proposal, the DOE believes there is enough space to accommodate both schools.

As noted in the EIS, K096 has the capacity to serve 1,341 students. If this proposal is approved, building K096 would collectively serve 1,110-1,290 students in the building, which yields a projected utilization rate of 83%-96%. Thus, building K096 has the capacity to serve all students projected to be in the building.

Additionally, the BUP puts forth a proposed shared space schedule for the co-located schools which demonstrates both schools will have enough time in all the shared spaces in the building to meet programming requirements. The final shared space schedule will be decided upon by the Building Council if this proposed co-location is approved by the PEP.

Comments 1(e), 3(b), 5(b), 5(c), 9(g), 15(b), 25(a), 26(c), 28(a), 28(c), 36(c), 41(a), 41(b), 43(b) and 46 suggest that I.S. 096 will not be able to continue to implement its academy structure, offer extracurricular and performing arts programs, or offer extended day programming if this proposal is approved.

The DOE understands that I.S. 096 students and parents and the community in general are enthusiastic about the range of performing arts and extracurricular programming offered at the school. The proposed co-location of SA – New York 3 in K096 is not expected to impact student instructional programming at I.S. 096. The DOE does not anticipate that this proposal will affect the extra-curricular programs or partnerships currently offered at I.S. 096. The proposed co-location will not impact those opportunities. However, the co-location may change the way those programs are configured. For example, some activities may need to share classroom space or the scheduling of these activities may change as a result

of greater demands on the available space during or after school hours. Students will continue to have the opportunity to participate in a variety of extracurricular programs though the specific programs offered at a given school are always subject to change. It is difficult to predict precisely how those changes might be implemented as decisions will rest with school administrators and will be made based on student interests and available resources. That is true for any City school as all schools modify extracurricular offerings annually based on student demand and available resources.

Additionally, the Footprint assumes that for students in grades 6-12 move from class to class and that classrooms should be programmed at maximum efficiency. The Footprint does not require that every teacher have his or her own designated classroom.

If this proposal is approved, I.S. 096 may continue to offer its academy programming within the space allocated to the school under the Footprint.

Comments 9(f), 20(b), 25(a), 25(b), 29(b) suggest that Beacon, a community based organization located in K096, will no longer be able to offer the range of programming offerings and support provided to I.S. 096.

The DOE understands that Beacon has a strong partnership with I.S. 096. If this proposal is approved, the DOE does not anticipate that Beacon will be affected by the opening and co-location of SA – New York 3 and anticipates that it will be able to maintain current operations in K096. As described in the BUP, Beacon will continue to be allocated space at K096 throughout the implementation of this proposal.

Comments 2(b), 2(c), 2(d), 8(c), 8(d), 9(d), 28(e), 38, 50(a), 50(b), and 51(c) suggest that due to overcrowding in District 21 and an increase in elementary school level enrollment in the portion of District 20 zoned to I.S. 096, the co-location of SA-New York 3 does not fulfill the need for more middle school seats in District 21 and 20. Comment 2(b) specifically states that approximately 53% of I.S. 096's zone is from District 20; Comment 8(d) states a similar claim that over 50% of students of I.S. 096 come from feeder schools in District 20

As stated in the EIS, The I.S. 96 zone also includes students that reside in District 20 due to I.S. 96's geographic location. However, all students living within the I.S. 96 zone, regardless of their residential district, are considered District 21 middle school students by the Office of Student Enrollment and participate in the District 21 Middle School Choice Process.54% of I.S. 096's zone enrollment comes from District 20 and the DOE notes that enrollment has been increasing at the elementary school level within the portion of District 20 zoned to I.S. 096. As such, starting in 2014-2015 the building utilization plan reflects 3 additional rooms and an additional room each year of the proposal for I.S. 096's instructional use in anticipation that this elementary school level increase in zoned student enrollment will also lead to additional students attending I.S. 096 for middle school.

Comments 4(c), 4(d), 11(f), 47(d), 19(a), 21, 22(a), 22(b), 28(b), 28(h), 29(a), 37(a) suggest that charter schools can purposely refuse or be exempted from the requirement to teach all students, including students with special needs.

The DOE is not aware of a waiver that exists that allows charter schools to be exempted from the requirement to serve Special Education students. Further, the DOE is not aware of SACS having a waiver that would allow the school to avoid teaching special education students. SACS must admit all students

according to its lottery preferences, and may not turn away a student because of language ability, behavioral problems, or services required by an IEP.

In May 2010 the Charter Schools Act was amended to expressly require that charter schools demonstrate good faith efforts to attract and retain ELLs, students with disabilities, and students eligible for free or reduced lunch at rates comparable to those of the Community School District in which the charter school is located. Charter schools which fail to meet the special education and or ELL targets set by their authorizer risk having their renewal applications rejected.

The DOE's annual Progress Report compares school performance with up to 40 schools serving the most similar student populations. The Progress Report also provides "extra credit" to schools that succeed at helping ELL and Special Education students achieve. Thus, the incentive is for schools to serve its ELL and Special Education students well, and a school is not advantaged by having a lower enrollment of ELL and Special Education students.

Charter schools often launch targeted community outreach and student recruitment efforts designed to attract families to apply and enroll in the schools. Distributed materials include FAQs, applications, and flyers promoting orientation sessions and school opening.

Comments 1(d), 2(e), 6(d), 11(d), 13(a), 26(b), 34(c), and 51(b) suggest that the enrollment projections in the EIS are flawed and the proposal will cause I.S. 096 to cap enrollment, thus unable to meet increasing enrollment demands in District 21. Comment 34(c) specifically states that enrollment is projected to decrease up to 12%.

The EIS projects the schools' enrollments based on 2013-2014 budget projections. The enrollment decrease for I.S. 096 is projected to fall between 7-11%. The projected figures in the EIS are consistent with historical enrollment trends at each school. Since 2008, enrollment at I.S. 096 has fallen by 32%. As a result, the building where I.S. 096 is housed is only at 55% of its potential capacity. Despite this enrollment decline, the DOE has allocated additional space in the BUP to I.S. 096 beyond its current usage and beyond what enrollment projections call for in order to account for potential future enrollment needs across the part of I.S. 096 zone that is in District 20. While there is no "cap" proposed, enrollment at any school is based upon demand, performance, and available space. Seat targets for I.S. 096 are established annually based on these factors. Thus, there is no cap established for enrollment at I.S. 096.

Comments 1(c), 6(b), 7(c), 23, and 38 state that charter schools have greater access to space and resources than traditional public schools. Specifically, comment 23 states that the school nurse will have to serve the charter school students as well, which will increased waiting times for I.S. 096 students.

With regard to the distribution of space, as discussed above, the DOE applies the Footprint to allocate instructional and administrative space to school organizations. With regard to funding and other resources, charter schools receive public funding 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, and the funding formula for SACS is not affected by the approval or rejection of this proposal. 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, fieldtrips, etc.).

Pursuant to Chancellor's Regulation A-190, the Chancellor or his/her designee must first authorize in writing any proposed capital improvement or facility upgrade in excess of five thousand dollars, regardless of the source of funding, made to accommodate the co-location of a charter school within a public school building. 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 school within the public school building.

With respect to concerns that charter schools "funnel" resources away from DOE schools, it should be noted that charter schools receive public funding based on their student enrollment, as do DOE schools. To the extent that a student opts to attend a charter school rather than a particular zoned DOE school, that zoned DOE school's enrollment may decline, resulting in less per student funding. However, this very same result occurs whenever a student decides to attend a choice, unzoned DOE school, rather than his or her zoned school. In this regard, the impact of a parent selecting a charter school is no different than the impact of a parent selecting an alternative DOE school. The DOE believes that parents should have the ability to choose where they wish to send their child for school because this is of paramount importance. As a result, the DOE is committed to increasing the educational options available to families.

Additionally, all schools in a co-located building do receive services from the school nurse. The nurse is funded through the Office of School Health, which is a joint program between the DOE and the Department of Health. The DOE acknowledges that waiting times may increase if the nurse has to serve more students; however, if the building were enrolled to maximum capacity by a single school organization, the nurse would serve a comparable number of students as in the proposed co-location. The Office of School Health School continually reviews staffing and addressed according should any issues arise.

Comments 9(e), 37(d), 39(e), 41(d), 43(a), 45(c) suggest that SA-New York 3 should open schools in private space.

The DOE seeks to provide space to all educational options for all students, regardless of whether they are served in DOE or public charter schools. The DOE welcomes public charter schools to lease space or provide their own space, but will continue to offer space in DOE schools where it is feasible to do so.

Comments 4.e, 11(f), 28 (h), and 47(d) assert that SACS has higher performing students because it is able to select its own students.

Public charter schools run a lottery in order to admit students fairly if the number of students who apply for admission to a class is greater than the number of seats available in that class. Lotteries select students randomly from among the applicant pool. In contrast, screened schools are able to select their students based on 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.

Application rules, procedures, and deadlines for charter schools vary, but most charter schools accept applications for the following school year until April 1 and conduct admissions lotteries during the second week of April. Interested parents should contact each charter school individually to obtain an application. Many schools also post applications on their websites.

Furthermore, charter schools serve the communities they reside in. Students are admitted to charter schools through an application lottery process that gives preference to students who live in the community school district in which the charter school is located.

Comment 5(c) suggests that the DOE consider special education reform in this proposal.

As discussed in the EIS, the proposed co-location is not expected to impact instructional programming at I.S. 096. In addition to General Education ("GE") classes, I.S. 096 currently offer Integrated Co-Teaching ("ICT"), self-contained ("SC") special education classes, Special Education Teacher Support Services ("SETSS"), and an English as a Second Language ("ESL") program for ELL students. I.S. 096 will continue to provide all of these programs, and students with disabilities will continue to receive all mandated services in accordance with their IEPs. ELL students at I.S. 096 will also continue to receive mandated services. The DOE does not anticipate any impact to instructional programming at any of the schools or programs in the K096 building.

Comments 6(b) 6(c), 15(a), 38, 41(c), 47(a), 51(d), and 51(f) questions placing elementary students in a building with middle school students and suggest that there will be safety issues associated with this practice.

Due to space limitations, it is not unusual for varying grade levels to be co-located in a building together. There are successful examples of mixed grade co-located school buildings or campuses in New York City. These examples include:

- Building K324 currently houses three schools: M.S. 267, an existing middle school serving students in grades sixth through eight, La Cima Charter school, a charter elementary school serving students in grades K-5, and Bedford Stuyvesant Collegiate, an existing charter secondary school, which is currently in the process of growing to serve students in grades 5-12. Members of the building council worked together to secure financing from KaBOOM to resurface the schoolyard and playground for all of the children at K324.
- The Julia Richman Educational Complex, which houses four small high schools, a K-8 school, and a District 75 program;
- Building M092 currently houses three schools: St. Hope Leadership Academy Charter School, a charter middle school serving students in grades fifth through eighth, P.S. 92, a district elementary school which serves students in grades K-5, and Democracy Prep Charter School, a charter high school serving students in ninth through twelfth grades.

There are successful examples of K-8 buildings or campuses across the City, such as The Shirley Tanyhill School and The Magnet School for Math and Science Inquiry. There are also numerous private schools Citywide that operate K-12 in a single building. The DOE is not aware of any increase in the number or severity of disciplinary problems at the DOE campuses where elementary and high school students are co-located. Furthermore, the DOE has no reason to believe that mixed grade level co-locations result in an increased of instructional or administrative demands on school administrators or staff.

The DOE believes that this proposal will not cause any safety concerns and the DOE is proposing to co-locate SA-New York 3 in District 21 in order to provide additional educational options for families. Pursuant to Chancellor's Regulation A-414, every school or 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 the changing security needs, changes in organization and building conditions and any other factors; these updates could also be made at any other time when 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.
If this proposal is passed, the School Safety Plan would be revised to ensure the safety of all students on the K096 campus.

Comments 6(e), 12, 27(a), 27(b), 27(c), 38, and 48 express concerns that the proposal will increase traffic congestion in the area, citing safety and environmental worries.

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. The residence of students attending SA-New York 3 might align with the residence of current students of the K096 building and therefore this proposal may not necessarily increase the overall carbon footprint of buses serving the K096 building. Additionally, school crossing guards are allocated by local police precincts. School administrators can contact their local precincts to request additional crossing guards.

As previously stated, 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.

Comment 1(g). 24(a) and 33 suggest that District 21 is a high performing district with various special programs, and therefore another elementary school is not needed. Comment 24(a) specifically states that charter schools are in the bottom 15% of schools in their state.

As previously stated, the DOE notes there is a need for increased options for students in Brooklyn, including those students located in District 21. The DOE strives to ensure that all students in New York City have access to various educational options at every stage of their education. This proposal aims to provide a new option for these students. According to the 2013-2014 District 21 Middle School directory, there is only one charter school, which serves students in grades five through ten, in District 21.

Based on New York City Charter School Center findings, NYC charter schools have outperformed the citywide district averages in ELA and Math proficiency on statewide exams each year from 2009-10 through 2011-12. In terms of academic growth, from 2010-11 to 2011-12, NYC charter school students' ELA proficiency increased by seven percentage points (from 44.5% in 2010-11 to 51.5%), four points greater than the increase in traditional district schools (44.0% to 46.9%). NYC charter performance increased by three points in Math (from 68.4% to 72.0%), on par with district school students' increase (from 57.4% to 60.0%).

NYC Charter schools have also performed better than traditional public schools on the NYC Progress Report, earning a higher percentage of As, and a higher average percentile rank than district schools. On the 2011-12 Progress Report, close to half (46%) of all charter schools received an A grade, compared to

only 25% of public schools citywide. In addition to receiving higher overall grades, NYC charters also scored better in each subcategory: Progress, Performance, and Environment.

Comment 36(a) suggests that the DOE did not sufficiently engage with the District 21 community about this proposal.
The DOE believes it complied with all applicable laws and regulations.

The DOE attempts to engage with the following parties in both public forums (e.g. CEC meeting) or in smaller group consultation as appropriate about proposals in development or recently posted:

- Meetings or discussions with impacted Principals
- Meetings or discussions with SLT
- Presentations and dialogue at CEC or Citywide Education Council meetings
- CEC President and Elected official briefings held jointly by Portfolio and Borough Presidents.

Additionally, for every proposal the DOE undertakes steps to engage impacted communities and the district or borough community at large. This includes:

- Scheduling a joint public hearing in advance of the release of a proposal;
- Publicizing the joint public hearing in print and on the DOE's website with hard and soft copies sent to
  - Impacted Principal(s) and SLT(s)
  - Impacted District and Citywide Councils
  - Impacted Community Boards
  - District or Borough Superintendent
  - PEP chair
  - Impacted families
- Providing phone and email lines for interested parties to leave feedback
- Accept commentary on a proposal up until 24 hours before the proposal will be voted on by the PEP

For this proposed, the DOE specifically engaged with the stakeholders in the following manner:

- The DOE began engagement with Principal Levinsky in November 2023 to discuss under-utilized space at K096.
- Upon finalizing the proposed scenario, the DOE updated the Principal in August 2013 and also had a conference call to discuss the proposal's enrollment and space implications.
- The DOE attended CEC 21's calendar meeting in August 2013, provided an update on the proposal, and received feedback regarding the proposal.
- The DOE offered to meet with the I.S. 96 SLT.
- The DOE presented at the Brooklyn Portfolio briefing for Elected officials in September 2013 and the September 2013 monthly Superintendent meeting
- Principal Levinsky distributed letters and notices to parents in September 2013.
- The DOE will also be presenting at Community Board 13's October 22, 2013 meeting. The DOE was originally scheduled to attend this meeting on October 8, 2013; however the meeting was rescheduled.

Comments 7(d), 50(c), 50(d), 20(a), 32 (e) 33(a), 35(b), 37(c) suggest that the DOE should provide more support to I.S. 096 and existing schools, as opposed to opening new schools that will take resources away from existing schools.

All schools receive support and assistance from their superintendent and Children First Network, a team that delivers operational and instructional support directly to schools. Schools receive supports as part of system-wide efforts to strengthen all schools; and they also receive individualized supports to address their particular challenges. We do everything we can to provide schools with leadership, operational, instructional, and student supports.

As stated in the EIS, the proposed co-location is not expected to impact future student enrollment, instructional programming, or the admissions process to the schools currently co-located in the Building.

Comments 7(b), 8(b), 9(a), 10(b), 11(a), 39(b) suggest that the DOE knowingly rushed to push this proposal through for the October 15, 2013 PEP vote, given that New York City will elect a new mayor in November 2013.

This proposal, and a set that will come before the October 30th PEP, represent a continuation of DOE's strategy to increase access to high quality schools in communities that need better options for the 2014-2015 school year.

This timeline is not new. The PEP already approved 23 proposals for September 2014 implementation during the May and June PEP meetings. The development of these 2014-2015 proposals reflects our extensive strategic planning to advance our proven strategy of bringing high quality district and charter schools online, as well as our desire to allow the maximum allotment of time for communities and educators to work towards their successful implementation.

Forward planning allots more time for:

- School/leaders to meet each other; and
- OSP to plan school placement and implement any needed facilities upgrades; and
- Charters to submit proposals for facilities matching; and
- Division of Facilities to review and conduct work on approved proposals.

Comments 5(d), 11(b), 11(g), 28(g), and 32(c) note that there were no SA-New York 3 representatives at the hearing.

Charter Management Organizations are not mandated to attend Joint Public Hearings but are welcome to participate.

Changes Made to the Proposal

No changes have been made to the proposal.