



Public Comment Analysis

Date: March 20, 2012

Topic: The Proposed Re-siting and Co-location of P140K@KAPPA V (75K140), a District 75 School, with Leadership Preparatory Bedford Stuyvesant Charter School (84K517) and an Alternative Learning Center (88K983) in Building K258 in 2012-2013

Date of Panel Vote: March 21, 2012

Summary of Proposal

75K140 is an existing District 75 (“D75”) school serving students at four different sites in Brooklyn. P140K@KAPPA V (75K140, “P140K@KAPPA V”) is one such site, and serves students in kindergarten through eighth grade who have an Individualized Education Plan (“IEP”) classification of emotionally disturbed. P140K@KAPPA V is currently housed in Building K275 (“K275”), located at 985 Rockaway Avenue, Brooklyn, NY 11212 in Community School District 23. Beginning in the 2012-2013 school year, the New York City Department of Education (“DOE”) is proposing to re-site P140K@KAPPA V to Building K258 (“K258”), located 141 Macon Street, Brooklyn, NY 11216, in Community School District 13. A “re-siting” means a school will be located in a different building than the building it is located in currently.

P140K@KAPPA V is currently co-located in K275 with KAPPA V (23K518, “KAPPA V”), an existing middle school serving students in grades six through eight, Brooklyn Democracy Academy (23K643, “BK Democracy”), an existing transfer high school serving students in grades nine through twelve, and Metropolitan Diploma High School (23K647, “Metropolitan Diploma”), an existing transfer high school serving students in grades nine through twelve. A “co-location” means that two or more school organizations are located in the same building and may share large, common spaces like the auditoriums, gymnasiums and cafeterias.

If this proposal is approved, P140K@KAPPA V will be co-located in K258 with Leadership Preparatory Bedford Stuyvesant Charter School (84K517, “Leadership Prep Bed Stuy”), a public charter school which currently serves students in kindergarten through sixth grade, and is phasing in to eventually serve students in kindergarten through eighth grade in 2013-2014. It will also be co-located with an Alternative Learning Center (“ALC”). The ALC housed in K258 (88K983) is a suspension center serving students in sixth through eighth grade.

Currently, K258 also houses Academy of Business and Community Development (13K336, “ABCD”), an existing school serving students in grades six through twelve. In a separate Educational Impact Statement (“EIS”) published in December 2011, the DOE proposed to close ABCD at the end of the 2011-2012 school year due to consistent poor performance. On February 9, 2012 the PEP approved the closure of ABCD. Therefore, if this proposal is approved, P140K@KAPPA V would not be co-located with ABCD in the 2012-2013 school year.

The DOE believes that K258, a fully programmatically accessible building, is better suited to the school’s needs because P140K@KAPPA V will be co-located with schools serving similar grade spans, whereas in K275 it is co-located with two high schools. In addition, it should be noted that the principal of P140K@KAPPA V supports the re-siting of the school to the new location. The principal believes the new site will improve overall morale and school culture for the entire school community, as students will be sited with other peers at their grade levels.

Copies of the EIS and BUP describing this proposal are available in the main offices of P140K@KAPPA V, Leadership Prep Bed Stuy, and the ALC. They are also available on the DOE’s Web site at: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/Mar212012Proposals.htm>.

Summary of Comments Received at the Joint Public Hearings

The DOE held two joint public hearings regarding this proposal: the first was held at K258 on February 29, 2012. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 4 members of the public attended the hearing, and none of them spoke. Present at the meeting were Community School District 13 Superintendent Barbara Freeman; District 75 Superintendent Gary Hecht; District 13 Community Education Council (“CEC”) President Ben Greene; Leadership Prep Bed Stuy School Leadership Team (“SLT”) representative, Daniel Gennaoui; P140K@KAPPA V Principal, Roderick Palton; and Citywide Council for District 75 (“CCD75”) Representative Joseph Williams. Representatives from the ALC’s SLT were invited to attend, and one member confirmed his attendance, but no representative attended.

The second hearing was held at K275 on March 1, 2012. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 40 members of the public attended the hearing, and 10 people spoke.¹ Present at the meeting were Community School District 23 Superintendent Ainslie Cumberbatch; Brooklyn High School Superintendent, Aimee Horowitz; District 23 CEC Member, Roshama Ross; State University of New York (“SUNY”) Representative, Ralph Rossi; Leadership Preparatory Brownsville Charter School SLT representative, Analiza Quiroz Wolf; P140K@KAPPA V Principal, Roderick Palton; KAPPA V Principal, Delle Edwards; BK Democracy Principal, Thomas McKenna; Metropolitan Diploma Principal, Meri Yallowitz; City Council Member, Charles Barron.

¹ The joint public hearing at K275 was also held to solicit public comments concerning the proposed re-siting Leadership Preparatory Brownsville Charter School’s (84K711) kindergarten through third grade and co-location of Leadership Preparatory Brownsville Charter School’s kindergarten through fourth grade with KAPPA V, Metropolitan Diploma, and BK Democracy in building K275 in 2012-2013. The comments solicited at this hearing that relate to that proposal are set forth in a separate analysis of public comments available here: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/Mar212012Proposals.htm>.

The following comments and remarks were made at the joint public hearing at K258:

1. Ben Greene, CEC 13 President, stated:
 - a. The CEC wants to be an integral part of the DOE's decision making process.
 - b. The CEC was not consulted about the proposal to site the P140K@KAPPA V program in K258.
 - c. The CEC wants to ensure that Leadership Prep Bed Stuy is not growing to serve students in kindergarten through twelfth grade, and that the DOE will continue to make decisions about the use of excess space in K258 that are in the best needs of the District 13 community.

The following comments and remarks were made at the joint public hearing at K275:

2. P140K@KAPPA V Principal, Roderick Palton expressed his support for the proposed re-siting of P140K@KAPPA V to K258.
3. City Council Member Charles Barron expressed his belief that if P140K@KAPPA V needs a new site, then this must mean that there is a defect with the K275 building.

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

No written or oral comments were received regarding this proposal.

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

Comments 1(a,b) relate to the DOE's engagement process with the CEC.

The DOE aims to engage a broad range of community partners early and often—before, during, and after proposals are issued. The intention is to not solely rely on the public review process governed by A-190 to inform proposals and collect public feedback. The DOE tries to engage early and often during the preliminary planning phases and throughout the development of the EIS for a particular proposal.

In this case, representatives of the Office of Portfolio Management (“OPM”) spoke with the CEC President via phone on January 17, 2012 in an effort to inform the CEC of this proposal in advance of the public posting of the EIS. The DOE was invited, and accepted an invitation, to present at the CEC's working session meeting on February 7, 2012. During this meeting, representatives of OPM spoke about planning priorities for the 2013-2014 school year, reviewed proposals to date, and answered questions from members of the CEC. Most importantly, this meeting served as an opportunity for OPM to receive feedback from the CEC on pending proposals, planning priorities for the year ahead, and suggestions for improved engagement efforts on the part of the DOE. The DOE continues to value CEC as partners, and remains committed to engaging with the District 13 CEC and members of the District 13 community.

Comment 1(c) concerns future plans for K258.

Leadership Prep Bed Stuy is an existing public charter school that currently serves 449 students in kindergarten through sixth grade. The school is still phasing in and will grow to full scale to serve students in kindergarten through eighth grade, as per its charter, in 2013-2014. The DOE is not aware of any plans for the school to grow to serve students in grades kindergarten through twelve at this time. In the future, if Leadership Prep Bed Stuy chooses to expand to serve students in kindergarten through twelfth grade, it would have to revise its charter accordingly. The DOE does not have any further planned uses for the K258 space at this time. Any proposed changes in building utilization for K258 will follow procedures outlined in Chancellor's Regulation A-190.

Comment 2 expresses support for the proposed re-siting, and therefore does not require a response.

Comment 3 concerns the rationale for re-siting P140K@KAPPA V to K258.

The DOE believes that K258, a fully programmatically accessible building, is better suited to the District 75 school's needs than K275. In K258, P140K@KAPPA V will be co-located with schools serving similar grade spans, whereas in K275 it is co-located with two high schools. In addition, it should be noted that the principal of P140K@KAPPA V supports the re-siting of the school to the new location. The principal believes the new site will improve overall morale and school culture for the entire school community, as students will be sited with other peers at their grade level.

Changes Made to the Proposal

No changes were made to this proposal as a result of feedback received.