



Public Comment Analysis

Date: April 25, 2012

Topic: The Proposed Temporary Co-Location of Urban Dove Charter School for Sports, Health and Fitness (84KTBD) with Existing Schools Knowledge and Power Preparatory Academy VII Middle School (13K596), Brooklyn Community High School of Communication, Arts and Media (13K412), Brooklyn High School for Leadership and Community Service (13K616), and a District 75 Program (75K369) in Building K117 in 2012-2013 and 2013-2014

Date of Panel Vote: April 26, 2012

Summary of Proposal

On February 26, 2012, the New York City Department of Education (“DOE”) posted an Educational Impact Statement (“EIS”) proposing to temporarily co-locate a new public charter transfer high school, Urban Dove Charter School for Sports, Health and Fitness (84KTBD, “Urban Dove”) for two years in Building K117 (“K117”) located at 300 Willoughby Avenue, Brooklyn, NY 11205, in Community School District 13. Urban Dove is designed to serve under-credited high school students, and will offer these students customized and rigorous curricula, socio-emotional support, and work-based experiences that foster student engagement and enhance student learning. On March 16, 2012, the DOE issued an Amended EIS that provides updated information regarding Urban Dove’s admission priorities. The DOE has also amended the Building Utilization Plan (“BUP”) to reflect Urban Dove’s revised admissions criteria.

If this proposal is approved, in 2012-2013, Urban Dove will begin enrolling students through the charter lottery application process. Urban Dove will not accept new students in the 2013-2014 school year, except to account for students lost to attrition during the previous year. Thus, Urban Dove will serve approximately 97-124 students in K117 during the 2013-2014 school year, as well.

Any proposal regarding the permanent siting and/or co-location of Urban Dove would be posted in a separate EIS in the future, in accordance with Chancellor’s Regulation A-190, subject to a vote by the Panel for Educational Policy (“PEP”). Any proposal for the use of K117 beyond 2013-2014 would also be proposed in a separate EIS in the future.

If this proposal is approved, Urban Dove will be “co-located” in K117 with the following schools: one site of a multi-sited District 75 school (75K369, “P369K@I117K”), Brooklyn Community High School of Communication, Arts and Media (13K412, “BCAM”), Brooklyn High School for Leadership and Community Service (13K616, “Leadership and Community Service”), and Knowledge and Power Preparatory Academy VII Middle School (13K569, “KAPPA VII”). A “co-location” means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, and cafeterias. BCAM is an existing high school that admits ninth grade students through the High School Admissions Process. Leadership and Community Service is an existing a transfer high school that admits students through a referral process. KAPPA VII is an existing middle school that admits students through the District 13 Middle School Choice Process. P369K@I117K is an inclusion program, which serves sixth through eighth grade students with a range of disabilities who are integrated into KAPPA VII’s general education classes and receive Special Education Teacher Support Services (“SETSS”). P369K@I117K also serves students in grades six through eight who require a 12:1:1 educational setting.

The proposed co-location of Urban Dove in K117 is part of the DOE’s central goal to create new school options that will better serve future students and the community. Through a combination of youth development, the transfer school model, and college and career training and placement, Urban Dove will offer a sports-based curriculum that features career training for students and prepares them for jobs such as coaches, referees, fitness trainers, nutritionists, physical education teachers, sports trainers, and more.

Urban Dove’s charter was approved by the New York State Education Department (“SED”) in December 2010. This approval is valid for five calendar years upon the date of the school’s opening. As per its charter, Urban Dove will admit students through a charter lottery, giving preference to students who reside in District 13. Urban Dove students will be grouped in same-sex academic teams both for academic and sports classes as part of either the Urban Dove Young Men’s Academy or Urban Dove Young Women’s Academy.

Copies of the EIS describing this proposal are available in the main offices of KAPPA VII, BCAM, Leadership and Community Service, and P369K@I117K, as well as on the DOE’s website at: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/April2012Proposals.htm>

Summary of Comments Received at the Joint Public Hearings

A joint public hearing regarding this proposal was held at K117 on April 3, 2012. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 150 members of the public attended the hearing, and 25 people spoke. Present at the meeting were Community School District 13 Superintendent Barbara Freeman, who served as the Chancellor’s designee; District 13 Community Education Council (“CEC”) President Ben Greene; Principal Lisa Reiter of KAPPA VII; Charles DeGregorio and Shelia LeTang, representatives of KAPPA VII’s School Leadership Team (“SLT”); Principal James O’Brien of BCAM; Rose Beau, Veronica Edwards, Pat Howell, Tiffany Jefferson, and Kareem Smith, representatives of BCAM’s SLT; Principal Georgia Kouriampalis of Leadership and Community

Service; Carolina Quinones Scott, representative of Leadership and Community Service's SLT; Principal Rudy Giuliani of 75K369; and Administrator Montreal Buford and C. Walsh, representatives of 75K369's SLT. Also in attendance was City Council Member Letitia James.

The following comments and remarks were made at the joint public hearing:

1. City Council Member Letitia James stated her opposition to the proposed temporary co-location of Urban Dove on the grounds that:
 - a. There are serious safety issues already plaguing the local community, including but not limited to assaults, murders, and gang initiation activity.
 - b. K117 is a middle school size building that is not configured for 800 high school students and 250 middle school students; Urban Dove simply cannot fit.
 - c. Overcrowding in the building currently results in students eating lunch as early as 10:30 in the morning. With another school co-located in K117, students would have to eat even earlier.
 - d. Co-location creates instability on the campus.
 - e. It will be difficult for principals to coordinate the shared space, including the field funded by the Borough President and local council members, among other individuals.
 - f. The Office of Portfolio's determination about the amount of space in K117 is flawed because the space visit was conducted on a Friday before a three day weekend.
 - g. A second transfer school in this building would have a detrimental affect on the District 75 students, 99% of whom have emotional and behavioral disorders.
 - h. The Office of Portfolio does not understand the past history of this neighborhood and this building, including issues with violence, the challenges with space, and the danger of the surrounding area.
2. James O'Brien, principal of BCAM, expressed that all four schools in K117 oppose the proposed temporary co-location of Urban Dove in K117. Principal O'Brien and the principals of Leadership and Community Service, KAPPA VII, and 75K369 oppose the temporary co-location for following reasons:
 - a. This proposal disrespects the local community and teachers, students, and staff of K117. Further, this would not happen in another area where residents were of a different socio-economic background.
 - b. Adding another school in K117 would increase safety issues.
 - c. Co-locating Urban Dove in K117 would impede all four schools' abilities to meet their educational mandates.
 - d. K117 is a middle school sized building and is not configured for 800 students.
 - e. Violence in the surrounding area already impedes enrollment and recruitment efforts. The schools in K117 have made gains in the recent year and Urban Dove's co-location in the building would represent a regression.
 - f. Co-locating Urban Dove in the building would decrease the educational quality of life for students, staff, and teachers in K117.
 - g. BCAM needs more classrooms, but it will lose rooms under the proposed building utilization plan ("BUP").
 - h. The District 75 program needs more space.

- i. KAPPA VII has just survived a phase-out, and adding a fifth school to the building will impede its ability to grow. KAPPA VII would like to add additional special programs to increase the desirability of and the demand for the school.
 - j. Urban Dove's co-location in the building will have a direct impact on KAPPA VII's enrollment because parents will not want to send their middle school aged students to a school that shares a floor with transfer high school students.
 - k. Leadership and Community Service will lose a number of classrooms as a result of the proposed co-location.
 - l. The existing principals in the building propose that the DOE allow the existing schools in K117 to grow to serve more students. If that happens, K117 will no longer be an under-utilized building
3. Montreal Buford, a 75K369 SLT representative, expressed his opposition to the proposed co-location of Urban Dove on the grounds that:
 - a. The Building Council relationship is very strong and adding another organization in the building would complicate it.
 - b. Adding another school will increase the need to share the existing shared spaces in the building.
 - c. The proposed shared space schedule proposes that P369K@I117K share the gym with Urban Dove for 45 minutes of the 1 hour and 15 minutes that 75K369 is allocated time in the gym. P369K@I117K tries to avoid sharing the gym, as their students have special needs and can only be served in a 12:1:1 setting.
 - d. It is never a good idea to mix middle school aged and high school aged students.
 - e. Students are already escorted to shared spaces to prevent unsupervised interactions amongst the District 75 students and the existing students in K117. Adding another school will crowd the building further and complicate this dynamic.
4. Georgia Kouriampalis, principal of Leadership and Community Service, stated that:
 - a. This is already a very fragile community and adding another school will put additional stress on the Building Council.
 - b. Leadership and Community Service needs more support from the DOE.
 - c. There has not been a stable period in the past two years, adding another school will add further instability.
5. Veronica Edwards, a BCAM SLT representative, stated that adding another school to K117 will add to the existing safety concerns.
6. Pat Howell, a BCAM SLT representative, opposed the co-location for the following reasons:
 - a. This proposal is bad for students and teachers.
 - b. This will result in fewer resources for students currently attending schools in K117.
 - c. Teachers will not be able to have their own classrooms to teach students.
 - d. The solution to the under-utilized status of K117 is to allow the existing schools in the building to grow their enrollment.
 - e. A student enrollment of 150 students at KAPPA VII is not sufficient. The school should be given the opportunity to serve more students, yet the co-location will prevent it from doing so.

- f. This proposal is for a two-year incubation period, but what happens next? After two years, the schools in K117 will inevitably be subjected to another co-location.
7. Tiffany Jefferson, a BCAM SLT representative, opposed the co-location for the following reasons:
 - a. Students deserve a quality education and smaller class sizes. This is impossible when the existing schools in K117 will lose space as a result of this co-location.
 - b. Schools in K117 are mandated to provide services to their students. Fewer classrooms means fewer services offered to students.
 8. Kareem Smith, a BCAM SLT representative, opposed the co-location because:
 - a. This co-location would present an academically hazardous and unsafe environment for students in K117.
 - b. Parents of middle school aged students will not send their students to a school that shares a floor with a transfer school, which serves students aged 16 to 21.
 - c. It is impossible to find space for a fifth organization in K117.
 - d. Animosity and anger resulting from the proposed co-location will inevitably create a tense and unsafe campus climate should Urban Dove be approved to serve students in K117 for the next two years.
 9. Sheila LeTang, a KAPPA VII SLT representative, opposed the co-location because:
 - a. KAPPA VII has just survived a phase out and now needs an opportunity to grow. The co-location will preclude the opportunity to grow.
 - b. Since Urban Dove will be taking classrooms away from KAPPA VII, KAPPA VII will have to share the nurse's area. Additionally, by losing classrooms, it will be difficult for KAPPA VII to provide homework help, arts, and enrichment services.
 - c. A new transfer high school will pose a safety threat to existing students in K117.
 10. Charles DeGregorio, a KAPPA VII SLT representative, opposes the co-location because:
 - a. How will high school students share a floor with 11-, 12-, and 13-year old students? Parents will have reservations about sending their students to a school where middle school aged students will share a restroom with high school students.
 - b. The proposed co-location will have a direct impact on KAPPA VII's enrollment, admissions, and the educational options that KAPPA VII can provide to its students.
 - c. KAPPA VII intends to increase its enrollment, but will lose rooms as a result of this co-location. The additional rooms were intended to support the expansion of KAPPA VII.
 11. Carolina Quinones Scott, a Leadership and Community Service SLT member, expressed her opposition to the proposed co-location based on the fact that Leadership and Community Service will lose time in the shared spaces.
 12. Catherine Walsh, a 75K369 SLT representative, expressed opposition to the proposal on the grounds that:
 - a. District 75 students already feel intimidated by the high school students in the building and P369K@I117K works hard to manage and limit the encounters between the District 75 students and the other students in K117. Adding more students to an already crowded building will complicate this.

- b. There was recently an issue on the field between a District 75 student and another student from one of the schools in K117. This exemplifies the difficult nature of sharing shared spaces already.
 - c. Under the BUP, P369K@I117K is supposed to share the gym with Urban Dove, but the District 75 students have to be served in a 12:1:1 setting.
 - d. Similar to what is communicated in Urban Dove's charter application, all students would benefit greatly from more time in the gym engaged in athletics. Adding another school to K117 limits the existing schools' access to the shared spaces in K117. Further, P369K@I117K students only see the inside of the gym twice a week.
13. Ben Greene, President of District 13 CEC, read a prepared statement, in which he articulated that he and the rest of the CEC are opposed the co-location of Urban Dove in K117.
 14. Susan Megan, a representative from the New York State Education Department ("NYSED"), stated that she was attending the hearing to take notes regarding the proposed co-location of Urban Dove in K117 to bring back to NYSED for consideration in deciding whether to authorize the charter in the building.
 15. Multiple commenters suggested that K117 is not under-utilized, and that the building is already cramped for the existing schools. All four schools suffer from a lack of time in the gym and many students are forced to eat very early or very late in the day because of the number of students in the building who must be programmed in the cafeteria.
 16. Multiple commenters expressed their opposition to the proposal because high school aged students should not be sharing a floor, or bathrooms, with middle school aged children.
 17. One commenter expressed that the addition of another school in the building will create conditions of overcrowding, which will pose a fire hazard.
 18. Multiple commenters expressed their concerns about the safety issues that would arise from co-locating another school in the building. They stated that new students will bring new neighborhood and gang affiliations, which will complicate the campus dynamic and pose safety threats.
 19. Multiple commenters stated that Urban Dove will be taking space away from the existing schools in the building, which will prevent them from growing their enrollments.
 20. One commenter spoke in support of Urban Dove and the services that Urban Dove offers to its students.
 21. Jai Nanda, founder of Urban Dove, spoke about Urban Dove's program offerings and clarified that the school intends to serve students aged 16 and younger. Further, he expressed that Urban Dove will work as partners with the other schools in K117.
 22. One commenter requested that the DOE allow the community to decide what they want.
 23. Multiple commenters stated that middle school and high school aged students should not be sharing a school building.
 24. One commenter spoke of the scheduling concerns that would arise from co-locating another school in the building. As it stands, the District 75 program students eat breakfast at 8am and then do not eat lunch until 12:40pm. Further, the District 75 students need more time in the gym and cannot share it with another school.
 25. Multiple commenters contended that K117 is not under-utilized and does not have space to accommodate another school organization.

26. One commenter stated that during random scanning periods, students often miss first period due to the long line of students waiting to enter the building. Adding another school to the building would make this line longer and more students would miss more class time.
27. Multiple commenters expressed opposition to the proposal on the grounds that BCAM will lose space.
28. One commenter stated that Urban Dove’s charter admissions policies means that the school will be working with a very high needs population and will therefore get more space and services than Leadership and Community Service is entitled to receive.
29. One commenter stated that the hallways are already hectic during passing periods and adding another school to the building would make the overcrowding worse.

The DOE received comments at the Joint Public Hearing which did not directly relate to the proposal.

30. Principal O’Brien stated that all schools in K117 would like support to develop the following:
 - a. additional shared classrooms that serve special education students and students with special needs;
 - b. a peer remediation room;
 - c. an office space for an Assistant Principal of Security;
 - d. a shared multimedia arts center;
 - e. a shared at-risk counseling center;
 - f. a shared campus K117 student government;
 - g. modernizing the gym, auditorium, auditorium curtain, and the locker room; and
 - h. renovating the rooms in the basement so that the existing rooms could be converted into a technology center and a performing arts space/room.
31. One commenter articulated that the DOE should fix the locker room showers.

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

32. The DOE received several written comments, which expressed opposition to the proposed co-location of Urban Dove on the grounds that:
 - a. There is not sufficient space in K117 to house another organization
 - b. The co-location of Urban Dove poses a safety concern to other students in the building and could result in increased gang activity
 - c. The mixing of middle school aged students with transfer high school students, aged 16 to 21, is not appropriate.

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

Comments 1a, 1h, 2b, 2e, 5, 8a, 8d, 9c, 18, 26, and 32b relate to safety concerns in K117 and the surrounding community.

The Office of School and Youth Development (“OSYD”) will conduct an initial Safety Task Force meeting with the principals of the campus and the various units of the NYPD including personnel from the relevant precinct, Transit, Housing, and Gangs in order to meet the principals, share arrival and dismissal schedules of the schools and discuss any safety concerns the principals may have. OSYD will also work with the 79th Precinct and recommend the establishment of a safe corridor for students during dismissals.

Additionally, the Borough Safety Director will assist the campus principals with any safety concerns, internally and externally, and will provide additional support when available. If additional Internet Protocol Digital Video Surveillance (“IPDVS”) support is requested should the PEP approve the proposed temporary co-location of Urban Dove in K117, OSYD will conduct an assessment to determine the need and placement of additional cameras on the campus.

OSYD will regularly monitor the campus schools’ DOE incident data and the NYPD building crime data for spiking trends. When there is evidence of spikes in incidents and crime, OSYD will schedule a review of the data with representatives from all the co-located schools and follow up with a safety walk or a full comprehensive safety assessment to identify areas of concern and re-establish safety and security systems for the campus, as appropriate.

Comments 1c, 1e, 3b, 3c, 3e, 6c, 7b, 11, 12b, 12c, 12d, 15, and 24 concern the shared space schedule, the way in which space is allocated to schools, and the viability of the programming of shared spaces with the addition of another organization in K117.

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 allow parents/students to choose where to attend.

The Citywide Instructional Footprint (“Footprint”) is the guide used to allocate space to all schools based on the number of class sections they program and the grade levels of the school. The number of class sections at each school is determined by the principal based on enrollment, budget, and student needs. There is a standard guideline of target class size (i.e., number of students in a class section) for each grade level. At the middle school and high school levels, the Footprint assumes every classroom is programmed during every period of the school day except one lunch period. The full text of the Footprint is available at http://schools.nyc.gov/NR/ronlyres/8CF30F41-DE25-4C30-92DE-731949919FC3/87633/NYCDOE_Instructional_Footprint_Final9210TNT.pdf

In the case of a charter co-location, the BUP, which is attached to the EIS, details the number of class sections each school is expected to program each year through 2013-2014, which is the end of the temporary co-location, and allocates the number of classrooms accordingly. The assignment of specific rooms and location for each in 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 if this proposal is approved. The BUP demonstrates that there is sufficient space in the building

to accommodate the proposed co-location. Further, all school organizations in K117 will be allocated sufficient space in accordance with their baseline Footprint allocations.

The DOE verified the amount of space available in the building through a walkthrough performed by Charles Fisher, Brooklyn Director of Space Planning. The DOE believes that the walkthrough properly identified the available space in the building, and that there is sufficient space in K117 to accommodate the proposed temporary co-location of Urban Dove in K117.

Further, the BUP puts forth a **proposed** shared space schedule for the co-located schools. This proposed shared space plan is based upon the population size and other relevant factors further described below for each co-located school. The final shared space schedule will be decided upon by the Building Council if this proposed co-location is approved by the PEP. If the principals are 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>.

The proposed schedule is based on projected enrollments for each co-located school, current space allocation plans, current lunch schedules for the existing schools in the building as described on the 2011-2012 Campus Audit Template submitted by the Building Council, the total capacity of each shared space, the grades served by each of the co-located schools, and the start of the school day based on the Office of Pupil Transportation's bus schedule for a regular school day. Where possible, the proposed schedule maintains schools' current allocations of time for each shared space and re-distributes remaining time as each organization's grade configuration changes. To the extent feasible, shared spaces are Campus Audits are submitted by each Building Council on an annual basis to the Senior Supervising Superintendents Office. The Campus Audit documents the collective planning and implementation of Building Council decisions such as shared space scheduling.

The shared space schedule put forth in the BUP is meant to demonstrate that the sharing of the spaces in K117 is feasible and that BCAM, Leadership and Community Service, P369K@I117K, KAPPA VII, and Urban Dove are being treated equitably and comparably in its ability to use all the shared spaces in the building. The proposed shared space schedule tries to maintain the current schedule as articulated in the Campus Audit. As it pertains to the gym specifically, in the proposed schedule, P369K@I117K will receive 15 more minutes weekly in the gym than it receives in its current schedule.

Comments 1d, 1g, 2c, 2f, 6a, 6b, 7a, 7b, 8a, and 10b concern of the impact of the co-location on the existing schools in K117.

As stated in the EIS, the proposed co-location is not expected to impact future student enrollment, instructional programming, or the admissions processes of the schools currently co-located in K117.

Roughly half of the DOE's schools share space in a building. Because of co-locations, the DOE is able to use its limited facilities efficiently while simultaneously creating additional high-

quality options for New York City families. This is necessary when there are scarce facilities and a demand for more high-performing options.

Comments 1b, 1f, 2d, 8c, 17, 19, 21, 25, 27, 29, 32a concern K117's status as under-utilized and contend that there is not sufficient space to temporarily co-locate Urban Dove in the building. Comments 1b and 2d also maintain K117 is configured to be a middle school building.

The DOE annually identifies under-utilized buildings (based on current enrollment/building capacity). This list is publicly available on the DOE's website and can be found here: <http://schools.nyc.gov/NR/ronlyres/6EBA8731-4A23-4E36-A528-157D795BA9CE/117487/UnderutilizedSpaceMemorandumUpdated011212.pdf>. It is also shared with principals. Once a building is identified as under-utilized a more thorough review is undertaken to determine its viability for a co-location. Principals review the information and raise any questions/concerns with the DOE. CECs also provide feedback via the Community Superintendent. The Office of Space Planning does a walk-through to analyze the actual space in a building. This is a comprehensive assessment to determine the actual number of instructional and administrative rooms in the building, review the building's configuration, and note special circumstances about the building's usage. The actual number of viable buildings after this review is much smaller than the number buildings on the under-utilized list.

According to the 2010-2011 Enrollment, Capacity, Utilization Report (the "Blue Book"), K117 has a target capacity of 1,290 students, but in 2011-2012, the building serves only 849 students, yielding a target utilization rate of 66%. This is one indicator that the building is under-utilized and has extra space to accommodate additional students. Under this proposal, Urban dove is projected to serve 97-124 students in both the 2012-2013 and 2013-2014 school years. Therefore, in the 2012-2013 school year, K117 will serve approximately 877-1,031 students and, in the 2013-2014 school year, it will serve approximately 872-1,026 students. Therefore, the projected utilization for K117 during both years is approximately 68%-80%. This means that K117 has adequate capacity to temporarily accommodate the new charter transfer high school.

Utilization data is only one factor used in determining viability for a co-location. Space is also confirmed with a building walkthrough. According to a building walkthrough and survey performed on February 17, 2012 by the Brooklyn Director of Space Planning in the Office of Space Planning, K117 has a total of 56 full-size rooms, 8 half-size rooms, 7 quarter-size rooms, and 4.0 FSE rooms of designed administrative office/space.¹ In the BUP, the DOE allocates space to all existing organizations in K117 and Urban Dove during the 2012-2013 and 2013-2014 school year. Based on the total rooms found during the walkthrough, the DOE allocated space to all organizations using the Footprint. As articulated in the BUP, if this co-location is approved, there will be sufficient space in K117 to accommodate Urban Dove during its temporary co-location, as well as P396K@117K, BCAM, KAPPA VIII, and Leadership and Community Service pursuant to the Footprint. The BUP can be found online at:

¹ The DOE acknowledges that New York City schools were closed for midwinter recess from February 20th through February 24th. The building walkthrough was conducted while school was in session, and the purpose of the walkthrough is to quantify the number of rooms in the building, and to qualify which rooms are assigned to which school. The purpose of room usage is also noted. The proximity of the walkthrough to the midwinter recess has no bearing on the accuracy of the walkthrough information.

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/April2012Proposals.htm>

Further, while K117's building level is categorized as Intermediate School/Junior High School ("IS/JHS"), this does not mean that high school aged students cannot be served in the building and, in fact, the building already successfully serves high school aged students. Roughly half of the DOE's schools share space in a buildings categorized at all types of building levels—Primary School ("PS"), IS/JHS, or High School ("HS"). The categorization of building type is one of many factors used when determining the most appropriate usage of excess space when proposing a change in school utilization.

Comment 2a asserts that this proposal would not have been issued in a neighborhood that had a different socio-economic demographic.

The DOE does not propose changes in school utilization based on socio-economic factors or the racial profile of the residents of a particular district.

Comments 2j, 3d, 8b, 10a, 12a, 23, and 32c concern the varying age levels of students served in K117.

Due to space limitations, it is not unusual for varying grade levels to be co-located together in one building. While this proposal would co-locate middle and high school students in the same building, there are many successful examples of buildings that serve even elementary, middle, and high school students in one building.

These examples include:

- The Julia Richman Educational Complex, which houses four small high schools, a kindergarten through eighth grade school, and a District 75 program;
- Mott Hall IV, a middle school, shares a building with Eagle Academy for Young Men II, which currently serves sixth through eighth grade, and Leadership Preparatory Ocean Hill Charter School, which currently serves kindergarten and first grade;
- Harlem Success Academy 4, an elementary school, shares a building with Opportunity Charter School, which serves sixth through twelfth grade; and
- J.H.S. 13 Jackie Robinson, a middle school, which shares a building with Central Park East I, an elementary school, and Central Park East High School.

Further, the middle school students attending KAPPA VII and P369K@I117K already share a building with the high school students attending BCAM and Leadership and Community Service. The addition of the Urban Dove students will not alter the existing grade spans already served in the building. Moreover, while some high school students may be 17 or 18 years old, Urban Dove intends to enroll students aged 16 and younger; this means that Urban Dove's student population will be closer to the ages of the middle school aged students served by KAPPA VII and P369K@I117K and overall younger than the two already existing high schools in the building.

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

Comments 2i, 6e, 9a, and 10c concern KAPPA VII's projected enrollment and the prior proposal to phase out the school, which was withdrawn from the PEP's consideration prior to a vote.

After additional consideration, the DOE decided to withdraw the proposal to phase out KAPPA VII on February 8, 2012. Over the course of the engagement process, from the time of early engagement through the formal public review process, the DOE continued to evaluate and assess available information and newly raised information from public comment. In the case of the proposal to phase out KAPPA VII, the DOE saw evidence that the new leadership is poised to turn around the school. At the start of this year, Principal Reiter brought in new staff, and together they demonstrated capacity to dramatically change the school culture and improve student achievement.

Similar to all other school organizations in K117, the proposed temporary co-location of Urban Dove in K117 is not expected to impact the admissions, enrollment, or educational options of students currently attending KAPPA VII. To that end, the DOE does not have any plans to 'cap' KAPPA VII's enrollment or sections served for the 2012-2013 or 2013-2014 school year. The EIS projections are based on the current enrollment of the sixth grade cohort and assume that the same number of students will matriculate to the next grade and that there is stable incoming enrollment in sixth grade. There has been no change to KAPPA VII's seat target. Therefore, there is nothing that currently leads the DOE to believe that the proposed co-location will have an impact on KAPPA VII's enrollment. KAPPA VII has historically served two sections in each grade, and the enrollment projections plan accordingly.

Comments 3a, 4a, and 4c concern the Building Council.

The Building Council represents one of the three governance structures that guide campus decisions. In the Building Council, DOE principals, charter school principals, and District 75 school leaders share administrative responsibility and accountability for building a safe, coherent campus culture for the students they serve. The Campus Policy Memo provides directives concerning well-executed campus management, which creates necessary conditions for increased student achievement, as well as principal, staff and community satisfaction.

The DOE believes that the best decisions are made closest to people who hold responsibility for implementing those decisions. Since the DOE principals, charter school principals, and program directors hold the locus of control they are typically motivated to reach consensus in the local Building Council decision making process. The DOE will help settle cases where conflicts are not resolved and the progress of the Building Council is impaired. Any member of the campus

community may bring these cases to the attention of the School Governance Office for advancement in this dispute resolution process, or to final arbitration. All school leaders on campuses who fail to implement these policies risk collective disciplinary action, including the potential for adverse Principal Performance Review ratings.

For more information, please refer to the Key Documents section of the 2011 Campus Policy Memo, which can be found here:

<http://schools.nyc.gov/community/campusgov/KeyDocuments/CampusMemo.htm>

Comment 4b concerns support for Leadership and Community Service.

The DOE supports all schools in meeting their students' academic needs. The DOE does not anticipate that this proposal will affect the academic programs, extracurricular activities, or partnerships currently offered at Leadership and Community Service, or any of the other schools in K117. These schools will continue to offer extracurricular programs based on student interests, available resources, and staff support for those programs. The proposed co-location will not impact those opportunities. 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. That is true for any City student as all schools modify extracurricular offerings annually based on student demand and available resources.

Comments 6d, 19, and 27 contend that Urban Dove will preclude the existing schools in K117 from being able to grow.

Urban Dove will be a valuable addition to the District 13 community and will not prevent KAPPA VII, BCAM, Leadership and Community Service, or P369K@I117K from continuing to serve all students who seek to enroll in those schools.

Further, as stated above, the EIS projections are based on the current enrollment of the entry point grade and assume that the same number of students will matriculate to the next grade and that there is stable incoming enrollment at the entry point. Therefore, there is nothing that currently leads the DOE to believe that the proposed co-location will have an impact on KAPPA VII's, BCAM's, Leadership and Community Service's, or P369K@I117K's enrollment.

Comment 6f concerns the two year incubation period.

The DOE requires that any proposal to incubate a charter school in a DOE building before moving into private space acquired by the charter school detail the anticipated timeframe and the corresponding space needs of the school during the proposed incubation. The DOE monitors the progress towards readiness of the school's private facility.

Should the DOE determine that, for whatever reason, the timeline of the private facility's readiness has changed, the Division of Portfolio Planning will work with the charter school and other impacted schools to develop alternate plans as far in advance as possible. These plans can include, but are not limited to:

- Revising and extending the original proposal to accommodate the charter school's growth based on available space in the building
- Limiting the number of incoming charter students so that they school can remain within the current allocation of space for another year
- Housing part or all of the school in an alternate temporary location for the interim period

In this case, this proposal is for the temporary two-year co-location of Urban Dove in K117. Any proposal regarding the long-term siting and/or co-location of Urban Dove in a DOE building would be posted in a separate EIS in the future, in accordance with Chancellor's Regulation A-190, subject to a vote by the PEP.

Comments 7b and 9b concern services offered to KAPPA VII students.

As previously stated, the proposed co-location of Urban Dove is not expected to impact the admissions, enrollment, or educational options of students currently attending KAPPA VII, P369K@I117K, BCAM, or Leadership and Community Service.

The co-location will not effect the funding provided to each of the existing schools in the building, the budgeting of which by the principal determines the services provided by the school. KAPPA VII receives Fair Student Funding ("FSF") to cover basic instructional expenses. FSF funds may, at the school's discretion, also be used to hire staff, purchase supplies and materials, or implement instructional programs. As the total number of students enrolled grows, the overall budget will increase accordingly, allowing the school to meet the instructional needs of its larger student population. Similarly, if the total number of students enrolled falls, the budget shrinks accordingly, as the school will need fewer supplies and potentially a smaller staff.

As with all other schools citywide, KAPPA VII, BCAM, P369 @ 117K, or Leadership and Community Service may receive additional "categorical" funding based on student characteristics and needs. For example, federal Title I funding is awarded to schools based on the proportion of low-income students they enroll. KAPPA VII, BCAM, and Leadership and Community Service are currently eligible for Title I funding. Assuming that the schools continue to meet Title I criteria, the size of their respective Title I funding awards would grow or shrink as the school population grows or shrinks.

Comment 13 opposes the proposed co-location but does not cite specific grounds, and therefore does not require further analysis.

Comments 14, 20, 21 and 22 do not take a position on the proposed co-location or are in support of the proposed co-location and do not require further analysis.

Comment 16 concerns shared spaces like bathrooms.

The DOE notes that the addition of another co-located organization does not require additional toilets, as buildings are designed to accommodate the number of occupants indicated in their target capacities. It is likely that Urban Dove and KAPPA VII students may need to share a

bathroom, as they will likely share the same floor. If so, Urban Dove and KAPPA VII staff will work together to ensure proper programming of the space..

In many buildings where schools are co-located, each school is assigned bathrooms on the floors or hallways of their classrooms and specific stairways for students to use. These measures are taken to cultivate cohesive cultures within each school. Separation between schools is intended to limit any issues that might arise from groups of students who may not know each other well and to nurture school unity. If the assignment of specific bathrooms is not working or is inadequate, the Building Council can discuss an alternative arrangement.

Comment 28 concerns the belief that charter schools have an inequitable access to additional space and resources.

With regard to the distribution of space, as discussed above, the DOE applies the Footprint to all schools, both DOE and charter, equally to allocate a total room count to each organization. The assignment of specific rooms and location for each in the building will be made in consultation with the principals of each school and the Office of Space Planning if this proposal is approved.

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 NYSED. The DOE does not control this formula, and the funding formula for any of the schools currently co-located in K117 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). However, to the extent a charter school funds any capital expenditure or facility upgrade on its dedicated space in excess of \$5,000, in accordance with Chancellor's Regulation A-190, it must be approved in advance by the DOE, and the DOE must then ensure that an equal amount of capital expenditures or facilities upgrade expenditures are made on each co-located DOE school. In K117, the DOE does not anticipate that the co-location of Urban Dove would require a capital expenditure or facility upgrade.

Comments 2g, 2h, 2l, 12d, 13, 19, and 27 argue that the available space in the K117 should be utilized by the specific schools currently located in K117 campus.

The proposal to open Urban Dove is intended to provide a high performing option for under-credited District 13 students who are age 16 or below. Urban Dove will offer these students customized and rigorous curricula, socio-emotional support, and work-based experiences that foster student engagement and enhance student learning. The proposed co-location of Urban Dove in K117 is part of the DOE's central goal to create new school options that will better serve future students and the community. Through a combination of youth development, the transfer school model, and college and career training and placement, Urban Dove will offer a sports-based curriculum that features career training for students and prepares them for jobs such as coaches, referees, fitness trainers, nutritionists, physical education teachers, sports trainers, and more. As per its charter, Urban Dove will admit students through a charter lottery, and will give preference to students who reside in District 13. The DOE believes that Urban Dove will provide

District 13 families with another transfer school option, one that is designed to serve under-credited high school students age 16 and younger.

While the DOE acknowledges that BCAM, Leadership and Community Service, KAPPA VII, and P369K@I117K are all integral members of the District 13 community, and provide excellent educational and emotional support services to their students, the DOE believes that K117 has sufficient space to accommodate Urban Dove, and that this will be an optimum use of the excess space in the building. Further, roughly half of the DOE's schools share space in a building. Co-locations allow us to create additional high-performing schools for New York City families by using limited facilities efficiently. This is necessary when there are scarce facilities and a demand for more high-performing options.

As previously stated, all schools are allocated space pursuant to the Footprint and the Footprint is applied uniformly to all schools. The Footprint is a tool to be used by all stakeholders in the analysis and assessment of space usage in DOE buildings. Its purpose is to ensure that the space allocation plan for all schools is fair and equitable. In co-location agreements, the parameters outlined in the Footprint should serve as a guideline for making decisions about the allocation of space, while empowering building occupants to make decisions that best meet the needs of all students in the building.

As set forth in the BUP, BCAM is currently operating in excess of its baseline Footprint allocation by 2 full-size rooms and 1 quarter-size room for administrative use. Leadership and Community Service is operating in excess of its baseline Footprint allocation by 3 full-size rooms, and 1 half-size room for administrative use. KAPPA VII is operating in excess of its baseline Footprint allocation by 7 full-size rooms. After determining each school's baseline Footprint allocation, in the 2011-2012 school year, there are 9 full-size, 1 half-size, and 5 quarter-size rooms currently available in K117 after each existing school has received its respective allocations. Some of these excess rooms will be allocated to Urban Dove during the period of its temporary co-location.

Changes Made to the Proposal

No changes have been made to this proposal.