

### **Public Comment Analysis**

Date: January 28, 2015

Topic: The Proposed Co-location of Academic Leadership Charter School (84X491) Grades 5-8 with P.S. 277 (07X277) in Building X027 Beginning in the 2015-2016 School Year

Date of Panel Vote: January 29, 2015

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### **Summary of Proposal**

On December 15, 2014, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) and Building Utilization Plan (“BUP”) describing a proposal to co-locate grades five through eight of Academic Leadership Charter School (84X491, “ALCS”) in building X027 (“X027”) beginning in the 2015-2016 school year. X027 is located at 519 Saint Anns Avenue, Bronx, New York 10455, within Community School District 7 (“District 7”).

Currently, ALCS’ grades kindergarten through four are housed in building X065, located at 677 East 141 Street, Bronx, New York 10454, and grades five and six are housed in private space (building XAED), located at 500 Courtlandt Avenue, Bronx, New York 10451. Both buildings are within the geographical confines of District 7.

If this proposal is approved, beginning in the 2015-2016 school year, ALCS students in grades five and six will no longer attend classes in private space. Instead, they will attend classes in X027, where ALCS will be co-located with P.S. 277 (07X277, “P.S. 277”), a district elementary school serving grades kindergarten through five and offering a pre-kindergarten program. Additionally, if this proposal is approved, ALCS will phase in to serve grades seven and eight at X027. Building X027 is located approximately 0.5 miles from ALCS’s current private space and in close proximity to public transportation; therefore, the DOE does not anticipate that this co-location will create any travel hardships for students and families enrolled in the school. 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.

The DOE believes that this proposal will benefit the District 7 community by providing an additional educational option for families. If approved, this proposal will enable current ALCS students the opportunity to continue their educational program at the school through the eighth grade.

Pursuant to recent amendments to the Education Law which provide certain new and expanding charter schools with access to facilities, ALCS requested co-located space within a DOE facility in District 7.

ALCS currently serves kindergarten through sixth grade students and has plans to serve students in kindergarten through eighth grade. If this proposal is approved, beginning in the 2015-2016 school year, grades five, six, and seven of ALCS will be co-located in X027 with existing district elementary school P.S. 277. ALCS will add eighth grade in X027 in the 2016-2017 school year. ALCS offers a curriculum that satisfies all New York State Standards, including an extended day which provides its students with four periods of literacy daily.

According to the 2013-2014 Enrollment, Capacity, Utilization Report (“Blue Book”), X027 has a target capacity to serve 851 students. The building serves approximately 468 students in the 2014-2015 school year, yielding a building utilization rate of 55%. This means that the building is “under-utilized” and has space to accommodate additional students. If this proposal is approved, in 2015-2016, ALCS will serve approximately 160-175 fifth, sixth and seventh grade students and P.S. 277 will serve 444-504 students in grades kindergarten through five and pre-kindergarten, yielding a projected utilization rate of 71%-80%. In 2016-2017, when ALCS adds eighth grade, the building will serve approximately 669-749 students and have a projected utilization rate of 79%–88%. ALCS’s enrollment will not stabilize until the 2018-2019 school year when they will have consistent cohort sizes in all grades. In the 2018-2019 school year, ALCS will serve 200-220 students in fifth through eighth grade. At that time,

the building will serve approximately 674-754 students and will have an estimated utilization rate of 79% - 89%. Therefore, the building has sufficient space to accommodate ALCS and P.S. 277.

The Educational Impact Statement (“EIS”) and Building Utilization Plan (“BUP”) can be found on the Department of Education’s Web site: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2014-2015/January2015SchoolProposals>.

Copies of the EIS and BUP are also available in the main offices of P.S. 277 and ALCS.

### **Summary of Comments Received at the Joint Public Hearing**

A walkthrough of the X027 building was conducted by Deputy Chancellor Corinne Rello-Anselmi from the DOE on December 3, 2014 with P.S. 277 Principal Sagrario Jorge. On November 24, 2014, prior to the walkthrough, the Senior Superintendent and representatives from the Office of District Planning and the Office of Space Planning met with the principals and School Leadership Team members of P.S. 277. Additionally a community meeting regarding the proposal was held on December 17, 2014. At that meeting, interested parties had an opportunity to provide input on and ask questions about the proposal.

A joint public hearing regarding this proposal was held at building X027 on January 21, 2015. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 340 members of the public attended the hearing and 53 people spoke. Present at the meeting were: District 7 Superintendent Yolanda Torres; P.S. 277 Principal, Sagrario Jorge; P.S. 277 School Leadership Team (“SLT”) representatives Geneal Chacon, Katerina Rivera, Claritza Zambrana, Limbo Jack, and Jennifer Supana, District 7 Community Education Council (“CEC 7”) representative, Noemi Lizardi; John Zaccaro from the DOE’s Office of Intergovernmental Affairs; and Ashley Davies, Bridget Mercier, and Jonathan Geis from the DOE’s Office of District Planning.

#### **The following comments and remarks were made at the joint public hearing and community meeting on the proposal:**

1. Noemi Lizardi, a member of CEC 7, stated the following:
  - a. P.S. 277 has made progress in the past 2 years as a community school and feels safe.
  - b. P.S. 277 will give students a good education.
2. A member of the P.S. 277 SLT stated the following:
  - a. P.S. 277 was once threatened to be closed down, but has since shown great process.
  - b. The school does not serve students in self-contained classes, but rather integrates them into regular classes. As a result, the school needs more resources and space to be able to service all its students. The excess classrooms are resource rooms which are used to offer additional support to students.
  - c. P.S. 277 is still fragile and is growing.
3. A member of the P.S. 277 SLT expressed concern that P.S. 277 would not have access to the technology upgrades on the 5<sup>th</sup> floor that the school was able to secure through grant money.
4. A member of the P.S. 277 SLT stated the following:
  - a. He has seen amazing changes at the school, and he also has a son at the school who is doing well.
  - b. He is concerned about overcrowding if another school comes into the building.
  - c. There are two new buildings across the street that will house families who will need a place to send their children, thus this co-location would result in displacing students in the future.
  - d. P.S. 277 has built a community, and he applauds the principal.
  - e. He is not against charter schools, but the X027 building is not the place for the charter school.
5. A member of the P.S. 277 SLT stated the following:
  - a. She is thinking twice about sending her pre-kindergarten child to P.S. 277 if the charter school is co-located in the building.
  - b. P.S. 277 has come a long way over the years.

- c. She is concerned with the charter school taking space on the fifth floor because the rooms on the 4<sup>th</sup> floor are not big enough for the students.
  - d. She is concerned with having middle school children in the building sharing bathrooms and hallways with younger students.
  - e. What happens if the charter school grows and enrolls more students than planned?
  - f. P.S. 277 will be negatively impacted by this proposal.
  - g. P.S. 277 should expand.
6. A member of the P.S. 277 SLT stated the fifth floor is currently where students needing special accommodations receive their services, and asked what will happen to those students if the charter school is co-located in the building.
  7. Multiple commenters expressed safety concerns with having another school in the building.
  8. Many commenters voiced general opposition to the proposal indicating that the co-location of ALCS would negatively impact P.S. 277.
  9. Multiple commenters expressed concern that P.S. 277 would no longer have access to their technology lab and technology class as a result of this proposal.
  10. Multiple commenters expressed concern that the building will be overcrowded if ALCS is co-located in the building.
  11. Multiple commenters expressed concern that the co-location of middle school students in the building would result in bullying of younger children.
  12. Multiple commenters expressed concern with the lack of bathrooms in the building and asserted that adding more students to the building would limit P.S. 277's access to the bathrooms.
  13. Several commenters asserted that the co-location would take away P.S. 277's access to programs such as art, music, and gym.
  14. Multiple commenters explained that P.S. 277 offers small group instruction, which has been critical to helping the school improve student learning, and the co-location of a charter school would prohibit the school from having space to offer small group instruction.
  15. One commenter expressed concern that students at P.S. 277 would have to have their pull-out services in the hallway as a result of this proposal.
  16. One commenter asserted that there was a lack of equity in this proposal, and the proposal would require students to have a schedule for sharing space.
  17. One commenter stated that the individuals who came up with this plan do not understand how space is used in the X027 building, and children will not be able to learn as a result of this proposal.
  18. Several commenters expressed their gratitude for the opportunity to provide public comment.
  19. One commenter stated that his child attends ALCS, and he has never had any issues with the school and thanked the teachers for working with his child.
  20. Multiple commenters commended the P.S. 277 staff for the work they have been doing to educate their children.
  21. A representative of ALCS stated the following:
    - a. The Executive Director, principal, and co-founder of ALCS were walked around the school building and the school culture was wonderful.
    - b. ALCS is the only school in the state that was granted a five-year renewal, four pre-kindergartens, and an expansion.
    - c. ALCS teaches District 7 students.
    - d. He supports the co-location of ALCS with P.S. 277.
  22. Several commenters stated that they did not have an issue with charter schools, but they were concerned that adding another school to the building will negatively impact the educational experience of their children.
  23. One commenter stated that he heard there was space at the X027 building and P.S. 277 should share the space.
  24. Several commenters expressed safety concerns with having middle school students share bathrooms with elementary school students.
  25. One commenter mentioned that he had two children at ALCS, and they are not trying to take over the X027 building but rather share space and serve students in the community.
  26. One commenter stated that the co-location would take away services for students with special needs.
  27. Several commenters stated that ALCS should find its own space.

28. One commenter stated that the X027 building was not the proper place for ALCS.
29. One commenter asserted that the co-location of ALCS with P.S. 277 suggests that the DOE does not care about children.
30. Several commenters voiced general opposition to charter schools.
31. Several commenters spoke about the advances that their children have made since they have been at P.S. 277.
32. One commenter stated that her son used to attend ALCS, but she took her son out of the charter school and enrolled him in P.S. 277 because of bullying and anxiety he developed while at the charter school.
33. One commenter stated the following comments in support of ALCS and the school's potential placement at X027:
  - a. ALSC services District 7 students.
  - b. ALCS has a commitment to leadership inside and outside the classroom.
  - c. Students at ALCS are well-behaved and accustomed to co-locating and sharing space.
34. One commenter stated that she is taking her child out of P.S. 277 if ALCS moves into the building.
35. Two commenters asserted that charter schools do not service students with Individualized Education Plans ("IEPs").
36. One commenter stated that P.S. 277 should not be second to the charter school.
37. One commenter spoke in support of ALCS and a co-location at X027 stating that ALCS is already co-locating well with another school and will not take away from the schools they are co-locating with.
38. One commenter spoke positively about the afterschool program at P.S. 277 and expressed concern that P.S. 277 will no longer be able to offer its afterschool program if this proposal is approved.
39. One commenter spoke in support of ALCS and stated that they are able to provide small group pull out services within their classrooms rather than needed additional space for such services.
40. Multiple commenters stated their support for ALCS and asserted that ALCS will not take away resources from P.S. 277.
41. One commenter stated that there should not be bullying in the building and it is all teachers' responsibility to monitor student behavior.
42. One commenter spoke in opposition to the proposal citing specific challenges with sharing space in the X027 building.
  - a. The building is too small for two schools.
  - b. There are not enough bathrooms for 800 people.
  - c. Why does the charter school get special rooms that the principal worked to create?
  - d. The co-location of ALCS will result in P.S. 277 not having access to the internet.
43. Multiple commenters expressed support for the principal and how she has turned the school around.
44. One commented stated P.S. 277 is doing a great job, but should continue to work on making students with IEPs feel accepted.
45. One commenter stated that there is only one security guard for the building, but if additionally students are added to the building as a result of this proposal, the school will need more security agents.
46. One commentator stated that she hopes the co-location works out, and noted that she works for Girls for Prep Bronx where middle school students and elementary school students are in the same building and it works out.
47. One commenter asked why is this charter co-location being proposed for the X027 building.
48. One commenter stated the follow concerns:
  - a. There are only 28 toilets in the building and there must be 1 toilet for every 15 students.
  - b. There are not sufficient sinks for the number of students being proposed for the building.
  - c. There is not enough space in the classrooms to hold 32 students.
  - d. He is a parent of a child with special needs, and he should not have to fight to give his child what he needs.
49. One commenter asserted that if the charter school was co-located, the school would take away time and resources from P.S. 277, specifically the charter school would cut into P.S. 277's breakfast time.
50. One commenter stated the following concerns:
  - a. This proposal will lead to overcrowding.
  - b. The charter school will take over multiple floors of the building.
  - c. It is not safe to have 200 students on one floor.

- d. Schools should be focused on instruction, not safety and bathroom schedules.
  - e. There are already safety issues in the building with the younger students and older students.
51. One commenter asserted the following:
    - a. The DOE needs to stop playing games with students.
    - b. Students at P.S. 277 already have lunch at 10 am.
    - c. ALCS should get a new school rather than be co-located with P.S. 277.
    - d. P.S./M.S 5 expanded so another school would not come in the building.
  52. One commenter expressed the following concerns:
    - a. It seems like the decision has already been made.
    - b. What happens when the principals disagree on how to run the schools.
  53. Once commenter expressed stated that P.S. 277 is giving students opportunities and resources that they would not have otherwise and students would have to share resources and programs if ALCS was co-located in the X027 building.
  54. One commenter stated concern that students will no longer be able to receive the special services they need, and their academic performance will suffer as a result.
  55. One commenter expressed the following concerns:
    - a. Students will have accidents because they will have limited access to the bathrooms.
    - b. Who is going to be the bathroom monitor?
  56. One commentator stated the following in support of ALCS:
    - a. ALCS is coming to the building to share, not take away from P.S. 277.
    - b. Students use technology within their classrooms.
    - c. P.S. 277 will still have recess.
    - d. The principals will be able to work together.
    - e. There have not been safety issues with their other co-location.
    - f. Why deny current ALCS students the opportunity to continue their education?
  57. One commenter asserted that this proposal would not be under consideration in a higher class neighborhood.
  58. One commenter stated that there are a lot of charter schools in the district.
  59. One commenter asked why ALCS cannot expand in their other building.
  60. One commenter stated the original proposal was supposed to be for the siting of grades six through eight, and now the proposal is for grades five through eight.
  61. One commenter stated that they read that the school needed to secure private space in order to expand, and asked why they are now being granted public space.
  62. One commenter stated that things are going well now at P.S. 277 and adding a charter school to the building will cause a disruption.
  63. Multiple commenters stated that the community has to fight for the needs of its children.
  64. One commenter expressed concerns about safety during fire drills.
  65. One commenter stated that there is only one nurse in the building and asked how more students will be able to share one nurse.
  66. One commenter stated that the co-location of ALCS would require more funding, and the DOE should save money by not allowing the co-location.

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

The DOE received 3 emails through the dedicated email address for this proposal. Many of the comments submitted via email were stated at the Joint Public Hearing and are incorporated into the previous section. Through the dedicated email address, the DOE also received a booklet of 36 hand-written letters in opposition to the proposal from students at P.S. 277. Additionally, the DOE received a letter addressed to a Deputy Chancellor from the P.S. 277 Principal in opposition to the proposal. The following section contains the remainder of the comments received through the dedicated email address that were not stated during the Joint Public Hearing. The following section also

includes the aforementioned letter by the P.S. 277 Principal and the letters written by P.S. 277 students. No oral comments were received via voicemail.

67. One commenter expressed the following concerns:
- There are safety concerns with the transitions during arrival, dismissal, and fire drills for both schools.
  - Lunch periods will have to change and some students will be hungry because they have to have lunch early.
68. One commenter expressed the following concerns:
- Students will not have enough time for lunch as a result of the co-location.
  - Students needing special services will lose their space on the fifth floor and no longer be able to receive those services as mandated by their IEPs.
  - P.S. 277 will lose their two newly created technology labs which were funded by grants.
  - The co-location will result in an unsafe environment for students.
69. The letter from the P.S. 277 Principal stated the following:
- The DOE is under no legal obligation to provide ALCS with public space as the school's middle school grades are already sited in a private-leased building.
  - The size classifications that the DOE cited for P.S. 277's classrooms are inaccurate as the classrooms' actual usable space is less than 500 square feet.
  - The proposal would result in P.S. 277 losing dedicated space for its math coaches and reading specialists.
  - Housing developments will soon be coming online, resulting in P.S. 277 having a higher enrollment.
  - ALCS would receive larger classrooms than P.S. 277 on the 5<sup>th</sup> floor.
  - ALCS's co-location may disrupt the academic progress P.S. 277 has made.
  - The co-location may result in P.S. 277 being out compliance with the Department of Health codes regarding the ratio of bathroom facilities to students. The commenter requested that P.S. 277's kindergarten class sizes be reduced.
  - The co-location would also lead to the overcrowding in the shared spaces such as the hallways and indoor. The proposal would also result in P.S. 277 having less access to the gym.
  - P.S. 277 needs more space to serve its larger special needs population.
  - P.S. 277 would lose their technology lab and students would not be able to develop their 21<sup>st</sup> century skills.
70. The booklet of letters from the students indicated the following concerns:
- The charter school should not take their space on the fifth floor because it would take away their access to the gym and their technology lab.
  - The proposal will negatively impact their current lunch schedule.
  - The proposal will lead to bullying.
  - The building will be overcrowded as a result of this proposal.
  - The proposal will negatively impact their learning.

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

Comments 19, 21(a-d), 23, 25, 33 (a-c), 37, 39, 40, 46, 56(a-f) are in support of the proposal and thus do not require a response.

Comments 1(a,b), 2(a), 4(a, d), 5(b), 20, 31, 43, and 44 are in support of P.S. 277, the school's leadership, and progress that the school has made.

The DOE acknowledges and commends the students and staff of P.S. 277 for their hard work, dedication, and passion for the school.

Comments 5(d), 11, and 24 oppose the placement of middle school aged children in the same building as elementary school aged children.

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

These examples include:

- Building 166 in District 9 which currently houses three schools: Grant Avenue Elementary School (09X449) which serves students in grades K-5; Science and Technology Academy: A Mott Hall School (09X454) which serves students in grades 6-8; and Bronx Early College Academy for Teaching & Learning (09X324) which serves students in grades 6-12.
- Building X193 in District 12 which currently houses three schools: P.S. 211 (12X211) which serves students in grades K-8, I.S. 318 Math, Science and Technology Through the Arts (12X318) which serves students in grades 6-8, and Children's Aid College Prep Charter School (84X124) which currently serves students in grades K-2.
- Building X026 in District 10 which currently houses two schools and a D75 program: M.S. 390 (10X390) which currently serves students in grades 6-8, P.S. 396 (10X396) which serves students in grades K-5, and P.S. X010, a D75 program which serves students in grades K-5.

In response to safety concerns, 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 changing security needs, changes in organization and building conditions, and any other factors. Updates can also be made at any other time if 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.

Additionally, pursuant to the regulation mentioned above, ALCS will be required to follow all regulations for charter schools co-located in DOE space. This includes: only allowing students to be present when there are safety agents; ensuring secure use of the main entrance and specific exits; and adhering to all components of the Safety Plan.

Comments 2(c), 4(e), 5(a, f), 8, 22, 27, 28, 30, 32, 34, 36, 47, 48(d), 51(c), 53, 57, 58, 59 61, 62, 66, 69(a,f) express general opposition to the co-location of ALCS at X027 with P.S. 277.

In regards to comment 69(a), pursuant to recent amendments to the Education Law, the DOE is required to provide certain new and expanding charter schools with either access to facilities or rental assistance. This proposal is made in response to a request made pursuant to the law.

Given that building space is scarce in New York City neighborhoods, and the growing enrollment needs of our 1.1 million students, the DOE must consider using its existing public buildings in the most efficient manner possible. Sharing space is central to New York City's strategy for school improvement. DOE has over 900 schools and programs co-located with at least one other district or charter school in multi-school campus buildings.

Co-locating charter schools with district schools is necessary to ensure that students and families in every community have access to high performing educational options. There are several structures to facilitate a smooth co-location between the two schools. Co-located schools on campuses must actively participate in a Building Council, which is a campus structure for administrative decision making for issues impacting all schools in the

building. Additionally, a Shared Space Committee shall review the implementation of the BUP once it has been approved by the PEP. To the extent that principals and charter leaders are unable to reach agreement upon the use of shared spaces, they may avail themselves of a mediation process outlined in the Campus Policy Memo, which is available at <http://schools.nyc.gov/community/campusgov>.

Comments 3, 5(c), 6, 9, 42(c,d), 50(b), 68(c), 69(j), and 70(a) pertain to allocation of space in building X027 as a result of the co-location of ALCS, specifically expressing concern about students having access to the technology rooms.

When multiple school organizations are sharing space in one building, the allocation of classroom, resource, and administrative space is guided by the Citywide Instructional Footprint (the “Footprint”) which is applied to all schools in the building. 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 district schools. In all cases, the DOE seeks to provide high quality education and allow parents/students to choose where to attend school.

The Footprint is the guide used to allocate space to all schools based on the number of class sections the school programs and the grade levels 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 Instructional Footprint is available at [http://schools.nyc.gov/NR/rdonlyres/961D691C-641D-4918-9798-8BA2C0A761FF/0/DOEFootprint\\_91114newlogo.pdf](http://schools.nyc.gov/NR/rdonlyres/961D691C-641D-4918-9798-8BA2C0A761FF/0/DOEFootprint_91114newlogo.pdf)

The BUP attached to this proposal details the number of class sections each school is expected to program each year and allocates the number of classrooms accordingly. As mentioned above, the allocation of space is largely determined by the number of class sections each school serves.

The assignment of specific rooms and location for each school in the building, including those for use in serving students with IEPs or other special education needs, will be made in consultation with the principals of each school and the Office of Space Planning if the proposal is approved. The BUP demonstrates that there is sufficient space in the building to accommodate the proposed co-location.

If this proposal is approved, the DOE would assess the need to relocate any items, including specific pieces of technology and furniture. The DOE would facilitate the movement of any necessary items and facilitate any necessary rewiring. In response to 42(d), P.S. 277 students will continue to have access to the internet.

Comments 2(b), 4(b), 10, 14, 15, 17, 22, 26, 42(a), 48(c) 50(a,d), 54, 68(b), 69(c,e,f,h,i), and 70(d,e) express concerns that academics at P.S. 277 could be adversely impacted as a result of the proposal, expressing specific concern about overcrowding and students not having access to the necessary classrooms and resources to serve their special education student population.

While the co-location will reduce the amount of excess space which is currently available to P.S. 277, as stated in the EIS and BUP, the co-location is not expected to impact instructional programming or extra-curricular offerings at P.S. 277. P.S. 277 will continue to receive its baseline (or adjusted baseline, as applicable) Footprint allocation of rooms throughout the course of the phase-in of ALCS. Several commenters asserted that the building is already full and that the co-location proposal will result in overcrowding at X027. However, the EIS indicates that X027 is currently only operating with a building utilization rate of 55%, and the BUP reflects that there are currently 20 full-size rooms in excess of P.S. 277’s baseline allocation of space. This information suggests that there is space to serve additional students in the building and for both schools to meet the needs of their respective students. If this proposal is approved, in 2016-2017, when ALCS is serving students in grades five through eight, the X027 building is projected to have a building utilization rate of 79% - 89%.

Furthmore, as outlined in the BUP, at the end of the proposal once ALCS is serving students in grades five through eight in the building, there will be 8 full-size and 3 quarter-size rooms in excess after ALCS and P.S. 277 have received their respective baseline or adjusted footprint allocations.

If this proposal is approved, students at P.S. 277 will continue to receive special education services in accordance with their IEPs. In addition, students classified as English Language Learner (“ELL”) students are enrolled at P.S. 277 and receive English as a Second Language (“ESL”) services. If this proposal is approved, students at P.S. 277 will continue to receive their mandated services. Although the BUP does not designate specific space to serve students with special needs, the Footprint ensures that P.S. 277 has sufficient space to serve all its students with special needs and allows the school leadership to determine how to use space. The assignment of specific rooms and locations for each school in the building, including those for use in serving students with IEPs or other special education needs, will be made in consultation with the principals of each school and the Office of Space Planning if the proposal is approved.

Comments 4(c) and 69(d) suggest that the population may increase in the community and there will be a need for more elementary school seats.

The enrollment and space allocation for P.S. 277 is based on current and historical enrollment. As referenced in the BUP, at the end of the proposal there will be 8 full-size rooms in excess, 7 of which have been allocated to P.S. 277 which could be used to accommodate additional students.

Comment 5(e) suggests that ALCS may enroll more students than planned for in this proposal.

ALCS’s enrollment as stated in the proposal is based on the school’s charter headcount as of November 6, 2014. There are currently no plans to increase the planned enrollment of ALCS.

Comments 5(g) suggests that P.S. 277 should expand to serve more students.

Expanding the grade levels served at a school may be initiated for a variety of reasons. If it is determined that a school will expand, location for the expansion may be either in the school’s current building or at another building. There is no current plan to expand the grade levels served by P.S. 277, and during previous engagement there was no interest in expansion raised by P.S. 277 leadership or the school community.

Comment 7, 32, 41, 45, 50(c,e), 64, 67(a), 68(d), and 70(c) relate to student safety in the building, specially citing bullying and student traffic through the building as an area of concern.

As mentioned in response to earlier comments, 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 changing security needs, changes in organization and building conditions, and any other factors. Updates can also be made at any other time if 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.

Comment 12, 42(b), 48 (a,b), 55(a,b), and 69(g) pertain to the bathroom usage in the X027 building.

Comments 48(a) and 69(g) specifically appear to reference Article 47 of the New York City Health Code, which addresses bathroom facilities in child care centers. Article 47 does not apply to DOE schools.

There are 28 bathrooms in the X027 building. If the allocation of time in these bathrooms is not working or is inadequate, the Building Council may discuss alternative arrangements, such as the assignment of specific

bathrooms. 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.

In regards to comments 55(a) and 55(b), each school should work to ensure that their students can utilize the bathrooms safely.

Comments 13, 16, 49, 51(b), 52(b), 65, 67(b), 68(a), and 70(a,b) pertain to shared spaces in the X027 building.

The BUP puts forth a proposed shared space schedule for the co-located schools that is feasible and demonstrates that the co-located schools may be treated equitably and comparably in the use of shared spaces. The proposed shared space schedule also ensures that each student meets his or her physical education requirement. The final shared space schedule will be collaboratively drafted by the Building Council if the proposed co-location is approved by the PEP. In response to Comment 52(b), if conflicts emerge and progress is impaired, the Building Council will follow the dispute resolution procedures outlined in the Campus Policy Memo available at the following link: <http://schools.nyc.gov/community/campusgov>. The DOE notes that currently the shared spaces are not allocated for after-school hours. The Building Council will work together to allocate space as needed for after-school programs.

With respect to concerns about the lunch schedule, it should be noted that under the proposed shared space schedule, the earliest proposed lunch time is 11:00 am to 11:40 am for ALCS. P.S. 277 has been allocated a lunch period from 11:40 am to 1:20 pm. The DOE believes that this allocation is appropriate because it minimizes the disruption to the existing schools' current lunch schedule while providing sufficient time for all students to be served.

Comments 18, 52(a), and 63 refer to the public feedback process.

The DOE believes that parental and community involvement is an integral part of successful schools. The purpose of the Joint Public Hearing is for the community to express their views on the proposal and ask questions about the proposal. The DOE commends those who were in attendance at the hearing for participating in the public review process for this proposal. Comments from the hearing, as well as comments received via the dedicated email address and phone number will be included in this public comment analysis and provided to the Panel for Educational Policy ("PEP") prior to its vote on this proposal on January 29, 2015. No decision is final until the PEP vote on January 29, 2015.

Comment 35 pertains to the accommodation of students with special needs in charter schools.

Charter schools are mandated to serve all students accepted through their lottery process, including those with special needs or pre-existing IEPs. ALCS will work with any families to make sure it can serve children as needed. Although the BUP does not designate specific space to serve students with special needs, the Footprint ensures that ALCS has sufficient space and allows the school leadership to determine how to use space. Furthermore, across all schools, the DOE is encouraging inclusion or reduced percentage time in self-contained sections.

Comment 38 pertains to P.S. 277's access to resources and programs as a result of the co-location.

As stated in the EIS, the proposed co-location is not expected to impact future student enrollment, instructional programming, or the admissions process for P.S. 277. This proposal is also not expected to impact extra-curricular activities at P.S. 277.

Comments 29 and 51(a) claim this proposal is not in the best interest of the community.

While some members of the P.S. 277 community object to the proposal, the DOE is committed to providing a high

quality school options to students and families. These choices include district schools and public charter schools, like ALCS. As such, the DOE believes this proposal is in the best interest of the community. The co-location of grades five through eight of ALCS at X027 will allow the school to continue growing to serve its intended grade span of kindergarten through eighth grades. This will provide the opportunity for current and future ALCS students to remain enrolled at the school through eighth grade.

Comment 51(d) is not related to this proposal and does not require a response.

Comment 60 pertains to ALCS' request for space and proposed siting in the X027 building.

When the DOE initially engaged with the X027 community on November 24, 2014 it was noted that there was a possibility that the proposal would be either for the siting of grades six through eight or grades five through eight of ALCS. The DOE subsequently confirmed that the proposal would be for the siting of grades five through eight.

Comment 69(b) suggests that the DOE did not correctly cite the size of rooms in the X027 building.

Prior to the posting of the proposal, a representative from the Office of Space Planning walked the X027 building and took count of the size and number of rooms in the building. According to that walkthrough, X027 has a total of 48 full-size rooms, 3 quarter-size rooms, and 1.5 FSE rooms of designed administrative space available to be allocated for use by the schools. Full-size classrooms have an area of 500 square feet or more. Half-size classrooms have an area of less than 500 square feet but greater than 239 square feet. Quarter-size rooms have an area of less than 240 square feet.

#### **Changes Made to the Proposal**

No changes have been made to the proposal in response to public feedback.