REVISED EDUCATIONAL IMPACT STATEMENT: The Proposed Re-siting and Co-location of Brooklyn East Collegiate Charter School (84K780) with Existing Schools P.S. 9 Teunis Bergen (13K009) and M.S. 571 The Bergen Upper School (13K571) in Building K009

I. Summary of Proposal

On December 20, 2010, the New York City Department of Education ("DOE") issued an Educational Impact Statement ("EIS") describing a proposal to re-site Brooklyn East Collegiate Charter School (84K780, "Brooklyn East Collegiate"), an existing public charter school that serves 80 students in fifth grade and is temporarily housed in Building K434, located at 1485 Pacific Street, Brooklyn, NY 11216 in Community School District 17, to Building K009 ("K009"), located at 80 Underhill Avenue, Brooklyn, NY, 11238, in Community School District 13.[1] Brooklyn East Collegiate would be co-located in K009 with an existing DOE zoned elementary school serving kindergarten through fifth grade, P.S. 9 Teunis Bergen ("P.S. 9"), that also offers three sections of pre-kindergarten, and an existing DOE middle school that serves grades six through eight, M.S. 571 The Bergen Upper School (13K571, "M.S. 571"). A "co-location" means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, and cafeterias.

The EIS was amended on January 21, 2011 to correct typographical errors and formatting, delete redundant language, and adjust projected enrollment ranges to better reflect the DOE's enrollment projections for the schools that would be served in K009.

This revised EIS corrects typographical errors that incorrectly reference building K332 in the original posting instead of building K009, deletes an incorrect statement in the EIS that stated there were two gymnasiums in K009, corrects the year in which K009 was built, references the planned repair work at K009 to address flooding and playground construction, adds a footnote related to P.S. 9's out-of-zone enrollment, adds additional text related to zoned enrollment and over-the-counter admissions at P.S. 9 in the future, clarifies the impact of this proposal on extracurricular activities at the existing schools, deletes the specific cost related to building a library and adding lockers at the building, includes additional information related to the use of shared spaces and the proposed shared space plan described in the revised Building Utilization Plan ("BUP"), and references the Citywide Gifted and Talented program that is currently offered at P.S. 9. Additionally, the revised BUP that is annexed to this EIS has also been revised in the following manner:

- the room allocations for all organizations have been adjusted in order to more accurately reflect the total full-size, half-size, and quarter-size rooms in the K009 building;
- the application of the DOE Instructional Footprint was corrected for the 2010-2011 school year;
- the number of sections that each co-located school will serve in 2012-13 and 2013-14 has been adjusted and the Baseline Footprint allocation was adjusted accordingly;
- an additional table has been inserted in the BUP on page 4 for the 2010-2011 school year to clarify the total number of rooms that are unallocated amongst the schools this year;
- the proposed shared space schedule on page 13 has been adjusted and the DOE has clarified the rationale for the amount of time that each co-located school is allocated in the shared spaces under this proposal; and
- additional information regarding the planned construction at the K009 building has been included.

[1] http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals

In a separate EIS published on December 20, 2010 the DOE proposed to gradually phase out and eventually close M.S. 571 because of its low performance and inability to turn around quickly to better support student needs.[2] On January 21, 2011, that EIS was amended to correct typographical errors and formatting, delete redundant language, and adjust projected enrollment ranges to better reflect the DOE's enrollment projections for the schools that would be served in K009. That proposal was approved by the Panel for Education Policy on February 3, 2011. As a result, M.S. 571 will no longer accept incoming students, and one grade will be phased out per year. M.S. 571 will close at the end of the 2012-2013 school year.

M.S. 571 admits students in sixth grade through the District 13 Middle School Choice application process, and is a district choice middle school. M.S. 571 will no longer admit sixth-grade students after the conclusion of the 2010-2011 school year. One grade will be phased out per year. During the 2011-2012 school year, M.S. 571 will serve students in grades seven and eight. In 2012-2013, M.S. 571 will serve students in eighth grade only. The school would close after June 2013.[3]

P.S. 9 is a zoned district elementary school and serves 544 students in kindergarten through fifth grade, plus three sections of full-day pre-kindergarten, for a total of 598 students.[4]

Brooklyn East Collegiate is an existing public charter school that currently serves students in the fifth grade at its temporary location. In 2009-2010, Brooklyn East Collegiate was approved by its charter authorizer, the State University of New York's Charter School Institute ("SUNY Charter School Institute"), to open a public charter school in District 23. However, due to a lawsuit which prevented Brooklyn East Collegiate from being sited in District 23, in 2010-2011, Brooklyn East Collegiate was temporarily sited in Building K434, which is located in District 17. Brooklyn East Collegiate's current siting was not intended to be permanent because its current location does not have adequate space to allow for it to grow to scale. If this proposal is approved, Brooklyn East Collegiate's current fifth grade will be re-sited to K009, which is located in District 13, and, beginning in the 2011-2012 school year, Brooklyn East Collegiate will expand to serve approximately 77 students in sixth grade.[5] In 2012-13, Brooklyn East Collegiate would expand to serve approximately 73 students in seventh grade. In 2013-14, the final year of phase in, Brooklyn East Collegiate would expand to serve approximately 69 students in eighth grade. In 2013-14, when Brooklyn East Collegiate completes its expansion and achieves "full scale," it will serve approximately 300 students in fifth through eighth grade. The school enrolls fifth-grade students through a lottery, and beginning in the 2011-12 school year, it would give preference to students residing in District 13.[6]

Brooklyn East Collegiate would be co-located with P.S. 9 and M.S. 571 as M.S. 571 phases out and as Brooklyn East Collegiate phases in.

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[2] http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals

[3] As described in separate EIS to phase out and close M.S. 571, students who do not meet promotional requirements during the phase out plan will continue to have access to appropriate courses to support their progress toward promotion.

[4] November 1, 2010 unaudited register

[5] Uncommon Schools, the Charter Management Organization that manages Brooklyn East Collegiate, is currently amending Brooklyn East Collegiate's charter to reflect that it will now be sited in District 13 instead of District 23, as originally intended, or in District 17. If this co-location proposal is approved and Brooklyn East Collegiate's charter revision is approved, that school would begin to provide a preference to District 13 instead of District 23 or District 17 students in its charter lottery process.

[6] For more information about the charter school lottery application process, please consult the DOE's Directory of NYC Charter Schools, which can be accessed on the DOE's website: http://schools.nyc.gov/community/planning/charters/For+Parents. Applicants who reside in the district in which a charter is located receive preference for admission. Brooklyn East Collegiate's deadline for submitting an application to participate in the lottery was April 1, 2011. The lottery will be held on April 7, 2011.

The building in which M.S. 571 is located, K009, has the capacity to serve 1,192 students. In 2009-2010, the most recent year for which audited enrollment data is available, the building only served 749[7] students, yielding a utilization rate of just 63%.[8] In 2010-2011, the building only served 767[9] students, yielding a utilization rate of just 64%.[10] Brooklyn East Collegiate would be co-located with P.S. 9 and M.S. 571 as M.S. 571 phases out and as Brooklyn East Collegiate phases in. Once Brooklyn East Collegiate has completed its expansion and M.S. 571 has completed its phase-out, there will be approximately 969-1,029[11] students served in the building by both P.S. 9 and Brooklyn East Collegiate, yielding a target building utilization rate of 86%.

Background on the DOE's Decision-Making Process

The DOE strives to ensure that all students in New York City have access to a high-quality school at every stage of their education. Continuing to allocate space and resources to schools that are unable to significantly improve student performance is neither efficient nor equitable. As detailed in the Educational Impact Statement posted on December 20, 2010, the DOE has concluded that phasing out M.S. 571 is appropriate due to the school's history of poor performance. [12]

In determining the most optimal way to distribute space to high quality schools, the DOE is proposing to move Brooklyn East Collegiate to the K009 building and create a permanent home for what the DOE believes is a high-quality middle school that will serve the families of District 13.

Not including M.S. 571, there are currently 13 district middle schools located in District 13. Of those, 12 received a Progress Report grade in 2009-2010. Three of these middle schools received a B on the Progress Report, and the remaining schools received either a C or a D. Uncommon Schools ("Uncommon"), the Charter Management Organization ("CMO") that operates Brooklyn East Collegiate, currently manages a total of 11 charter schools, all located in Brooklyn. Uncommon organizes these schools into three networks and Brooklyn East Collegiate is the newest school within the "Collegiate" network. The three other Collegiate schools that are currently open all received an A on the DOE's most recent Progress Report.

The DOE believes in Uncommon's record of success and supports the permanent placement of an Uncommon charter school in District 13 in order to continue providing excellent educational opportunities for students and families.

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[7] 2009-2010 building enrollment estimates include enrollment (2009 audited register data) at 1) M.S. 571 and 2) P.S. 009 (including three sections of pre-kindergarten).

[8] The utilization rate reported here may differ from that published in the 2009-2010 Enrollment Capacity Utilization Report (the "Blue Book") because the Blue Book enrollment includes Long Term Absences ("LTAs"), students who have been absent continuously for 30 days or more as of October 31, 2009. The building capacity figures quoted here are consistent with the Blue Book. However, the building enrollment figures referenced throughout this EIS and used in the calculation of utilization rates only include the number of students estimated to be regularly attending the school, and thus does not include LTAs. This methodology is consistent with the manner in which the DOE conducts planning and calculates space allocations and funding for all schools. In determining the space allocation for co-located schools, the Office of Space Planning will conduct a detailed site survey and space analysis of the building to assess the amount of space available in the building

[9] 2010-2011 building enrollment estimates include current enrollment (November 1, 2010 unaudited register) at M.S. 571 and P.S. 009 (including three sections of pre-kindergarten).

[10] The official target capacity and utilization rates for the 2010-2011 school year and beyond are not yet available. All references to building utilization rates in this document are based on target capacity data from the 2009-10 Blue Book. As discussed above, utilization rates referenced herein only include the projected number of students who may actually attend the school and do not include Long Term Absences (LTAs).

[11] Estimate includes projected enrollment at Brooklyn East Collegiate, and P.S.9 (includes three sections of pre-kindergarten at P.S.9).

[12] http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals

II. Proposed or Potential Use of Building

The building in which M.S. 571 is located, K009, has the capacity to serve 1,192 students. In 2009-2010—the most recent year for which audited enrollment data is available—the building only served 751 students, yielding a target utilization rate of just 63%. In 2010-2011, the building only served 767 students, yielding a utilization rate of just 64%. Over the next three years, the proposed grade spans for the schools in the building are as follows:

School Year	2010-11	2011-12	2012-13	2013-14
P.S. 9	K, 1, 2, 3, 4, 5	K, 1, 2, 3, 4, 5	K, 1, 2, 3, 4, 5	K, 1, 2, 3, 4, 5
M.S. 571	6-8	7, 8	8	N/A
Brooklyn East Collegiate Charter School	N/A	5, 6	5, 6, 7	5, 6, 7, 8

During the 2011-2012 school year, M.S. 571 would serve students in grades seven and eight. In 2012-2013, M.S. 571 would serve students in grade eight only. The school would close after June 2013.

P.S. 9 would continue to serve kindergarten through fifth grade, and it would offer three sections of the pre-kindergarten program, based on available funding. In 2013-2014, once M.S. 571 has completed it's phase-out, and Brooklyn East Collegiate has achieved full scale, P.S. 9 is projected to serve 615-675 kindergarten through fifth grade students, plus three sections of pre-kindergarten students, for a total of 669-729 students.

Brooklyn East Collegiate, which currently serves fifth grade, would be re-sited from its current location in Community School District 17 to K009. Brooklyn East Collegiate would serve 300 fifth through eighth grade students when it completes its expansion and achieves full scale in 2013-2014.

Once Brooklyn East Collegiate completes its expansion and M.S. 571 has completed its phase-out, there will be approximately 969-1,029[13] students served in the building, yielding an estimated target building utilization rate of 86%. Therefore, the building has adequate capacity to accommodate the full expansion of Brooklyn East Collegiate and P.S. 9.

As described in more detail in the Enrollment, Capacity, Utilization Report, which is available at http://source.nycsca.org/pdf/capitalplan/2009-10/BB_2009_2010.pdf, a building's target utilization rate is calculated by dividing the aggregated enrollment of all the school organizations in the building by the aggregated "target capacities" of those organizations. Each school organization's "target capacity" is calculated based upon the scheduled use of individual rooms as reported by principals during an annual facilities survey, the DOE's goal classroom capacities (which are aspirational targets lower than the UFT contractual class sizes and differ depending on grade level), and the efficiency with which classrooms are programmed (i.e., the frequency with which classes are scheduled in a given classroom).

The most recent year for which target capacity has been calculated for buildings is 2009-2010. As described earlier in this EIS, the DOE's projected utilization rates for the 2010-2011 school year and beyond are based on the 2009-2010 target capacity, which assumes that the components underlying that target capacity (scheduled use of classrooms, goal classroom capacity, etc.) remain constant. Thus, projected utilization rates for 2010-2011 and beyond provide only an approximation of a building's usage

[13] Estimate includes projected enrollment at Brooklyn East Collegiate and at P.S.9 (includes three sections of pre-kindergarten at P.S.9)

because each of the factors underlying target capacity may be adjusted by principals from year to year to better accommodate students' needs. For example, changing the use of a room from an administrative room to a homeroom at the high school level will increase a building's overall target capacity because for high schools administrative rooms are not assigned a capacity. Holding enrollment constant, this change would result in a lower utilization rate. Similarly, if a room previously used as a kindergarten classroom is subsequently used as fifth grade classroom, the building's target capacity would increase because we expect that a fifth grade class will have more students than a kindergarten class. This is reflected in the fact that the DOE's goal classroom capacity is higher for fifth grade classrooms than for kindergarten classrooms. In this example, as well, assuming enrollment is constant, the utilization rate would decrease.

III. Impact of the Proposal on Affected Students, Schools, and Community

A. Students

As noted previously, Brooklyn East Collegiate had been approved by its authorizer to open a new public charter school serving fifth through eighth grade in District 23. The DOE has proposed to re-site Brooklyn East Collegiate from its temporary location in District 17 to K009, which is located in District 13.[14] If this proposal is approved and Brooklyn East Collegiate receives authorization to revise its charter license, Brooklyn East Collegiate would be co-located in K009 in 2011-2012 and serve 158 students in fifth and sixth grade. Brooklyn East Collegiate would add one grade each year until it reaches full scale in 2013-2014 and serves up to 300 students in fifth through eighth grade.

The proposed co-location of Brooklyn East Collegiate is not expected to impact future student enrollment, instructional programming, or the admissions process to the schools currently co-located in building K009.

Impact on Students Attending Schools in the K009 Building

The proposal to phase out and close M.S. 571 and its impact on current M.S. 571 students were outlined in a separate EIS, which was posted on December 20, 2010. As stated above, that EIS was amended on January 21, 2011, to correct typographical errors and formatting, delete redundant language, and reformat projected enrollment ranges to better reflect the DOE's enrollment projections for the schools that would be served in K009. Please visit the DOE's website to view that amended EIS: http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals. The phase out proposal was approved by the Panel on February 3, 2011.

Brooklyn East Collegiate is an existing charter school that opened in September 2010 and has been temporarily sited in K434. Brooklyn East Collegiate currently serves fifth-grade students. There is not enough space at K434 for Brooklyn East Collegiate to remain there long-term and for it to serve its intended full grade span. If this proposal is approved, Brooklyn East Collegiate would add approximately 300 additional high-quality fifth through eighth grade middle school seats in District 13.

M.S. 571 currently serves students in sixth through eighth grade. In accordance with the phase out proposal approved by the Panel, current sixth, seventh and eighth grade students will complete middle school at M.S. 571. Current eighth grade students will participate in the Citywide High School Admissions Process. In 2011-2012, M.S. 571 will serve students in grades seven and eight. In 2012-2013, M.S. 571 will only serve students in grade eight. M.S. 571 will close at the end of June 2013. Students who do not meet

[14] As stated above, Uncommon Schools, the Charter Management Organization that manages Brooklyn East Collegiate, is currently amending Brooklyn East Collegiate's charter to reflect that it will now be sited in District 13 instead of District 23, as originally intended, or in District 17. If this co-location proposal is approved and Brooklyn East Collegiate's charter revisions are approved, that school would begin to provide a preference to District 13 instead of District 23 or District 17 students in its charter lottery process.

promotional requirements during the phase-out of M.S. 571 will continue to have access to appropriate courses to support their progress toward promotion, and may continue with their enrollment at M.S. 571. For example, if a current sixth grader does not meet promotional standards to enter seventh grade in 2011-12, he or she may continue their enrollment as a sixth grader at M.S. 571 even though the school will not admit any new incoming sixth-grade students. Students who do not meet promotional requirements will be accommodated in existing classes, in bridge classes or pull-out classes, and will be provided with the appropriate support and instruction to meet promotional requirements. Specific instructional decisions are made by school administration and instructional staff. In June 2013 (the final year of phase-out), any eighth grade students who do not meet graduation requirements will be served by another District 13 middle school, or a middle school in the district in which the student resides.

The proposed co-location of Brooklyn East Collegiate is not expected to impact current or future zoned student enrollment, instructional programming, or the admissions process to the schools currently co-located in K009.

P.S. 9 will continue to serve elementary students in its zone.[15] A student's zoned school is determined by his or her home address. For more information about school zoning and admissions processes, please visit the DOE website's School Search function: http://schools.nyc.gov/SchoolSearch. This includes students who seek to enroll "over the counter."[16]

"Over-the-counter" (OTC) placement is a term that refers to the method of enrolling students who need a school assignment because they were not part of any admissions process for entry grades and/or were not enrolled in a NYC school at the time school started. These students fall into one of four categories:

- New to the New York City school system; or
- Left the New York City school system and have returned; or
- Are seeking transfers (based on the guidelines outlined in Chancellor's Regulation A-101);[17] or
- Students who did not participate in the elementary or middle school admissions process for some other reason.

At P.S. 9, OTC students are zoned students and enter school throughout the year instead of in September, at the start of school. P.S. 9 will continue to serve all students in the zone and OTC students are included in the projected enrollment figures. Therefore, the DOE expects that this proposal will not impact the number of OTC students at P.S. 9.

When an elementary or middle school eligible student arrives for an over-the-counter placement, his or her school assignment is determined by his or her interest, home address and which schools have available seats, and where applicable, transfer guidelines. In un-zoned districts, the student visits a Borough Enrollment Office where he or she meets with a counselor who reviews options that will meet the student's needs. However, in many districts, students may simply report to their zoned school at the start of the year. If the Division of Portfolio Planning determines that additional OTC seats may be needed, the number of available seats is reviewed and—if space allows—adjusted. Should a zoned school reach capacity, the

[15] To ensure that there continues to be sufficient space in K009 for P.S. 9 and Brooklyn East Collegiate at full scale, beginning in 2012-2013, P.S. 9 will need to more closely monitor its kindergarten enrollment to ensure that it only enrolls students residing in the school's designated geographic zone.

[16] Enrollment projections for P.S. 9 include students zoned to P.S. 9 and students who seek to enroll "over-the counter." As described in more detail in the attached revised Building Utilization Plan that accompanies this EIS, P.S. 9, Brooklyn East Collegiate and M.S. 571 are allocated space based on the projected enrollment of each co-located schools. Thus, the space allocated to P.S.9 in K009 will accommodate the school's projected enrollment, including "OTC" students.

[17] Per Chancellor's Regulation A-101, students have the "right to return" to their prior school following discharge within one calendar year of discharge, subject to available seats. Therefore, it is possible that non-zoned students arriving for an OTC placement may be granted admission to a zoned school.

school may be "capped," in which case OTC arrivals may be directed to a different district elementary or middle school. Should sufficient space open at the capped school, the student has the right to return if they so choose.

M.S. 571 and P.S. 9 currently offer Collaborative Team Teaching ("CTT") classes, Special Class ("SC"), and Special Education Teacher Support Services ("SETSS"). M.S. 571 also has an English as a Second Language ("ESL") program for English Language Learners ("ELLs"). The existing CTT, SC, and SETSS classes will continue to be provided at P.S. 9 and at M.S. 571 as M.S. 571 phases out and students with disabilities at both schools will continue to receive mandated services in accordance with their Individualized Education Plans ("IEPs"). As noted elsewhere in this document, K009 will continue to be partially accessible. Current ELL students at M.S. 571 will continue to receive mandated services as the school phases out.

In accordance with DOE policy, ELL students are admitted to elementary schools in the same manner as their peers who are not ELL. Current and future ELL students at P.S. 9 would continue to receive mandated services.

The DOE does not anticipate that this proposal would impact the partnerships of the other schools in the K009 building. Similarly, all school organizations in the building would continue to offer extracurricular programs based on student interests, available resources, and staff support for those programs. The proposed co-location would not impact those opportunities, but those programs may be configured differently as a result of this proposal. For example, some activities may need to share classroom space, or the scheduling of these activities may change as a result of greater demands on the available space during or after school hours. Students would continue to have the opportunity to participate in a variety of extracurricular programs though the specific programs offered at a given school are always subject to change. That is true for any City student as all schools modify extracurricular offerings annually based on student demand and available resources. M.S. 571 and P.S. 9 offer the following programs and extracurricular activities:

- M.S. 571's special programs and courses include vocal music, integrated algebra, living environment Regents courses, and Spanish classes.
- M.S. 571 also offers student athletics and other extracurricular programs such as the CHAMPS program, boys and girls basketball, mentoring and mediation programs.
- P.S. 9 currently provides curriculum-integrated arts and dance programs through the Solomon R. Guggenheim Museum, Studio in a school, and AileyDance Kids Program.
- P.S. 9 also partners with the Prospect Park Zoo, the Brooklyn Historical Society, the Prospect Park Alliance, Lava Acrobatics and the Community Food Resource Center's CookShop program. [18]
- P.S. 9 offers one section of the Citywide Gifted and Talented program in each grade level.
- M.S. 571 and P.S. 9 received a grant to create a library. The library's operation would not be impacted by this proposal.

As described in the revised BUP annexed to this EIS, the DOE notes that there is an after school program run by P.S. 9's Parent Teacher Organization that requires use of the gymnasium at K009 after school hours. As noted in the revised BUP, the Building Council will address requests to use any shared spaces after school hours. Additionally, the Building Council is free to deviate from the proposed allotment of time to accommodate specific programmatic needs of all groups within each school as is feasible and equitable, provided that the Building Council comes to an agreement on the final shared space plan collaboratively.

Impact for Future Middle School Students in District 13

[18] http://www.ps9brooklyn.org/

M.S. 571 is a middle school that admits students through the District 13 Middle School Choice process, where fifth grade students rank in order their middle school preferences on a centralized application and are matched to schools through a computer-based matching process. In a separate EIS posted on December 20, 2010, and amended on January 21, 2011[19], the DOE proposed to phase out and eventually close M.S. 571. The Panel approved the phase out proposal on February 3, 2011. The projected middle school seats eliminated by M.S. 571's phase-out and eventual closure will be recovered through available capacity at existing District 13 middle schools, some of which are in the process of phasing in. In addition, if this proposal is approved, Brooklyn East Collegiate will provide high-quality middle school seats with a preference for District 13 students.

All current fourth graders residing in District 13 had the opportunity to submit the charter application lottery to enter fifth grade at Brooklyn East Collegiate in September 2011. The deadline for submitting an application to participate in Brooklyn Collegiate East's lottery was April 1, 2011, and the lottery will take place on April 7, 2011. If this co-location proposal is approved, Brooklyn East Collegiate's lottery preferences are as follows:

- Returning students
- Siblings of currently attending students
- Applicants residing in District 13
- Applicants residing outside of District 13.

Brooklyn East Collegiate only accepts applications via the fifth grade lottery. However, the school may admit students in other grades from the school's waitlist if seats become available.

As mentioned above, there are several other middle schools that are also available to District 13 students and families. Through the District Middle School Choice processes, students are offered the opportunity to apply to a range of middle schools within their district, and/or schools with borough-wide or city-wide eligibility. Students may also choose to apply to a number of schools that manage their own admission process. Information about all of these options is printed in each district's Middle School Choice Directory which can be found at http://schools.nyc.gov/ChoicesEnrollment/Middle/Publications/Brooklyn. Please note that this directory is updated yearly.

Excluding M.S. 571, there are currently 13 district middle schools in District 13. In addition, there are two charter schools in District 13 that currently serve sixth through eighth grades. Achievement First Endeavor Charter School (84K508) currently serves fifth through ninth grade and will serve fifth through twelfth grade at full scale; Community Partnership Charter School currently serves kindergarten through sixth grade and will serve kindergarten through eighth grades at scale. Both charter schools will continue to provide a preference to District 13 residents.

In the District 13 Middle School Choice process, students rank their preferences from among District 13 choice middle schools. These options include:

- choice middle schools with a screened application process (admission is based on criteria designated by the school);
- choice middle schools with an unscreened or limited-unscreened application processes (Note: limited-unscreened schools admit students on the same basis as unscreened schools except that they give preference to students who have attended a school information session);

Students with IEPs will participate in the middle school admissions processes in the same manner as their non-disabled peers. The DOE will support middle schools in reviewing students' IEPs to focus on

[19] http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals

addressing the needs of students with disabilities by providing individualized service models that ensure students have access to the general education curriculum to the greatest extent possible. The middle school to which a student is matched will develop a program to meet the student's needs. This process would apply to students with IEPs transitioning to middle school in the same manner as it applies to all other students. Similarly, any students with IEPs will continue to receive appropriate services at the zoned middle school or the choice school to which they are matched.[20]

In accordance with DOE policy, ELLs participate in the middle school admissions processes in the same manner as their peers who are not ELLs. Students who are ELLs are placed according to the same placement criteria as their English-speaking peers. Current students at M.S. 571 who receive ELL services will continue to receive ELL services as M.S. 571 phases out. Similarly, any students requiring ELL services will continue to receive appropriate services at the middle school to which they are matched.

Over-the-counter ("OTC") placement is a term that refers to the method of enrolling students who need a school assignment because they were not part of any admissions process for entry grades and/or were not enrolled in a NYC school at the time school started. These students fall into one of four categories:

- New to the New York City school system; or
- Left the New York City school system and have returned; or
- Are seeking transfers (based on the guidelines outlined in Chancellor's Regulation A-101);[21] or
- Students who did not participate in the middle school admissions process for some other reason.

When a middle school eligible student arrives for an over-the-counter placement, his or her school assignment is determined by his or her interest, home address and which schools have available seats, and where applicable, transfer guidelines. Students are eligible to attend middle school based on the district of elementary school attendance or the district to which the student's address is zoned for middle school. In un-zoned districts, the student visits a Borough Enrollment Office where he or she meets with a counselor who reviews options that will meet the student's needs. However, in many districts, students may simply report to their zoned middle school at the start of the year.

If the Division of Portfolio Planning determines that additional OTC seats may be needed, the number of available seats is reviewed and—if space allows—adjusted in those schools where the admissions methods are limited unscreened, educational option or unscreened. Should a zoned school reach capacity, the school may be "capped," in which case OTC arrivals may be directed to a different district middle school. Should sufficient space open at the capped school, the student has the right to return if they so choose.

In addition, screened and audition middle schools and alternative programs are offered through referrals. In this way, the DOE is able to offer individual students the widest breadth of options across a large number of schools.

Future rising sixth-grade students will continue to have access to a broad range of middle school options through the District 13 Middle School Choice process and through Achievement First Endeavor Charter School's and Community Partnership Charter School's lotteries.

Additional information regarding special programs and courses offered by District 13 middle schools are available in the online Middle School Directory (updated yearly): http://schools.nyc.gov/ChoicesEnrollment/Middle.

[20] There is no District 75 middle school choice process in school District 13. District 75 middle school choice processes are not offered in every district.

[21] Per Chancellor's Regulation A-101, students have the "right to return" to their prior school following discharge within one calendar year of discharge, subject to available seats. Therefore, it is possible that non-zoned students arriving for an OTC placement may be granted admission to a zoned school.

Impact of Brooklyn East Collegiate's Re-Siting on Future Middle School Students in District 17

Re-siting Brooklyn East Collegiate from District 17 to District 13 would provide an additional high quality middle school option for District 13 families and would increase the number of middle school seats in the district. As noted previously, Brooklyn East Collegiate would admit fifth-grade students via lottery, with a preference for District 13 residents.

On January 26, 2010, the Panel for Educational Policy approved the phase-out of P.S. 332 and the co-location of Brooklyn East Collegiate in building K332, located in District 23. A lawsuit prevented this co-location and, therefore, Brooklyn East Collegiate was temporarily sited in Building K434, located in District 17. Brooklyn East Collegiate is currently co-located with the Uncommon Charter High School and the Achievement First Charter High School in K434. Both Uncommon Charter High School and Achievement First Charter High School are phasing in to serve ninth through twelfth grade. There is not enough space for Brooklyn East Collegiate to remain in the building and grow to full scale.

Brooklyn East Collegiate currently serves approximately 80 fifth-grade students. All current fifth-grade students attending Brooklyn East Collegiate will have the option to continue their enrollment in the sixth, seventh, and eighth grades at Brooklyn East Collegiate even if it re-locates to District 13 under this proposal. The move from K434 to K009 is not expected to present a travel hardship to the students currently enrolled. K009 is approximately 1.5 miles from K434, and both sites are accessible from the 2, 3, 4 and 5 subway lines. All students currently enrolled at Brooklyn East Collegiate would continue to receive mandated services in their school.

Brooklyn East Collegiate currently offers an extended-year program, extended day program, mandatory homework help and after-school tutoring, Saturday School, and double periods of English and Math daily. As noted in the annexed BUP, Brooklyn East Collegiate also offers physical education from 3:00 p.m. to 4:00 p.m. in its current location. Brooklyn East Collegiate would continue to offer these programs based on student interests, available resources, and staff support for those programs. The proposed co-location would not impact those opportunities, but those programs may be configured differently as a result of this proposal. For example, some activities may need to share classroom space, or the scheduling of these activities may change as a result of greater demands on the available space during or after school hours at K009.

If this proposal is approved, Brooklyn East Collegiate would no longer provide a preference to District 17 residents in the charter admissions lottery process for fifth grade. Rather, if the proposal is approved and Brooklyn East Collegiate relocates to District 13, a preference will be given to District 13 students entering fifth grade through the school's charter application and lottery process[22].

Re-siting Brooklyn East College from its current location to District 13 would not impact the existing middle school options in District 17. Brooklyn East Collegiate was temporarily located in District 17, and was not intended to remain in its current location as a permanent siting. Overall, middle school seat capacity in District 17 would not be negatively impacted by this proposal.

Current fourth graders in District 17 may still participate in the Brooklyn East Collegiate admissions lottery, but they would no longer have first preference for admission. Current District 17 fourth grade students could also remain enrolled in their current elementary schools for fifth grade. A list of District 17 elementary schools is available on the DOE School Search website: http://schools.nyc.gov.

[22] Detailed information about charter schools and the charter lottery application process are published annually and are available in print or on the DOE website: http://schools.nyc.gov/community/planning/charters/For+Parents.

Current fifth graders in District 17 will participate in the District 17 Middle School Choice application process to enter middle school as is the current practice. Information about all of these options is printed in each district's Middle School Choice Directory which can be found at http://schools.nyc.gov/ChoicesEnrollment/Middle/Publications/Brooklyn. Please note that this directory is updated yearly. In districts with zoned middle schools, students may also elect to attend their zoned school.

In addition, there are also several existing public charter schools in District 17 which provide a preference for District 17 students through the charter lottery application process. Those schools are listed below:

School	DBN	Address	Grades Served in 2010-2011	Grades at Full Scale	Enrollment[23]	Admissions	Activities/Programs
Lefferts Garden Charter School	84K796	601 Parkside Avenue	K-1	K-8	151	Kindergarten Lottery	Extended day
Fahari Academy Charter School	84K726	72 Veronica Place	5-6	5-12	167	Fifth Grade Lottery	After-school, extended day
Explore Charter School	84K704	15 Snyder Avenue	K-8	K-8	476	Kindergarten Lottery	Tutoring, clubs, sports, extended year, extended day
Achievement First- Crown Heights Charter School	84K356	790 East New York Avenue	K-10	K-12	784	Kindergarten Lottery	Extracurricular, after-school, mandatory summer academy, extended day
Explore Empower Charter School	84K742	188 Rochester Avenue	K-2	K-8	223	Kindergarten Lottery	Extended year

The chart above also includes (where available at the time of EIS creation) details about specialized academic programs planned for these charter schools. Detailed information about charter schools and the charter lottery application process is published annually and is available in print or on the DOE website here: http://schools.nyc.gov/community/planning/charters/For+Parents.

Impact on Future Pre-kindergarten Students

P.S. 9 currently offers three sections of full-day pre-kindergarten with a projected total enrollment of 54 students. Barring any changes in available funding or student enrollment, the pre-kindergarten program at P.S. 9 would continue to exist and should not be adversely affected by this proposal[24]. Enrollment policy for pre-kindergarten admissions would also remain the same. Younger siblings of zoned students already enrolled in P.S. 9 would get first preference into pre-kindergarten admissions. Siblings from outside the zone would receive second preference.

B. Schools

[23] November 1, 2010 unaudited register data, excludes pre-kindergarten
[24] The DOE's pre-kindergarten programs are maintained based on available funding and student enrollment.

M.S. 571 currently enrolls 169 students, with the school typically admitting about 25%[25] of those students as new sixth grade students each fall. In accordance with the phase out proposal approved by the Panel on February 3, 2011, M.S. 571 will phase out gradually, but seats lost as a result of that phase-out will be recovered through available capacity at existing District 13 middle schools, some of which are in the process of phasing in. The continued phase-in of Brooklyn East Collegiate will provide a high-quality middle school option in District 13.

The proposed re-siting and co-location of Brooklyn East Collegiate would provide the school with a permanent location and would be an additional high-quality middle school option in the district.

K009 has adequate capacity to accommodate P.S. 9 and Brooklyn East Collegiate at full scale. Collectively, they are projected to enroll approximately 969-1,029 students in 2013-2014.[26] At that point, M.S. 571 will have completed its phase-out, and the projected utilization for K009 would be approximately 86%. This means that the building has adequate capacity to accommodate the two schools that will be located in K009.

In the future, if there is an increase in student enrollment resulting from demand greater than current projections for the zoned elementary school or an increase in the number of families residing in the zoned area, the Chancellor reserves the right to relocate Brooklyn East Collegiate to an alternate location geographically proximate to K009. The Chancellor shall certify in writing that in her judgment, the need of the school system requires the re-acquisition of the charter school space for DOE use.

The estimate enrollment for all three organizations in K009 over a four year period are shown in the below tables.

P.S. 9's estimated enrollment, over a period of 4 years:

	Grade K	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Total Estimated Enrollment
2010-11[27]	117	107	79	80	85	76	544
2011-12	110-120	110-120	100-110	75-85	75-85	80-90	550-610[28]
2012-13	110-120	110-120	110-120	100-110	75-85	75-85	580-640[29]
2013-14	110-120	110-120	110-120	110-120	100-110	75-85	615-675[30]

M.S. 571's estimated enrollment, over a period of 4 years:

	Grade 6	Grade 7	Grade 8	Total Estimated Enrollment
2010-11	49	53	67	169
2011-12	-	40-50	50-60	90-110
2012-13	-	-	40-50	40-50
2013-14	-	-	-	-

Brooklyn East Collegiate's estimated enrollment, over a period of 4 years:

	Grade 5	Grade 6	Grade 7	Grade 8	Total Estimated Enrollment
2010-11	80	-	-	-	80

[25] In 2010-2011, seven students were hold-overs. November 1, 2010 unaudited register.
[26] Estimate includes projected enrollment at Brooklyn East Collegiate, and at P.S.9 (including three sections of pre-kindergarten at P.S.9)
[27] November 1, 2010 unaudited register data, excludes pre-kindergarten
[28] Projected enrollment at P.S. 9 with three sections of pre-kindergarten would be 604-664
[29] Projected enrollment at P.S. 9 with three sections of pre-kindergarten would be 634-694
[30] Projected enrollment at P.S. 9 with three sections of pre-kindergarten would be 669-729

2011-12	81	77	-	-	158
2012-13	81	77	73	-	231
2013-14	81	77	73	69	300

If this proposal is approved, there will be sufficient space to accommodate M.S. 571, P.S. 9, and Brooklyn East Collegiate, pursuant to the Citywide Instructional Footprint (the "Footprint") throughout the period while M.S. 571 phases out and while Brooklyn East Collegiate gradually phases in. Please visit the DOE's website to access the Footprint, which guides space allocation and use in City schools: http://schools.nyc.gov/NR/rdonlyres/8CF30F41-DE25-4C30-92DE-731949919FC3/87633/NYCDOE_Instructional_Footprint_Final9210TNT.pdf.

The Footprint sets forth the baseline number of rooms that should be allocated to a school based on the grade levels served by the school and number of classes per grade. For existing schools, the Footprint is applied to the current number of classes and class size a school has programmed and is confirmed by a walk-through of the building by the Borough Director of Space Planning and the school's principal. For elementary schools serving kindergarten through fifth grade (and for all pre-kindergarten programs), the Footprint assumes that classes are self-contained. Therefore, the Footprint allocates one full-size classroom for each general education or CTT section and a full-size or half-size classroom to accommodate each Self-Contained special education section served by the school. In addition to these rooms, schools serving grades K-5 receive an allocation of cluster or specialty classrooms proportionate to the number of students enrolled. These spaces can be used at the principal's discretion for purposes such as art and/or music instruction, among other things.

For grades 6-12, the Footprint assumes that students move from class to class and that classrooms should be programmed at maximum efficiency. The Footprint allocates one full-size classroom for each general education or Collaborative Team Teaching section and a full-size or half-size classroom to accommodate each Self-Contained special education section served by the school. The Footprint does not require that every teacher have his or her own designated classroom. Principals are asked to program their schools efficiently so that classrooms can be used for multiple purposes throughout the course of the school day.

All schools receive a baseline of the approximate equivalent of two full-size classrooms[31] for administrative services, student support services and resource rooms. Additional resource rooms and administrative rooms are allocated based on grade level and enrollment scale of each school. Any space remaining beyond the baseline shall be allocated equitably among the co-located schools. In determining an equitable allocation, the DOE may consider factors such as the relative enrollments of the co-located schools, the instructional and programmatic needs of the co-located schools, and the physical location of the excess space within the building.

As described in more detail in the attached revised BUP that accompanies this EIS, there will be sufficient instructional space in K009 for P.S. 9 and for Brooklyn East Collegiate to grow to scale. As in other situations where schools are co-located, the schools would need to share large common and specialty rooms in the building, namely the cafeteria, the gymnasium, and the library. Specific decisions regarding the allocation of the shared spaces will be made by the Building Council, consisting of principals from all co-located schools, in conjunction with the DOE Office of Space Planning. A Shared Space Committee will also meet a minimum of four times a year and report back to the Building Council regarding shared space questions. Any unallocated space would be equitably distributed among the schools based on student enrollment. Additionally, as noted in this document, the Building Council will address requests to use any shared spaces after school hours. For example, the DOE is aware that P.S. 9 currently offers an after-school program in the gymnasium, and that Brooklyn East Collegiate currently offers physical education from

[31] Due to the configuration of the various DOE buildings across New York City, schools may be given the equivalent of two full size classrooms for student support services resource rooms, which could be equal to one full size classroom and two half size classrooms or zero full size classrooms and 4 half size classrooms, etc.

3:30 p.m. – 4:30 p.m. As discussed, the final shared space schedule will be collaboratively finalized by the Building Council after the proposed co-location has been approved by the Panel for Education Policy.

As described in the annexed BUP, the proposed Shared Space Plan illustrates how all of the shared spaces in the building may be equitably shared amongst all of the co-located schools in the building. Although the DOE has proposed how the shared spaces in the building may be utilized, the Building Council is 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. (NOTE: The Building Council will revisit the shared space plan and its schedules on an annual basis to account for any changes in enrollment or programmatic needs. If conflicts emerge and progress is impaired, the Building Council shall follow the dispute resolution procedures outlined in the Campus Policy Memo which follows). The final shared space schedule will be finalized by the Building Council after the proposed co-location has been approved by the Panel for Education Policy.

The DOE notes that the K009 building has experienced flooding in the basement, and that the School Construction Authority ("SCA") will perform a capital improvement project to remediate this problem. The SCA is adept at staggering work to minimize disruption to the existing schools in the building, and is committed to working with all school leaders to that end. The DOE will work with SCA to develop a work schedule that ensures that there will be minimal impact on K009 and the schools in the building. Additionally, construction of a new playground began at the end of March 2011 and estimated to last nine months. Again, the SCA has coordinated and will continue to coordinate with the school principals to minimize its impact and stagger work. As the building is currently underutilized and will continue to be underutilized next year, there will be swing space available to minimize any disruption and the DOE notes that there is a playground located three blocks away from K009 at 355 Park Place, which has been used by local schools. This public playground may be utilized either during the school day or after school hours, at the school's discretion. Since the off-site playground is not considered a shared space in a DOE building, the Building Council is not required to develop a shared space plan for the off-site playground. However the DOE notes that doing so may be beneficial to the schools to coordinate the day or times they will be at the playground.

K009 received grants for capital expenditures. Lockers have been installed in classrooms and a new library was created. Both projects have been completed.

In accordance with New York State Charter Schools Act of 1998 (as amended), the Chancellor or his/her designee must first authorize in writing any proposed capital improvement or facility upgrade in excess of five thousand dollars, regardless of the source of funding, made to accommodate the co-location of a charter school within a public school building. For any such improvements or upgrades that have been approved by the Chancellor, capital improvements or facility upgrades shall be made in an amount equal to the expenditure of the charter school for each non-charter school within the public school building.

C. Community

M.S. 571 has struggled with low performance despite the considerable support that the DOE has offered to the school. As a result, there is a need to provide better options for families in the community. The DOE supports parent choice and strives to ensure that all families have access to high-quality schools that meet their children's needs. The proposed co-location and re-siting of Brooklyn East Collegiate is intended to meet those goals by continuing to provide high-quality middle school choice options for all students in District 13.

Uncommon Schools, the Charter Management Organization ("CMO") that operates Brooklyn East Collegiate, currently manages a total of 11 charter schools, all located in Brooklyn. Uncommon organizes

these schools into three networks and Brooklyn East Collegiate is the newest school within the Collegiate network, which also includes Williamsburg Collegiate Charter School (84K355), Kings Collegiate Charter School (84K608), Bedford Stuyvesant Collegiate Charter School (84K648), Brownsville Collegiate Charter School (84K710), and Ocean Hill Collegiate Charter School (84K777). On the DOE's most recent Progress Report, Williamsburg Collegiate Charter School, Kings Collegiate Charter School, and Bedford Stuyvesant Collegiate Charter School all received A grades.[32] The DOE believes in Uncommon's record of success and supports the permanent placement of an Uncommon charter school in District 13 in order to continue providing excellent educational opportunities for students and families.

M.S. 571 is the only middle school in District 13 that the DOE has proposed and approved to phase out this year. Based on the November 1, 2010 unaudited enrollment register, M.S. 571 is currently serving 62 sixth-grade students. The DOE is not proposing to create new seats, but is instead utilizing this space to permanently place an existing, charter middle school. The projected 62 sixth-grade seats in District 13 eliminated by M.S. 571's phase-out and eventual closure would be recovered through the continued phase-in of a new District 13 middle school and through existing capacity in current middle schools in District 13.

Moreover, community residents may enroll in a District 13 middle school through the District 13 Middle School Choice Process or apply to other public charter schools in District 13 or Citywide. As a result, the approved phase out of M.S. 571 is not expected to yield a net deficit of seats in K009 or in District 13.

The re-siting of Brooklyn East Collegiate to K009 will create 80 sixth-grade seats in District 13 as it phases in to serve fifth through eighth grade at full scale.

P.S. 9 will continue to serve elementary students in its zone as determined by his or her home address. For more information about school zoning and admissions processes, please visit the DOE website's School Search function: http://schools.nyc.gov/SchoolSearch. This includes students who seek to enroll "over the counter."

In 2009-2010, K009 had a utilization rate of 63% and in 2010-2011 K009 had a utilization rate of 64%. When Brooklyn East Collegiate achieves full scale, the DOE projects the building will have approximately an 86% utilization rate. This means that by 2013-2014, K009 would enroll more students, and the space would be more efficiently utilized than was the case during the 2009-2010 school year.

[32] Performance data were not available for Brownsville Collegiate Charter School because it opened in 2009. Performance data were not available for Brooklyn East Collegiate Charter School and Ocean Hill Collegiate Charter School because they opened in 2010.

As discussed in this proposal, there is one new District 13 middle school in the process of phasing in, one charter school phasing in to serve kindergarten through eighth grade at scale, and one charter school phasing in to serve fifth through twelfth grades at full scale. These schools are listed in the below table.

School Name (DBN)	Address	Enrollment[33]	Admissions Criteria	Current Grades Served	Grades Served at Scale	Programs/Activities
Fort Greene Preparatory Academy (13K691)	100 Clermont Avenue	104	District 13 Middle School Choice – Screened	6	6-8	Humanities Program Focus, Art, Drama, Basketball
Community Partnership Charter School (84K702)	241 Emerson Place	332	Charter Lottery – District 13 priority	K-6	K-8	Extended day, extracurricular activities
Achievement First Endeavor Charter School (84K508)	510 Waverly Avenue	332	Charter Lottery – District 13 priority	5-9	5-12	Mandatory Summer Academy, After-school, Extended day Basketball, Theater

Detailed information about charter schools will also be published annually and would be available in print or on the DOE website here: http://schools.nyc.gov/community/planning/charters/For+Parents.

This proposal is not expected to impact the ability of community members and organizations to obtain school building use permits at K009. This proposal is not expected to impact the partial site accessibility of the K009 building.

[33] November 1, 2010 unaudited register data

IV. Enrollment, Admissions and School Performance Information

M.S. 571

Admissions Data

Current Admissions	**Grades 6-8**: District 13 Middle School Choice

Enrollment Data

Current Grades Served	6-8
2010-2011 Enrollment	169
Grades Served 2011-2012	6,7
2011-2012 Projected Enrollment	90-110
Grades Served 2012-2013	7
2012-2013 Projected Enrollment	40-50
Grades Served 2013-2014	NA
2013-2014 Projected Enrollment	0

Demographic Data

Percentage of Students Receiving CTT or SC Services[34]	11%
Percentage of Students with an Individual Education Plan[35]	24%
Percentage of English Language Learner Students[36]	9%
Percentage of Students Eligible for Free or Reduced Lunch[37]	84%

[34] Students Receiving CTT and SC services as percentage of total students from the 2009-2010 Audited Register.
[35] Students with Individual Education Plan as percentage of total students from the 2009-2010 Audited Register.
[36] English Language Learner students as percentage of total students from the 2009-2010 Audited Register.
[37] Percentage of Students Eligible for Free or Reduced Lunch from School Allocation Memorandum No. 9, FY11, June 30, 2010

School Performance Data

M.S. 571	2007-2008	2008-2009	2009-2010[38]
School Performance and Progress			
Overall Progress Report Grade	B	B	D
Quality Review Score	P	P	P
Performance Data [39]			
English Language Arts % Proficient (Levels 3 and 4)	31%	32%	8%
Math % Proficient (Levels 3 and 4)	49%	55%	14%
Other Key Performance Indicators [40]			
Attendance Rate	88%	88%	83%
2010-2011 State Accountability Status	Improvement (year 1) - Comprehensive		

P.S. 9

Admissions Data

Current Admissions	**Pre-kindergarten**: Standard Universal Pre-K Admissions Process **Grades K-5**: Zoned

[38] In 2010, the New York State Education Department adjusted the "cut scores" on annual mathematics and English Language Arts exams, raising the score required for students to achieve Level 3 (grade-level proficiency) or higher on the exam. As a result, the percent of students performing at grade level fell significantly at schools statewide, including most New York City schools. While the percent of students achieving proficiency declined, on average, New York City's students' raw scores on the tests remained largely unchanged relative to the prior year.
[39] Source: Progress Report
[40] Source: Progress Report

Enrollment Data

Current Grades Served	K-5
2010-2011 Enrollment[41]	544
Grades Served 2011-2012	K-5
2011-2012 Projected Enrollment	550-610
Grades Served 2012-2013	K-5
2012-2013 Projected Enrollment	580-640
Grades Served 2013-2014	K-5
2013-2014 Projected Enrollment	615-675[42]

Demographic Data

Percentage of Students Receiving CTT or SC Services[43]	12%
Percentage of Students with an Individual Education Plan[44]	15%
Percentage of English Language Learner Students[45]	4%
Percentage of Students Eligible for Free or Reduced Lunch[46]	87%

[41] November 1, 2010 unaudited register. Excludes three sections of pre-kindergarten
[42] Projected enrollment based on current enrollment (November 1, 2010 unaudited register), with the current kindergarten class size used to project future incoming kindergarten classes. Excludes three sections of pre-kindergarten
[43] Students Receiving CTT and SC services as percentage of total students from the 2009-2010 Audited Register.
[44] Students with Individual Education Plan as percentage of total students from the 2009-2010 Audited Register.
[45] English Language Learner students as percentage of total students from the 2009-2010 Audited Register.
[46] Percentage of Students Eligible for Free or Reduced Lunch from School Allocation Memorandum No. 9, FY11, June 30, 2010

School Performance Data

P.S. 009 Teunis G. Bergen [47]	2007-2008	2008-2009	2009-2010[48]
School Performance and Progress			
Overall Progress Report Grade	C	A	C
Quality Review Score	Well developed	Proficient	N/A[49]
Performance Data			
English Language Arts % Proficient (Levels 3 and 4)	68%	76%	45%
Math % Proficient (Levels 3 and 4)	83%	90%	51%
Other Key Performance Indicators			
Attendance Rate	92%	92%	92%
2010-2011 State Accountability Status	In Good Standing		

Brooklyn East Collegiate

Admissions Data

Current Admissions	**Grade 5**: Lottery
Admissions after Re-Siting and Full Phase-In	**Grade 5-8**: Fifth grade lottery

[47] Source: Progress Report
[48] In 2010, the New York State Education Department adjusted the "cut scores" on annual mathematics and English Language Arts exams, raising the score required for students to achieve Level 3 (grade-level proficiency) or higher on the exam. As a result, the percent of students performing at grade level fell significantly at schools statewide, including most New York City schools. While the percent of students achieving proficiency declined, on average, New York City's students' raw scores on the tests remained largely unchanged relative to the prior year.
[49] Not all schools receive a Quality Review each year.

Enrollment Data

Current Grades Served	5
2010-2011 Enrollment	80
Grades Served 2011-2012	5,6
2011-2012 Projected Enrollment	158
Grades Served 2012-2013	5,6,7
2012-2013 Projected Enrollment	231
Grades Served 2013-2014	5,6,7,8
2013-2014 Projected Enrollment	300

Demographic Data

Brooklyn East Collegiate only began enrolling students in 2010-2011; therefore, demographic data is not currently available.

School Performance Data

Brooklyn East Collegiate only began enrolling students in 2010-2011; therefore, school performance data is not available.

V. Initial Costs and Savings

Once the phase-out is fully implemented, the DOE will cease to allocate or repurpose all funds currently allocated to M.S. 571.

In accordance with New York State Charter Schools Act of 1998 (as amended), the Chancellor or his/her designee must first authorize in writing any proposed capital improvement or facility upgrade in excess of five thousand dollars, regardless of the source of funding, made to accommodate the co-location of a charter school within a public school building. For any such improvements or upgrades that have been approved by the Chancellor, capital improvements or facility upgrades shall be made in an amount equal to the expenditure of the charter school for each non-charter school within the public school building.

The cost to relocate Brooklyn East Collegiate is estimated to be $15,023.

VI. Effect on Personnel Needs, Costs of Instruction, Administration, Transportation and Other Support Services

A. Personnel Needs

A more detailed description of the potential impact that the phase-out of M.S. 571's middle school grades would have on M.S. 571 pedagogical, administrative, and non-pedagogical personnel is outlined in a separate EIS posted on December 20, 2010. Please visit the DOE's website to access that Educational Impact Statement: http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals.

All administrative staff, teachers, and non-pedagogical positions at M.S. 571 would be excessed over the course of the phase-out. This process will take place gradually as student enrollment declines with each successive graduating class. With fewer students, the school's staffing needs will naturally be reduced.

The proposed re-siting and co-location is not expected to change the number of personnel positions assigned to P.S. 9, nor is it expected to significantly alter the duties of current staff at P.S. 9, although Brooklyn East Collegiate may hire additional personnel to support its grade expansion.

B. Cost of Instruction

A more detailed description of the potential impact that the phase-out of M.S. 571 would have on cost of instruction at M.S. 571 is outlined in a separate EIS that was also posted on December 20, 2010 and amended on January 21, 2011. Please visit the DOE's website to access that Educational Impact Statement: http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals.

This proposal should not impact the operating budget or costs of instruction at P.S. 9. The basic operating budget for those schools is determined by the same Fair Student Funding (FSF) formula used at all other New York City District public schools. Under FSF, schools receive City tax levy funding on a per pupil basis. Each student receives a per-pupil allocation based on the grade level of the student. FSF allocations are subject to annual variation, but for 2010-2011, the base per-pupil allocation for elementary schools was $4059.71. In addition, FSF awards supplemental allocations on a per-pupil basis for students who have additional needs and therefore cost more to educate. For example, during the 2010-2011 school year, elementary schools received an additional $1623.00 per pupil for each English Language Learner they enrolled. At the elementary level, supplemental funds are awarded for each student who is an English Language Learner, who requires special education services, or who is eligible for free or reduced-price lunch. For middle and high schools, supplemental funds are awarded to each student who is an English Language Learner, who requires special education services, or who is performing below grade level upon enrollment. In the case of students who fall into more than one of these categories, schools are awarded supplemental funding to meet all of those needs.

FSF covers basic instructional expenses and FSF funds may, at the school's discretion, be used to hire staff, purchase supplies and materials, or implement instructional programs. As the total number of students enrolled grows, the overall budget will increase accordingly, allowing the school to meet the instructional needs of its larger student population. Similarly, if the total number of students enrolled falls, the budget shrinks accordingly, as the school will need fewer supplies and potentially a smaller staff.

As with all other schools citywide, P.S. 9 may receive additional "categorical" funding based on student characteristics and needs. For example, federal Title I funding is awarded to schools based on the proportion of low-income students they enroll. All three of these schools are currently eligible for Title I funding. Assuming that the schools continue to meet Title I criteria, the size of their respective Title I funding awards would grow or shrink as the school population grows or shrinks.

While schools do receive supplemental support for special education students through Fair Student Funding, that only represents part of the funding provided to support those students. Schools are budgeted to meet the needs of their special education students as defined by their Individualized Education Plans (IEPs). P.S. 9 and M.S. 571 will continue to receive funds to meet the needs of all special education students in accordance with their IEPs.

Please note that increased or reduced per capita funds allocated to the school as a result of changes in enrollment that may occur do not represent net/incremental system costs. All dollar amounts are based on FY10 allocations and are subject to annual variation based on adjustments to the DOE's overall operating budget.

This proposal also should not impact the budget or operating costs for Brooklyn East Collegiate. The General Education Charter School per-pupil rate is determined by the New York State Education Department (NYSED), and is based on a formula used for all traditional public school districts. The formula divides the district's Approved Operating Expenditures (AOE) by Total Allowable Pupil Units (TAPU). Special Education funding is an allocation that Charter Schools may qualify for and receive for serving students that receive special education services for more than 20% of the week as mandated by an IEP.

Re-siting Brooklyn East Collegiate in K009 will not affect the costs of instruction at P.S. 9 or at M.S. 571 as it phases out.

C. Administration

All school supervisor and/or administrator positions assigned to M.S. 571 will eventually be excessed when the school is closed. Some positions will likely be excessed as the school gradually phases out, as administrative needs will decrease as the school serves an increasingly smaller student population. Again, all excessing will take place in accordance with applicable law and labor contracts.

No change in school supervisory or administrator positions at P.S. 9 is expected as a result of this proposal. Brooklyn East Collegiate may hire school supervisors and/or administrator personnel on an as needed basis throughout the course of the school's phase-in.

D. Transportation

There will be no change to existing transportation practices at M.S. 571 or P.S. 9 throughout its phase-out. Transportation will be provided according to Chancellor's Regulation A-801: http://schools.nyc.gov/NR/rdonlyres/21A1B11A-886B-4F74-9546-E875EE82A14C/40303/A801.pdf.

E. Other Support Services

The provision of certain support services is described above. Other support services would be provided in consistent with Citywide policy as Brooklyn East Collegiate phases in.

VII. Building Information

Type of Building	Elementary School
Year Built	1957
Overall BCAS rating	2.68 out of 5
Target Utilization	63%
Target Capacity	1,192
FY 2009 Maintenance Costs	Labor: $ 25,309.40 Materials: $24,769.09 Maintenance and repair contracts: $26,245.53 Custodial operations costs—Materials: $8,111.88 Custodial operations costs—Custodial Allocation: $ 288,102.11
FY 2009 Energy Costs	Electric: $11.657.00 Gas: $1660.00 Oil: $72,754.00
Projects completed during the current or prior school year	Paved area -blacktop.
Projects proposed in the capital plan	System replacements-Paved area-Blacktop. Site: Paving-Non-Vehicular area: Asphalt System improvement to address flooding
Accessibility of the building	Fully Programmatic Accessible
Building attributes	Art room, Auditorium, Cafeteria, Computer room, Gymnasium, Library, Science Lab,