



**Department of
Education**

Dennis M. Walcott, Chancellor

Public Comment Analysis

Date: June 18, 2013

Topic: The Proposed Co-Location of New Public Charter School Achievement First North Brooklyn Preparatory's (84KTBD) Grades K-4 with Existing School P.S. 377 Alejandrina B. De Gautier (32K377) in Building K377 Beginning in 2014-2015

Date of Panel Vote: June 19, 2013

Summary of Proposal

The New York City Department of Education ("DOE") is proposing to site the kindergarten through fourth grades of Achievement First North Brooklyn Preparatory Charter School (84KTBD, "AF North Brooklyn Preparatory") in building K377 ("K377"), beginning in the 2014-2015 school year. K377 is located at 200 Woodbine Street, Brooklyn, New York, 11221, in Community School District 32. If this proposal is approved, AF North Brooklyn Preparatory will be co-located with P.S. 377 Alejandrina B. De Gautier (32K377, "P.S. 377"), an existing district K-8 school in building K377. P.S. 377 also offers two sections of a full-day pre-kindergarten program. Beginning in the 2014-2015 school year, AF North Brooklyn Preparatory will begin to phase in and serve kindergarten and first grade students, and will add one grade level each year until it reaches full scale serving kindergarten through fourth-grade students in K377 by the 2017-2018 school year.

K377 also houses a community-based organization ("CBO"), New York Psychological Therapy Counseling. The DOE does not expect the opening and co-location of AF North Brooklyn Preparatory to impact the siting, programmatic offerings, or space allocation for New York Psychological Therapy Counseling at K377.

In October 2012, AF North Brooklyn Preparatory's charter was authorized by the State University of New York Trustees ("SUNY") to serve students in kindergarten through third and fifth through eighth grade. AF North Brooklyn Preparatory will be managed by Achievement First Schools ("Achievement First"), a Charter Management Organization ("CMO"). AF North Brooklyn Preparatory will open with kindergarten and first grade in 2014-2015, and will add one grade each year until it serves students in kindergarten through fourth grade in K377 in 2017-2018. AF North Brooklyn Preparatory also plans to serve fifth through eighth grade students in a separate location beginning in 2015-2016. The school plans to offer fifth grade in 2015-2016 and to phase-in one additional middle school grade level per year through 2018-2019, when it

will serve students in grades kindergarten through four in K377 and students in grades five through eight in a separate location. However, this proposal deals only with the kindergarten through fourth grades of AF North Brooklyn Preparatory. Any future proposal to co-locate the middle school grades of AF North Brooklyn Preparatory would be addressed in a separate Educational Impact Statement (“EIS”) subject to another vote by the PEP. The school will admit students via the charter lottery application process, with preference given to District 32 residents.

P.S. 377 is an existing elementary school that currently serves students in kindergarten through eighth grades and offers two sections of a full-day pre-kindergarten program. P.S. 377 provides admissions preference to students residing in the K377 zone.

According to the 2011-2012 Enrollment, Capacity, Utilization Report (the “Blue Book”), K377 has the capacity to serve 1,131 students. If this proposal is approved, K377 is projected to serve approximately 841-996 students from AF North Brooklyn Preparatory and P.S. 377 in 2017-2018, yielding an estimated building utilization rate of 74%-88%. Thus, K377 has sufficient space to accommodate the proposed co-location.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding the proposal was held at P.S. 337 Alejandrina B. De Gautier on June 13, 2013. At that hearing, interested parties had an opportunity to provide input on the proposal.

Approximately 60 members of the public attended the hearing, and 6 people spoke. Present at the meeting were District 32 Community Superintendent Lillian Druck; District 32 Community Education Council (“CEC 32”) President Victorina Lugo; CEC 32 2nd Vice President Elaine Rogers-Cruz; Dominic Zagami, Principal of P.S. 377; P.S. 377 School Leadership Team (“SLT”) representatives Todd Marks, Lizette Mayor, and Yazmin Perez; Maureen Murphy, a representative for the State University of New York; and Stephen Demers from the Division of Portfolio Planning.

The following comments and remarks were made at the joint public hearing on June 13, 2013:

1. Dominic Zagami, Principal of P.S. 377, stated that he thought the co-location proposal would require a collaborative effort. He stated that the shared space plan did not take into account P.S. 377’s current programming.
2. A representative of the P.S. 377 SLT stated that:
 - a. This proposal is not a positive thing for the P.S. 377 community.
 - b. It is not fair that the DOE is taking away space from our community.
3. A commenter raised the following questions and statements:
 - a. The staff has done a terrific job at P.S. 377.

- b. Will the charter school accept students with Individualized Education Programs (“IEPs”)?
 - c. How will space be shared in the building?
 - d. Will additional safety agents be brought into the building due to the co-location?
4. A P.S. 377 parent stated that P.S. 377 is a special school and she has concerns about the proposal’s effect on her child’s education.
5. Two commenters spoke in support of Achievement First.

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

6. A commenter called to learn more information on how to enroll her child in AF North Brooklyn Preparatory.
7. A parent of a student from P.S. 377 called and stated that a charter school does not belong in building K377.

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

Comments 5 and 6 are in favor of the proposal and do not require a response.

Comments 2(a), 2(b), 3(a) 4, and 7 voice general opposition to the proposal. The DOE notes that there is a need for increased options for students in the Brooklyn, including those students in District 32. The DOE strives to ensure that all students in New York City have access to a high-quality school in an appropriate environment at every stage of their education. This proposal aims to provide a new high quality option for these students.

Comments 1 and 3(c) concern the shared space schedule.

P.S. 377 will still have time in all of the shared spaces on campus, including the cafeteria, the gymnasium, the library, and the auditorium. The Building Utilization Plan which was attached to the Educational Impact Statement that was posted for this proposal puts forth a **proposed** shared space schedule for the co-located schools that is feasible and demonstrates that the co-located schools may be treated equitably and comparably in the use of shared spaces. The final shared space schedule will be collaboratively drafted by the Building Council if the proposed co-location is approved by the Panel for Educational Policy.

If conflicts emerge and progress is impaired, the Building Council will follow the dispute resolution procedures outlined in the Campus Policy Memo available at the following link:

<http://schools.nyc.gov/community/campusgov/KeyDocuments/CampusMemo>.
<http://schools.nyc.gov/community/campusgov/KeyDocuments/CampusMemo.htm>.

Comment 2(b) questions whether students with IEPs will be accepted into the charter school.

In May 2010 the Charter Schools Act was amended to expressly require that charter schools demonstrate good faith efforts to attract and retain English Language Learners (“ELLs”), students with disabilities, and students eligible for free or reduced lunch at rates comparable to those of the Community School District.

Pursuant to state law, public charter schools must 1) serve all students who are admitted through their lotteries, and 2) serve a percentage of special education and English Language Learner (“ELL”) students comparable to the district average. Charter schools which fail to meet the special education and/or ELL targets set by their authorizer risk being closed or having their renewal applications rejected. Charter schools must admit all students according to their lottery preferences, and may not turn away a student because of language ability, behavioral problems, or services required by an IEP.

Comment 3(d) questions whether there would be additional safety agents in the K377 building as a result of this proposal.

Pursuant to Chancellor’s Regulation A-414, every school/campus is mandated to form a School Safety Committee, which is responsible for developing a comprehensive School Safety Plan that defines the normal operations of the site and what procedures are in place in the event of an emergency. The School Safety Plan is updated annually by the Committee to meet changing security needs, changes in organization and building conditions and any other factors; these updates could also be made at any other time when it is necessary to address security concerns. The Committee will also address safety matters on an ongoing basis and make appropriate recommendations to the Principal(s) when it identifies the need for additional security measures.

There are currently two safety agents assigned to building K377. The Office of Safety and Youth Development will collaborate with the New York City Police Department and review requests for additional safety agents on campus if needed.

Changes Made to the Proposal

No changes were made to the proposal.