

## **Public Comment Analysis**

**Date:** June 18, 2013

**Topic:** The Proposed Co-location of the High School Grades of Success Academy Charter School – Harlem 1 (84M351), Success Academy Charter School – Harlem 2 (84M384), Success Academy Charter School – Harlem 3 (84M385), Success Academy Charter School – Harlem 4 (84M386), and Success Academy Charter School – Harlem 5 (84M482) with Existing Schools Manhattan Academy for Arts and Language (02M427), Murray Hill Academy (02M432) and Unity Center for Urban Technologies (02M500) in School Building M620 Beginning in the 2014-2015 School Year, and the Proposed Temporary Co-location of the Eighth Grade of Success Academy Charter School – Harlem 1 (84M351) in Building M620 for the 2014-2015 and 2015-2016 School Years, and the Eighth Grades of Success Academy Charter School – Harlem 2 (84M384), Success Academy Charter School – Harlem 3 (84M385), and Success Academy Charter School – Harlem 4 (84M386) in Building M620 in the 2015-2016 School Year with Existing Schools Manhattan Academy for Arts and Language (02M427), Murray Hill Academy (02M432), and Unity Center for Urban Technologies (02M500)

**Date of Panel Vote:** June 19, 2013

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## **Summary of Proposal**

The New York City Department of Education (“DOE”) is proposing to open and co-locate the high school grades of Success Academy Charter School – Harlem 1 (84M351, “SA – Harlem 1”), Success Academy Charter School – Harlem 2 (84M384, “SA – Harlem 2”), Success Academy Charter School – Harlem 3 (84M385, “SA – Harlem 3”), Success Academy Charter School – Harlem 4 (84M386, “SA – Harlem 4”), and Success Academy Charter School – Harlem 5 (84M482, “SA – Harlem 5”), collectively known as Success Academy Charter School – Manhattan High School ( “SA – Manhattan HS”), in school building M620 (“M620”) beginning in the 2014-2015 school year. The DOE is also proposing to temporarily co-locate the eighth grade of SA – Harlem 1 in M620 for the 2014-2015 and 2015-2016 school years and the eighth grades of SA – Harlem 2, SA – Harlem 3, and SA – Harlem 4 in M620 for the 2015-2016 school year. Collectively, the high school grades and the temporarily co-located eighth grades will be referred to throughout the rest of this Educational Impact Statement as “Success Academy – Manhattan HS.” This reference applies to the eighth through ninth grades of SA – Harlem 1 in the 2014-2015 school year, the eighth through tenth grades of SA – Harlem 1 through SA – Harlem 4 in the 2015-2016 school year, the ninth through eleventh grades of SA – Harlem 1 through SA – Harlem 4 in the 2016-2017 school year, the ninth through twelfth grades of SA – Harlem 1 through SA – Harlem 4 in the 2017-2018 school year, and the ninth through twelfth grades of SA – Harlem 1 through SA – Harlem 5 in the 2018-2019 school year and beyond.

The table below highlights the grades served by “SA – Manhattan HS” during each year of this proposal.

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**The Composition of SA - Manhattan HS in M620 (by School and Grade Level)**

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DBN	School Name	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
84M351	SA - Harlem 1	-	-	8-9	8-10	9-11	9-12	9-12	9-12	9-12
84M384, 84M385, 84M386	SA - Harlem 2, SA - Harlem 3, SA - Harlem 4	-	-	-	8	9	9-10	9-11	9-12	9-12
84M482	SA - Harlem 5	-	-	-	-	-	-	9	9-10	9-11

M620 is located at 111 East 33<sup>rd</sup> Street, New York, NY 10016, within the geographical confines of Community School District 2 (“District 2”). If this proposal is approved, SA – Manhattan HS will be co-located with the following schools: Manhattan Academy for Arts and Language (02M427, “MAAL”), an existing high school serving students in grades nine through eleven which is in the process of phasing in to serve students in grades nine through twelve and will reach full scale in 2013-2014; Murray Hill Academy (02M432, “Murray Hill”), an existing high school serving students in grades nine through eleven which is also in the process of phasing in to serve students in grades nine through twelve and will reach full scale in 2013-2014; and Unity Center for Urban Technologies (02M500, “Unity”), an existing high school that serves students in grades nine through twelve.

M620 currently houses Norman Thomas High School (02M620, “Norman Thomas”), an existing school that currently serves students in grades eleven and twelve and is in the process of phasing out. Norman Thomas will close in June 2014 before SA – Manhattan HS opens in the building.

Additionally, M620 houses two community-based organizations (“CBOs”), School Based Health Clinic – Bellevue and New York University. This proposal is not expected to impact the continued siting of the CBOs.

If this proposal is approved, beginning in the 2014-2015 school year SA-Manhattan HS will enroll, subject to availability of seats, ninth grade students from SA – Harlem 1 through SA – Harlem 5 as those students graduate from eighth grade at their respective middle schools. In the first two years of this proposal, the students who matriculate from seventh grade at SA – Harlem 1 through SA – Harlem 4 will attend eighth grade at M620 as part of SA – Manhattan HS. Those temporarily co-located eighth grade students at M620 will then be able to attend SA – Manhattan HS as ninth grade students the following year, assuming they meet eighth grade promotional criteria. Following the conclusion of the 2015-2016 school year, existing eighth grade students in M620 will matriculate to SA – Manhattan HS as ninth graders and eighth grade students will no longer be served in M620. Any eighth grade students who do not meet promotional criteria by the end of the 2015-2016 school year will repeat eighth grade at the primary site of their specific middle school and not at M620. Beginning in 2016-2017, SA – Manhattan HS will enroll ninth grade students continuing from SA – Harlem 1, SA - Harlem 2, SA – Harlem 3, and SA – Harlem 4, subject to availability of seats. Beginning in 2018-2019, SA – Manhattan HS will also

enroll ninth grade students continuing from SA – Harlem 5, subject to availability of seats.

Success Academy Charter Schools (“SACS”) is a charter management organization that currently operates 12 public elementary charter schools in New York City. SACS has been authorized by the State University of New York Charter Schools Institute (“SUNY CSI”) to operate six new public elementary charter schools starting in 2013-2014. The four SACS schools that received a Progress Report for the 2010-2011 school year and 2011-2012 school year received an overall grade of A. The DOE has already issued proposals to site the expansion of these schools to middle school based on this record of performance, and the DOE believes this record of performance also supports the expansion of these schools to the high school level. Success Academy Charter Schools – NYC (“SA – NYC”) is a not-for-profit education corporation that has been authorized by SUNY CSI to operate five public charter schools: SA – Harlem 1, SA – Harlem 2, SA – Harlem 3, SA – Harlem 4, and SA – Harlem 5. SUNY CSI has authorized SA – NYC to offer ninth grade in 2014-2015. Contingent upon renewal of SA – Harlem 1’s charter, expiring on June 30, 2015, SA – NYC intends to serve the full span of high school grades (9-12). If this proposal is approved and SUNY CSI approves the expansion through twelfth grade, all grades of SA – Manhattan HS will be co-located in M620. Therefore, students attending the schools operated by SA – NYC will be able to continue to SA – Manhattan HS. Should SUNY CSI deny these requests to expand SA – Harlem 1, SA – Harlem 2, SA – Harlem 3, SA – Harlem 4, and SA – Harlem 5 to serve students in kindergarten through twelfth grade, the DOE will consider alternate options for the space in M620 and, if necessary, propose an alternative option in a new or revised EIS and Building Utilization Plan (“BUP”).

SA – Harlem 1, SA – Harlem 2, SA – Harlem 3, SA – Harlem 4, and SA – Harlem 5 will continue to admit students in kindergarten through third grade via their charter lottery application process.

According to the 2011-2012 Enrollment, Capacity, Utilization Report (“Blue Book”), M620 has a target capacity of 2,071 students. During the current 2012-2013 school year the building serves only 1,313 students, yielding a building utilization rate of 63%. M620 has been identified as an under-utilized building.

If this proposal is approved, SA – Manhattan HS will open during the 2014-2015 school year, when it will serve approximately 63-81 students in the eighth and ninth grade. SA – Manhattan HS will gradually phase in by adding one grade per year. In 2020-2021, when enrollment has stabilized across the full-scale grade span of ninth through twelfth grade, SA – Manhattan HS will serve approximately 676-864 students in grades nine through twelve. In 2020-2021, the DOE projects that there will be approximately 1,621-1,929 students served in M620, yielding a building utilization rate of 78%-93%.

The DOE supports the co-location of SA – Manhattan HS in M620. This proposal is intended to increase the number of high-quality high school seats and options in Manhattan and will allow SACS to continue providing high-quality educational opportunities for students through multiple stages of their education.

### **Summary of Comments Received**

A joint public hearing regarding this proposal was held at building M620 on May 15, 2013. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 55 members of the public attended the hearing, and 15 people spoke. Present at the meeting were Elaine Gorman, facilitator; Marisol Bradbury, District 2 High Schools Superintendent; Elizabeth Genco, representative of the State University of New York; Michael Markowitz of Community Education Council 2 (“CEC 2”), Paola de Kock of Citywide Council on High Schools (“CCHS”); Adam Ward of the School Leadership Team of Murray Hill Academy; Fausto De La Rosa, School Leadership Team (“SLT”) member and principal of Unity; Anita Manninen-Felix, principal of Murray Hill Academy; Siv Boletsis, SLT member and principal of Manhattan Academy of Arts and Language; and Jennifer Peng, of the Office of Portfolio Management. Below is a summary of the comments received:

1. CEC 2 member Michael Markowitz asserted the following:
  - a. CEC 2 has passed the following resolutions related to this proposal:
    - (i) Resolution against charter co-locations with District 2 schools,
    - (ii) Resolution proposing an amendment to the school proposal process that would give CEC 2 the authority to vote on school phase-out proposals,
    - (iii) Resolution for a moratorium on charter schools,
    - (iv) Resolution for the immediate replacement of PCBs in schools.
  - b. The CEC’s perspective is that there is a problematic process of charter authorizations on the part of SUNY. SUNY gives charter approval without knowing where the ultimate location of the charter school will be. Charters then feel entitled to the space whether they have to pay for it or not. The CEC wishes to have proposed co-located schools to have a say in whether they share the building with another organization, and for SUNY to know that this is an issue.
  - c. The CEC has filed complaints in the past that the CEC’s zoning powers should have include a process to determine the number of seats in each building.
2. CCHS president Paola de Kock asserted the following:
  - a. This space is being reserved for a charter school. This proposal is a real estate grab to hedge against future administration changes.
  - b. She is going on record as protesting this invasion of public space by private interests.
  - c. The justification is that the proposal is intended to increase high quality high school options. The DOE is not always capable of creating these high quality seats and but will negatively impact other schools while trying to create these high quality seats. These proposed seats are only available to students enrolled in Success Academy middle schools. Therefore, those are the only students who would benefit.
  - d. Charter schools are public schools because we pay for them, but they have their own special rules. High schools around the City have students placed into those schools. Apparently charter schools are not subject to that process.

- e. Eva Moskowitz did not create any high schools. Eva wanted to usher her children through the Success process up through high school.
  - f. The EIS says this proposal will not change the building but also that it may change the building. Co-locations diminish opportunities for clubs, counseling, and extra-curricular activities. Co-locations also affect the quality of the space available to students.
  - g. Charter schools are allocated the good space in co-locations. At previous co-location hearings for elementary charter school co-locations, multiple parents of students at the Success elementary school in Brandeis commented on their positive experiences being co-located in the building, but no family from the high schools located in Brandeis came to testify.
3. City Councilwoman Rosie Mendez asserted the following:
- a. Five months ago, she was at Washington Irving campus speaking against the co-location of Success Academy in that building.
  - b. She is against the co-location of several Success Academies in this building.
  - c. Letting Success Academy have feeder schools does not create options for other students in this city. This proposal is creating a private high school for all of the Success Academy elementary and middle school students.
  - d. This proposal will bring in 5 Success Academy schools. There are currently three schools in the building and two school based health clinics. The capacity of the building here is 1,900 students. This proposal would bring over 2,000 students into the building, leading to a capacity and overcrowding problem.
  - e. One school in M620 has special education seats. The mandated class sizes for special education are different, which means that the proposal is over-crowding the building by even more.
  - f. The EIS for this proposal states that co-location may change the way that programs are configured. The Council member presumes that means there will be a lot more overcrowding and some schools will not benefit. The EIS also says that some activities will need to share classroom space and scheduling may change. Does that mean putting different schools in the same classroom? Which administrator will get stuck with that situation?
  - g. When there is robust demand of district schools, she has not seen those district schools be expanded. It is wrong and unfair to deprive other students from the five boroughs the opportunity to come to a high school in this building.
4. Multiple students from MAAL asserted the following:
- a. This new school will have more opportunities and privileges than they do.
  - b. The school will interfere with their education.
  - c. It is not fair for students to have to move to another place because of another school. Every year, MAAL has moved.
  - d. This year a charter school is coming into the building, and there will be 1,000 students who will take up three floors of the building.
  - e. There is more money for the charter school because of private donors. They should have their own building.

- f. They are not prepared for space to be taken away. Will space be maintained on the floors? They think that they will not have the amount of space because there will be more schools in the building.
5. One student from Unity who is the president of the student council asserted the following:
  - a. There are safety concerns due to the charter school potentially not following the same rules and procedures that the Unity students have been so comfortable with already.
  - b. Will the charter school have more privileges than us?
  - c. Unfair that the charter school will be taking a lot of space from our building when the other schools could be using it.
6. The United Federation of Teachers (“UFT”) representative for Unity asserted:
  - a. Unity has a culture of peaceful and loving staff and students. They want to maintain the same environment for their kids. Unity has done very well on its progress reports in the past several years.
  - b. It is an unfair proposal because there will be discrimination (based on the history of other charter co-locations), where Unity’s kids cannot use facilities or specific spaces. She is against the charter school co-location because the school is not comfortable sharing spaces.
7. The Manhattan High School UFT District Representative asserted that:
  - a. She is against this co-location proposal and invites others to visit the Brandeis campus for a conversation with the SACS families that do not move from their classrooms and treat the other high schools as though they are invisible.
  - b. There was a promise to all the other schools that the school would not try to expand, but then they tried to push out Innovation Diploma Plus.
  - c. She has heard that SACS parents have asserted that the Irving and Graphics buildings should be only for the elementary school students.
8. Two commenters who are teachers at Unity commented as follows:
  - a. Unity is a school that moved from downtown.
  - b. When Unity entered the building, it aligned itself to Norman Thomas’ rules.
  - c. Will spaces no longer be shared?
  - d. The schools already share spaces such as the library, which is sometimes used as a classroom.
  - e. Will we be overcrowded?
  - f. Will this proposed high school be a feeder school?
  - g. How do teachers make sure everyone is following the same rules?
  - h. Will shared spaces and the seventh floor still be accessible to Unity’s students?
  - i. All of the schools need to share the same expectations.
9. The UFT representative for MAAL asserted the following:
  - a. Separate but not equal is not constitutional.
  - b. This charter school is not a public school.
  - c. This proposal will prevent other students from having an equal share of the building.

- d. This proposal will prevent the teachers from teaching and the students from learning.
10. A parent of a MAAL student asserted the following:
- a. We parents feel affected by this proposal. We want our children to develop their potential.
  - b. The assurance of our children being in a safe place is our biggest asset.
  - c. She is a parent that came from another country to look for better opportunities and dreamed that in this country she will get better opportunities than in her country of origin. When she sees that the school that will help her children and her dreams for her children is going to be affected, it worries her.
11. A teacher at MAAL asserted the following:
- a. A charter school will start with only five classrooms and then take ten more classrooms.
  - b. Some colleagues at other schools only have one side of the third floor because the charter school asks for everything.
  - c. African American students, English Language Learners (“ELLs”), Students with Disabilities (“SWD”) are only using one side of the building because the charter school co-located there has created sides.
  - d. MAAL’s population are ELLs. The school tries to serve them well and create a culture together. She doesn’t think that the charter school has that idea.
  - e. In 2014-2015, MAAL will have 27 full rooms, but two years later MAAL will have only 22 classrooms and the charter school will increase from 16 rooms to 29 rooms.
12. A member of the MAAL Parent-Teacher Association (“PTA”) asserted the following:
- a. There could be a new charter school here in our space and it will share the cafeteria and gym.
  - b. We are in a growth period with great future projections regarding our students.
  - c. Will you make us move into another place afterwards?
  - d. We don’t want another school that is not giving students an opportunity and becomes isolated.

**The DOE received two comments through its feedback email address.**

13. One commenter asked:
- a. How does a school that has not yet been approved and does not exist get proposed for co-location?
  - b. What group or criteria determines that non-existent organizations can be proposed for co-location?
  - c. What admissions criteria will the proposed high school have, and what is the legal basis for allowing the school to process admissions differently?
14. One commenter asserted that this proposal was a subsidy from the City to a private enterprise that is in competition with district schools.

**The DOE received one comment through its feedback phone number.**

15. One commenter asserted that she is against co-locations of SACS in District 2.

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

Comments 1a(i), 2f-g, 3b, 3d, 6b, 9a, 9c-d, 10a, 10c, 11a, 11e and 15 express general opposition to this proposal or co-locations in general and relate to the process by which space is allocated to schools and shared space scheduling.

There are currently hundreds of schools in buildings across the city that are co-located; some of these co-locations have multiple DOE schools sharing space, while others are DOE and public charter schools sharing space. In all cases, the Instructional Footprint is applied to both DOE and public charter schools to ensure equitable allocations of classroom, resource and administrative space.

The DOE seeks to fully utilize all its building capacity to serve students. The DOE does not distinguish between students attending public charter schools and students attending DOE schools. In all cases, the DOE seeks to provide high quality education and allow parents/students to choose where to attend.

The Citywide Instructional Footprint (the “Footprint”) is the guide used to allocate space to all schools based on the number of class sections they program and the grade levels of the school. The numbers of class sections at each school are determined by the Principal based on enrollment, budget, and student needs; there is a standard guideline of target class size (i.e., number of students in a class section) for each grade level. At the middle school and high school levels, the Footprint assumes every classroom is programmed during every period of the school day except one lunch period. The full text of the Instructional Footprint is available at <http://schools.nyc.gov/community/planning/changes/default.htm> under Key Documents.

With respect to comments 11a and 11e, the BUP details the number of class sections each school is expected to program each year through 2020-2021 and allocates the number of classrooms accordingly. The assignment of specific rooms and location for each in the building, including those for use in serving students with Individualized Education Programs (“IEPs”) or special education needs, will be made in consultation with the Principals of each school and the Office of Space Planning if this proposal is approved. The BUP demonstrates that there is sufficient space in the building to accommodate the proposed co-location and that there is no decrease of space below Footprint for any existing schools in M620. With respect to the change in MAAL’s allocation between the years of 2014-2015 and 2016-2017, MAAL’s allocation of 30 full-size rooms in 2014-2015 is a combination of its baseline Footprint allocation and its proportional excess in the building. MAAL’s allocation of 28 full-size rooms in 2016-2017 is again a combination of its baseline Footprint allocation and its proportional excess in the building, although in this case the excess full-size rooms available in the building has decreased. The decrease is due to SA – Manhattan HS’s phase-in.

Both comments imply that there are arbitrary or unnecessary increases to the space needs of schools that are phasing in. As a school phases in, it enrolls more students and therefore needs

more space to serve those students. The Instructional Footprint described above applies to all schools as they phase in. In the case of all charter school co-locations, a BUP is provided in order to plan space allocations in a building, but this does not indicate a different process for space allocation.

Comments 2g, 4d, 6b, 8c-d, 8h, 12a, and 12d express concern about the schedules for and access to spaces in the building.

If the Principals are unable to agree upon a schedule for shared spaces, there is a mediation process outlined in the Campus Policy Memo, which is available at <http://schools.nyc.gov/community/campusgov>.

With respect to concerns about shared spaces in future years, the current shared spaces have been classified as shared spaces in the BUP and are not included in the allocation of space for any individual school, and therefore will continue to be shared unless the Building Council determines otherwise. The Building Council of M620 has seen fit to allow Murray Hill exclusive use of the classrooms and MAAL use of the auditorium for their instructional needs. The Building Council may continue to make these decisions in future years. No shared spaces are used exclusively by one school due to this proposal.

Comment 8e asserts that M620 will be overcrowded due to this proposal.

The building's audited register enrollment for the 2012-2013 school year was 1,313 students across all existing schools. The building's capacity is 2,071 students. This means the building is at a 63% utilization rate this year. In future years of this proposal, projected utilization rates of the building are no higher than 96% of building capacity, and the space allocation plan in the BUP demonstrates that all schools would receive their baseline footprint allocation of rooms as MAAL, Murray Hill and, if this proposal is approved, SA – Manhattan HS phase into the building.

Comments 2f and 3f assert that this proposal will require multiple schools to be placed into one classroom or will result in reduced opportunities for extra-curricular activities.

The allocation of space for high schools requires schools to program their space for maximum efficiency. Thus, schools are expected to use their rooms for other subjects if time is available after all classes are scheduled. Extracurricular activities that are held in classroom spaces are not reduced due to this proposal. Shared spaces are also preserved as shared spaces, such that schools that wish to continue using those spaces for extra-curricular activities can continue to use those spaces as scheduled by the Building Council. This proposal does not result in multiple schools being placed into one classroom.

Comment 3g asserts that district schools are not proposed for grade expansions when those schools experience high demand from parents and students.

This is incorrect. As recent examples, the DOE proposed 19K404, 10X291, 06M178, 31R048, 03M859, 07X223 and 30Q078 for expansion in the 2013-2014 school year in order to address high demand from families. Furthermore, even though many schools City-wide experience high

demand, not all schools are designed to operate sustainably above a certain enrollment level and therefore cannot be appropriately expanded.

Comment 3e relates to special education class sizes.

With the exception of Norman Thomas High School, which will have closed before the beginning of this proposal, no school in M620 serves or plans to serve self-contained sections. Therefore, different class sizes have been accounted for in the projected space allocations. As a transfer school, Murray Hill's class sizes are assumed to be 25 maximum. The DOE assumes 27 students per section for all other schools' general education or integrated co-teaching classes.

The allocation provided for special needs students is consistent citywide, and is applied consistently in this proposal.

Comments 4a, 5b, 11b and 11c concern the availability of resources for DOE schools and the contention that charter schools have inequitable access to additional space and resources.

With regard to the distribution of space, as discussed above, the DOE applies the Citywide Instructional Footprint to allocate a total room count to each organization as they phase into the Brandeis campus. The assignment of specific rooms and location for each school in the building will be made in consultation with the principals of each school and the Office of Space Planning if this proposal is approved.

With regard to funding and other resources, charter schools receive public funding pursuant to a formula created by the state legislature and overseen by the New York State Education Department. The DOE does not control this formula, and the funding formula for SACS is not affected by the approval or rejection of this proposal. Charter management organizations, just like any other school citywide, may also choose to raise additional funds. However, pursuant to Chancellor's Regulation A-190, 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.

With respect to concerns that charter schools "funnel" resources away from DOE schools, it should be noted that charter schools receive public funding based on their student enrollment, as do DOE schools. To the extent that a student opts to attend a charter school rather than a particular DOE school, that DOE school's enrollment may decline, resulting in less per student funding. However, this very same result occurs whenever a student decides to attend a different DOE school. In this regard, the impact of a parent selecting a charter school is no different than the impact of a parent selecting a DOE school other than the child's zoned option. The DOE believes the ability of parents to choose where they wish their child to attend school is of paramount importance, and is committed to increasing the options available to families.

Comments 2c-e, 3c, 8f, and 13c relate to the claim that this proposal would result in high quality seats that are not accessible to students outside of the SACS network.

It is correct that SA – Manhattan HS will only serve students matriculating from the SACS elementary schools mentioned above. The proposal to open SA – Manhattan HS is intended to provide a K-12 continuum to serve the student bodies of SA – Harlem 1, SA – Harlem 2, SA – Harlem 3, SA – Harlem 4, and SA – Harlem 5, subject to seat availability. This enrollment pattern also holds true for many district schools that serve kindergarten through eighth grade, sixth through twelfth grade, or kindergarten through twelfth grade.

The DOE believes that this proposal will create high quality high school seats that will free up seats at other high quality high schools throughout the City.

Comment 5c contends that the available space in M620 should be utilized to increase the number of spaces dedicated to the high schools currently located in M620.

Space is allocated under footprint and depends on the enrollment of each school. Each of the three schools proposed for co-location with SA – Manhattan HS are designed to be small schools that typically have under 500 students in total enrollment. Murray Hill’s model as a transfer hybrid, MAAL’s model as a four section a grade high school, and Unity’s model as a small high school are notable to sustain increased enrollments. Please refer to the response to comments 1a(i), 2a, 2f-g, 3b, 3d, 6b, 9a, 9c-d, 10a,10c, 11a, 11e and 15 for an explanation on why co-locations are sometimes proposed for under-utilized space.

Comments 6a, 8a, 8b, 10b, 11d, and 12b express support for the existing schools in M620 and remark on the positive work they have done with their students and families.

The DOE agrees that MAAL, Murray Hill, and Unity’s team are fostering strong, supportive school environments for their students, current and future.

Comments 4c, 4f, and 12c ask if the schools currently in M620 will be moved due to this proposed co-location.

The DOE does not anticipate moving any school from its current location. The siting of MAAL, Murray Hill, and Unity are maintained throughout the years of the proposal.

Comments 5a, 8g, 8i, and 11d assert that it is unfair or unsafe that SA – Manhattan HS students would not follow the rules of the building as set by the other schools.

The leadership of all co-located schools work together under the Building Council to work through routines and safety procedures for the building. Pursuant to Chancellor’s Regulation A-414, every school/campus must have a School Safety Committee. The committee plays an essential role in the establishment of safety procedures, the communication of expectations and responsibilities of students and staff, and the design of prevention and intervention strategies and programs specific to the needs of the school. The committee is comprised of various members of the school community, including Principal(s); designees of all other programs operating within the building; United Federations of Teachers Chapter Leader; Custodial Engineer/designee; and

In-house School Safety Agent Level III, among others. The committee is responsible for addressing safety matters on an ongoing basis and making appropriate recommendations to the Principal(s) when it identifies the need for additional security measures, intervention, training, etc.

The Committee is also responsible for developing a comprehensive School Safety Plan which defines the normal operations of the site and what procedures are in place in the event of an emergency. The plan must be consistent with the Citywide prescribed safety plan shell. Each program operating within a school must enter program-specific information in the School Safety Plan. The School Safety Plan is updated annually by the School Safety Committee in order to meet changing security needs, changes in organization and building conditions, and other factors. In addition, the Committee recommends changes in the School Safety Plan at any other time when it is necessary to address security concerns.

Consistent with the process described above, the leaders/designees of MAAL, Murray Hill, Unity, and SA – Manhattan HS will be part of the M620 School Safety Committee. As members of the School Safety Committee, the leaders/designees of MAAL, Murray Hill, Unity, and SA – Manhattan HS will participate in the development of the building's School Safety Plan and ensure that any security-related issues or needs that may arise with respect to the co-locations of MAAL, Murray Hill, Unity, and SA – Manhattan HS will be addressed on an ongoing basis. Moreover, the School Safety Plan for the M620 school building will be modified as appropriate to meet any changing security needs associated with the co-location. The leaders/designees of MAAL, Murray Hill, Unity, and SA – Manhattan HS will enter information in the M620 schools' overall School Safety Plan to ensure the safe operation of the school building.

Each school building must also establish a Building Response Team that will consist of trained staff members from each school in the building, which is activated when emergencies or large building-wide events occur. The members of this team must be identified and listed in the School Safety Plan.

The completed School Safety Plan for the M620 school building will be submitted to the Borough Safety Directors of the Office of School and Youth Development for approval. If changes or modifications are necessary, the School Safety Committee will be advised. Once the School Safety Plan is approved, it will be submitted to the New York City Police Department ("NYPD") for final approval and certification by the NYPD.

Comments 1a(iii), 2b, 9b, and 14 express general opposition to charter schools and assert that charter schools represent the privatization of education.

Charter schools are public schools available for all residents of New York City. They are publicly funded in a similar manner as district schools, but are operated by external organizations. Each school is governed by an independent board of directors. Under recent amendments to New York state law, for-profit entities may not operate new charter schools in the state.

Comment 4e suggests that SACS should open schools in private space.

The DOE seeks to provide high quality educational space for all students, regardless of whether they are served in DOE or public charter schools. The DOE encourages public charter schools to lease or provide their own space, but will offer space in DOE buildings where it is feasible to do so. The DOE does not lease space directly for charter schools; a charter interested in parochial school space would have to lease or acquire that space with private funds.

Comment 7a states that SACS schools have not demonstrated a willingness to work collaboratively with other schools with which they share buildings.

The DOE expects and anticipates SACS and the other high schools in this building will work collaboratively to build a strong work relationship through the Building Council and Shared Space Committee. As indicated in the BUP, if disputes should arise, school leaders are encouraged to engage in the dispute resolution measures set forth in the Campus Policy memo available at: <http://schools.nyc.gov/community/campusgov/KeyDocuments/>.

Comment 4b asserts that this proposed charter school co-location will undermine the other schools in M620.

The space usage, enrollment plans, and shared space schedules that MAAL, Murray Hill, and Unity currently have are all maintained in this proposal. Further, the DOE has anticipated and has publicly acknowledged, since the phase-out of Norman Thomas was approved, that Norman Thomas's space would be backfilled with at least one additional high school organization. This proposal represents the fulfillment of that intention. The DOE supports parent choice and is committed to providing different educational options to communities. Charter schools are also public schools, and thus represent a distinct alternative for parents who are not satisfied by the DOE options available.

Comments 1b, 2a, 13a, and 13b express dissatisfaction or opposition to the charter authorization and the A-190 siting process.

The implementation of this proposal is contingent on the renewal of SA – Harlem 1's charter by SUNY CSI. The DOE has historically posted many proposals that are some months or weeks in advance of final authorization. Charter schools are not automatically entitled to district space after authorization by SUNY or the New York State Education Department, but the DOE will certainly work with schools to assess if there is appropriate space for them in DOE-operated buildings. Many charter schools, post-authorization, develop private space or leased site options.

The DOE's Office of Portfolio Management works with new schools, both district and charter, to find space throughout the City. No new school, district or charter, is technically "in existence" at the time of its proposals' posting. The nature of the A-190 planning document (whether the Educational Impact Statement or Building Utilization Plan) is to capture a non-extant school organization's impact on the proposed space and current and future students.

Admissions methods are aligned to each school's design. SA – Manhattan HS is a high school expansion of existing elementary and middle schools. Therefore, the admissions method for SA – Manhattan HS is the charter lottery of its feeder schools in kindergarten through third grade.



Comments 1a(ii), 1a(iv), 1c, 3a, and 7b-c are not directly related to the proposal and thus do not require a response.

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

No changes have been made to this proposal.