



Public Comment Analysis

Date: April 27, 2011

Topic: The Proposed Re-siting and Temporary Co-location of Coney Island Preparatory Public Charter School (84K744) with Existing Schools I.S. 303 Herbert S. Eisenberg (21K303), Rachel Carson High School for Coastal Studies (21K344), and a District 75 School (P771K@I303) in Building K303

Date of Panel Vote: April 28, 2011

Summary of Proposal

Coney Island Preparatory Public Charter School (84K744, “Coney Island Prep”) is an existing public charter school approved to serve students in fifth through eighth grade. Coney Island Prep currently enrolls 179 students in fifth and sixth grade in a leased building, located at 2315 Surf Avenue, Brooklyn, NY 11224 in Community School District 21. On March 4, 2011, the New York City Department of Education (“DOE”) published an Educational Impact Statement (“EIS”) proposing to re-site Coney Island Prep and temporarily co-locate Coney Island Prep in Building K303 (“K303”), located at 501 West Avenue, Brooklyn, NY 11224 in Community School District 21, beginning in the 2011-2012 school year. In K303, Coney Island Prep would be temporarily co-located with an existing DOE zoned middle school that serves sixth to eighth-grade students, I.S. 303 Herbert S. Eisenberg (21K303, “I.S. 303”), an existing DOE high school that currently serves ninth through twelfth grade students, Rachel Carson High School for Coastal Studies (21K344, “Rachel Carson HS”), and a District 75 inclusion school (75K771, “P771K@I303”) that serves sixth through eighth grade students. The District 21 Food Services Office, the Community Education Council for District 21’s Office, and District 21’s Community Superintendent’s Office are also located in K303. The DOE is proposing to re-site and temporarily co-locate Coney Island Prep in K303 for two years because Coney Island Prep cannot remain in its current location and continue to expand in 2011-2012.

On March 19, 2011, the DOE published an amended EIS and a revised Building Utilization Plan (“BUP”). The amended EIS corrected typographic errors that incorrectly identified Coney Island Prep’s current building as K302, clarified the reasons why Coney Island Prep may not remain in its current location for the 2011-2012 school year, and clarified the proposal’s potential impact on I.S. 303’s instructional programs, but it did not modify or revise the proposal itself.

The BUP was revised to reflect updated information about the shared spaces in K303. In the original BUP, the full-size science demonstration lab and the full-size science lab were not considered shared spaces, and thus, they were included mistakenly amongst the rooms that could be allocated to the co-located schools in the building. They were reclassified as shared spaces. Additionally, the original BUP listed specialty rooms, such as the music room, dance room, computer lab, and designed court room, as shared spaces. However, these rooms are not currently allocated as shared spaces; rather, these rooms are currently allocated to I.S. 303. In the revised BUP, these specialty rooms continue to be allocated to I.S. 303 and, therefore, are not treated as shared spaces. As a result, the total number of rooms to be allocated to the schools co-locating in the building increased from 59 full-size classrooms to 61 full-size classrooms, and the shared space schedule was adjusted appropriately. As a result of these adjustments, the total number of rooms allocated to I.S. 303 increased. The total number of rooms allocated to Rachel Carson HS and Coney Island Prep did not change. The shared space schedule was also adjusted to reflect use of the additional shared spaces.

The DOE issued an amended notice on March 19, 2011, as well, that provided a new location for the joint public hearing on the proposal. The location of the joint public hearing was changed because the DOE expected that attendance at the hearing would exceed the capacity of any possible venue in Building K303. Therefore, the joint public hearing on April 4, 2011, regarding this proposal was held at Abraham Lincoln High School, which is adjacent to building K303.

On March 31, 2011, the DOE issued a second amended notice that provided a new location for the second joint public hearing held on this proposal on April 6, 2011. The location was changed because the DOE expected attendance at the hearing to exceed the capacity of Coney Island Prep's auditorium, where the hearing was originally scheduled. Therefore, the joint public hearing on April 6, 2011, was held at building K239, in Mark Twain I.S. 239's auditorium, which is ½ mile from the original hearing location.

The DOE published a second amended EIS and an amended revised BUP on April 2, 2011. The second amended EIS corrected typographical errors. The amended revised BUP which is annexed to the second amended EIS included additional information related to the shared space schedule in the BUP. The DOE also issued notices reflecting this change.

Coney Island Prep was approved by its charter authorizer, the DOE, to open a public charter school in Community School District 21 in Brooklyn in 2009-2010. The DOE approved Coney Island Prep's proposal to open with fifth-grade classes in 2009-2010 and to add one grade each year until it serves up to 424 students in fifth through eighth grade. Coney Island Prep provides a preference to District 21 students in its charter school lottery application process.

If this proposal is approved, Coney Island Prep would be temporarily sited in K303 for two years. Coney Island Prep's current fifth and sixth grade would be re-sited to K303 for the 2011-2012 school year. In addition, in 2011-2012, the first year of the proposed co-location, Coney Island Prep would expand to serve seventh grade and would enroll approximately 90 students in seventh grade. Thus, in 2011-2012, Coney Island Prep would serve fifth through seventh-grade students in K303. In 2012-2013, Coney Island Prep would expand to serve approximately 81 students in eighth grade, at which point Coney Island Prep would serve 350 fifth through eighth grade students.

K303 has been identified as an under-utilized building, meaning it currently has at least 300 seats available. In 2009-2010, the building served 1,216 students but had the capacity to serve 1,725

students, yielding a target building utilization of 70%. In 2010-11, the combined enrollment of school organizations in the building was 1,202 students, which yields an estimated utilization rate of 70%. In 2012-2013, the last year of this proposed temporary co-location, when Coney Island Prep has expanded to serve eighth grade, K303 would serve approximately 1,451-1,537 students combined, which yields an estimated utilization rate of 89%. The DOE would issue a new EIS for the long-term siting of Coney Island Prep for the 2013-2014 school year and beyond.

The details of this proposal have been released in an Educational Impact Statement which can be accessed here: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Apr282011Proposals.htm>. Copies of the amended EIS and amended revised BUP are also available in the main offices of Coney Island Prep, I.S. 303, Rachel Carson HS, and P771K@I303

Summary of Comments Received at the Joint Public Hearing

Two joint public hearings were held regarding this proposal. One was held at Abraham Lincoln High School on April 4, 2011. Another hearing was held at Mark Twain I.S. 239 on April 6, 2011. As discussed above, both hearings were not held at K303 because of space constraints. At the hearings, all interested parties had an opportunity to provide input on the proposal.

Approximately 350 members of the public attended the hearing on April 4, 2011, and 58 people spoke. Present at the meeting were: Deputy Chancellor Marc Sternberg; Community School District 21 Superintendent Isabel DiMola; Staten Island/Brooklyn High School Superintendent Aimee Horowitz; Community Education Council (“CEC”) 21 President Yoketing Eng; I.S. 303 Principal Gary Ingrassia and School Leadership Team (“SLT”) representative Edward Oppen; P771K@I303 SLT Chairperson Jessica Thompson; Coney Island Prep Founder, Executive Director and Principal Jacob Mnookin; Rachel Carson High School Principal Edward Wilensky and SLT representative David Migdel; Citywide Council on Special Education (“CCSE”) Public Advocate Appointee Ellen McHugh; Citywide Council on High Schools (“CCHS”) representative Valerie Armstrong Barrows; Stephanie Wong, a representative from New York State Assembly Member William Colton’s office; and New York City Council Member Domenic Recchia.

Approximately 250 members of the public attended the hearing on April 6, 2011, and 36 people spoke. Present at the meeting were: Community School District 21 Superintendent Isabel DiMola; CEC 21 President Yoketing Eng; Coney Island Prep Founder, Executive Director and Principal Jacob Mnookin; CCSE Public Advocate Appointee Ellen McHugh; Citywide Council on High Schools CCHS representative Valerie Armstrong Barrows; a representative from New York State Assembly Member William Colton’s office; and New York City Council Member Domenic Recchia.

The following comments and remarks were made at the joint public hearings:

1. A CCSE representative questioned whether the co-location would only be temporary and why the building code at the top of page eight of the amended revised BUP referred to building “K002” instead of building K303.

2. Representatives of CEC 21 made several points about the proposal:
 - a. CEC 21 is not opposed to Coney Island Prep, but it opposes the siting of the charter school in K303.
 - b. The building is not designed to safely contain four separate schools. Specifically, the location of the cafeteria and gymnasium in the building cannot support the safe passage of several hundred students.
 - c. I.S. 303 uses the space it is currently allocated to successfully serve sixth and seventh grade students in self-contained sections, a design which was explicitly enforced by the State Education Department and which has led to an increase in student performance.
 - d. The proposal allocates only twice as many classrooms to I.S. 303 as it does to Coney Island Prep, although I.S. 303 would have approximately three times as many students.
 - e. The 12:1 and 12:1:1 special education classes would be forced into half-sized classrooms.
 - f. The proposal would also dramatically increase the number of students a teacher must teach, if the school is departmentalized.
 - g. The proposal states that I.S. 303 would only have use of one gymnasium, which would force the school to hold co-educational physical education classes, even though the students change clothes for gym class in the gymnasium.
 - h. The DOE has misled parents of current fifth grade students. The school would be substantially changed by the co-location, and they would never send their children to such a school.
3. Representatives of I.S. 303's SLT made several points about the proposal:
 - a. Though it has been directed to do so in a recent decision by the State Education Department regarding P.S. 9 in District 13, the DOE has not provided a justification for how the distribution of space in the proposal is equitable. For example, I.S. 303 is proposed to continue serving the same number of students but with 16 fewer classrooms. The DOE has recognized that there are problems involved here, but it has not offered any solutions.
 - b. Use of the library would be limited by the proposal, effectively preventing the sixth grade from visiting the library on a weekly basis.
 - c. Students would be "shoehorned" into the cafeteria during breakfast time. During lunchtime, the cafeteria, which is designed to hold 400 students, would have to hold up to approximately 500 students.
 - d. Students would not be able to have single-gender physical education classes, a 25 year old practice, because I.S. 303 would have access to only one gymnasium. In any case, the gymnasium is already programmed to capacity.
 - e. The proposal does not explain why it is equitable to allocate so little time to I.S. 303 in the science laboratory rooms, even though the science classes that are taught at the school require experiments and extensive lab work.
 - f. The proposal will put students in K303 in danger because safe and quick exit would be impeded by the fact that there are so many students in the building. Passage through the hallways and exit from the gymnasium and cafeteria would also become more dangerous.

- g. Additionally, many rooms in the building were designed for elementary students, and they are being used by much older students, which is not safe. Even with the current number of students in the building, the building is already overcrowded.
- h. The hallways also are already inadequately ventilated, and previous tests demonstrate that there are high levels of carbon monoxide in the building.
- i. Since 2003, I.S. 303 has developed a self-contained instructional model for its sixth and seventh grade students, which has dramatically increased student achievement. The plan was approved and supported by the State Education Department.
- j. As a result of the proposal, I.S. 303 will lose a significant amount of instructional space, which will impede the school's ability to continue to serve students in self-contained sections. In fact, the original version of the EIS stated outright that the school may need to departmentalize. There is not enough space for Coney Island Prep to be co-located in the building.
- k. The DOE has made clear that it makes instructional decisions based on square footage, like Goldman Sachs would, rather than on the academic, social and emotional needs of students.
- l. The EIS addresses every other issue besides the actual educational or academic impact on the schools.
- m. Since the I.S. 303 community petitioned against the loss of space, the DOE gave some of the rooms back and has begun to maintain that the school will not need to departmentalize if it chooses not to, saying that the school should use space efficiently and that it is being given more than the minimum needed space. This would include moving special education classes from full-size rooms to half-size rooms. The changes would result in special education students learning in less than one-third of the space required by the state.
- n. Students cannot be expected to reach the maximum of their potential if they are only given the minimum to reach that potential.
- o. The DOE is forcing this proposal down the throat of the community though it will clearly reverse the academic success of students in the district.
- p. In 2008, I.S. 303 submitted a request to the DOE to expand, but the school was told by the DOE that there is not enough space in the building to do so because of the relocation of Rachel Carson HS, and an expansion of I.S. 303 would negatively impact the allocation of space that Rachel Carson HS would receive.
- q. In response to the fact that there is declining sixth grade enrollment at I.S. 303, the I.S. 303 community has appealed to the DOE to ensure that there is an equitable distribution of sixth graders in the school's geographic area. Placing a charter school that serves middle school grades may negatively affect I.S. 303's enrollment.
- r. Though the EIS suggests Coney Island Prep would continue to only enroll incoming fifth grade students, there have been reports that Coney Island Prep is recruiting sixth and seventh grade students, which conflicts with I.S. 303. It is also unclear whether Coney Island Prep is actively recruiting students from outside of the district.
- s. Guidelines clearly state that the expansion of a school should be in response to a demonstrated need for seats at that grade level in the local community. Since I.S.

303 is not over capacity, there does not seem to be a need for Coney Island Prep to expand. Instead, the proposal would adversely impact the enrollment at I.S. 303.

- t. I.S. 303 is an excellent school and should serve the middle school students that are served by Coney Island Prep.
 - u. Parents of incoming students to I.S. 303 plan to send their children to the school based on the self-contained instructional model, but this model is being threatened by the proposal.
 - v. The SLT has not received a response from the DOE on whether it should let parents know if it will be able to serve students in the self-contained model next year. The SLT has also not received a response on what options will be available to those parents should the school not be able to serve their children as expected.
 - w. Because I.S. 303 welcomes all students from the area without discrimination, the allocation of space should not be guided by the Footprint; rather, the DOE should take a more holistic approach to the development of the students served in the building.
 - x. I.S. 303 has already shared a lot of its space with Rachel Carson HS and the D75 school, but the school has remained successful.
 - y. Sharing the space in K303 has been degrading to I.S. 303 students.
 - z. The more students you put into a building, the more incidents that will take place. The animosity shown at the hearing will only be worse when all the students are together in the building in September.
 - aa. Coney Island Prep students were promised a permanent space, but it has continued to squeeze its students into its current location. However, Coney Island Prep has the funding and resources to find its own space.
 - bb. Instead of moving into its own space, Coney Island Prep is making I.S. 303 families pay its costs of housing the school in public space.
 - cc. 95% of Coney Island Prep students are white.
 - dd. A large percentage of Coney Island Prep students leave to go to other middle schools.
4. A representative of the Rachel Carson HS SLT made several points about the proposal:
- a. The issue is not about schools being pitted against each other. Coney Island Prep deserves space to expand.
 - b. The DOE dropped the ball in planning for space for Coney Island Prep. The school should be going into brand new space and not K303.
 - c. There is plenty of room for Coney Island Prep to operate in other buildings.
 - d. If a serious emergency were to take place in the building while so many schools are co-located there, students would be in life-threatening danger. It would not be possible for everyone to make it out of the building quickly and safely.
5. The Principal of Coney Island Prep made several points about the proposal:
- a. It is a myth that no one wants Coney Island Prep to be sited in the district. The school has received over 350 applications for a very limited number of seats.
 - b. It is a myth that Coney Island Prep students are not from the area or from District 21. Rather, over 50% of its students are from the 11224 zip code, and 89% are from District 21.

- c. Coney Island Prep currently serves 180 students in 8,000 sq. ft. of space, which is approximately 44 sq. ft. per student—that is one of the smallest instructional footprints in the City.
 - d. Despite the small amount of space students receive, the school has been successful in serving all students, scoring the highest possible score in all four areas of the learning environment survey even though it serves the second-highest proportion—24%—of students with special needs of any public school in District 21. Coney Island Prep does this by being creative and efficient with space.
 - e. It is a myth that Coney Island Prep does not serve students with high-level needs. In fact, over half of special need students in the school have the most severe level of special needs.
 - f. The school’s staff works to provide an excellent education to all students regardless of facilities and Coney Island Prep plans to work with the other schools in K303 to ensure all students in the building have access to the space they need and deserve without taking all of the important space in the building.
6. A representative of Coney Island Prep’s SLT said the school has served his child well and helped him succeed academically. He wants Coney Island Prep to be able to use the underutilized space in K303 because Coney Island Prep students are public school students and deserve access to public space.
 7. A representative of Coney Island Prep’s SLT said that there is space in K303 for Coney Island to be placed, and co-location is not something that has not been done before. Coney Island Prep is only asking to use the space temporarily.
 8. A representative of Assembly Member William Colton’s office said many parents have complained to the Assemblyman about the proposal, and those voices should be listened to by the DOE. Any plan that disrupts the education of students, like this proposal does, even temporarily, should not be considered. The concerns raised by I.S. 303 parents and CEC 21 are valid. The building is not designed to accommodate so many students, and the proposal would create hazardous conditions. The gains made by I.S. 303 in the past year could be reversed by the proposal. The proposal attempts to help one group of students at the unacceptable cost of another group of students. The Assemblyman would like to work with the DOE to find an alternate, suitable location for Coney Island Prep.
 9. A CCHS representative made several points about the proposal:
 - a. Schools, parents, and the community have taught students to make their voices heard, but the DOE does not listen to them.
 - b. The DOE has pitted one group of parents against another group of parents.
 - c. The animosity that has risen in the community in response to this proposal will not go away until the DOE listens to the community’s concerns. By not listening to the community, the DOE is demonstrating it does not care about what the community has to say.
 - d. Students who stay in public schools should not be at a disadvantage in comparison to students who are in private schools or in charter schools.
 - e. Joint public hearings are supposed to be an opportunity for the community to discuss issues such as the lack of resources or being relegated to a second-class status when schools, like charter schools, are brought into buildings or the fact that charter schools receive more resources than public schools.

- f. All students should receive the same opportunities as any other student.
 - g. Charter schools should not be co-located with traditional public schools; rather, charter schools should be put in buildings with other charter schools. This would solve the problem of animosity between charter schools and traditional schools.
 - h. This proposal has created friction between the schools that will be co-located in the building next year and could threaten students' educations next year.
10. New York City Council Member Domenic Recchia said he supports all children in his district, from charter schools and traditional schools. He fought to keep this proposal from being a permanent co-location, by instead allowing Coney Island Prep to be housed in K303 until it has its own building. Building K303 is underutilized, which he has seen personally by doing a walk-through of the school, studying the proposal, and talking with families. As a result, he supports the proposal. A building council should be formed immediately, and all space should be shared equitably. The community should come together to ensure that all students receive the equal access to resources that they deserve.
 11. A commenter said that it is amazing how Coney Island Prep is recruiting students without a building. It is like starting a business without office space.
 12. Multiple commenters said the DOE should not take space away from good schools like I.S. 303. I.S. 303 offers a high-quality education, which is demonstrated by its progress report scores, among other factors.
 13. Multiple commenters said the proposal will take space away from all the schools currently located in K303.
 14. Multiple commenters said the proposal endangers the safety of students in building K303. There should be a very good safety plan in place in case of emergencies. The proposal is dangerous because it will lead to overcrowding in the shared spaces and hallways and because of the inadequate ventilation in the building.
 15. Multiple commenters said the proposal takes space away from I.S. 303 that it needs in order to continue serving sixth and seventh grade students in a self-contained setting, which was designed as part of a state-mandated intervention and has led to great academic improvement at I.S. 303. There is not enough room for another school to come into the building without making I.S. 303 change its instructional programming.
 16. Multiple commenters said that the community has made it clear enough that it does not support this proposal and it should not be approved or implemented.
 17. Multiple commenters suggested that the proposal would force I.S. 303 to serve 31 students in each class and Rachel Carson HS to serve 26 students in each class, while Coney Island Prep would have enough space to serve 21 students per class. This would be inequitable and unacceptable.
 18. A commenter said the cafeteria and gymnasiums do not have the capacity to serve as many students as the proposal requires.
 19. Multiple commenters expressed opposition to the proposal based on positive experiences, either personally or on behalf of family, with I.S. 303, which they feel is threatened by the proposal.
 20. A commenter said Rachel Carson HS was originally supposed to be located in K303 for a temporary amount of time and then move to its own building, but that promise has been reversed.

21. Multiple commenters said that Coney Island Prep students are entitled to public space, and there is space available in K303. Students at Coney Island Prep deserve the same opportunity to a great education as other students.
22. A commenter said that the students of Coney Island Prep will not cause students in schools it is co-located with to feel disadvantaged.
23. Multiple commenters expressed support for the proposal based on positive experiences with Coney Island Prep, either personally or on behalf of their family.
24. A commenter said the proposal does not put students' lives at risk in building K303.
25. Multiple commenters said they believe the Coney Island Prep community is respectful and would work to get along well with the other schools in K303. There is no reason for people to be so upset about the proposal.
26. Multiple commenters said that Coney Island Prep is successful now, even though it has very little space to work in, so the school would be able to effectively and safely share the space in K303.
27. Multiple commenters said District 21 families should be working together to ensure the education of all the district's students.
28. Multiple commenters said the proposal should be approved because it is only a temporary proposal.
29. A commenter expressed support for the proposal on the basis that charter schools can offer students and families a level of academic rigor that traditional schools cannot.
30. A commenter asked where most Coney Island Prep families live.
31. A commenter asked how Coney Island Prep did on its learning environment survey.
32. A commenter asked how prospective students apply to Coney Island Prep.
33. A commenter asked whether the impact of overcrowding on the students' ability to learn and grow has been taken into consideration in the proposal.
34. Multiple commenters asked what other space was considered for this proposal, including other public schools and vacant spaces in the district, like closed Catholic schools.
35. A commenter asked why the DOE has chosen to site the charter school in this building with a school that received an A rating instead of siting the charter school in a building with a school that received a C rating.
36. A commenter asked whether the DOE is trying to reduce all schools to a C rating.
37. A commenter asked what happens if Coney Island Prep cannot find other space for its students permanently.
38. A commenter asked how Coney Island Prep does not have funding to find another facility that can safely accommodate the school, but it has funding to buy Apple computers for its teachers.
39. A commenter asked whether the DOE is counting on three times the amount of students as are currently in the building to fit into K303 for three years.
40. A commenter asked whether the DOE considered the limited shared spaces in building in drafting this proposal, including restrooms and the cafeteria.
41. A commenter asked where students will put all their possessions in the locker rooms or changing spaces.
42. A commenter asked how the shared spaces can be shared if the space is already overcrowded and the proposal would add 300 more students to the building.

43. A commenter asked whether the number of students in the building would exceed the fire safety capacity of the building after staff, students, and visitors are factored in. The commenter also asked whether the School Safety Agent ratio has been calculated.
44. A commenter asked whether Coney Island Prep had planned all along to move into public space after two years in its current location, considering that the principal told the President's Council two years ago that the school would be moving into its own building after those two years.
45. A commenter asked why parents of Coney Island Prep students are fighting to get back into a public facility when they took their students out of public school.
46. A commenter asked what the phrase "State Education Department's minimum requirements" means.
47. A commenter asked why the DOE wants to take away their choice as a parent and why the DOE does not want his child's school to grow.
48. A commenter asked why Rachel Carson HS has not had a new building built for them yet, even though it was promised a new building in 2005.
49. A commenter asked whether parents of prospective sixth grade students at I.S. 303 will receive the instructional programming that was previously offered at the school.
50. A commenter asked how many charter schools promised to only remain in a DOE building temporarily but then stayed in the DOE building permanently.
51. A commenter asked why parents of students at each school are not included on the Safety Committee.
52. Multiple commenters asked whether Coney Island Prep serves special education students.
53. A commenter asked why the shared use plan allocates equal time in the library to Coney Island Prep and I.S. 303, even though I.S. 303 serves many more students than the other co-located schools.
54. A commenter asked whether the DOE is aware of the fact that 11 year olds would be sharing bathrooms with 19 year olds, which is insane.
55. A commenter asked whether Coney Island Prep would have to pay for space next year if the proposal were not approved.
56. A commenter asked why all DOE walkthroughs have occurred while K303 was unoccupied.

The DOE received comments at the Joint Public Hearings that did not directly relate to the proposal and therefore will not be addressed.

- Council Member Recchia said he has put more money into public schools than any Council Member in the City. He has brought over \$1.5 million in aid to I.S. 303, Rachel Carson HS, and P771K@I303 through the City Council.
- A commenter said she is wearing Ed Hardy clothes at the hearing because the designer—Christian Audigier—talks on his website about leadership, which is what schools and communities need.
- A commenter asked why many I.S. 303 students attended the first hearing on the proposal without their parents.

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

Forty-six comments were received through the DOE's dedicated written and oral comment mechanisms. A District 21 Community Education Council ("CEC") meeting on this proposal was also held on March 9, 2011 at building K303; several comments were made at that meeting, which were submitted to the DOE.

57. Council Member Recchia wrote a letter to express his support for the proposal with the stipulation that the co-location should only be for two years, until Coney Island Prep has finished building its own facility. He made this decision after touring building K303 with Chancellor Dennis Walcott. He also states that a building council should be formed immediately under the guidance of the Superintendent DiMola, in order to ensure that equitable time is allocated to all of the schools in the shared spaces.
58. Assembly Member Colton wrote two letters to express opposition to the proposal on the basis that he has been contacted by numerous constituents opposed to the proposal who have expressed concerns about the co-location. He believes they have raised many valid points. Adding students to the building would hurt the education of all students in the building because I.S. 303 students would have fewer hours in the gymnasium, library, and science laboratory than they currently do. The building was not built to hold so many schools, and it only has one library, one cafeteria and a gymnasium for each gender. The proposal would cause serious safety issues. He supports the position of CEC 21 in opposition to the proposal. He is ready to work with the DOE to find a more suitable location for Coney Island Prep.
59. Assembly Member Alec Brook-Krasny wrote a letter to express his support for the proposal with the stipulation that the co-location should only be for two years. He also stated that he is supporting the proposal because he recognized that building K303 is under-utilized and that the proposal would not negatively impact the school community at I.S. 303.
60. The CEC submitted a resolution opposing the proposal and other multiple commenters also expressed opposition to the proposal. They noted that :
 - a. K303 is not an underutilized building; rather it is overcrowded and fully utilized; the co-location of another school would create serious safety risks in the building that would lead to a hazardous situation for current students, especially in the gymnasium, cafeteria, and the hallways between the gymnasium and the cafeteria. The building was not built to safely support four different schools. The problem is compounded when you consider mixing middle school and high school age students. Adding another school to the building would also create an unsafe and possibly dangerous situation outside of the building at the beginning and end of the school day.
 - b. Being co-located with a high school and District 75 school is already hard enough for I.S. 303.
 - c. Placing another school in the building will deter students from enrolling at I.S. 303, and jobs will be lost as a result.
 - d. Another school in the building would take away instructional space from I.S. 303, which is already fully utilized throughout the day. It would also change

- or reduce the programs the children are currently enrolled in, such as talent programs, boys gym, chorus, dance, athletics, computer, law, and arts programming. The boys and girls of I.S. 303 will have to take gym class together, which will be embarrassing to the girls and inappropriate for all students. Coney Island Prep would be allocated as many as 18 classrooms.
- e. I.S. 303 is a wonderful school with an A on its Progress Report. It has a unique vision and programming that would be ruined by the proposal. The stable, safe environment and instructional integrity of I.S. 303, which meet the academic, social, and emotional needs of students, would be compromised. I.S. 303 needs all the rooms it has to serve its gifted, special education, and English as a Second Language populations. I.S. 303 offers a self-contained model for its classes, and this was part of I.S. 303's restructuring plan, submitted to the State Education Department, dating back several years. This proposal would force the school to change the model and would take away from the DOE's stated vision of principal empowerment.
 - f. Charter schools should not be opened; rather, public schools should be "helped."
 - g. Coney Island Prep should be placed somewhere else. There is likely other space in District 21 where Coney Island Prep can go, such as P.S. 121 Nelson A. Rockefeller, I.S. 98 Bay Academy, I.S. 239 Mark Twain, I.S. 281 Joseph B. Cavallaro, Liberation Diploma Plus, P.S. 128 Bensonhurst, or the Brooklyn Union Gas Company building. Have these spaces been considered?
 - h. Public school students should not have to take a back seat to the needs of charter school students.
 - i. Charter schools are only concerned with profits, while public schools are concerned with the needs of children. Coney Island Prep should use its own money to build its own space because charter schools cost taxpayers more money when housed in a public school, and the money that is spent on charter schools should be spent on saving teachers' jobs.
 - j. Children in the community deserve a school they can call their own.
 - k. The space for Coney Island Prep should have already been accounted for before the school was organized and developed.
 - l. The proposal does not take into account the instructional, social, and emotional needs of the students. It only takes numbers into account.
 - m. Based on personal experiences with both schools, a commenter said I.S. 303 has met the needs of her daughter far better than Coney Island Prep, and the practices and structures of Coney Island Prep would create an unsafe situation in K303.
 - n. Many parents of prospective I.S. 303 middle school students have invested time, money, and energy into preparing their children for a school that offers inclusion classes, and this proposal would cause their previous efforts to have been for naught.
 - o. Rachel Carson High School also said it would only be in the building only two years but it is now a permanent co-location; therefore, it is hard to believe Coney Island Prep would only stay two years as the proposal says it will.

- p. The students at I.S. 303 signed the Parent Teacher Association's ("PTA") petition in opposition of this proposal.
 - q. The proposal amounts to taking the resources from some students to give to another, hurting all involved in the process.
 - r. A co-location would hinder the mission of Coney Island Prep.
 - s. Special needs students who receive mandated one-one-one services at I.S. 303 will no longer have the space to receive those services.
61. Several commenters asked questions about the proposal:
- a. Why does the DOE want to take space away from I.S. 303, a thriving Title I school?
 - b. What is the minimum square footage requirement for special needs students in public schools? Do you plan on taking away space from I.S. 303 special needs students? Where do you anticipate placing them?
 - c. Why is there no other room to place schools, considering the DOE is closing so many schools?
 - d. Would changing the instructional programming, removing the self-contained structure of the sixth and seventh grades, increase the amount of unsupervised interactions in hallways during resulting passing time, leading to dangerous situations? Will Coney Island Prep maintain the same high levels of discipline as I.S. 303?
 - e. Why is the DOE breaking its promise to families that have planned to send their children to I.S. 303 for its unique self-contained structure, considering it will have to be changed by the proposal? What should parents of incoming sixth graders who expect self-inclusion classes do?
 - f. Why does the proposal state I.S. 303 only needs 23 classrooms when they have 25 self-contained sixth and seventh-grade classes in addition to eighth-grade classes? If the school is allotted only 29 classrooms, that would leave only four rooms for the eighth grade; can this be right?
 - g. Can you promise that students will be safe if you add a fourth school to the building, especially considering the wide age differences and the volume of traffic in the hallways and other shared spaces? Has the DOE taken into account that as many as 700 students dangerously converge in certain hallways at peak times?
 - h. If a school is in corrective action, does the State Education Department need to approve a restructuring plan? If so, can the Division of Portfolio Planning change the plan to suit its needs? Does it make sense to change such a successful program?
 - i. Has the DOE ever proposed a co-location with a school that has the same structure as I.S. 303? If so, which school(s) exactly?
 - j. Is it not unfair for the DOE to say they value personalized instruction and individual needs while they also refuse to take into account the specialized structure of I.S. 303, instead allocating space according to a one-size-fits-all footprint, especially considering that treatment will terminate a model that has proven beneficial to students? Does this make sense to do? Why does the Division of Portfolio Planning think this is a good idea?

- k. Will I.S. 303 have to get rid of its self-contained structure as a result of the proposal?
 - l. How do you think Coney Island Prep children feel about being told they are not welcome by I.S. 303 families?
 - m. What will happen to the expansion of Rachel Carson High School?
 - n. How does Coney Island Prep perform academically compared to the district and compared to I.S. 303?
 - o. Should I.S. 303 students lose their music and dance programs because Coney Island Prep cannot find space elsewhere?
 - p. Does Coney Island Prep receive funding to rent private space?
 - q. Is space more important than the education of children? Is this about the money?
 - r. How would having three excellent schools in one building positively affect the community?
 - s. Why disrupt a school when the plan is to move again in two years?
 - t. Will you close I.S. 303 to put in another charter school? Does the mayor want I.S. 303 to fail?
 - u. If I.S. 303 cares about education, then why do they want to deny Coney Island Prep a home?
 - v. Is the DOE aware Coney Island Prep is actively recruiting sixth and seventh grade DOE students, even though the EIS says they should only take applications from fifth grade students? Does this violate any laws?
 - w. Since my child is in a Collaborative Team Teaching class, which he will lose as a result of the proposal, can the DOE assure me of his continued success?
 - x. Will the DOE employ the unemployed teachers from the three schools currently in K303?
 - y. What happened to Coney Island Prep's current building?
 - z. Where does the DOE propose I.S. 303 hold their New York State mandated physical education classes when they lose their afternoon access to the gymnasium?
 - aa. Can the DOE assure parents at I.S. 303 that their children will be as successful next year if the school has to change its current programming?
 - bb. Will the present number of School Safety Officers in K303 increase as more students are put into the building, even though it did not increase after Rachel Carson HS students were added to the building?
 - cc. How will breakfast and lunch be safely provided in the cafeteria under the proposal when the cafeteria is approaching legal capacity already?
62. The United Federation of Teachers ("UFT") submitted a safety and health inspection report for I.S. 303, the stated purpose of which "was to evaluate life safety in the school in light of the plans to increase the student occupant density." Their comments are included below:
- a. The proposal will give Coney Island Prep classrooms that have been taken from I.S. 303.
 - b. Rachel Carson High School will not lose any rooms as a result of the proposal, though they currently do not have access to laboratory facilities.

- c. Though the building has a fire alarm system, it does not have a sprinkler system.
 - d. Though I.S. 303 will continue with the same number of students, it will lose a significant number of rooms.
 - e. I.S. 303 will have a capacity of 750 students who will use 23 classrooms.
 - f. Six of the 23 classrooms have an area of 650 sq. ft., and three have an area of 350 sq. ft. The remaining rooms have areas of 800 sq. ft.
 - g. It was indicated that the reduced number of classrooms would cause most I.S. 303 classes to contain 40 students.
 - h. Since the building code requires a minimum of 20 sq. ft. per student, I.S. 303 will be over occupancy.
 - i. Adding another 300 students with Coney Island Prep will impact life safety and will affect a safe and quick evacuation during an emergency, especially from the hallways between the gymnasiums and cafeteria. Occupancy limits are intended to provide safe and quick evacuation of the building during emergencies. Thus, the DOE should not increase the occupancy of the building as currently planned.
 - j. Though Rachel Carson High School has chemistry and biology classes, they do not have access to laboratory facilities that meet minimum requirements enforced by the New York City Fire Department and NYS Public Employee Safety & Health Bureau. They currently use regular classrooms for these classes, which do not have access to eye wash, a safety shower, a fume hood for chemicals, or a flammable chemical storage cabinet, though the classes do use small amounts of potentially hazardous chemicals.
 - k. Though there is a science laboratory in the building, the labs are in violation of safety regulations and Rachel Carson High School does not have access to them. Not only is there is no indication that the school will have access to the lab, it is less likely they will have access as a result of the co-location.
 - l. Because all the schools in the building share access to the two gymnasiums and cafeteria, all three of these rooms will be at full capacity during peak hours of cafeteria use, between 10:00 am and 1:00 pm. There will be some times when the cafeteria will have to hold 500 students, though it was designed to hold only 400.
 - m. During peak times, there will be approximately 700 students converging on the hallways between the shared spaces, which would create a safety hazard. This is of particular concern due to the wide age range of students who will be in the hallway, from sixth to twelfth grade.
 - n. The UFT survey measured unsafe levels of Carbon Dioxide (CO₂) in the building. Between the gymnasium and cafeteria, CO₂ levels were measured at 1758 parts per million (ppm), an excessive level indicating inadequate ventilation of the hallway for current occupancy. The UFT stated that this would be made worse by the addition of more students. CO₂ levels outside of the school were 397 ppm. Exceeding occupancy will further impact air quality.
63. The PTA of I.S. 303 submitted a petition to the DOE that opposed the proposal for the following reasons:

- a. The building is not designed to safely contain four separate schools. Specifically, the location of the cafeteria and gymnasium in the building cannot support the safe passage of several hundred students.
- b. Another school in the building would mean that the music room, dance room, computer lab, and designed court room are taken away from I.S. 303.
- c. Another school in the building would result in I.S. 303 losing as many as 15 classrooms.
- d. The co-location would require I.S. 303 to alter its instructional organization of its sixth and seventh grades from its current self-contained model.
- e. According to a study conducted by a certified industrial hygienist, the school's hallway design and placement of facilities, specifically the areas near the gymnasiums and cafeteria, could not support the addition of Coney Island Prep's students and staff.

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

- Comments 1 and 61(s) questioned whether the proposal to co-locate Coney Island Prep in building K303 will really be temporary. Comment 20 suggested that the DOE has indicated that this proposal is temporary, but that it will become a permanent co-location, similar to Rachel Carson HS. Comment 61(s) suggested that Coney Island Prep shouldn't be temporarily located in the building because it would disrupt the other schools when it moves two years later. Comment 61(y) questioned the reason the DOE has proposed to co-locate Coney Island Prep in building K303.

As stated in the EIS and BUP, this is a proposal to co-locate Coney Island Prep in K303 for two years only—the 2011-2012 and 2012-2013 school years. The DOE will evaluate the space available in K303 and other District 21 locations and will issue a new EIS for the long-term siting of Coney Island Prep based on the most appropriate space available for the 2013-2014 school year and beyond. At this time, the DOE has no intention to permanently site Coney Island Prep in building K303.

Coney Island Prep must be re-sited from its current location in a leased building in District 21 because it cannot remain in its current location and continue to expand in 2011-2012. Though the proposed co-location of Coney Island Prep in K303 is not expected to impact future student enrollment, instructional programming, or the admissions process at I.S. 303, Rachel Carson HS or P771K@I303, the DOE acknowledges that I.S. 303 will lose a large number of excess rooms as a result of this proposal and will need to operate closer to its baseline Footprint allocation. The DOE is also aware that this adjustment will initially be difficult. Thus, the DOE has allocated six excess full-size classrooms and two half-size classrooms to I.S. 303 for the 2011-2012 school year and three full-size classrooms and two half-size classrooms to I.S. 303 for the 2012-2013 school year to support I.S. 303 as it transitions to operating closer to its baseline allocation of space.

As mentioned by comment 1, the BUP incorrectly referred to Building K002 instead of building K303. This was a typographical error and does not substantially affect the proposal because it is clear that the shared spaces the DOE is referring to in the proposal are in building K303.

- Comments 2(a), 3(o), 9(c), 9(f), 16, and 60(p) opposed the proposal and stated that the community does not support the proposal. Comments 9(a), 9(b), 9(e), 16, and 61(l) relate to the engagement process.

The DOE appreciates all feedback from the community regarding this proposal. When the EIS was issued, it was made available to the staff, faculty, and parent communities at I.S. 303, P771K@I303K, Rachel Carson HS, and Coney Island Prep on the DOE's Web site and in each school's respective main office. In addition, the DOE set up a dedicated website and voicemail to collect feedback on this proposal. All schools' staff, faculty, and parent communities were invited to the joint public hearing to solicit further feedback.

The joint public hearings regarding this proposal were held on April 4, 2011, and April 6, 2011. All comments made at the joint public hearing were included in this analysis of public comment.

Although the DOE recognizes that people in the community may have strong feelings against this proposal, the DOE believes that, if this proposal is approved, the school communities at I.S. 303, Rachel Carson HS, P771K@I303K, and Coney Island Prep will be able to create productive and collaborative partnerships. Moreover, even though some people may oppose the proposal, Coney Island Prep is also supported by many members of the community. As demonstrated in the summary, building K303 is an underutilized building and building space is scarce in many New York City neighborhoods. Given this reality, the DOE must use its existing buildings in the most efficient manner possible. Thus, DOE believes that re-siting Coney Island Prep in building K303 would use the space efficiently and would allow Coney Island Prep to continue to serve its students in District 21.

- Comments 2(c), 2(e), 2(h), 3(i), 3(j), 3(k), 3(l), 3(m), 3(n), 3(u), 3(v), 8, 15, 36, 49, 60(d), 60(e), 60(j), 60(l), 60(n), 60(s), 61(b), 61(d), 61(e), 61(h), 61(j), 61(k), 61(o), 61(w), 61(aa), 63(b), and 63(d) relate to the proposed co-location's potential impact on the instructional programming offered by I.S. 303. Specifically these commenters were concerned that I.S. 303 would no longer be able to offer self-contained sixth and seventh grade classes as it currently does.

Based on I.S. 303's Comprehensive Education Plan, beginning in the 2005-2006 school year, I.S. 303 reorganized its instructional structure after it had been rated "School Planning for Restructuring" by the New York State Education Department. According to the New York State Education Department, a school is designated "School Planning for Restructuring" if it failed to make Average Yearly Progress on its accountability measure after it had been identified as a "School in Corrective Action." Schools designated "School Planning for Restructuring" must develop a plan for restructuring the school. It

should be noted that I.S. 303 is no longer designated as “Planning for Restructuring” and is now in “Good Standing.” The DOE commends I.S. 303 on this improvement.

As part of the Comprehensive Education Plan, I.S. 303 implemented a new organizational structure for its middle school. Thus, unlike traditional middle schools, I.S. 303’s sixth and seventh grade students do not move from class to class. Current sixth and seventh grade students remain in their homeroom throughout the day except for when they are scheduled for a cluster activity (i.e. art, music, etc) or for lunch or recess, etc. As a result, the current sixth and seventh grade classes are programmed similar to an elementary school, and as such, use comparable space.

The original EIS, published on March 4, 2011, stated that “I.S. 303’s future sixth and/or seventh grades may become departmentalized” if the proposal is approved. The amended EIS, published on March 19, 2011, clarified that this proposal would not require I.S. 303 to change the way in which it currently serves its sixth and seventh grade students. Nonetheless, the DOE notes that I.S. 303 is currently using nearly double the number of rooms that it should be allocated according to the Citywide Instructional Footprint. If this proposal is approved, as stated in the amended revised Building Utilization Plan (“BUP”) that was published on April 2, 2011, I.S. 303 would continue to receive rooms in excess of its baseline allocation of rooms, but it would no longer receive as many excess rooms as it has in the past. Because I.S. 303 would no longer receive as many classrooms above its baseline allocation as it has in the past, I.S. 303’s school management team may determine that the space allocated to the school in the building would be better utilized by programming the school’s classes as other middle schools do, rather than keeping students in the same classroom all day.

Also, the DOE does not anticipate that the reduction of excess classroom space will impact the availability of enrichment activities at I.S. 303. As stated in the revised BUP and above, specialty rooms, such as the music room, dance room, computer lab, and designed court room have been allocated to I.S. 303 and will not be treated as shared spaces; therefore, I.S. 303 will retain sole access to these rooms.

However, if the proposal is approved, students at I.S. 303 would be sharing common spaces such as the cafeteria, auditorium, gymnasiums, the outdoor school yard, and the library with an increased number of students. While the proposed Shared Space Plan in the attached BUP demonstrates that these spaces can accommodate all schools, I.S. 303 may need to adjust its current shared space usage depending on the Building Council’s decisions.

I.S. 303 offers Collaborative Team Teaching (“CTT”) classes, Self-Contained (“SC”) classes, and Special Education Teacher Support Services (“SETSS”). The existing CTT, SC and SETSS classes would continue to be provided and students with disabilities would continue to receive mandated services in accordance with their Individualized Education Plans (“IEPs”). Similarly, current and future students with IEPs will continue to receive mandated services at I.S. 303. As stated in the Citywide Instructional Footprint, SC classes with student ratios of 6:1:1, 8:1:1, 12:1:1, and all other self

contained models will receive size appropriate space allocations varying from 240 to 499 square feet. Thus, I.S. 303's SC classes may be served in half-size classroom spaces. The DOE, however, will provide support to the schools to ensure that the schools use the space efficiently in order to maximize capacity to support student needs and maintain appropriate delivery of special education and related services to students.

- Comments 2(b), 3(f), 3(z), 4(d), 8, 9(h), 14, 43, 51, 58, 60(a), 60(m), 61(d), 61(e), 61(bb), 62(i), 62(m), 63(a), and 63(e) relate to safety concerns that would arise as a result of the proposed co-location.

It should be noted that, according to the School Construction Authority, the target capacity of building K303 is 1,725. In 2009-2010, the building served 1,216 students, yielding a target utilization rate of 70%. In 2010-2011, K303's building enrollment was 1,202, which yields an estimated utilization rate of 70%.

If this proposal is approved, the DOE will support I.S. 303, Rachel Carson HS, P771K@I303, and Coney Island and will ensure that the building is safe at all times. The DOE makes available the following supports to schools around safety and security:

- Best Practices Standards for Creating and Sustaining a Safe and Supportive School as a resource guide;
- Review and monitoring of school occurrence data and crime data (in conjunction with the Criminal Justice Coordinator and NYPD);
- Technical assistance when incidents occur via the Borough Safety Directors;
- Professional development and support to CFN Safety Liaisons;
- Professional development and kits for Building Response Teams;
- Monitoring and certification of School Safety Plans annually.

Moreover, if this proposal is approved, the DOE Office of Space Planning will work with K303's Building Council to establish safe sharing of spaces, such as the cafeteria. Furthermore, in the proposed shared space schedule in the BUP, the DOE has provided that there are five minutes between the end of Coney Island Prep's allocated time in the cafeteria for lunch and the start of Rachel Carson HS's allocated time in the cafeteria to ensure that students transition safely between lunch and other periods. Similarly, other periods have also been staggered to ensure that not all students are in the hallways at the same time. In any case, the Building Council may further deviate from the proposed shared space schedule in the BUP, to accommodate any safety concerns the schools may have.

Also, as stated in the BUP, 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 parents, and shall include at a minimum: principal(s) of the co-located schools; designee of all other programs operating within the building; UFT Chapter Leader; custodial engineer/designee; in-house School

Safety Agent Level III/designee; local law enforcement officials; Parent Association President/designee; Dietician/designee of food services for the site; community members; local ambulance or other emergency response agencies; representative of the student body (when appropriate); and any other persons deemed appropriate by the Principal(s). 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. Thus, if this proposal is approved, the DOE Office of Space Planning and building K303's School Safety Committee would collaborate to ensure the safety of students during arrival, dismissal, and transition between classrooms and shared spaces such as the cafeteria.

It should be noted that building K303 already serves both middle school students, who are enrolled at I.S. 303 and P771K@I303, and high school students, who are enrolled at Rachel Carson HS. Adding another middle school to the building would not change the composition of the grade levels served in the building. According to the results of I.S. 303's 2009-2010 Learning Environment Survey, 83% of students reported that they felt safe at school. Similarly, according to the results of Rachel Carson HS's 2009-2010 Learning Environment Survey, 80% of students reported that they felt safe at school.

- Comments 2(d), 2(g), 3(a), 3(b), 3(c), 3(d), 3(e), 3(w), 13, 18, 37, 40, 46, 53, 58, 60(q), 61(f), 61(j), 61(z), 61(cc), 62(a), 62(d), 62(l), and 63(c) relate to the Citywide Instructional Footprint and how classroom spaces were allocated in the BUP, as well as to the use of shared spaces in the building.

The Citywide Instructional Footprint is used in the analysis and assessment of space usage in New York City Department of Education buildings. In co-location arrangements, the parameters outlined in the Citywide Instructional Footprint serves as a guideline for making decisions about the allocation of space. The Citywide Instructional Footprint represents a baseline for space allocation.

According to the Citywide Instructional Footprint, as outlined in the BUP, schools serve sixth through twelfth grade are allocated 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 served by the school. In addition, schools that serve students in sixth through eighth grade would receive an allocation of cluster or specialty classrooms proportionate to the number of students enrolled that can be used at the principal's discretion and science demonstration classrooms needed to serve middle school science classes. The Citywide Instructional Footprint assumes that students in sixth through twelfth grades move from class to class and that classrooms should be programmed for maximum efficiency. The DOE recognizes that, unlike most middle schools, I.S. 303 currently programs its sixth and seventh grade classes to remain in their homeroom throughout the day except for when they are scheduled for a cluster activity (i.e. art, music, etc.) or for lunch or recess, etc.

Regarding comment 61(f), contrary to the commenter's claim, I.S. 303 does not have 25 sixth and seventh grade classes. The baseline allocation of 23 full-size classroom spaces and 9 half-size classroom spaces is sufficient to accommodate I.S. 303's projected enrollment during the proposed temporary co-location of Coney Island Prep in building K303. Currently, I.S. 303 uses 42 full-size classroom spaces and 11 half-size classroom spaces, which means that I.S. 303 is using 19 full-size classroom spaces and 2 half-size classroom spaces above its baseline allocation. The DOE anticipates that I.S. 303 will lose a large number of excess rooms as a result of this proposal and will need to operate closer to its baseline Footprint allocation. The DOE is also aware that this adjustment will initially be difficult, and is, therefore, allocating the six excess full-size classrooms and two half-size classrooms to I.S. 303 for the 2011-2012 school year to support I.S. 303 as it transitions to operating closer to its baseline allocation of space.

Similarly, the Citywide Instructional Footprint indicates that a school that serves 17 sections of students in ninth through twelfth grade is allocated one full-size classroom for each general education or Collaborative Team Teaching section. In addition, the school should receive cluster or specialty classrooms, science demonstration classrooms, and science laboratories. Rachel Carson HS was allocated a baseline total of 19 full-size classrooms and 2.0 of 7.0 designed administrative space in the building to meet its projected number of students.

I.S. 303 is projected to serve approximately 685-715 students and P771K@I303 is projected to serve 16-22 students. Because P771K@I303 is an inclusion program, its students would be served in the same classrooms as I.S. 303 students. All space allocations for I.S. 303 outlined in the BUP also include space that is allocated to the students at P771K@I303. As comment 2(d) stated, the combined projected enrollment of I.S. 303 and P771K@I303 is nearly three times greater than the projected enrollment of Coney Island Prep. As stated above, the Citywide Instructional Footprint takes into account population size by allocating one full-size classroom for each general education or Collaborative Team Teaching section, a full-size or half-size classroom to accommodate each Self-Contained special education served by the school, and a number of cluster or specialty classrooms proportionate to the number of students enrolled that can be used at the principal's discretion.

The DOE recognizes that I.S. 303 and Rachel Carson HS have been able to share building K303 and work together collaboratively. If the proposal is approved and Coney Island Prep is co-located with I.S. 303 and Rachel Carson HS in building K303, Coney Island Prep would join the Building Council and the Shared Space Committee. The Building Council consists of principals from all of the co-located schools. The DOE would provide assistance to support the Building Council and the Shared Space Committee, and the DOE expects and anticipates Coney Island Prep and the other schools in building K303 will work together collaboratively to build a strong work relationship through the Building Council and Shared Space Committee.

In creating the proposed shared space schedule, the DOE took into account the projected enrollment for each organization, the existing 2010-2011 Campus Audit Template submitted by the current organizations in the K303 building, current lunch schedules as

described on the DOE School Food website, total capacity of each shared space, and the New York State Education Department's minimum requirements for library, physical education, arts, and health, depending on grade levels served. Comment 46 questioned the meaning of the phrase "State Education Department's minimum requirements." The New York State Education Department, in Part 100 of the Regulations of the Commissioner of Education, outlines the minimum requirements for instruction for elementary, middle, and secondary schools in New York State. The Regulations of the Commissioner of Education can be found on the New York State Education Department's website at <http://www.p12.nysed.gov/part100/>.

Regarding comment 3(a), which questioned why the DOE did not provide justification for the allocation of rooms in the BUP, specifically the commenter suggested that the DOE did not provide justification for the fact that I.S. 303 will be operating with 16 fewer classrooms if this proposal is approved. As discussed above, I.S. 303 is currently operating above its baseline allocation according to the Footprint. Based on the Footprint, I.S. 303 should be allocated 23 full-size classroom spaces, 9 half-size classroom spaces, and 5.0 designed administrative spaces. I.S. 303 is currently using 42 full-size classroom spaces and 11 half-size classroom spaces. Thus, I.S. 303 is using 19 full-size classroom spaces and 2 half-size classroom spaces above its baseline allocation. Although I.S. 303 will lose a large number of excess rooms as a result of this proposal and will need to operate closer to its baseline Footprint allocation, building K303 will be utilized more efficiently. To support I.S. 303 during this temporary co-location, the DOE has allocated six excess full-size classrooms and two half-size classrooms to I.S. 303 for the 2011-2012 school year to support I.S. 303 as it transitions to operating closer to its baseline allocation of space.

In regards to the comments about the shared space schedule:

Library→Neither I.S. 303 nor Rachel Carson HS is currently allocated specific hours in the library, according to building K303's 2010-2011 Campus Audit Template. I.S. 303 and Rachel Carson HS are both allocated 1 hour and 45 minutes daily in the library, while Coney Island Prep is allocated 1 hour and 40 minutes daily in the library. There are no New York State Education Department minimum requirements for library time for high school students or for fifth or sixth grade students. However, seventh and eighth graders are required to have one period per week in the library. The time in the library allocated to each school meets these requirements.

Breakfast→Historically, only a fraction of I.S. 303's, Rachel Carson HS's and P771K@I303's students have opted to have breakfast in building K303's cafeteria. The cafeteria has the capacity to serve 424 students. Thus, allocating 1 hour and 20 minutes between 7:20 and 8:40 a.m. daily to I.S. 303, Rachel Carson HS, and Coney Island Prep for breakfast is sufficient based on the current schedules for all schools.

Lunch→The cafeteria schedule in the proposed schedule is identical to the current cafeteria schedules for I.S. 303 and Rachel Carson HS. Coney Island Prep is allocated time in the cafeteria after taking the existing schedule into consideration. Both I.S. 303

and Rachel Carson HS are currently allocated 2 hours and 12 minutes for lunch in the cafeteria. Each organization will be able to accommodate its students in the cafeteria with this proposed allocation of time.

Gymnasium→I.S. 303 has been allocated exclusive access to one of the two gymnasiums in the building K303. It has the capacity to serve 338 students. This proposed allocation is sufficient to meet the New York State Education Department's minimum requirement and the DOE's recommendation for physical education. Moreover, because I.S. 303 has exclusive access to one of the gymnasiums, the school management team at the school may decide to continue to program its physical education classes to be single-gender, unlike traditional middle school physical education classes.

The second gymnasium also has the capacity to serve 338 students. Rachel Carson HS and Coney Island Prep will share the use of the second gymnasium. The scheduled time in the proposed shared space schedule reflects the current gym schedule for Rachel Carson HS and meets the minimum New York State requirements for physical education for high school students. Similarly, Coney Island Prep's gym allocation will allow it to meet the minimum New York State requirements for middle school gym requirements and is approximately proportional to its enrollment.

Science Lab→ Neither I.S. 303 nor Rachel Carson HS is currently allocated specific hours in the science laboratory, according to building K303's 2010-2011 Campus Audit Template. In the proposed shared space schedule, Rachel Carson HS receives the greatest amount of time in the science laboratory because its high school students must meet the New York State Education Department's minimum science requirements of 180 minutes of science instruction per week and one lab period per week for three years in order to graduate. Because I.S. 303 offers Regents level science courses, I.S. 303 is also allocated time in the science laboratory. The State Education Department mandates that as a prerequisite for admission to the Regents examination in Earth Science, students must successfully complete 1,200 minutes of laboratory experience with satisfactory written reports for each laboratory investigation.

Because Coney Island Prep does not offer Regents level science courses, it does not need access to the science lab, and time in the science lab is not mandated by the New York State Education Department's requirements for middle school grades. Given that Coney Island Prep does not have access to the Science Lab, it is allocated additional time in the science demonstration room. Since I.S. 303 and Rachel Carson HS have access to the science lab, they receive smaller allocations of time in the science demo room. A science demo room and science lab may both be utilized as instructional spaces.

It should be noted that the proposed shared space plan in the BUP is only a proposal and is not meant to represent the final shared space schedule. Rather, it is based on the estimated duration of time each of the co-located schools will have in shared spaces such as the cafeteria, and it attempts to assure equitable access to these shared spaces. The final shared space schedule will be collaboratively drafted by the Building Council, which consists of principals from all of the co-located schools, in conjunction with the DOE Office of Space Planning. The Building Council is free to deviate from the

proportional allotment of time in the BUP to accommodate the specific programmatic needs of all special populations or groups within each school as is feasible and equitable, provided that the Building Council comes to an agreement of the final Shared Space Plan collaboratively. If such accommodation results in an alteration to the proportional distribution of space, the Building Council shall explain the basis for such alteration.

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. The DOE anticipates that the schools located in K303 will work together collaboratively to build a strong work relationship through the Building Council and Shared Space Committee.

- Comments 2(f), 17, and 62(e-h) relate to class sizes at I.S. 303 and Coney Island Prep.

Class size is a continuing concern for all New York City schools. As stated in the DOE's and the School Construction Authority's annual Enrollment-Capacity-Utilization Organization Report, the target classroom capacity and utilization rate reflects aspirational goals for school buildings based on different assumptions about how classrooms are used. The target capacity is 28 for fourth and fifth grade classrooms, 28 for sixth through eighth grade classrooms, and 30 for ninth through twelfth grade classrooms. It should be noted, however, that neither the EIS nor the BUP stipulates class sizes for I.S. 303, Rachel Carson HS, or Coney Island Prep.

The DOE calculates enrollment projections in an EIS by taking current enrollment, as captured in the 2010-2011 audited register, and projecting class size going forward based on those numbers. Historical enrollment, as captured by the 2009-2010 audited register, is also considered in cases where there appears to be a sharp decline or increase in enrollment for a particular grade. In those cases, a historical average is used to project future enrollment.

Based on the DOE's analysis of I.S. 303, P771K@I303K, and Rachel Carson HS, enrollment at I.S. 303 is projected to fall from 727 students in 2010-2011 to 685-715 in 2011-2012, after the large current eighth grade class graduates, and to 675-705 in 2012-2013, after the large current seventh grade class graduates. Rachel Carson HS currently enrolls 454 students, and it is projected to remain between 410-460 students in 2011-2012 and 2012-2013. P771K@I303K currently enrolls 21 students, and it is projected to remain between 16-22 students in 2011-2012 and 2012-2013. The DOE also projects I.S. 303 and Rachel Carson HS will maintain the number of sections that they currently have. I.S. 303 is currently using many classrooms above its baseline allocation, but the DOE believes that I.S. 303 can operate closer to its baseline allocation without significantly changing its class sizes during the proposed temporary co-location. Rachel Carson HS is currently at its baseline allocation of rooms; the DOE does not anticipate its class sizes at either school will change significantly either.

- Comments 3(g), 8, 33, 39, 42, 60(a), and 60(g) state that building K303 is already overcrowded or would be overcrowded as a result of this proposal. Comments 3(k), 4(b), 4(c), 12, 34, 35, 60(l), 61(a), 61(c), and 61(q) question why building K303 was identified as a possible location for Coney Island Prep's re-siting. Comments 3(x), 3(y), and 60(b)

comment on the existing co-location of I.S. 303, Rachel Carson HS, and P771K@I303K in building K303.

Building space is scarce in many New York City neighborhoods. Given this reality, the DOE must use its existing buildings in the most efficient manner possible. Purchasing or leasing private space is not an efficient use of resources when under-utilized buildings can be considered first. Schools throughout the City have successfully shared space, and the DOE anticipates that Coney Island Prep and the schools currently in building K303 will be able to share the building during Coney Island Prep's temporary co-location.

The DOE considers full-size classrooms to have an area of 500 square feet or more. Also, as stated above, the DOE assumes that the target capacity of a classroom serving fourth and fifth grade is 28, sixth through eighth grade is 28, and ninth through twelfth grade is 30. Building K303's target capacity, which reflects aspirational goals for school buildings based on the DOE's goals for class sizes at certain grade levels, reflects the DOE's goals for middle school and high school capacity. Furthermore, the Division of School Facilities has indicated that it considers building K303 to be an intermediate school building.

Contrary to suggestions that K303 is already overcrowded, the DOE has identified building K303 as an under-utilized building, which means that it currently has at least 300 seats available. In 2009-2010, K303 had a target capacity to serve 1,725 students, but I.S. 303, P771K@I303K, and Rachel Carson HS only enrolled a total of 1,216 students. Thus, the target building utilization was 70%. In 2010-11, K303 served 1,202 students, which yields an estimated utilization rate of 70%. Clearly, the building is under-utilized.

The Preliminary 2010-2011 Under-Utilized Space Memorandum and List was published on the DOE's website on October 8, 2010, and it denoted the under-utilized buildings in District 21 and other districts throughout the City. Because Coney Island Prep is currently located in District 21, the DOE limited its search for possible co-location buildings to under-utilized buildings in District 21. Other under-utilized schools in District 21 were considered, but they were deemed unsuitable because building walkthroughs and surveys indicated that they did not have sufficient numbers of classrooms to accommodate Coney Island Prep. Contrary to comment 61(c), no schools in District 21 were approved for phase-out by the Panel for Educational Policy this year. In regards to comment 4(b), no new school building projects in District 21 would be completed in time for Coney Island Prep to occupy by the beginning of the 2011-2012 school year.

A building walkthrough and survey of building K303 was performed on February 10, 2011, by the Brooklyn Director of Space Planning, to determine the total number of rooms in the building, how they were allocated to the school organizations in the building, and whether any schools were operating above their baseline allocations. As stated above, I.S. 303 is using 19 full-size classroom spaces and 2 half-size classroom spaces above its baseline allocation- therefore suggesting that the building is not overcrowded already. An additional walkthrough was performed on March 3, 2011, by the Brooklyn Director of Space Planning, and it confirmed the details listed above.

Contrary to comment 56, both walkthroughs were conducted when I.S. 303, P771K@I303K, and Rachel Carson HS were in session.

As stated above, the DOE recognizes that I.S. 303, P771K@I303K, and Rachel Carson HS have been able to share building K303 and work collaboratively. If the proposal is approved and Coney Island Prep is co-located with I.S. 303, P771K@I303K, and Rachel Carson HS in building K303, Coney Island Prep would join the Building Council and the Shared Space Committee. The DOE expects and anticipates Coney Island Prep and the other schools in building K303 will work collaboratively to build a strong work relationship through the Building Council and Shared Space Committee.

In 2011-2012, K303 would serve approximately 1,380-1,466 students combined for an estimated utilization rate of 85%. In 2012-13, the last year of this proposed temporary co-location, K303 would serve approximately 1,451-1,537 students, which would yield an estimated utilization rate of 89%. Thus, the building should not be overcrowded. And as stated above and in the EIS, the DOE does not anticipate that the proposed co-location will not impact future student enrollment, instructional programming, or the admissions process at I.S. 303, Rachel Carson HS or P771K@I303.

The DOE would issue a new EIS for the permanent siting of Coney Island Prep for the 2013-2014 school year and beyond.

- Comments 3(h) and 62(n) state that building K303's hallways are not properly ventilated and that there are currently high levels of carbon monoxide and carbon dioxide. The DOE inspected building K303's ventilation systems on April 6, 2011. The ventilation systems for the gymnasium and auditorium were found to be working properly, and the filter was recently replaced. By replacing the filter, the system air flow should have improved. The DOE is not aware of any other environmental violations at building K303.
- Comments 3(p) and 47 state that the DOE denied I.S. 303's request to expand to serve sixth through twelfth grade. The DOE denied I.S. 303's request because the DOE determined that there would not be sufficient space for I.S. 303 to serve sixth through twelfth grade at full scale in building K303 while it was co-located with Rachel Carson HS. Furthermore, there would not have been sufficient space to guarantee that all students zoned to I.S. 303 would have been served had the school expanded to serve sixth through twelfth grades.
- Comments 3(q), 3(s), and 60(c) relate to recent enrollment patterns in I.S. 303's zone and the possible impact of Coney Island Prep's temporary co-location on I.S. 303's enrollment.

It should be noted only 47% of students zoned to I.S. 303 attend I.S. 303 and that I.S. 303's total enrollment has declined from 895 to 727 students, or approximately a 19% decline, from 2006-2007 to 2010-2011.

Though Coney Island Prep currently serves fifth and sixth grade and will serve fifth through eighth grade by 2012-2013, it should be noted that Coney Island Prep's lottery enrolls rising fifth grade students. I.S. 303's academic screened magnet program primarily enrolls rising sixth grade students, while it will continue to admit all students residing in the I.S. 303 zone through the District 21 middle school choice process, including students who enroll through an over-the-counter placement. While I.S. 303 and Coney Island Prep will both serve sixth, seventh, and eighth grade by 2012-2013, the last year of the proposed temporary co-location, I.S. 303 and Coney Island Prep offer different entry grades to their respective schools. Thus, the proposed co-location of Coney Island Prep in K303 is not expected to impact future student enrollment, instructional programming, or the admissions process at I.S. 303.

- Comments 3(r), 3(s), 3(t), 3(w), 3(aa), 3(bb), 3(cc), 3(dd), 11, 30, 31, 32, 38, 44, 45, 52, 55, 60(k), 60(n), 61(p), and 61(v) relate to specific details about Coney Island Prep's enrollment, student demographics, academic performance, and facilities and about charter schools in general.

Comments 3(r) and 61(v) question whether the DOE is aware that Coney Island Prep is actively recruiting sixth and seventh grade students even though the EIS stated that Coney Island Prep only accepts applications for enrollment in fifth grade. As stated in the EIS and the Directory of NYC Charter Schools, Coney Island Prep only accepts lottery applications for fifth grade. If Coney Island Prep is actively recruiting sixth and seventh grade students, it does not violate New York State Charter Law. Coney Island Prep may be recruiting sixth and seventh grade students in order to replace students lost due to student attrition.

Comments 3(s), 3(t) and 45 question the demand for seats at Coney Island Prep in the community. The DOE seeks to provide space to schools that offer a high quality education to students. The DOE supports parent choice and strives to ensure that all families have access to diverse schools that meet their children's needs. To support parent choice, the DOE proposes to open and co-locate new district and charter schools in existing buildings to expand the range of options for students. The DOE has replaced 91 of the City's lowest-performing schools and opened 474 new schools to increase the school options available to parents and students. Of the 474 new schools, 365 are traditional public schools and 109 are public charter schools. As a result, we've created more good choices for families.

Furthermore, the DOE believes in Coney Island Prep's record of success, though limited, supports the continued placement of Coney Island Prep in District 21 in order to continue providing excellent educational opportunities for students and families. Coney Island Prep opened in 2009-2010 and served 90 fifth grade students in 2009-2010. It currently serves 179 fifth and sixth grade students. Though Coney Island Prep has not yet received a Progress Report, its academic indicators in 2009-2010 show that Coney Island Prep is a high-quality option that is meeting the needs of its students. In 2009-2010, 44% of Coney Island Prep's students performed on grade level in English Language Arts, putting Coney Island Prep in the top 25% of all elementary schools in New York City. That same year,

77% of Coney Island Prep's students performed on grade level in math, putting Coney Island Prep in the top 12% of elementary schools in New York City. Also, in 2009-2010, Coney Island Prep was in the top 37% of elementary schools in terms of learning growth in ELA and amongst the top 1% of elementary schools in terms of learning growth in math.

Finally, there is great parent and student demand for Coney Island Prep. Coney Island Prep received 260 applications for enrollment for its 90 fifth grade seats for the 2009-2010 school year, 300 applications for 84 seats for the 2010-2011 school year, and 350 applications for 90 fifth grade seats for the 2011-2012 school year. Currently, Coney Island Prep has 134 families on its waiting list for enrollment in fifth grade and 68 families on its waiting list for enrollment in sixth grade.

Comments 3(w) and 32 question how students are enrolled in Coney Island Prep. Comments 60(f) and 60(h) oppose charter schools, and comment 60(i) stated that charter schools are for-profit organizations.

The commenters incorrectly suggest that charter schools are private schools. On the contrary, 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. There are currently 125 charter schools in New York City. Charter schools are held accountable, through the terms of five-year performance contracts called "charters," for high student achievement. Charter schools must meet the same Regents' performance standards established for all public schools as well as the goals established in their charter. If a charter school fails to meet those terms, it can be closed.

Furthermore, public charter schools may not select their own students, but rather they must admit students through the charter lottery application process. Through the lottery, students are selected randomly from among the applicant pool. Students with disabilities and English Language Learner students may apply through the lottery process as well and will not be treated differently in the lottery process. Coney Island Prep will provide all current and future students who are English Language Learners or who have Individual Education Plans with their mandated services.

Comments 3(aa), 3(bb), 11, 44, 45, 55, and 60(k) relate to Coney Island Prep's current facilities, its pursuit of private facilities, and the decision to co-locate it in building K303. As stated in the EIS, the DOE has proposed to re-site and temporarily co-locate Coney Island Prep in building K303 for two years because Coney Island Prep cannot remain in its current location and continue to expand in 2011-2012. The DOE believes in Coney Island Prep's record of success, though limited, supports the continued placement of Coney Island Prep in District 21 in order to continue providing excellent educational opportunities for students and families. The DOE will issue a new Educational Impact Statement for the long-term siting of Coney Island Prep based on space and availability in District 21.

Comments 3(cc), 3(dd), 30, and 52 relate to Coney Island Prep's student demographics. The commenter is incorrect to state that "95% of Coney Island Prep students are white."

Indeed, 37% of Coney Island Prep's students are African American, 27% Hispanic/Latino, 16% white, 12% Asian, and 8% other/mixed race. The commenter is also incorrect to state that a large percentage of Coney Island Prep students leave to attend other middle schools. According to Coney Island Prep's 2009-2010 Annual Report, only 6 of its 90 students left the school. One left for geographic reasons, while five left due to parental choice. In response to comment 31's question about where most Coney Island Prep families live, 65% of current Coney Island Prep students reside in District 21, and 90% reside in the Coney Island neighborhood. Comment 54 questioned whether Coney Island Prep served special education students. In 2009-2010, 28% of Coney Island Prep's students had Individual Education Plans.

- Comments 9(d) and 9(e) state that charter schools have additional access to space and resources. Comments 38 and 61(p) question how charter schools and Coney Island Prep are funded. 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 Coney Island Prep 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 to purchase various resources they feel would benefit their students (e.g., Smartboards, fieldtrips, etc).
- Comment 9(g) opposed all co-locations of charter schools with traditional public schools. As stated above, the DOE supports parent choice and proposes to open and co-locate new district and charter schools in existing buildings to expand the range of options for students. The DOE has replaced 91 of the City's lowest-performing schools and opened 474 new schools to increase the school options available to parents and students. Of the 474 new schools, 365 are traditional public schools and 109 are public charter schools. As a result, we've created more good choices for families.
- Comment 31 questioned how Coney Island Prep parents and teachers responded on its most recent Learning Environment Survey. Coney Island Prep's 2009-2010 Learning Environment Survey is available to view and download on the DOE's website at: <http://schools.nyc.gov/SchoolPortals/21/K744/AboutUs/Statistics>. In general, the percentage Coney Island Prep's parents and teachers who participated in the survey exceeded the City average. According to the survey, 99% of Coney Island Prep's parents indicated that they were satisfied or very satisfied with the education their children received that year, while 100% of Coney Island Prep's teachers indicated that they felt that the principal places the learning needs of children ahead of other interests.
- Comment 61(n) questioned how Coney Island Prep's academic performance compared to I.S. 303's and other District 21 schools' performance. Because Coney Island Prep opened in 2009-2010, it has not yet received a Progress Report. In 2009-2010, 44% of Coney Island Prep's students performed on grade level in English Language Arts, putting Coney Island Prep in the top 25% of all elementary schools in New York City. That same year, 77% of Coney Island Prep's students performed on grade level in math, putting Coney Island Prep in the top 12% of elementary schools in New York City. In 2009-2010,

Coney Island Prep was in the top 37% of elementary schools in terms of learning growth in ELA and amongst the top 1% of elementary schools in terms of learning growth in math. Also, because Coney Island Prep served only fifth grade students in 2009-2010, it cannot be compared to I.S. 303, which serves sixth through eighth grade students.

- Comments 4(a), 5(a-f), 6, 7, 10, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 57, 59, 61(r), and 61(u) are in support of the proposal, and therefore do not need to be addressed.
- Comments 20, 48, 60(o), 61(m), 62(b), 62(j), and 62(k) relate to Rachel Carson HS.

Comments 20 and 60(o) question whether Rachel Carson HS's co-location was also originally temporary. Comment 48 questioned why Rachel Carson HS has not been re-sited to a newly constructed facility. When Rachel Carson HS was originally sited in building K303, consideration as to whether it would be permanent siting was given. Because building K303 was and remains an under-utilized building, the DOE decided to make Rachel Carson HS's siting in building K303 permanent. The DOE further notes that no new school buildings suitable to house a high school have been constructed for the DOE in District 21 since Rachel Carson HS opened in 2005 and, therefore, there is no alternate space.

Comment 61(m) questioned how the proposed co-location would impact Rachel Carson HS's enrollment. Rachel Carson HS is currently at full scale, and the DOE project that its enrollment will remain stable during the proposed temporary co-location.

Comments 62(b), 62(j), and 62(k) stated that Rachel Carson HS currently does not have access to a science laboratory. The proposed shared space plan in the revised amended BUP allocates the science laboratory to Rachel Carson HS from 8:40 a.m. to 12:32 p.m. on Mondays and Fridays and from 11:05 a.m. until 4:00 p.m. on Tuesdays, Wednesdays, and Thursdays. Rachel Carson HS is also allocated the science demonstration laboratory from 11:08 a.m. to 1:20 p.m. daily.

- Comment 41 questioned whether students would be able to put their possessions in the locker rooms during the proposed temporary co-location. The DOE does not anticipate that the proposed temporary co-location would prevent I.S. 303 or Rachel Carson HS students from using the locker rooms during their physical education classes.
- Comment 50 questioned how often temporary co-locations of charter schools are transformed into permanent co-locations. In 2010-2011, the DOE has proposed to extend the co-location of certain schools and/or make them permanent co-locations. Those schools include: Bronx Success Academy 1 and 2, Democracy Prep Charter School, Girls Prep Charter School, Harlem Children's Zone Promise Academy 2, Harlem Success Academy 1, Harlem Success Academy 5, and Metropolitan Lighthouse Charter School. In 2009-2010, the DOE proposed to extend the co-location of PAVE Academy Charter School in its current site.

- Comments 54, 60(a), and 61(g) question the DOE’s proposal to place fifth grade students, middle school students, and high school students in the same building. It should be noted that building K303 already serves both middle school students, who are enrolled in I.S. 303 and P771K@I303, and high school students, who are enrolled in Rachel Carson HS. Adding another middle school to the building would not change the composition of the grade levels served in the building. The DOE will continue to monitor the building to ensure that it remains a safe environment for faculty, staff, and students. In any case, the DOE has successful examples of K-12 buildings or campuses. These examples include:
 - Leadership Prep Bedford Stuyvesant Charter School, an elementary school, which shares a building with the Academy of Business and Community Development, a school serving sixth through twelfth grade;
 - The Julia Richman Educational Complex, which houses four small high schools, a K-8 school, and a District 75 program;
 - Brooklyn Collegiate: A College Board School, which serves sixth through twelfth grade, and shares a building with Achievement First Brownsville Charter School, which currently serves kindergarten through third grade;
 - Mott Hall IV, a middle school, which shares a building with Eagle Academy for Young Men II, which currently serves sixth through eighth grade, and Leadership Preparatory Ocean Hill Charter School, which currently serves kindergarten and first grade;
 - Harlem Success Academy 4, an elementary school, which shares a building with Opportunity Charter School, which serves sixth through twelfth grade in District 3; and
 - J.H.S. 13 Jackie Robinson, a middle school, which shares a building with Central Park East I, an elementary school, and Central Park East High School.
- Comment 61(i) questions whether any of DOE’s co-location proposals have involved middle schools with organizational structures similar to I.S. 303’s.

The DOE acknowledges that I.S. 303 is unlike most middle schools in that its current sixth and seventh grade students remain in their homerooms rather than move from class to class. The DOE acknowledges that this instructional structure was implemented after I.S. 303 was rated Planning for Restructuring by the New York State Education Department.

However, it should be noted again that building K303 is clearly under-utilized, and the DOE must use its existing buildings in the most efficient manner possible. Schools throughout the City have successfully shared space, and the DOE anticipates that Coney Island Prep and the schools currently in building K303 will be able to share the building during Coney Island Prep’s temporary co-location.

- Comment 61(t) suggests that the DOE is planning to phase-out I.S. 303. This is incorrect – the DOE has no plans to close either I.S. 303 or Rachel Carson HS.

The DOE believes in I.S. 303's record of success. In 2008-2009, I.S. 303 received an A grade on its Progress Report, and in 2009-2010, I.S. 303 received a B grade on its Progress Report. I.S. 303 was rated "Proficient" on its most recent Quality Review in 2007-2008. Thus, I.S. 218 is meeting expectations and serving its students well.

In 2008-2009 and 2009-2010, Rachel Carson HS received B grades on its Progress Reports. Rachel Carson was rated "Proficient" on its most recent Quality Review in 2009-2010. The DOE supports both of these existing schools, but the building is not currently efficiently utilized.

- Comment 61(x) questioned whether the DOE would employ the unemployed teachers from the three school organizations currently in K303. As stated in the EIS, this co-location is not expected to change the number of personnel positions assigned to I.S. 303, Rachel Carson HS, or P771K@I303 or significantly alter the duties of current staff.
- Comment 61(bb) questioned whether more School Safety Agents would be assigned to building K303 as a result of the proposed co-location. The New York Police Department determines the number of School Safety Agents assigned to particular buildings dependent on the combined enrollment in the building, the number of safety incidents that occur, the building's organization, and the grade levels that are served.
- Comment 62(c) states that building K303 lacks a sprinkler system. This is incorrect. According to the 2009-2010 Building Condition Assessment Survey, the sprinkler system was found to be present, inspected, and ranked to be in fair condition with no deficiencies recorded.

Changes Made to the Proposal As a Result of Public Comments

As discussed in the summary above, the DOE amended the EIS twice and revised the BUP, as well as amended it to correct for several issues. No additional changes have been made to the proposal.