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Chancellor

Public Comment Analysis

Date: March 20, 2012

Topic: The Proposed Opening and Co-Location of ROADS Charter High School II (84XTBD) with Arturo A. Schomburg Satellite Academy Bronx (12X446) and Bronx Regional High School (12X480) and a GED Plus Program (79Q950) in School Building X401, Beginning in 2012-2013

Date of Panel Vote: March 21, 2012

Summary of Proposal

The New York City Department of Education (“DOE”) is proposing to open and co-locate a new public charter high school, ROADS Charter High School II (84XTBD, “ROADS II”), in school building X401 (“X401”), located at 1010 Reverend James A. Polite Avenue, Bronx, New York 10459, within the geographical confines of Community School District 12 (“District 12”), beginning in the 2012-2013 school year.

If this proposal is approved by the Panel for Educational Policy (“PEP”), ROADS II will be co-located in X401 with Arturo A. Schomburg Satellite Academy Bronx (12X446, “Satellite Academy”), an existing transfer high school, Bronx Regional High School (12X480, “Bronx Regional”), an existing transfer high school, and a full-time General Education Development Plus program (79Q950, “GED Plus”). Building X401 also houses the following programs and organizations: a Living for the Young Family through Education (“LYFE”) program, community-based organization (“CBO”) Montefiore Medical Center, and a Referral Center for High School Alternatives (“Referral Center”). A “co-location” means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, libraries, and cafeterias.

ROADS II is like DOE transfer schools in that while it will serve students in grades nine through twelve, it will not adhere to strict grade distinctions, as students will enroll at various stages of credit accumulation. If this proposal is approved, ROADS will admit students for the 2012-2013 school year who have earned anywhere from 0-11 academic credits, and who are 15-17 years old. The school’s charter was approved by the State University of New York (“SUNY”) in March 2011. Under this charter, ROADS II will admit students through a charter lottery,

giving preference to students who reside in District 12.

If this proposal is approved, ROADS II will open in X401 for the 2012-2013 school year with an entering class of approximately 135-165 students. Each subsequent year, through 2014-2015, the school will add 45-55 students. The school is expected to reach full scale in terms of enrollment in 2014-2015, when it will serve approximately 225-275 students.

ROADS II is expected to add one grade level each year as the student population earns more credits. Students will progress from one grade level to the next as they accumulate sufficient credits to be considered part of a particular grade. ROADS II expects to offer all high school grades—nine through twelve—in 2015-2016 as this is the first year in which it is expected that some students enrolled at the school will have earned at least 33 credits, and therefore will be considered twelfth-graders.

Building X401 has a target capacity of 1,622 students. During the current 2011-2012 school year, the building is serving 1,080 students, yielding a target utilization rate of 67%. This means that the building is under-utilized and has extra space to accommodate additional students.

If this proposal is approved, during the first year of implementation in the 2012-2013 school year, the X401 building is projected to serve approximately 1,130-1,335 students, yielding a projected target utilization rate between 70-82%. During the final year of implementation, in the 2014-2015 school year, the X401 building is projected to serve approximately 1,220-1,445 students, yielding a projected target utilization rate between 75-89%. Therefore, if this proposal is approved, the building will be more efficiently utilized while at the same time providing a new educational option for students in the community.

The details of this proposal have been released in an Educational Impact Statement (“EIS”) and a Building Utilization Plan (“BUP”) which can be accessed here: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/Mar212012Proposals.htm>.

Copies of the EIS and BUP are also available in the main offices of Bronx Regional, Satellite Academy, and the GED Plus program.

Summary of Comments Received at the Joint Public Hearing

A Joint Public Hearing regarding this proposal was held at school building X401 on March 12, 2012. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 176 members of the public attended the hearing, and 55 people spoke. Present at the meeting were: Myrna Rodríguez, District 12 Community Superintendent; Thom Franta, State University of New York (“SUNY”) Representative; Winifred Coulton and Carmen Taveras, Community Education Council (“CEC”) 12 Representatives; Marsha Vernon, Satellite Academy Principal; Colin Thomas, Bronx Regional Principal; Sumita Kaufhold, Children’s First Network Leader for Satellite Academy and Bronx Regional; New York City Councilwoman María del Carmen Arroyo; Helen Jacome from Senator Ruben Díaz’s Office; John M. Moncrief from Assemblyman Eric Stevenson’s Office; Sara Kaufman, Rosa Fernández, Rick Larios, Yolanda

Orbegoso, and Nick Marini from the Division of Portfolio Planning; and Helen Tsang from the Office of Public Affairs.

The DOE also held a meeting with the Bronx Regional and Satellite Academy principals, their respective School Leadership Teams, and Children's First Network Leader Sumita Kaufhold on March 7, 2012, at which the DOE received input on the proposal. These comments and questions are incorporated in this Analysis of Public Comment.

The following comments and remarks were made at the Joint Public Hearing

1. Councilwoman María del Carmen Arroyo stated that Bronx Regional and Satellite Academy already serve transfer school students and as such the DOE should allow them to grow instead of adding a similar program to the building. She supports charter schools in general, but she disagrees with the Department's proposal to add a new school to building X401 on the premise that the new school would ruin the programs being offered by the existing transfer schools. She also stated that the community should not hear about these proposals simply through e-mail or the Department's Web site.
2. Helen Reyes Jacome, a representative from Senator Díaz's Office, stated that Senator Díaz met with Satellite Academy students on March 9, 2012. Senator Díaz supports charter schools in general. But he also thinks that students have the right to protest the proposal and that the community's concerns should be heard and taken into account.
3. John Moncrief, a representative from Assemblyman Eric Stevenson's Office, stated that elected officials should stand together to stop the DOE from pitting communities against each other. He further stated that this is particularly true in Black and Latino communities across the City.
4. The Bronx Regional and Satellite Academy School Leadership Teams delivered a Power Point presentation which included the following information:
 - a. Bronx Regional and Satellite Academy opened more than 40 years ago in response to the lack of options for students who felt lost, unsafe, and disempowered at comprehensive high schools.
 - b. Students come to Bronx Regional and Satellite Academy because they feel safe and supported by the teachers and staff.
 - c. Students attending Bronx Regional and Satellite Academy come from a variety of backgrounds. They leave their old schools for many reasons, including poor grades, an extensive record of absences, homelessness, pregnancy or the birth of a child, health problems, and bullying.
 - d. The schools do not have a selective admissions process. The application process is diagnostic, not screened, and it includes completing an application and participating in an interview. This process creates a school environment that is safe and where students want to learn.
 - e. Bronx Regional and Satellite Academy are successful in helping students graduate from high school and ultimately enroll in college. For example, last year, 85% of Black and Latino male students went on to college.
 - f. Both schools are new small schools. They operate on separate floors, which has been successful in maintaining a cohesive school culture.

- g. The building's design does not support two schools sharing the same floor. This would lead to overcrowding, fights, and disruptions to the other school's schedule and culture.
 - h. Satellite Academy will lose 9.5 classrooms and Bronx Regional will lose 4 classrooms as a result of this proposal. Additionally, the enrollments of Satellite Academy and Bronx Regional will be capped at 240 and 350, respectively. GED Plus, however, will not lose any space according to the proposed plan.
 - i. Satellite Academy has successfully implemented an extended-block schedule, which is helping to improve student attendance and credit accumulation. This schedule requires access to the science and computer labs, gymnasium, and other facilities for three or more hours per day in order to facilitate in-depth, hands-on, student-centered, inquiry- and project-based learning.
 - j. In making decisions about the utilization of space, the DOE does not take into account the school's programming or quality. Instead the DOE uses other measures such as enrollment and space availability.
 - k. The schools do not feel that the DOE has fully informed and involved the community concerning the decision to co-locate another school in the building.
 - l. The parents feel that they are the last ones to know when the Department makes decisions about their children's education. They feel excluded from the decision-making process and oppose the proposal.
 - m. At a meeting with the DOE on March 7, 2012, the DOE rejected the schools' request to expand their enrollments and use the underutilized space in the building. The DOE's response was "we believe in small schools." Nonetheless, the DOE is opening eight new "small" schools in September 2012 with an average enrollment of 453 total students.
 - n. The DOE should give the community the opportunity to develop a comprehensive plan to use the extra space, involving CEC 12, Citywide Council on High Schools, the School Leadership Teams, the Alternative High School Superintendency, the UFT, and other parent/community organizations, and, most importantly, the students. Specifically, the underutilized space should be used to create an English Language Learner center, a literacy center for all community members, a college and career center, and a center for community-based organizations and adult programs for parents.
5. Michael Freedman, UFT Chapter Leader, expressed opposition to the proposal. He stated that the programs currently in the building (i.e., transfer schools, LYFE, Referral Center, GED Plus, and CBOs) will be negatively impacted by the co-location of ROADS II in the building.
 6. Rita Jones, a representative from the Bronx Coalition of Public Education and a parent of Bronx Regional and Satellite Academy graduates, stated that she is opposed to mayoral control of schools; that Bronx Regional and Satellite Academy staff help all students; that the DOE hasn't provided adequate resources to the existing schools in the building; and that the space in the building should be given to the existing schools, and not to a new school.
 7. Sister Paulette LoMonaco, Executive Director of Good Shepherd Services, supports the proposed co-location of ROADS II. She said that ROADS II is committed to serve students in District 12. She commends their work and that of other educators for their service in the community.
 8. Multiple representatives from ROADS stated that they are excited about the opportunity to open a school in District 12. They are also committed to working together to make the co-location a successful one for all school communities and to share best practices.

9. Richard Sherman, a representative from Bronx Community Board 2, spoke against the proposal. He stated that although the building is 67% utilized, it already houses multiple organizations that share the space. Additionally, the building does not have a sufficient number of classrooms for a new school. He also stated that the DOE did not involve Community Board 2 in conversations about the proposal.
10. Multiple commenters spoke in support of the proposal and argued that ROADS II will provide services to high-needs students, many of whom do not receive appropriate services.
11. A commenter believes in the importance of providing choice to families and supports the co-location of ROADS II.
12. A commenter expressed the opinion that instead of opening new schools, the DOE should use those funds and resources to support Bronx Regional and Satellite Academy.
13. Multiple Satellite Academy teachers spoke against the proposal and argued that all of the space in the building is being used by the existing schools and programs. Satellite Academy needs the additional space for its mediation and conflict resolution program and extra-curricular activities. Part of the school's success lies in the fact that there is ample space for teachers to meet one-on-one with students.
14. Multiple commenters stated that the DOE will place metal detectors in the building as a result of the proposal and that this will negatively impact all of the schools and programs currently sharing space in the building.
15. Multiple commenters asked why Bronx Regional and Satellite Academy were not expanding and receiving more classrooms, which would be preferable to bringing in another school into the building.
16. Multiple commenters stated that the existing schools and programs in the building are contained within one floor and because of that they have been successful in sharing space and creating their own culture. If ROADS II comes into the building next year, it would have to share a floor with one of the schools, resulting in overcrowding and safety issues.
17. Multiple commenters argued that Bronx Regional and Satellite Academy have worked very hard to raise academic standards and graduate students. They feel that the proposed co-location will interfere with the progress made.
18. Multiple commenters stated that the proposed co-location will result in drop-outs.
19. Multiple commenters asked why the DOE is opening a new transfer school in the building when it already has two transfer schools that are serving the same student population.
20. Multiple commenters stated that the ROADS II model is not unique or new and that similar models tried in the past have been unsuccessful.
21. Multiple students stated that the proposed co-location is not fair to them because all students need their own space to learn.
22. A commenter stated that the DOE did not conduct a walk-thru of the building before proposing the co-location of ROADS II, and had the DOE done this it would have come to the conclusion that the building does not have extra space for another school.
23. Multiple commenters stated that the Educational Impact Statement did not describe the potential impact of the co-location on the existing schools' programming and schedules. They also stated that the schools' schedules will naturally change with a new school in the building.
24. Multiple commenters stated that the co-location of ROADS II in the building is not in the best interests of the teachers and students at Bronx Regional and Satellite Academy and that the DOE should actively listen to their concerns.

25. A commenter asked if the DOE explored other options before proposing to open ROADS II in the Bronx Regional building.
26. A commenter asked if the space occupied by the LYFE program will be reduced next year. The commenter also asked whether the safety of the young children in the program would be compromised when new students are added to the building.
27. Multiple commenters claimed that ROADS II has a budget of \$300,000 for use of a private facility and asked why the organization is not using these funds to secure private space.
28. Multiple commenters asked if ROADS II is giving first priority to students who have been incarcerated.
29. Multiple commenters stated that Bronx Regional and Satellite Academy have requested the installation of security cameras in the building in the past and were denied, but the DOE is now responding to their requests in light of the new school coming into the building.
30. Multiple commenters asked why Satellite Academy's seat capacity went down from 432 seats to 295 seats per the Blue Book and who decides how rooms are used.
31. A commenter asked who holds charter schools accountable if issues regarding the use of space rise.
32. A commenter asked why the space of GED Plus is not impacted by the proposal.
33. A commenter asked who holds charter schools accountable if they do not comply with their charter.

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

The DOE received three written comments through the dedicated e-mail address for this proposal and two oral comments through the dedicated phone line.

34. The Legal Aid Society submitted a letter in support of the proposal, which stated the following:
 - a. The Legal Aid Society's clients need innovative programs like the ROADS program, which is designed to engage high risk youth. A significant percentage of our clients fall within the target population that ROADS intends to serve. They are homeless, former drop outs, in foster care, or court involved. An overwhelming number of them are overage and under-credited. It is not uncommon for us to see clients who are fifteen, sixteen or seventeen years old and are still in the sixth, seventh or eighth grade.
 - b. When ROADS opens in September, it will be the only school in all of New York City that will accept overage, under-credited middle school students, place them in an appropriate peer group, and provide them with the intensive remediation they need in order to get back on track to earning a high school diploma. The Legal Aid Society applauds the ROADS program for responding to the needs of the community by targeting a vulnerable, underserved segment of New York City's student population.
35. District 79: Alternative Schools and Programs submitted a letter in support of the proposal. District 79, which runs the GED Plus program, Referral Center, and LYFE program in building X401, believes that ROADS II would be a welcome contribution to the school community. In addition, they believe in creating more options for disconnected youth, especially one like ROADS II which will focus on high academic standards, Regents Diplomas, and college readiness.

36. Several commenters expressed general opposition to the proposal and stated that a new school in the building would cause overcrowding. They voiced the opinion that there is no need for a new transfer school in the building because the building already has two transfer schools.
37. A commenter stated that the DOE should find another facility for ROADS II and that the co-location will have a negative effect on the other schools.

The DOE also received nine letters concerning the proposal. The comments contained in these letters have been included below, to the extent that they were not also raised during the Joint Public Hearing.

38. Two commenters were concerned about the impact of the co-location on Satellite Academy's extended-block schedule, which allows students who participate in the rowing team the time to travel to Manhattan for practice and back to the Bronx for classes.
39. A commenter stated that Bronx Regional and Satellite Academy help students learn and make progress as evidenced by students' performance on English Language Arts and Regents exams.
40. A commenter stated that ROADS II would be split between the fourth and fifth floors, therefore, sharing classroom space with both Bronx Regional and Satellite Academy.
41. A commenter stated that the proposed co-location will prevent Satellite Academy from running its extended-block schedule in the science labs, gymnasium, and other facilities for three hours or more.
42. A commenter contended that Satellite Academy will not be able to run its advisory program with 18-20 students in 11 classrooms as supposed to 14 classrooms.
43. A commenter stated that the schools will not be able to have professional development sessions because of limited space as a result of the proposed co-location.
44. A commenter stated that there is a discrepancy between the enrollment figures in the EIS and the DOE's School Search Link for Satellite Academy, and a resulting discrepancy in utilization rates.
45. A commenter noted that Satellite Academy has applied for an increase in their total student enrollment to 300.
46. A commenter questioned the accuracy of Satellite Academy's organizational capacity as reported in the 2010-2011 Blue Book.
47. A commenter questioned the reliability of the Blue Book, in general, in light of the New York City Office of the Comptroller's "Audit Report on the Collection and Reporting of School Capacity and Utilization Data by the Department of Education and the School Construction Authority."
48. A commenter questioned a purported discrepancy in the number of instructional spaces counted in the DOE's Facilities Survey and the results of the October 31, 2011 walk-through.
49. A commenter expressed concern about Satellite Academy's ability to continue utilizing a "social work room."

The following comments and remarks were made at the Joint Public Hearing that were not related to the proposal

50. A commenter spoke against mayoral control, the privatization of public education, the City's policy to close underperforming schools, and the teacher evaluation reports.
51. A commenter spoke about the recent student riots at Murry Bergtraum High School.
52. Multiple students spoke about their positive experiences at Bronx Regional and Satellite Academy and praised their teachers for supporting them.
53. Multiple students stated that they nearly dropped out of school before coming to Satellite Academy. They found a safe and supportive home at Satellite Academy and they attribute their academic progress and success to the school.
54. A commenter stated that the working class is under attack and that people have the right to healthcare and a public education.

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

- With regard to comments 1, 4(m), and 15, which suggest that the DOE should increase the enrollments of Bronx Regional and Satellite Academy instead of co-locating ROADS II in the building next year: The DOE believes that transfer schools, like Bronx Regional and Satellite Academy, can best serve their populations by operating on the small school model with approximately 250 students. According to the 2011-2012 Audited Register, Bronx Regional currently serves 326 students, and Satellite Academy currently serves 219 students. The DOE does not believe that increasing their enrollments would serve students well. Instead, opening an additional small transfer school, like ROADS II, is the best way to serve more over-age and under-credited students.
- With regard to comments 1, 2, 3, 4(k), 4(l), 4(n), 9, and 24, which concern the DOE's solicitation and consideration of community input on the proposal: The DOE is committed to engaging with the community, including its elected representatives, for all proposals requiring a significant change in school utilization, as detailed in Chancellor's Regulation A-190. Chancellor's Regulation A-190 sets out the public review and comment process that the DOE undertakes with respect to all such proposals by the Chancellor (e.g., grade reconfigurations, re-sitings, co-location of schools, or phase-outs.) Here, and with respect to all proposals for changes in school utilization, the DOE considers all of the feedback received during the community engagement process and the Joint Public Hearing.

With respect to the comments concerning notification of the proposal to the community: The DOE has taken many measures to notify the community and solicit feedback regarding this proposal. On February 2, 2012, the DOE issued notice of, published and filed, the EIS and BUP describing this proposal with all community stakeholders (including the impacted CEC and community boards) and impacted schools.

Bronx Regional, Satellite Academy, and the GED Plus program were asked to backpack parent letters and notices of the proposal home with every student, and to make hard copies of the EIS and BUP available in their respective main offices.

The DOE meet with the schools' principals and their School Leadership Teams on March 7, 2012 to solicit their input and address their questions and concerns. In addition, the DOE dedicated a proposal-specific e-mail address and voicemail to collect feedback on this proposal.

Furthermore, each schools' staff, faculty, and parent communities were invited to the Joint Public Hearing held on March 12, 2012 to comment on the proposal. All the comments received at the hearing and at the March 7, 2012 meeting with the Bronx Regional and Satellite Academy School Leadership Teams, and through the dedicated e-mail address and phone number for the proposal are addressed in this Public Comment Analysis and are provided to the Panel prior to its vote.

- Comments 4(a), 4(b), 4(c), 4(d), 4(f), and 39 describe the history of, and voice support for the teachers, staff and students at, Satellite Academy and Bronx Regional. The DOE acknowledges and commends the students and staff of Satellite Academy and Bronx Regional for their hard work, dedication, and passion for the school. This proposal is not a reflection of the quality of those schools, but is intended to fulfill the Department's goal of creating more high-quality educational options for students and families in the community.
- In response to comment 4(e), which claims that 85% of Black and Latino male students from Bronx Regional and Satellite Academy enrolled in college last year: According to the National Student Clearinghouse and the City University of New York, Bronx Regional had a 35% college enrollment rate of Black and Hispanic male graduates. This data does not yet exist for Satellite Academy in X401 as the school opened in 2010-2011.¹ Therefore, this is an inaccurate statement.
- Comment 4(i), 38, and 41 voices concern about Satellite Academy's use of shared spaces and science labs for its extended-block schedule: Building X401 has a total of three science labs and four science demonstration rooms, all of which will be allocated to individual schools as part of their baseline Footprint allocations—please see the response to comments 4(j) and 30 for a discussion of the Footprint. Each transfer school will have exclusive access to one of these three science labs. Therefore, Satellite Academy will be able to offer science classes throughout the course of the day and maintain its block-scheduling.

Additionally, all schools are allocated specialty rooms as part of their baseline Footprint allocations. These rooms may be used for multiple purposes such as art and music classes, or as a computer lab. Satellite Academy's baseline Footprint allocations include a specialty room which can continue to be used as a computer lab. Ultimately, decisions about how to use rooms are made by the schools themselves.

¹ Satellite Academy had been operating in four different locations prior to September 2010. For the 2010-2011 school year, each site became its own stand-alone school with a separate DBN and separate accountabilities.

With respect to the use of the gymnasium: The BUP allocates the following gym times to each of the schools for the 2012-2013 school year: Satellite Academy received an allocation of 10 hours per week, Bronx Regional received an allocation 14 hours per week, and ROADS II received an allocation of 6 hours. The total amount of time allocated to each school in the proposed shared space schedule in the BUP is based on the proportional enrollments of the schools.

Certain commenters stated that Bronx Regional and Satellite Academy currently schedule their gym sessions in one and a half hour blocks. The proposed shared space schedule accommodates this arrangement: it provides Bronx Regional with a three hour block of time in the gymnasium each day (from 9 a.m. to 12 p.m.), and provides Satellite Academy with a two hour block of time in the gymnasium each day (from 1 p.m. to 3 p.m.).

Other commenters stated that the two existing schools schedule gym in three hour blocks. In that case, the Building Council may determine to provide Satellite Academy with an extra hour of gym time beginning at 12 p.m. so that the school can maintain a three hour block scheduling model.

As discussed in the BUP, the schools may determine to program those spaces differently and can make changes to the proposed schedule based on their programmatic needs, provided the Building Council comes to an agreement of the final Shared Space Plan collaboratively. The schedule in the BUP is only a proposed one and schools can decide how they want to use the space and for how long, as long as all the schools come to an agreement.

- In response to comments 4(g), 5, 13, 16, 38, and 40 which concern the DOE's rationale for co-locating schools in the same building and the impact of this proposal on the existing schools' culture and programs: The DOE notes that roughly half of the City's public schools share space. Co-locations enable the DOE to use its limited facilities efficiently while simultaneously creating additional high-quality options for New York City families. This is necessary when we have scarce facilities and a demand for more high-performing options.

The DOE has successful schools that are co-located and successful schools that are not co-located. The DOE also has struggling schools that are co-located and that are not co-located. The DOE does not believe co-locations negatively impact student performance.

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, even when they are located on the same floor. This may be the case for ROADS II if this proposal is approved, though no decisions about the location of the school have been made. 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. It is expected that the schools in X401 will work together to develop a plan and protocol to address any concerns.

As discussed in the EIS, the DOE does not anticipate that this proposal will the instructional programming at Satellite Academy or Bronx Regional or their school cultures. Furthermore, the DOE does not anticipate that this proposal will impact the partnerships or extra-curricular

programs at Satellite Academy or Bronx Regional. These schools will continue to offer extra-curricular programs based on student interests, available resources, and staff support for those programs. Students will continue to have the opportunity to participate in a variety of extra-curricular programs though the specific programs offered at a given school are always subject to change. This is true for any DOE school, as all schools modify extra-curricular offerings annually based on student demand and available resources.

- In response to comments 4(g), 16, and 36, which contend that the proposed co-location will lead to overcrowding: The proposed plan will not lead to overcrowding in the building. The building has the capacity to serve 1,622 students and it currently only serves 1,080 students, which yields a utilization rate of 67%. If this proposal is approved, when ROADS II is operating at scale in the building in the school year 2014-2015, there will be approximately 1,220-1,445 students attending schools in the building, yielding a utilization rate of 75-89%. Although the building would serve more students, this will not exceed the building's capacity and will not result in overcrowding.
- With regard to comments 4(g) and 16, which concern safety: The DOE recognizes that safety is a concern among parents, students, and staff. The DOE is fully committed to working closely with Bronx Regional, Satellite Academy, GED Plus, and ROADS II to maintain a safe and secure environment in the building for all students and to create a positive culture.

The Office of School and Youth Development ("OSYD") supports schools in maintaining a safe, orderly, and supportive school environment. OSYD works directly with Children's First Network Safety Liaisons and schools to establish and implement integrated safety, discipline and intervention policies and procedures, to promote respect for diversity, and to nurture students' pro-social behavior by providing them with meaningful opportunities for social-emotional learning. We encourage all schools, including those in X401, to seek support from OSYD to address any issues involving safety and security, including gang-related issues.

School Safety Agents ("SSAs") are allocated to schools based on each building's projected enrollment. The NYPD's School Safety Division looks at a set of variables to determine the number of SSAs to deploy to a particular school building, including the crime rate, size and design of the building, enrollment, and grade span.

Pursuant to Chancellor's Regulation A-414, every school/campus must have a School Safety Committee. The committee plays an essential role in the establishment of safety procedures, the communication of expectations and responsibilities of students and staff, and the design of prevention and intervention strategies and programs specific to the needs of the school. The committee is comprised of various members of the school community, including principals, charter school leaders, designees of all other programs operating within the building, the UFT Chapter Leader, a Custodial Engineer designee, and an in-house School Safety Agent Level III. The committee is responsible for addressing safety matters on an ongoing basis and making appropriate recommendations to the principals and charter school leaders when it identifies the need for additional tactics, such as security measures, intervention, or training.

Furthermore, the DOE makes available the following supports to schools relating to safety and security:

- Providing “Best Practices Standards for Creating and Sustaining a Safe and Supportive School,” as a resource guide;
 - Reviewing and monitoring school occurrence data and crime data (in conjunction with the Criminal Justice Coordinator and the NYPD);
 - Providing technical assistance via the Borough Safety Directors when incidents occur;
 - Providing professional development and support to Children’s First Network Safety Liaisons;
 - Providing professional development and kits for Building Response Teams; and
 - Monitoring and certifying School Safety Plans annually.
- In response to comments 4(h), 9, 13, 21, and 22, which contend that building X401 does not have sufficient space for an additional school: There is ample space in building X401 to accommodate a new school as reflected by the building’s utilization rate. As mentioned in the above response to comments 4(g) and 16, the building has a capacity of 1,622 students, yet only 1,080 students currently attend school in the building. This yields a building utilization rate of 67% of target capacity. A utilization rate this low means that the building is not being used as efficiently as possible and that it has space to accommodate additional students.

Prior to issuing this proposal, the DOE conducted a walk-thru of the building on October 31, 2011 to evaluate any underutilized space. According to that walk-thru, the building currently has 17 full-size classrooms and 2 half-size classrooms in excess of Bronx Regional’s, Satellite Academy’s, and GED Plus’ baseline allocations per the Footprint, which is the DOE’s guide for allocating space in an unbiased manner to all City schools based on school’s enrollment and programmatic needs.

As indicated in the BUP, in 2014-2015, when ROADS II is at scale in the building with a projected enrollment of 225-275 students, the school will receive a total allocation of 12 full-size rooms and 2 half-size rooms, which include instructional and administrative space. This means that there will still be 5 full-size rooms in excess of Bronx Regional’s, Satellite Academy’s, and the GED Plus program’s baseline Footprint allocations. This remaining space will be divided equitably among Bronx Regional, Satellite Academy, and ROADS II based on their proportional enrollments, their instructional and programmatic needs, and the physical location of the excess space within the building.

- In response to comment 4(h), which concerns the reduction in rooms to be allocated to Bronx Regional and Satellite Academy: Although Bronx Regional and Satellite Academy will be allocated fewer rooms going forward, both schools will continue to receive rooms in excess of their baseline Footprint allocations. Both schools are currently using several rooms above their respective baseline Footprint allocations. Specifically, Satellite Academy is using a total of 10.5 full-size equivalent (“FSE”) rooms above its baseline Footprint while Bronx Regional is using 7.5 FSE rooms above its baseline Footprint. As discussed in the BUP, even after ROADS II reaches scale, there will still be 5 full-size rooms remaining in excess of all

schools' collective baseline Footprints. The DOE believes that each school will be able to serve their students within the space allocated to them according to the Footprint.

- In response to comment 4(h), which contends that the DOE is capping Bronx Regional's enrollment at 350 and Satellite Academy's enrollment at 240: The DOE is not "capping" enrollment at either of the schools. As a preliminary matter, the DOE does not "cap" enrollment at high schools. The enrollment projections in the EIS assume the forward promotion of students currently attending the schools and take into consideration the number of new students who entered the schools in the prior year. If there is an increase in demand for Bronx Regional or Satellite Academy seats in the future requiring the use of additional space in the building, the DOE would work with the schools regarding enrollment and, if necessary, would revise the BUP accordingly.
- In response to comments 13 and 23, which concern shared resources and the impact of the proposed co-location on the schedule of the existing schools: Please refer to the response to comments 4(g), 5, 13, 16, 38, and 40. With respect to the usage of shared spaces (i.e., gymnasium, library, cafeteria, and auditorium), as described in the BUP, the proposed Shared Space Plan is based upon the population size and other relevant factors for each co-located school. Although the DOE has proposed how the shared spaces in the building may be utilized, Building Councils are free to deviate from the proposed Shared Space Plan to accommodate specific programmatic needs of all special populations or groups within each school as is feasible and equitable, provided that the Building Council comes to an agreement of the final Shared Space Plan collaboratively.
- In response to comments 4(j) and 30, which concern the DOE's use of the Footprint and Blue Book to assess capacity and utilization of space across the City: The Blue Book remains the Citywide standard for assessing capacity within DOE buildings; the Instructional Footprint is an instructional translation of the information in the Blue Book, and is meant to assist school managers and staff in efficient programming of space.

The Footprint is a tool to be used by all stakeholders in the analysis and assessment of space usage in DOE buildings across the City. In co-location arrangements, 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.

An analysis of enrollment trends at the City, district, and building levels, coupled with a review of building utilization, along with on-site assessments, are the primary drivers for decisions about the use of space in buildings. As noted, a building walkthrough was conducted by the Borough Director from the Office of Space Planning on October 31, 2011, which further confirmed that there is sufficient space in the building to co-locate ROADS II.

While the Footprint sets forth a baseline space allocation, school leaders are empowered to make decisions about how to utilize the space allocated to the school. Each principal, therefore, must make decisions about how and where students will be served within the space allocated to the school. The DOE, however, will provide support to the schools to ensure that

the schools use the space efficiently in order to maximize capacity to support student needs and maintain appropriate delivery of special education and other related services to students. Where appropriate, school leaders will have an opportunity to draw upon the expertise and guidance of the Office of Special Education, which is dedicated to promoting positive educational outcomes for students with disabilities.

The capacity figures in the Blue Book are based on the manner in which rooms are utilized. Capacity is calculated with information provided by principals in the Annual Facilities Survey conducted by the School Construction Authority. The survey verifies the usage and size of rooms within each building. The Blue Book includes a building's "target capacity," which reflects aspirational goals for school buildings, making different assumptions about how classrooms are used. In the case of Satellite Academy, its target capacity has increased between the 2009-2010 and 2010-2011 Blue Books, from 319 to 426. This increase is likely due to a change in the way that the school is using its rooms.

- In response to comments 4(n), 6, 12, and 37 which concern the process for identifying underutilized spaces and proposing uses for such space: Building space is scarce in many New York City neighborhoods. Given this reality and the growing enrollment needs of our 1.1 million students, we must use our existing public school buildings in the most efficient manner possible. We must also work to ensure that students and families in every community have high-quality educational options.

To this end, each year the DOE's Division of Portfolio Planning publishes and requests school and community feedback on building utilization information and potential changes. In October 2011, the DOE issued the Underutilized Space Memorandum, which identified X401 as an underutilized building. This memorandum was distributed to the principals of both Satellite Academy and Bronx Regional, and the principals were instructed to review the determination with their respective SLTs and provide any feedback to inform future decisions about potential changes to your space and building. After sharing this information with their SLTs, the principals were further directed to convey any feedback from their SLTs to the Division of Portfolio Planning by October 21, 2011. In particular, the Division of Portfolio Planning requested the principals to advise if they felt that the information in the memo was inaccurate or did not reflect current realities, or that the underutilized criteria outlined above do not apply to their schools. The Division of Portfolio Planning has no record of any response or feedback received prior to October 21, 2011 deadline for submitting feedback, which was sent to school principals on October 4, 2011.

When the DOE proposes a "significant change" to a school building (as defined by Chancellor's Regulation A-190), the DOE follows a lengthy process of notifying impacted stakeholders and communities of the proposal, describing the impact of the proposal, and soliciting public comment on the proposal in a variety of ways. The comments received and the DOE's responses thereto are shared with the Panel prior to its vote on the proposal.

The DOE has determined that given the great need for seats for over-age and under-credited students in the Bronx, opening a new transfer school is the most pressing need for the District 12 and the X401 communities. Moreover, the co-location of ROADS II does not

necessarily exclude the possibility of implementing certain of the alternative proposed uses for the underutilized space described in comment 4(n). For example, CBOs and adult programs for parents may operate in classrooms after school hours. The DOE believes that co-locating ROADS II in X401 is the best use of the underutilized space as it will create new opportunities for students in that community who can benefit from the school's instructional model and socio-emotional supports.

- With regard to the portion of comment 6, which contends that the DOE has not provided adequate resources to the existing transfer schools in the building: All schools are funded through a per pupil allocation. That is, funding “follows” the students and is weighted based on students’ grade level and need (incoming proficiency level and special education/English Language Learner/Title I status). If a school’s population declines from 2,500 to 2,100 students, for example, the school’s budget decreases proportionally—just as a school with an increase in students receives more money. Both Bronx Regional and Satellite Academy have received funding consistent with the above formulas. In addition, all schools receive operational and instructional supports through their Children’s First Network.
- Comments 7, 8, 10, 11, 34, and 35 are in support of the proposal and therefore do not require a response.
- With regard to comment 14, which claims that metal detectors will be added at X401: The DOE currently has no plans to install metal detectors into building.
- With regard to comment 18, which concerns the proposal’s impact on student achievement at Bronx Regional and Satellite Academy: The DOE does not anticipate that this proposal will impact the schools’ ability to build upon past successes or jeopardize the performance and academic achievement of their students.
- In response to comment 20, which contends that the ROADS II model has been unsuccessful in the past: The school’s model, which is based on competency assessment and job readiness, draws heavily on a broad array of national evidence-based practices. There is a tremendous need in the community for a high quality school that tailors its instruction and services to students who have been involved in the criminal justice, foster care, or child welfare systems and have fallen behind in school. ROADS II will offer its students socio-emotional supports in addition to a customized curriculum that integrates technology into the classroom. The school will also work closely with its partners, social workers, highly trained teachers, and community organizations to support student development and to provide counseling services and other wraparound supports. While the DOE acknowledges that serving ROADS II’s intended population is a challenging task, it believes that the school’s unique instructional approach and services will serve these students well.
- In response to comment 25, which concerns the DOE’s efforts to identify potential space for ROADS II: The DOE considers a number of factors when identifying space for new schools. As described earlier, the DOE considers enrollment and capacity of buildings. The DOE also uses the Footprint and a building walk-thru to more closely assess the underutilized space in a given building.

The DOE identified building X401 as a good fit for the co-location of ROADS II given that it is a high school building with underutilized space, and the existing schools also serve transfer students. The DOE believes building X401 is the optimal location for ROADS II because of the available space within the building and the need in that community for more options for students who are behind in school.

- With regard to comments 26 and 32, which concern the impact of this proposal on the space of the GED Plus and LYFE programs at X401: The LYFE program, which currently uses 4 full-size rooms and 2 half-size rooms, is not expected to lose any space or reduce the services they offer as a result of this proposal. The young children participating in the LYFE program in the building will not be affected by this proposal, as they will not be sharing space with older students at ROADS II or at any of the other transfer schools.

Similarly, the proposed plan continues to allocate the same space to GED Plus as it is currently operating at Footprint. GED Plus will continue to be allocated 19 full-size rooms, 11 half-size rooms, and 1.0 designed administrative space.

- In response to comments 27 and 37, which concern ROADS II's potential ability to be housed in a private facility: ROADS II's charter includes a line item for facilities. However, that budget item represents contingency planning, in the event that it is not able to secure public space. The DOE feels that it is appropriate to provide ROADS II with space in a district school building so that the school can utilize funds which would have otherwise been spent on facilities in a manner that would better serve its students. For example, ROADS II has indicated to the DOE that if this proposal is approved and ROADS II opens in X401, the school will allocate these funds to hire social workers.
- With regard to comment 28, which concerns the admissions process and priorities of ROADS II: ROADS II will admit students for the 2012-2013 school year who have earned anywhere from 0-11 academic credits and who are 15-17 years old. Students will be admitted through a charter lottery, giving preference to students who meet eligibility criteria and reside in District 12. Preference will be given to students who meet at least one of the following criteria:
 - Students who are at least a year behind their graduation cohort
 - Students who have previously dropped out of school
 - Students who are involved with the foster care system or child protection system
 - Students who are or homeless or in temporary housing
 - Students who have been or are involved with the juvenile or adult court system

No single item in these criteria provides a higher priority to applicants than any other. However, students will have priority for admission into the school based on the number of criteria that applies to them. Thus, a student who meets all five of the above criteria will have first priority, a student who meets four of the five will have next priority, and so forth.

Admissions preference will be given in the following order:

- 1) Returning students (not applicable in 2012-2013)
- 2) Student applicants whose siblings are successfully selected in the lottery
- 3) Students who meet all 5 of the admission preferences and reside in District 12
- 4) Students who meet all 5 of the admission preferences, but do not reside in District 12
- 5) Students who meet at least 4 of the 5 admission preferences and reside in District 12
- 6) Students who meet at least 4 of the 5 admission preferences, but do not reside in District 12
- 7) Students who meet at least 3 of the 5 admission preferences and reside in District 12
- 8) Students who meet at least 3 of the 5 admission preferences, but do not reside in District 12
- 9) Students who meet at least 2 of the 5 admission preferences and reside in District 12
- 10) Students who meet at least 2 of the 5 admission preferences, but do not reside in District 12
- 11) Students who meet at least 1 of the 5 admission preferences and reside in District 12
- 12) Students who meet at least 1 of the 5 admission preferences, but do not reside in District 12
- 13) Students who meet none of the 5 admission preferences and reside in District 12
- 14) Students who meet none of the 5 admission preferences and do not reside in District 12

Students with disabilities and English Language Learner students will be treated the same as any other charter lottery applicant. If admitted to ROADS II, students with disabilities and English Language Learners will receive all mandated services.

- With regard to comment 29, which concerns the installation of security cameras: The DOE Office of School Safety evaluates whether a school building needs security cameras based on a number of factors, including crime data in the immediate neighborhood and history of incidents or delinquency in the building. Given the requests made by the principals and school communities for security cameras, the Office of School Safety recently conducted a walk-thru of the building and as a result is planning to install 45 security cameras. This plan will move forward regardless of this proposal's approval by the PEP.
- With regard to comment 31, which concerns the procedures for holding district and charter schools accountable if any issues related to the co-location and use of shared spaces arise: As discussed in the BUP, per the Campus Policy Memo 2011 (available at <http://schools.nyc.gov/community/campusgov/KeyDocuments/CampusMemo.htm>), DOE principals and charter school leaders who share a school building must create and actively participate in a Building Council, a structure for administrative decision-making for issues impacting all schools in the building. Only principals and charter leaders serve on the Building Council. The Building Council is responsible for resolving all issues related to the smooth daily operation of all schools in the building and the safety of the students they serve.

Building Council members are equal partners in shaping the educational environment; they share responsibility and accountability for building administration, communication and culture. They must respect each other's unique culture and simultaneously make shared decisions that are good for all students and schools on the campus.

The Department of Education's expectations is that Building Councils should be able to resolve issues within the campus by collaboratively working to make decisions in the best interest of all students. While decisions made at the Building Council level typically best capture the needs and nuances of multiple school communities, the DOE Office of the Supervising Superintendent will help resolve conflicts as needed to keep the work of school improvement and successful cohabitation moving forward.

New schools joining campuses will be offered special entry training, and campuses where charter schools are co-located shall establish a Shared Space Committee (described more fully below). A required Building Council audit system is combined with a dispute resolution process to track each campus' status and resolve disputes. Roles, processes, and accountabilities are clarified in the Building Council Toolkit and resources available to the Building Council.

The Building Council shall meet at least once a month to discuss and resolve issues related to the smooth daily operation of all schools in the building and the safety of the students they serve. The Building Council principals and charter school leaders, where applicable, communicate their decisions campus-wide to staff, students and parents, especially for issues of safety, shared space, campus schedules, split-staff agreements, and extended facility use. Although the GED Plus program does not have a representative on the Building Council, it sends representatives to Building Council meetings as needed, when there is a building issue of relevance to the program. GED Plus will continue to participate in Building Council matters in this way.

The Shared Space Committee would be comprised of the principal, a teacher, and a parent of each co-located school. With respect to a non-charter school's teacher and parent members, such Shared Space Committee members shall be selected by the corresponding constituent member of the School Leadership Team of the school. Charter school leaders would work with their constituencies to select the parent and teacher representing that school. Shared Space Committee agendas and minutes shall be shared with the Building Council. Shared Space Committee members may be asked to communicate with their constituencies about the BUP and its campus implementation.

The Shared Space Committee is to review the implementation of the BUP once it has been approved by the PEP. The Shared Space Committee would meet at minimum four times per year.

- With regard to comment 33, which concerns charter school accountability: The State University of New York, in its role as charter authorizer for ROADS II and in accordance with State law, is responsible for holding the school accountable for compliance with all aspects of its charter, including budget, student performance, bylaws, etc.
- With regard to comment 42, which concerns the impact of the co-location on Satellite Academy's advisory program: As indicated in the BUP, in the 2014-2015 school year, when ROADS II is at scale, Satellite Academy will be allocated 10 full-size rooms and five half-size rooms (four of which are to be used for administrative purposes). At that time, Satellite

Academy is projected to serve between 200-240 students. If these students are divided into the 11 non-administrative spaces allocated to Satellite Academy, then the school will still be able to organize advisory groups of 18-21 students. Moreover, the school may choose to hold some of its advisory groups in available shared spaces, which would enable the school to further reduce the size of its advisory groups. Therefore, Satellite Academy's advisory program will not be significantly impacted.

- Comment 43 contends that there will be no space for professional development sessions as a result of the proposal: Generally, professional development takes place after school hours and can be held in the school's classroom spaces. In addition, the building has a teacher's cafeteria and UFT Center that can be used for professional development sessions.
- With regard to comment 44, which concerns Satellite Academy's current enrollment and building utilization:

As indicated in the EIS, the DOE relies upon audited register for current enrollment figures, which is the most reliable source of data. As further disclosed in the EIS, all references to building utilization rates are based on target capacity data from the 2010-2011 Blue Book. Utilization rates referenced for the 2011-2012 school year are based on audited enrollment and do not include Long Term Absences ("LTAs"), students who have been absent continuously for 30 days or more as of October 31, 2011. This methodology is consistent with the manner in which the DOE conducts planning and calculates space allocations and funding for all schools. Consistent with the EIS, in determining the space allocation for co-located schools, the Office of Space Planning conducted a detailed site survey and space analysis of X401 to assess the amount of space available in the building.

- With regard to comment 45, which relates to the school's appeal to increase its enrollment for the 2012-2013 school year: It is true that Satellite Academy applied to increase their total student enrollment within the last two weeks. The DOE is in the process of considering this application.
- With regard to comments 46 and 47, which question the accuracy of capacity figures as reported in the Blue Book: The DOE's methodology in assessing the sufficiency of space for a co-location is consistent with the audit's recommendation that the Blue Book data should be used "in conjunction with other sources of information." As indicated in the BUP, the DOE conducted a walk-through of X401 on October 31, 2011 to confirm the availability of space in the building. Please refer to response to comments 4(j) and 30 for additional information.
- With regard to comment 49, which concerns the facilities survey report: The facilities survey reports room usage as of the 2010-2011 school year, whereas the walk-through reports room usage during the current school year. Therefore, the information collected during the walk-through is more up to date than the facilities survey.
- With regard to comment 50: As indicated in the BUP, in the 2014-2015 school year, when ROADS II is at full scale, Satellite Academy will continue to be allocated one full-size room

in excess of its baseline Footprint allocation; therefore, the school may choose to use this excess space for its social work room.

- Comments 50-54 are not related to this proposal and therefore do not require a response.

Changes Made to this Proposal

- No changes have been made to this proposal.