

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

I. Summary of Proposal

The New York City Department of Education (“DOE”) is proposing 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 K343, 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. Brooklyn East Collegiate would be co-located in K009 with an existing DOE zoned elementary school serving grades kindergarten through five, P.S. 9 Teunis Bergen (“P.S. 9”), that also offers 3 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.

In a separate Educational Impact Statement (“EIS”) published on December 20, 2010 the DOE has 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.¹

M.S. 571 admits students in sixth grade through the District 13 Middle School Choice application process, and is a district choice middle school. If the proposal to phase-out M.S. 571 is approved, M.S. 571 would no longer admit sixth-grade students after the conclusion of the 2010-2011 school year. One grade would then be phased out per year. 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 eighth grade only. The school would close after June 2013.²

P.S. 9 is a zoned district elementary school and serves 544 students in kindergarten through fifth grade, and also offers 3 sections of full-day pre-kindergarten.³

Brooklyn East Collegiate is an existing public charter school that currently serves students in the fifth grade at its temporary location. 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 and, beginning in the 2011-2012 school year, Brooklyn East Collegiate will expand to serve approximately 80 students in sixth grade. In 2012-13, Brooklyn East Collegiate would expand to serve approximately 80 students in seventh grade. In 2013-14, the final year of phase in, Brooklyn East Collegiate would expand to serve approximately 80 students in eighth grade. In 2013-14, when Brooklyn East Collegiate completes its expansion and achieves “full scale,” it will serve approximately 300-350 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.

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

² 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.

³ November 1, 2010 unaudited register

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 950-1,000⁴ students served in the building by both P.S. 9 and Brooklyn East Collegiate, yielding a target building utilization rate of 84%.

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.⁵

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 total 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 school 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.

⁴ Estimate based on projected enrollment at Brooklyn East Collegiate and projected kindergarten through five enrollment at P.S. 9, with the current kindergarten class size (November 1, 2010 unaudited register), used to project the size of future incoming kindergarten classes. Excludes pre-kindergarten

⁵ <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%.⁶ 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			
M.S. 571	6-8	7, 8	8	NA
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 grades kindergarten through fifth grade, and would offer 3 sections of the pre-kindergarten program, based on available funding.

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 300-350 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 950-1,000⁷ students served in the building, yielding a target building utilization rate of 84%. Therefore, the building has adequate capacity to accommodate the full expansion of Brooklyn East Collegiate and P.S. 9.

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

A. Students

Impact of P.S. 9 and Brooklyn East Collegiate's Co-Location on Current M.S. 571 Students

The proposal to phase out and close M.S. 571 and its impact on current M.S. 571 students is outlined in a separate EIS, which was posted on December 20, 2010. Please visit the DOE's website to view that Educational Impact Statement: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals>

Brooklyn East Collegiate is an existing charter school that opened in September 2010 and was temporarily

⁶ The official target capacity and utilization rates for the 2010-11 school year are not yet available. All references to building utilization rates in this document are based on target capacity data from the 2009-10 Enrollment Capacity Utilization Report (the "Blue Book") and accounts for students who are "Long Term Absences". Building enrollment figures quoted do not include students who are Long Term Absences. Note that building capacity and utilization figures include Pre-kindergarten capacity and enrollment, and are not always a precise indicator of whether a school is over or under-utilized. Where appropriate, the Office of Space Planning will conduct a detailed walk-through of the building in order to assess the amount of available space in the building.

⁷ Excludes pre-kindergarten

sited in K343. Brooklyn East Collegiate currently serves fifth-grade students. There is not enough space at K343 for Brooklyn East Collegiate to remain there long-term and for it to grow to serve additional grades. If this proposal is approved, Brooklyn East Collegiate would add approximately 300-330 additional high-quality fifth through eighth grade middle school seats in District 13.

M.S. 571 currently serves approximately 169 students in grades 6-8.⁸ Current sixth, seventh and eighth grade students would complete middle school at M.S. 571. In 2011-2012, M.S. 571 would serve students in grades seven and eight. In 2012-2013, M.S. 571 would only serve students in grade eight. M.S. 571 would close at the end of June 2013. Students who do not meet promotional requirements during the phase-out of M.S. 571 would 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 would 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 would be served by another District 13 middle school, or a middle school in the district in which the student resides.

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 ⁹	117	107	79	80	85	76	544
2011-12	115-120	115-120	105-110	75-80	75-80	80-85	550-600
2012-13	115-120	115-120	115-120	105-110	75-80	75-80	600-650
2013-14	115-120	115-120	115-120	115-120	105-110	75-80	600-650

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	167
2011-12	-	45-50	50-55	85-105
2012-13	-	-	45-50	45-50
2013-14	-	-	-	0

⁸ November 1, 2010 unaudited register

⁹ Unaudited register data November 1, 2010, excludes pre-kindergarten

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 ¹⁰	80	-	-	-	80
2011-12	75-85	75-85	-	-	150-170
2012-13	75-85	75-85	75-85	-	225-255
2013-14	75-85	75-85	75-85	75-85	300-350

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.

Brooklyn East Collegiate is temporarily located in District 17. On January 26, 2010, the Panel for Educational Policy (“PEP”) approved the phase-out of P.S.332 and the co-location of Brooklyn East Collegiate in building K332. A lawsuit prevented this co-location and therefore Brooklyn East Collegiate was temporarily sited in Building K343. Brooklyn East Collegiate is currently co-located with the Uncommon Charter High School and the Achievement First Charter High School in K343. Both Uncommon Charter High School and Achievement First Charter High School are phasing in to serve grades nine through twelve and require that Brooklyn East Collegiate move from this space in order to do so.

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 necessary services in their school.

If this proposal is approved, Brooklyn East Collegiate would no longer provide District 17 residents with a District 17 seating preference in the charter admissions lottery 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 process¹¹.

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. The District 17 middle school seat capacity would not be negatively impacted by this proposal.

¹⁰ Unaudited register data November 1, 2010, excludes pre-kindergarten

¹¹ 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/NR/rdonlyres/50117A5B-DB95-4231-82CC-16C853A8EE2B/0/CharterSchoolDirectory_English.pdf

Current fourth graders in District 17 are still eligible to participate in the Brooklyn East Collegiate admissions lottery, but they would no longer have first preference for admission. See page 7 for more information on Brooklyn East Collegiate’s lottery preferences. Current District 17 fourth graders could also remain enrolled in their current elementary schools for fifth grade. Given that Brooklyn East Collegiate currently serves only the fifth grade, middle school capacity would not be negatively impacted in District 17. A list of District 17 elementary schools is available on the DOE School Search website: <http://schools.nyc.gov/default.htm>.

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 ¹²	Admissions	Activities/Programs
Lefferts Garden Charter School	84K796	601 Parkside Avenue	K-1	K-8	151	kindergarten Lottery	NA
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/NR/rdonlyres/50117A5B-DB95-4231-82CC-16C853A8EE2B/0/CharterSchoolDirectory_English.pdf

¹² Unaudited register data November 1, 2010, excludes pre-kindergarten

Impact for Future Middle School Students in District 13

M.S. 571 is a middle school that admits students through the District 13 Middle School Choice process, where fifth graders 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 (<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/default.htm>), the DOE has proposed to phase out and eventually close M.S. 571. The projected middle school seats eliminated by M.S. 571's phase-out and eventual closure will be recovered through available capacity at other District 13 middle schools. The phase-in of Brooklyn East Collegiate Charter School will provide a high-quality middle school option as it provides preference to District 13 students.

If this proposal to phase out and close M.S. 571 is approved along with the proposal to re-site and co-locate the Brooklyn East Collegiate in K009, all current fourth graders residing in District 13 will have the opportunity to submit the charter application lottery to enter fifth grade at Brooklyn East Collegiate in September 2011. 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 other 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/default.htm>. Please note that this directory is updated yearly.

Excluding M.S. 571, there are currently 13 district middle schools in District 13.¹³ In addition, Achievement First Endeavor Charter School (84K508) currently serves grades 5-9 and will serve grades 5-12 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 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 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

¹³ Excludes charter schools located in District 13 serving middle school grade levels

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.

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.

In order to best anticipate the future needs of students, the DOE utilizes historical data to predict the volume and demographics of students it will need to serve as a result of a phase-out decision.

Approximately 33 students were admitted to sixth grade through the Middle School Choice process at M.S. 571 during the 2009-2010 school year, 7 students were held over from the previous year, and approximately 9 sixth-grade students admitted to M.S. 571 through the “over-the-counter” placement process.¹⁴ Thus, approximately 49 total sixth grade students who may have previously attended M.S. 571 for middle school would instead attend another middle school option.¹⁵

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 three 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).¹⁶

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. Additionally, Achievement First Endeavor Charter

¹⁴ November 1, 2010 unaudited register

¹⁵ November 1, 2010 unaudited register

¹⁶ 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 serves grades 5-8 and is located District 13 and provides a District 13 priority in the admissions lottery, and Community Partnership Charter School currently serves grades kindergarten through six, and will serve kindergarten through eighth grade at scale.

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/default.htm>.

Impact on P.S. 9 Current Students

The proposed co-location of Brooklyn East Collegiate is not expected to impact current or future student enrollment or instructional programming at P.S. 9. M.S. 571 and P.S. 9 received a \$350,000 grant to use to create a library. The grant would not be impacted by this proposal either.

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. These partnerships and programs would not be impacted by the proposed co-location of Brooklyn East Collegiate or the proposed phase out of M.S. 571 in K009.¹⁷

P.S. 9 currently offers Collaborative Team Teaching ("CTT") classes, Self-Contained classes ("SC"), and Special Education Teacher Support Services ("SETSS"). The existing CTT, SC and SETSS classes would continue to be provided and students with disabilities will continue to receive mandated services in accordance with their IEPs. Similarly current and future students with IEPs will continue to receive appropriate services at P.S. 9.

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

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.¹⁸ 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.

¹⁷ <http://www.ps9brooklyn.org/>

¹⁸ The DOE's Pre-kindergarten programs are maintained based on available funding and student enrollment.

B. Schools

M.S. 571 currently enrolls 169¹⁹ students, with the school typically admitting about 25%²⁰ of those students as new sixth graders each fall. If the proposal to phase out M.S. 571 is approved, M.S. 571 will phase out gradually, but seats lost as a result of that phase-out will be replaced by existing capacity at other district middle schools and as Brooklyn East Collegiate phases in to K009.

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 950-1,000²¹ students in 2013-2014. At that point, M.S. 571 would have completed its phase-out, and the projected utilization for K009 would be approximately 84%. This means that the building has adequate capacity to accommodate the two schools that will be located in K009.

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/ronlyres/8CF30F41-DE25-4C30-92DE-731949919FC3/87633/NYCDOE_Instructional_Footprint_Final9210TNT.pdf.

According to the 2009-2010 building walk-through conducted by the Director of Space Planning, K009 has 72 total rooms, including 56 full-size rooms and 10 half-size rooms, and 6 quarter-size rooms. K009 also has the following rooms, which will be shared by all schools during M.S. 571’s phase-out and Brooklyn East Collegiate’s phase-in: a cafeteria, gymnasium, auditorium, and a library.

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 grades kindergarten through five (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 SC 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.

¹⁹ November 1, 2010 unaudited register

²⁰ In 2010-2011, seven students were hold-overs. November 1, 2010 unaudited register

²¹ Excludes pre-kindergarten

All schools receive a baseline of the approximate equivalent of 2 full-size classrooms²² 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.

If this proposal is approved, in 2011-2012, M.S. 571 would serve 85-105 students in 6 sections in grades seven and eight. Per the footprint, M.S. 571 would be allocated a baseline space allocation of 7 full-size classrooms. Over the following two years, M.S. 571’s allocation would decrease as its enrollment decreases. M.S. 571 will also be allocated administrative and resource room spaces in accordance with the Footprint.

In 2011-2012, the DOE is projecting the enrollment at P.S. 9 to be between 600-650²³ (including pre-kindergarten students and students with disabilities). Per the Footprint, P.S. 9 would be allocated a baseline of 32 full-size spaces. P.S. 9 will also be allocated administrative and resource room spaces in accordance with the Footprint.

According to its charter, Brooklyn East Collegiate will serve a total of 160 students in grades 5-6 in 6 sections (including students with disabilities) in the 2011-2012 school year. Per the Footprint, Brooklyn East Collegiate would be allocated 7 full-size classrooms. Brooklyn East Collegiate will also be allocated administrative and resource room spaces in accordance with the Footprint.

After M.S. 571, P.S. 9 and Brooklyn East Collegiate have received the baseline allocation of full-size classrooms according to the Footprint, 5 full size rooms will remain in the K009 building. M.S. 571 will receive 1 additional full-size classroom and P.S. 9 will receive 3 additional full-size classrooms. This allocation was made based on the physical location of the excess space within the building as described above.

The 2011-2012 allocation of space is detailed in the chart below, and in the attached Building Utilization Plan (“BUP”):

	Full-size Room Baseline Allocation Per Footprint	Half-size Room Baseline Allocation Per Footprint	Administrative Room Baseline Allocation Per Footprint	Additional Full-size Rooms Allocated	Additional Half-size Rooms Allocated	Additional Administrative Rooms Allocated
P.S. 9	34	2	4	3	4	10
M.S. 571	8	0	2	1	0	5
Brooklyn East Collegiate	6	2	2	1	0	0

²² Due to the configuration of the various DOE buildings across New York City, schools may be given the equivalent of 2 full size classrooms for student support services resource rooms, which could be equal to 1 full size classroom and 2 half size classrooms or 0 full size classrooms and 4 half size classrooms, etc.

²³ Projected enrollment based on current enrollment (November 1, 2010 unaudited register), with the current kindergarten enrollment used to project future incoming kindergarten classes. At the beginning of the 2010-2011 school year, P.S. 9 admitted a significant number of students from outside of the P.S. 9 geographic zone. To ensure that there continues to be sufficient space in K009 for P.S. 9 and Brooklyn East Collegiate at their respective fully expanded scales, 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.

There will be sufficient instructional space in K009 for P.S. 9 and for Brooklyn East Collegiate to grow to scale, in 2013-2014. The allocation of excess space was made based on the physical location of the excess space within the building. The long-term allocation of space is detailed in the chart below and in the attached BUP:

	Full-size Room Baseline Allocation Per Footprint	Half-size Room Baseline Allocation Per Footprint	Administrative Room Baseline Allocation Per Footprint	Additional Full-size Rooms Allocated	Additional Half-size Rooms Allocated	Additional Administrative Rooms Allocated
P.S. 9	36	2	4	1	6	10
Brooklyn East Collegiate	13	2	3	4	0	5

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 two gymnasiums, 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 4 times a year and report back to the Building Council regarding shared space questions. For additional information regarding the anticipated shared space allocation, please see the Building Utilization Plan that accompanies this EIS. Any unallocated space would be equitably distributed among the schools based on student enrollment.

In accordance with New York State Charter Schools Act of 1998 (as amended), any expenditure over \$5,000 made by a public charter school to upgrade their facilities must be approved by the Chancellor, and must be matched by the DOE for the benefit of each of the co-located DOE schools in the building.

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. 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.

MS 571 is the only middle school in District 13 that the DOE is proposing 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, high-quality middle school. These 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 new schools and absorption by 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 City-wide. As a result, the proposal to phase out M.S. 571 is not expected to yield a net deficit of seats in K009 or in District 13.

In 2009-2010, K009 had a utilization rate of 63%. When Brooklyn East Collegiate achieves full scale, the DOE projects the building will have a 84% 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.

As discussed in this proposal, there is one new District 13 middle school in the process of phasing in to serve sixth grade through eighth grade, one charter school phasing in middle school grades to serve K-8 at scale, and one charter school phasing in to serve grades 5-12 at full scale. These schools are listed in the below table.

School Name (DBN)	Address	Enrollment ²⁴	Admissions Criteria	Programs/Activities
Fort Greene Preparatory Academy (13K691)	100 Clermont Avenue	104	District 13 Middle School Choice – Screened	Humanities Program Focus, Art, Drama, Basketball
Community Partnership Charter School (84K702)	241 Emerson Place	332	Charter Lottery – District 13 priority	Extended day, extracurricular activities
Achievement First Endeavor Charter School (84K508)	510 Waverly Avenue	332	Charter Lottery – District 13 priority	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/NR/rdonlyres/50117A5B-DB95-4231-82CC-16C853A8EE2B/0/CharterSchoolDirectory_English.pdf

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.

²⁴ 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
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Enrollment Data

Current Grades Served	6-8
2010-2011 Enrollment	169
Grades Served 2011-2012	6,7
2011-2012 Projected Enrollment	85-105
Grades Served 2012-2013	7
2012-2013 Projected Enrollment	45-50
Grades Served 2013-2014	NA
2013-2014 Projected Enrollment	0

Demographic Data

Percentage of Students Receiving CTT or SC Services²⁵	11%
Percentage of Students with an Individual Education Plan²⁶	24%
Percentage of English Language Learner Students²⁷	9%
Percentage of Students Eligible for Free or Reduced Lunch²⁸	84%

²⁵ Students Receiving CTT and SC services as percentage of total students from the 2009-2010 Audited Register.

²⁶ Students with Individual Education Plan as percentage of total students from the 2009-2010 Audited Register.

²⁷ English Language Learner students as percentage of total students from the 2009-2010 Audited Register.

²⁸ 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 ²⁹
School Performance and Progress			
Overall Progress Report Grade	B	B	D
Quality Review Score	P	P	P
Performance Data³⁰			
English Language Arts % Proficient (Levels 3 and 4)	31%	32%	8%
Math % Proficient (Levels 3 and 4)	49%	55%	14%
Other Key Performance Indicators³¹			
Attendance Rate	88%	88%	83%
2010-2011 State Accountability Status			
Improvement (year 1) - Comprehensive			

P.S. 9

Admissions Data

Current Admissions	<p>Pre-kindergarten: Standard Universal Pre-K Admissions Process</p> <p>Grades K-5: Zoned</p>
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²⁹ 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.

³⁰ Source: Progress Report

³¹ Source: Progress Report

Enrollment Data

Current Grades Served	K-5
2010-2011 Enrollment	544
Grades Served 2011-2012	K-5
2011-2012 Projected Enrollment	550-600
Grades Served 2012-2013	K-5
2012-2013 Projected Enrollment	600-650
Grades Served 2013-2014	K-5
2013-2014 Projected Enrollment	600-650
Projected Enrollment at Scale	600-650 ³²

Demographic Data

Percentage of Students Receiving CTT or SC Services³³	12%
Percentage of Students with an Individual Education Plan³⁴	15%
Percentage of English Language Learner Students³⁵	4%
Percentage of Students Eligible for Free or Reduced Lunch³⁶	87%

³² Projected enrollment based on current enrollment (November 1, 2010 unaudited register) , with the current kindergarten class size used to project future incoming kindergarten classes.

³³ Students Receiving CTT and SC services as percentage of total students from the 2009-2010 Audited Register.

³⁴ Students with Individual Education Plan as percentage of total students from the 2009-2010 Audited Register.

³⁵ English Language Learner students as percentage of total students from the 2009-2010 Audited Register.

³⁶ 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 ³⁷	2007-2008	2008-2009	2009-2010³⁸
School Performance and Progress			
Overall Progress Report Grade	C	A	C
Quality Review Score	WD	P	
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 Collegiate³⁹

Admissions Data

Current Admissions	Grade 5: Lottery
Admissions after Re-Siting and Full Phase-In	Grade 5: Lottery

³⁷ Source: Progress Report

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 School performance data not available because Brooklyn East Collegiate opened in 2009-2010.

Enrollment Data

Current Grades Served	5
2010-2011 Enrollment	80
Grades Served 2011-2012	5,6
2011-2012 Projected Enrollment	150-170
Grades Served 2012-2013	5,6,7
2012-2013 Projected Enrollment	225-255
Grades Served 2013-2014	5,6,7,8
2013-2014 Projected Enrollment	300-350
Projected Enrollment at Scale	300-350

Demographic Data

Percentage of Students Receiving CTT or SC Services ⁴⁰	N/A
Percentage of Students with an Individual Education Plan ⁴¹	N/A
Percentage of English Language Learner Students ⁴²	N/A
Percentage of Students Eligible for Free or Reduced Lunch ⁴³	N/A

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 Chancellor's Regulation A-190, any capital expenditure or facility upgrade expenditure in excess of \$5,000 made by or for the benefit of a co-located public charter school to upgrade its facilities must be approved in advance by the DOE, and an equal amount of capital expenditures or facilities upgrade expenditures must be made on each co-located DOE school. Such projects may be subject to the matching requirements described above depending on their details. The DOE will analyze the eligibility of each project as it arises, and ensure that matching expenditures are made on the DOE schools in the building accordingly.

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

⁴⁰ Students Receiving CTT and SC services as percentage of total students from the 2009-2010 Audited Register.

⁴¹ Students with Individual Education Plan as percentage of total students from the 2009-2010 Audited Register.

⁴² English Language Learner students as percentage of total students from the 2009-2010 Audited Register.

⁴³ Percentage of Students Eligible for Free or Reduced Lunch from School Allocation Memorandum No. 9, FY11, June 30, 2010

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. 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 K332 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

Transportation will be provided according to Chancellor's Regulation A-801:

<http://schools.nyc.gov/NR/ronlyres/21A1B11A-886B-4F74-9546-E875EE82A14C/40303/A801.pdf>.

There will be no change to existing transportation practices at M.S. 571 or P.S. 9 throughout its phase-out.

E. Other Support Services

Other support services will continue to be provided consistent with Citywide policy.

VII. Building Information

Type of Building	Elementary School
Year Built	1967
Overall BCAS rating	2.68 out of 5
Target Utilization	63%
Target Capacity	1192
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
Accessibility of the building	Fully Programmatic Accessible
Building attributes	Art room, Auditorium, Cafeteria, Computer room, Gymnasium, Library, Science Lab,