Department of Education
Dennis M. Walcott, Chancellor

Public Comment Analysis

Date: October 14, 2013

Topic: The Proposed Co-location of Uncommon Charter High School 3 with Existing Schools Brooklyn Generation School (18K566), Brooklyn Theatre Arts High School (18K567), Victory Collegiate High School (18K576), Brooklyn Bridge Academy (18K578) and Academy for Conservation and the Environment (18K637) in Building K515 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 co-locate Uncommon Charter High School 3 on the South Shore Educational Campus in school building K515 ("K515"), beginning in 2014-2015. K515 is located at 6565 Flatlands Avenue, Brooklyn, NY, 11236, within the geographical confines of Community School District 18 ("District 18"). If this proposal is approved, Uncommon Charter High School 3 will be co-located in K515 with Brooklyn Generation School (18K566, "Brooklyn Generation"), an existing district high school currently serving students in ninth through twelfth grades; Brooklyn Theatre Arts High School (18K567, "Brooklyn Theatre Arts"), an existing district high school serving students in ninth through twelfth grades; Victory Collegiate High School (18K576, "Victory Collegiate"), an existing district high school serving students in ninth through twelfth grades; Brooklyn Bridge Academy (18K578), an existing district transfer high school serving students in ninth through twelfth grades and Academy for Conservation and the Environment (18K637), an existing district high school serving students in ninth through twelfth grades.

K515 also contains a General Educational Development Plus program (79Q950, "GED Plus") and a Young Adult Borough Center (18K922, "South Shore Campus YABC") which is aligned with Brooklyn Bridge Academy (18K578). The GED Plus program and the South Shore Campus YABC program would continue to be offered in building K515 should this proposal be approved.

If this proposal is approved, Uncommon Charter High School 3 will open during the 2014-2015 school year with a ninth-grade cohort of approximately 100-130 students. Uncommon Charter High School 3 will be at full scale in terms of enrollment in the 2019-2020 school year when it will serve approximately 580-745 students.

Copies of the Educational Impact Statement ("EIS") this proposal are available in the main offices of Brooklyn Generation School, Brooklyn Theatre Arts, Victory Collegiate, Brooklyn Bridge Academy, and Academy for Conservation and the Environment. It is also available on the DOE's website at: http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2013-2014/Oct15SchoolProposals.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding the proposal was held at K515 on October 7, 2013. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 175 members of the public attended the hearing and 64 people spoke. Present at the meeting were Brooklyn High Schools

Superintendent Aimee Horowitz, who served as Chancellor's Designee; Lydia Colon-Bomani, Principal of Brooklyn Generation School and member of the School Leadership Team ("SLT"); Jonathan Spear, a representative of the Brooklyn Generation SLTand Co-Founder, Generation Schools Network; Danielle Duffy, a representative of the Brooklyn Theatre Arts SLT; Scott Carlson, a representative of the Academy for Conservation and the Environment SLT; Dr. Max Jean-Paul, Principal of Brooklyn Bridge Academy and member of the SLT; Shivika Rajkisore, a representative of the Brooklyn Bridge Academy SLT; Ashraya Gupta, a representative of the Victory Collegiate SLT; and Michael Friedman, a representative from the GED Plus SLT. Also in attendance were Marianne Russo, a representative of the Citywide Council for High Schools ("CCHS"). The District 18 Community Education Council ("CEC 18") was invited to participate in the hearing and confirmed their attendance prior to the hearing, but did not attend.

<u>The following comments and remarks were made at the joint public hearing on October 7, 2013</u>

1. Lydia Colon-Bomani, principal of the Brooklyn Generation School, stated:

    a. Our school allows for a longer day and a longer school year which causes our school to use space and time differently.

    b. All of the things we do take time and space. Growth is needed for our program and model. We are growing and that is the point of our concern with the proposal.

    c. The EIS states that we will never grow, while Uncommon Charter High School 3 is proposed to grow potentially to two times the size of our school.

    d. The impact of this proposal will be loss of vital instructional space and will make it difficult for us to function and serve our community.

    e. We cannot offer more opportunities to students if our growth is limited.

    f. We are not against co-locations generally, but we are concerned about how this will impact our school and how this will impact our instructional program and growth.

2. Jonathan Spear, Brooklyn Generation School SLT member and Co-Founder, Generation Schools Network, stated:

    a. I am not interested in speaking against charter schools or co-locations generally.

    b. Brooklyn Generation School operates differently than other schools. In the EIS and the Building Utilization Plan ("BUP"), the Division of Portfolio Planning uses common assumptions and standard formulas which do not reflect the way resources are used at Brooklyn Generation School.

    c. Brooklyn Generation School will grow if it is permitted to do so.

    d. The BUP should also reflect the financial impact that the proposal will have on Brooklyn Generation School. If the proposal is approved, Brooklyn Generation School will not be financially stable.

3. A statement on behalf of another Brooklyn Generation School SLT member was read:

a. A charter school may make students at the district school feel that their school cannot compete with the new charter school.

b. Will any of Brooklyn Generation School ninth-grade students be able to apply to Uncommon Charter High School 3 in 2014-2015 if Uncommon Schools only accepts their own middle school students?

c. How will Brooklyn Generation School students deal with being told they cannot attend Uncommon Charter High School 3?

d. Will the Uncommon Charter High School 3 students enter through the same entrance as the students of the other co-located schools?

e. If charter schools operate differently than other public schools, charter schools should be co-located together in their own buildings to compete with each other.

f. If the proposal is approved, Brooklyn Generation School class sizes will become larger.

g. Where will the youth in our community go to school if they cannot go to school in their community?

h. The DOE should further engage with the community before approving the proposal.

4. Danielle Duffy, a representative of the SLT at Brooklyn Theatre Arts, said the following:

a. It is not practical to co-locate a seventh school in K515. The co-location jeopardizes the needs of six city schools in exchange for the needs of one.

b. The community urges panel to vote against this proposal.

c. If the DOE would give schools the resources they need, they will succeed. The funding equity debate needs to move away from just charter opponents versus charter supporters. It should be about building successful schools.

d. The DOE should give students the space they need to be successful.

e. Charter school students deserve quality, but not at the expense of Brooklyn Theatre Arts' students.

f. The co-location of Uncommon Charter High School 3 will cause a resource drain. Numbers look good on paper, but there is quality of space issue here.

g. Practical issues exist, such as gym concerns.

h. This proposal is not in the best interest of students.

i. Resources are already thin on the campus, asking our students for more is going to cause them to break.

j. It is unfair to ask a theatre arts school to share its only rehearsal space. Reducing our space will mean that we will not have the space needed to be a successful arts school. Our students will not have access to materials needed to be certified by state.

k. Our students' successes speak volumes and none would be possible without space. This proposal will take away their space to give it to someone else.

l. Brooklyn Theatre Arts is being asked to defend its own space that it currently occupies. the DOE should not jeopardize the little space it has which would limit its programming. Cramming kids into space and overcrowding common spaces is not right.

m. Uncommon Charter High School 3 should be co-located in a different building.

5. Dr. Max Jean-Paul, principal of Brooklyn Bridge Academy, said the following:

a. The complex has made great strides in recent years.

b. The inclusion of Uncommon Charter High School 3 will cause class sizes to grow, which defeats the purpose of the small school idea.

c. Brooklyn Bridge Academy is being asked to move just to accommodate another school. It sends a message to students that "you are not as important as someone else's child."

d. How is the DOE creating a portfolio of choice, when one person's choice is more important than someone else's?

6. Shivika Rajkisore, a representative of the Brooklyn Bridge Academy SLT, said the following:

a. The proposed co-location of Uncommon Charter High School 3 will jeopardize the Building Council, which has stabilized over the years and after much work.

b. The proposed shared space schedules will not work.

c. The introduction of another school into the building will jeopardize the ability of all existing six schools to serve their special education populations.

d. The proposed co-location is detrimental to entire community and is setting students up for failure.

7. Ashraya Gupta, a representative of the Victory Collegiate SLT, said the following:

a. All of the schools on the campus have different schedules. The proposed shared space schedule does not match those schedules.

b. There is concern about equality in space distribution, since Uncommon High School 3 will serve more students than the existing schools in the building.

c. In 2011 a proposal was approved to open Uncommon Charter High School 2. The middle schools listed in that proposal that were supposed to feed into that school are the same ones listed in the current proposal for Uncommon Charter High School 3.

d. K515 is not underutilized. The ninth-grade classes are larger than they have been in recent years.

e. The model being proposed assumes that the purpose of schooling is efficiency instead of justice.

f. In this proposal, Victory Collegiate will be negatively impacted by the proposed co-location of Uncommon High School 3 because it will lose space and the abililty to meet the needs of its students.

8. Scott Carlson, a representative of the SLT at Academy for Conservation and the Environment, said the following:

   a. Education requires space.

   b. We currently have sports teams competing for space.

   c. Will students from this community be given the choice to attend Uncommon Charter High School 3? Students from all over city are going to go to Uncommon Charter High School 3.

   d. Introducing another school into the building makes it feel as though the DOE is experimenting with the building to determine whether multiple schools in one building can all succeed.

9. Mr. Michael Friedman, a representative from the GED Plus SLT, said the following:

   a. Why would the Bloomberg administration put this on the new mayor?

   b. Why is this the first time the schools are hearing about the proposal?

   c. Why will Uncommon Charter High School 3 grow, while existing schools will not grow?

10. Marianne Russo, a representative of the CCHS, said the following:

    a. The DOE did not ask or consider the opinions of the currently co-located schools in putting forth this proposal.

    b. This is a flawed system since the DOE is the one writing the proposal and supporting the charter school.

    c. The proposal does not take into account special spaces in building.

    d. If the DOE wants to invest in charter schools it should provide them with their own buildings.

    e. The DOE's numbers are skewed and no one checks them.

11. Multiple commenters stated that they opposed the co-location of a charter school in K515.

12. Multiple commenters stated that there is limited space in the building and that bringing in an additional school will only further reduce this limited space for the current schools.

13. Multiple commenters stated their concern that current programming in the building will be lost if the proposal is approved.

14. Multiple commenters expressed concerns over larger class sizes as a result of the proposal.

15. Multiple commenters expressed concern about losing access to shared spaces in the building, such as the auditorium and gymnasium, if the proposal is approved.

16. Multiple commenters questioned how current students would benefit from this proposal.

17. Multiple commenters questioned Uncommon Charter High School 3's admission policies and their impact on current students.

18. Multiple commenters stated that they chose and prefer small schools and that this proposal goes against the small school option.

19. Multiple commenters expressed concern over the loss of faculty and staff members at the currently co-located schools as a result of the proposed co-location.

20. One commenter expressed support for the proposal saying that Uncommon Charter High School 3 will only add to the building, not take away from it.

21. One commenter, who spoke in favor of the proposal, expressed concern over the negative attitude toward Uncommon Schools and urged those in attendance to serve as role models of success.

22. One commenter stated that co-locations are a bad option and are a microcosm of Bill de Blasio's tale of two cities message.

23. One commenter stated that the people making decisions about these proposals do not understand the problems faced in schools.

24. One commenter stated that charter schools are pro-big business and that the United Federation of Teachers ("UFT") is not against charter schools.

25. One commenter stated that the Panel for Educational Policy ("PEP") is corrupt and that every member is appointed by Mayor Bloomberg.

26. One commenter questioned why the co-location is happening prior to Uncommon Charter High School 3's authorization.

27. One commenter stated that charter schools have high turnover rates amongst staff and questioned how Uncommon Charter High School 3's staff would interact with current staff in the building.

28. One commenter stated to students that "charter schools do not want you."

29. One commenter stated that the phasing out of South Shore High School was detrimental to students' self-esteem.

30. One commenter feared that the co-location of a charter school would have a negative impact on the emotional well- being of students currently attending school in the building.

31. One commenter stated that there is no data that suggests that charter schools are better.

32. One commenter stated that charter schools do not belong in public school buildings.

33. One commenter questioned why Uncommon Schools did not send representatives to the Joint Public Hearing.

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

34. Two commenters expressed concern over the loss of space as a result of the co-location.

35. One commenter expressed concern that because charters are privately funded, the co-location will be a constant reminder to the district schools' students that they are "have-nots."

36. Jonathan Spear, a representative of the Brooklyn Generation SLT and Co-Founder of Generation Schools Network, submitted comments about the impact of the proposal on Brooklyn Generation. The written comments raised the following points:

    a. Brooklyn Generation School was approved to be a secondary school, grades 6 – 12.The NYC DOE Chancellor and President of the United Federation of Teachers (UFT) signed a side agreement allowing the school to operate differently, to implement the Generation Schools model. The agreement has since been renewed twice.

    b. The agreement supports the implementation of unique model aspects including students participating in two, month-long Intensives each year that link learning to life. During these months, they participate in-depth in industry related course work, practice 21st century skills and map college / career pathways toward achieving their goals. Additionally, teachers have daily common planning time and 20 days of built-in professional development each year, ensuring that students who are coming in with multiple deficiencies are receiving the best possible instruction.

    c. The DOE uses common assumptions and standard calculations to project school enrollments and space needs. Unfortunately, these formulas do not reflect the way resources are used at Brooklyn Generation School, even as these were approved by the DOE.

    d. With these documents, the DOE projects Brooklyn Generation will reach a maximum enrollment of 290 students. This is far fewer than the enrollment for which Brooklyn Generation was approved, is fewer students than the school enrolls today, and is counter to the enrollment trends the school is seeing over time.

    e. Generation Schools Network wants to ensure that Brooklyn Generation can grow as demand for the program grows to an enrollment which allows the school to be financially sustainable over time.

    f. If the DOE does not afford Brooklyn Generation sufficient space, the EIS should reflect that Brooklyn Generation will end up hobbled and significantly, adversely affected by the proposed colocation as the planned enrollment will not allow for the financial sustainability of the school.

    g. Brooklyn Generation could sustain itself in two ways: either with enrollment of 125 ninth graders and 446 students overall; a staff of 4 administrators, 36 pedagogues, and 10 non-

pedagogues, and space needs of 32-34 instructional rooms, 3 rooms for student support, and 4 rooms for administrative purposes; or with enrollment of 110 ninth graders and 392 students overall; a staff of 4 administrators, 30 pedagogues, and 10 non-pedagogues, and space needs of 30-32 instructional rooms, 3 rooms for student support, and 4 rooms for administrative purposes.

h. Brooklyn Generation requires access to common spaces including the lunch rooms, auditorium, and gymnasium for the approved, extended school year.

i. DOE should revise the EIS and BUP to reflect Brooklyn Generation's actual needs at a sustainable enrollment level, reducing the calculations of excess capacity.

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

Comments 20 and 21 are in support of the proposal and do not require a response.

Comments 1(d), 4(a,d, f, g, j, k, l, m), 5(b), 6(b, c), 7(a, b, f), 8 (a, b), 10(c), 12, 14, 15, 18, and 34 relate to the process by which space is allocated to schools, shared space scheduling, and class sizes. Comments 1(a), 2(b), 3(f), 36 (b,c,f,h,i) specifically related to the space needs of Brooklyn Generation.

Currently, there are hundreds of schools in buildings across the city that are co-located. Some of these co-locations consist of multiple DOE schools within one building while others consist of both DOE and public charter schools sharing space. In all cases, the Citywide Instructional Footprint (the "Footprint") is applied to both DOE and public charter schools to ensure equitable allocation of classroom, resource, and administrative space.

The DOE seeks to fully utilize all 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 to allow parents/students to choose where to attend.

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, however, 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 for maximum efficiency. Thus, while a school may have a specialty classroom such as a science lab or a music room in its allocation, it is expected to use that room for other subjects if there is time available after all specialty classes are scheduled. The full text of the Footprint is available at: http://schools.nyc.gov/NR/rdonlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.pdf.

Regarding Brooklyn Generation's model, the innovation of the model is related to schedule and calendar, not Footprint. The Footprint was developed to apply to all schools and afford schools the flexibility to program according to their specific model and the needs of their students; it was specifically designed to enable schools to operate within their allocation and simultaneously offer programming and services specific to to their model, vision, and student population. Therefore there are no adverse impacts on

Brooklyn Generation associated with the space allocations described in the BUP, nor is there any need to revise the proposal documents to reflect any different use of space by Brooklyn Generation.

With respect to this proposal, the BUP details the number of class sections each school is expected to program each year through 2019-2020 and allocates the number of classrooms according to the Footprint. If this proposal is approved, the assignment of specific rooms within the building, including those for use in serving students with Individualized Education Programs ("IEPs") or special education needs, will be made in consultation with the principals of each school and the Office of Space Planning. The BUP demonstrates that there is sufficient space in K515 to accommodate the proposed co-location.

In addition, the allocation provided for special needs students is consistent Citywide, and is applied consistently in this proposal. This proposal does not require that any special education students be provided instruction in spaces that are not designed for student use; all renovations are expected to provide appropriate ventilation for the intended use of the space.

With respect to the shared spaces in the building, the BUP proposes a shared space schedule that demonstrates that the co-location is feasible and equitable. The BUP notes, however, that the shared space schedule contained therein is merely a proposal and that the Building Council is free to deviate from that schedule in order to accommodate the needs of the individual schools. If the Building Council is unable to agree upon a schedule for shared spaces, there is a mediation process outlined in the Campus Policy Memo, which is available at http://schools.nyc.gov/community/campusgov.

Brooklyn Generation's access to shared spaces, whether during the traditional school year or during the extended year dictated by their model, will continue to be negotiated at the Building Council level based on the needs of all schools in the building.

With respect to concerns that K515 is already overcrowded, as indicated in the EIS, in 2013-2014, the building is projected to enroll only 1,518 students, though it has the capacity to serve 2,769 seats, yielding a building utilization rate of only 55%. If this proposal is approved, by the time Uncommon Charter High School 3 is fully phased in at 2019-2020, K515 will serve approximately 1,995-2,370 students, yielding a building utilization rate of 72%-86%. This demonstrates that the total planned enrollment remains below the building capacity. The space allocation plan in the BUP demonstrates that there is a sufficient number of classrooms for all schools to receive their baseline or adjusted baseline Footprint allocation of rooms as Uncommon Charter High School 3 phases-in.

The DOE does not believe that implementation of this co-location will cause class sizes to increase at the current schools in the K515 building. For the purposes of projecting class sections at each traditional high school, the DOE assumed 27 students per class section which is aligned with planning for traditional high schools across the City.

The DOE does not anticipate that this proposal will affect the academic programs, extra-curricular activities and community partnerships currently offered at K515. The schools currently at the South Shore Campus will continue to offer programming based on student interests, available resources, and staff support for those program. The proposed co-location will not impact those opportunities but may potentially impact the way these 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 would continue to have the opportunity to participate in a variety of extra-curricular programs, though the specific programs offered at the school are always subject to change. That is true for any city student as all schools modify extra-curricular offerings annually based on student demand and available resources.

Comment 4(c) concerns the availability of resources for DOE schools and the contention that charter schools have an inequitable access to additional space and resources.

Charter schools receive public funding pursuant to a formula created by the state legislature and overseen by the New York State Education Department ("NYSED"). The DOE does not control this formula. Charter management organizations ("CMOs"), 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). Moreover, with respect to facilities, 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.

Comments 13 and 19 concern the extent to which the proposal will impact instructional programming, extra-curricular programming, and staffing at the current schools in K515.

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

Comments 3(a), 4(i), 30, and 35 contend that the co-location will make the district school students feel inferior to the charter school students. Comments 4(e, h), 6(d), 7(e), and 16 question how this proposal is in the best interest of students.

The DOE also believes that Uncommon Charter High School 3 will be a valuable addition to both the K515 community as well as the Brooklyn community as a whole and will not prevent any of the schools in the building from successfully serving their students.

Comment 31 claims that there is no data to suggest that "charter schools are better."

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 2009-2010 through 2011-2012. In terms of academic growth, from 2010-2011 to 2011-2012, 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 2011-2012 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.

In a 2012 report, the Center for Research of Education Outcomes ("CREDO") found that, on average, academic performance growth in reading (ELA) and math was greater for NYC charter schools compared to traditional district schools. This finding was true of both charter schools being operated by CMOs and of independent charter schools. The better performance of charter schools was found to be statistically significant in all cases, with the exception of non-CMO charter performance in reading.

In addition, a 2009 report on New York City charter schools by Caroline M. Hoxby, Sonali Muraka, and Jenny Kang indicates that "on average, a student who attended a charter school for all of grades kindergarten to eight would close about 86% of the achievement gap in math and 66% of the "Scarsdale-Harlem" achievement gap in English," while students who attended a traditional public school for all of grades kindergarten to eight would "not close the "Scarsdale-Harlem" achievement gap by much." The study also found that charter students were 7% more likely to earn a state Regents diploma (given to higher-achieving students) for each year they attended that charter school, versus a traditional public school.

Comments 3(b, c, g), 8(c), and 17 relate to Uncommon Charter High School 3's admissions process.

As stated in the EIS, Uncommon Charter High School 3 will only enroll high school students who have been promoted from a charter middle school operated by Uncommon Schools, the CMO that will also manage Uncommon Charter High School 3. The charter middle schools that would feed into Uncommon Charter High School 3 beginning in the 2014-2015 school year are: Brooklyn East Collegiate Charter School, located in District 13, Ocean Hill Collegiate, located in District 23, and Leadership Prep Bedford Stuyvesant Charter School, located in District 13. All three of these charter middle schools were authorized by the State University of New York Trustees ("SUNY").

Comment 7(c) claims that in 2011 a proposal was approved to co-locate Uncommon Charter High School 2 and that the feeder schools listed in that proposal are also the same schools listed to feed into Uncommon Charter High School 3.

As stated in the EIS, on December 14, 2011, the PEP approved the co-location of Uncommon Charter High School 2 in building K458. The proposal for that co-location described that four charter middle schools, managed by Uncommon Schools, would feed into Uncommon Charter High School 2: Bedford Stuyvesant Collegiate Charter School, Brownsville Collegiate Charter School, Ocean Hill Collegiate, and Brooklyn East Collegiate Charter School. Ocean Hill Collegiate and Brooklyn East Collegiate were to begin feeding into Uncommon Charter High School 2 during the 2014-2015 school year. Howver, Uncommon Schools has informed the DOE that it now plans to serve the students from Ocean Hill Collegiate and Brooklyn East Collegiate, at Uncommon Charter High School 3 instead of Uncommon Charter High School 2.

As such, if the proposal is approved, beginning in 2014-2015, Ocean Hill Collegiate and Brooklyn East Collegiate students who are enrolled in an Uncommon Schools managed high school will be served in Uncommon Charter High School 3 and not Uncommon Charter High School 2.

Comment 7(d) contends that K515 is not under-utilized.

The DOE has identified K515 as an under-utilized building. K515 has the capacity to serve 2,769 students but in 2013-2014, the five schools currently located in K515 are projected to enroll approximately 1,518 students. This yields a building utilization rate of approximately 42% demonstrating that the building is

"under-utilized" and has space to accommodate additional students. If this proposal is approved, in 2019-2020, K515 is projected to serve between 1,995-2,370 students from Uncommon Charter High School 3, Brooklyn Generation, Brooklyn Theatre Arts, Victory Collegiate, Brooklyn Bridge Academy, Academy for Conservation and the Environment, and GED Plus collectively, which yields a projected utilization rate of 72%-86%. Thus, K515 has sufficient space to accommodate the proposed co-location.

Comments 1(b, c, e, f), 2(c), and 9(c) relate to the inability of the current schools in the building to grow as a result of the Uncommon Charter High School 3 co-location.

The DOE does not believe that the co-location will necessarily prevent any of the currently co-located schools from growing, and notes that many factors are considered when determining whether a school will be permitted to grow. For example, some factors that are considered include the availability of budget resources and physical space, demographic need, enrollment demand and school performance are all considered. If a school does want to grow to serve more grades, it must follow the process for applying to reconfigure grades which can be found here:
http://schools.nyc.gov/community/planning/reconfiguration/default.htmhttp://schools.nyc.gov/community/planning/reconfiguration/default.htm
Comment 6(a) claims that the co-location of Uncommon Charter High School 3 will jeopardize the current Building Council which just recently stabilized.

The DOE does not believe that the proposal will have any adverse impact on the functioning of the K515 Building Council.

Comment 3(e) and 10(b, d) claim that the DOE treats charters unfairly and that they should not be eligible for public space.

Co-location is the everyday experience of more than half the schools in New York City. Of all district schools, approximately two-thirds are co-located with another school, most with another district school. Less than one quarter of DOE buildings have a charter school in them.

Co-locations allow the DOE to use limited facilities efficiently while simultaneously creating additional educational options for New York City families. This is necessary because we have scarce resources and a demand for more options.

Charter schools are publicly funded and open to all students in New York City through a non-discriminatory admissions lottery. Each charter school is governed by a not-for-profit board of trustees which may include educators, community members, and leaders from the private sector. Charters have freedom to establish their own policies, design their own educational program, and manage their human and financial resources. Charter schools are held accountable, through the terms of a five-year performance contract, for high student achievement. In order for the charter school to open, it must first apply and be approved by its "authorizer," a state-sanctioned body with the power to create or renew charters. In New York City, there are three authorizers; NYSED, SUNY and the DOE, though as of 2010 the DOE no longer authorizes new charters.

The DOE seeks to provide space for additional education options for all students, regardless of whether students are served in DOE or public charter schools. We welcome public charter schools to lease or provide their own space, but we will offer space in DOE buildings where it is feasible to do so. The DOE does not lease space directly for charter schools; a charter school interested in parochial school or other space would have to acquire or lease that space with private funds.

Comment 3(d) asks whether Uncommon Charter High School 3 students will use a separate entrance.

-It is typical in most co-located buildings for schools to use different entrances. The Building Council will determine which entrance each school shall use to best meet the needs of schools and students in the building.

Comments 3(h), 9(b), and 10(a) state that the DOE did not adequately engage with the community and should engage with the community further before approving the proposal.

The DOE engaged with all school leaders in building K515 as well as with CEC 18 in the months prior the joint public hearing. The DOE provided notice to all requisite stakeholders as required by law, and has and will continue to listen to community feedback consistent with Chancellor's Regulation A-190. Indeed, as described above, more than 150 members of the public attended the joint public hearing concerning the proposal, and the DOE also received comments via its dedicated voicemail number and e-mail address.

Comments 5(c, d) assert that the DOE is creating a portfolio of choice where one person's choice is more important than another person's choice and that some students are more important than others.

The DOE is proud to oversee a school system where many of its schools provide a choice, unzoned admissions process to parents and their children. In this case, siting Uncommon Charter High School 3 in K515 does not preclude choice for high school families who wish to apply to any of the other schools in K515.

Comments 4(b), 8(d), 11, 22 and 23 state that co-locations are either a bad or uncertain option and that DOE policymakers do not understand the problems schools face.

Co-location is the everyday experience of more than half the schools in New York City. Of all district schools, approximately two-thirds are co-located with another school, most with another district school. Co-locations allow the DOE to use its limited facilities efficiently while simultaneously creating additional educational options for New York City families. This is necessary because there are scarce resources and a demand for more options. The DOE believes in the record of success at Uncommon charter schools and strongly believes Uncommon Charter High School 3 will be a valuable addition to the K515 and Brooklyn communities.

Comment 32 states that charter schools do not belong in public buildings

The DOE seeks to provide space for additional education options for all students, regardless of whether students are served in DOE or public charter schools. The DOE welcomes public charter schools to lease or provide their own space, but will offer space in DOE buildings where it is feasible to do so. The DOE does not lease space directly for charter schools; a charter school interested in parochial school or other space would have to acquire or lease that space with private funds.

Comment 10(e) contends that the DOE proposed co-location is based on inaccurate data.

All references to building utilization rates in this document are based on target capacity data from the 2011-2012 Blue Book and enrollment data from the charter projections as of June 2013 and the 2013-

2014 Budget Register Projections. Enrollment projections for new charter schools opening in 2014-2015 are based on enrollment in the charter application. This methodology is consistent with the manner in which the DOE conducts planning and calculates space allocations and funding for all schools. In determining the space allocation for co-located schools, the Office of Space Planning will conduct a detailed site survey and space analysis of the building to assess the amount of space available in the building.

Enrollment data for existing schools in K515 is based on 2013-2014 Budget Register Projections. All enrollment projections for Uncommon High School 3 referenced for the 2014-2015 school year and beyond reflect the charter school's enrollment in the charter application.

Comment 26 questions why the co-location is being proposed prior to Uncommon Charter High School 3's authorization by SUNY.

In New York, only NYSED and SUNY currently have the authority to authorize new charters and the DOE does not have control over this process. However, the DOE does support charter schools with DOE facilities where feasible and available.

For voting at the October 15 and October 30, 2013 PEP meetings, the DOE is proposing to site new grades of seven existing charter schools in DOE space. Of these, five have not yet received approval from their respective authorizers to serve some or all of those new grades. This strategy is consistent with the DOE's advance planning process. There are many advantages to advance planning, including the opportunity for school leaders to meet and begin to collaborate together for the following school year.

In the past planning cycles, the DOE has proposed to co-locate the expansions of existing charter schools in advance of formal approvals from their authorizers. For example, during the 2011-2012 to 2013-2014 planning cycles, the DOE has proposed approximately 41 charter expansion proposals. Of those 41 proposals, 23 involved expansions prior to approval from the authorizers.

As stated in the EIS, for these proposals, in addition to approval from the PEP, implementation is contingent on SUNY/SED's authorization to open and/or approval to expand.

Comment 33 asked why Uncommon Schools did not send representatives to the Joint Public Hearing.

Representatives from Uncommon Charter Schools were in attendance at the Joint Public Hearing held on October 7, 2013 in building K515.

Comments 36(d,e,f,g, and i) relate to Brooklyn Generation's current, approved, and planned enrollment, and the school's financial viability based on enrollment.

In New York City, we fund schools 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). If a school's population declines, the school's budget decreases proportionally—just as a school with an increase in students receives more money. This is no different for Brooklyn Generation, as the school receives funding based on the number of students it serves and the needs of those students. Decisions about staffing, and how to allocate funding to support a specific model, are made by each individual school leader.

When Brooklyn Generation was approved to open, it was approved to open with grade 9 and phase in to serve grades 9-12 before any expansion to serve grades 6-8 would occur. According to the approval letter, "The specifics regarding the addition of middle school grades will be determined jointly by the principal of the school, the Office of Portfolio Development (today called Office of Portfolio Management), and the Office of Student Enrollment Planning and Operations (today called Office of Student Enrollment)." For historical reasons including campus safety, school performance, and change in leadership, that expansion has not occurred, and the school has been informed it can submit a grade expansion application through Office of New Schools to expand to serve grades 6-12 if it wishes to, in order to allow for full assessment of need, performance, capacity, and space. There is significant excess space at K515 after the full implementation of the proposal, so the proposal does not preclude Brooklyn Generation or any school on the K515 campus from expanding either in terms of grade span or enrollment in the future.

Brooklyn Generation's enrollment has declined by approximately 12.5% since it was fully phased in to serve grades 9-12 in 2010-2011. This enrollment trend is accurately reflected in the EIS. Enrollment projections in the EIS are based upon 2013-2014 Budget Register Projections. As stated in the BUP, significant changes in enrollment could result in an amendment to this plan.

Comment 27 relates to staffing at Uncommon High School 3 and to campus culture.

On Campus Building Councils, NYCDOE principals, charter leaders, and D75 school leaders share administrative responsibility and accountability for building a safe, coherent campus culture for the students they serve. The Campus Policy Memo, available at http://schools.nyc.gov/community/campusgov gives direction to Building Councils. If any concerns arise about staff interactions, it is expected that this could be resolved at the Building Council.

Comments 2(a), 5(a), 9(a), 24, 25, 27, 28 and 29 are not directly related to the proposal and thus does not require a response.

Changes Made to the Proposal

No changes were made to the proposal.