

Public Comment Analysis

Date: April 19, 2016

Topic: The Proposed Opening and Temporary Co-Location of Brooklyn Prospect Charter School – Clinton Hill (84KTBD) with Brooklyn Community High School of Communication, Arts, and Media (13K412), Brooklyn High School for Leadership and Community Service (13K616), and P.S. K369 Coy L. Cox (75K369) in Building K117 Beginning in 2016-2017

Date of Panel Vote: April 20, 2016

Summary of Proposal

On March 3, 2016, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) and Building Utilization Plan (“BUP”) describing a proposal to open and temporarily co-locate grades six through seven of Brooklyn Prospect Charter School – Clinton Hill (84KTBD, “BK Prospect - Clinton Hill”) in building K117 (“K117”), located at 300 Willoughby Avenue, Brooklyn, NY 11205 in Community School District 13 (“District 13”), where it will be co-located with Brooklyn Community High School of Communication, Arts, and Media (13K412, “BCAM”), an existing high school that serves students in ninth through twelfth grades, Brooklyn High School for Leadership and Community Service (13K616, “LACS”), an existing transfer high school that serves students in ninth through twelfth grades, and P.S. K369 Coy L. Cox (75K369, “P369@K117”), one site of an existing multi-sited District 75 program, serving students in grades six through eight in K117. A “co-location” means that two or more school organizations are located in the same building, often sharing large common spaces like the auditorium, gymnasium and cafeteria.

K117 also currently houses M.S. 596 Peace Academy (13K596, “Peace Academy”), an existing middle school in District 13 serving students in sixth through eighth grades. Per a prior proposal approved by the Panel for Educational Policy (“PEP”) on February 24, 2016, Peace Academy will close following the 2015-2016 school year. Thus, Peace Academy would not be present in K117 during the temporary co-location of BK Prospect - Clinton Hill, if approved. More information about the proposal to close Peace Academy can be found at <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2015-2016/February242016SchoolProposals>.

BK Prospect - Clinton Hill recently began construction on a new private site to serve students in sixth through eighth grades, located at 1100 Fulton Street, Brooklyn, NY 11238 (“1100 Fulton Street”). BK Prospect – Clinton Hill made a request to the DOE for space that could accommodate their first two cohorts of students while they await completion of construction on their private space. Accordingly, the DOE proposes to temporarily co-locate BK Prospect - Clinton Hill in K117 during the 2016-2017 and 2017-2018 school years as the school awaits the completion of its private space. This proposal will enable BK Prospect - Clinton Hill to begin serving students before completion of its private space and will allow families to be served in BK Prospect – Clinton Hill beginning in the 2016-2017 school year and then continue their instruction at BK Prospect - Clinton Hill’s new site at 1100 Fulton Street. If this proposal is approved, BK Prospect - Clinton Hill will serve students in grade six in K117 in the 2016-2017 school year, and will serve students in grades six and seven in K117 in the 2017-2018 school year. Beginning in the 2018-2019 school year, when BK Prospect - Clinton Hill’s new location is complete, students from BK Prospect - Clinton Hill’s school site at K117 will continue to be served by BK Prospect - Clinton Hill, albeit at their new location at 1100 Fulton Street. K117 is approximately 0.9 miles from BK Prospect - Clinton Hill’s location at 1100 Fulton Street. Any significant change in school utilization in K117 for the 2018-2019 school year and beyond would be subject to an additional Educational Impact Statement (“EIS”) and would require the approval of the Panel for Educational Policy (“PEP”).

The details of this proposal have been released in the EIS and BUP, which can be accessed here: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2015-2016/April202016SchoolProposals>. Copies of the EIS and BUP are also available in the main offices of BCAM, LACS, and P369K@K117.

Summary of Comments Received at the Joint Public Hearings

A Joint Public Hearing for this proposal was held on April 11, 2016 in K117. At that meeting interested parties had an opportunity to provide input on the proposal. Approximately 17 people attended the hearing and 9 people spoke. Individuals present at the meeting included: Principal Leadership Facilitator for Brooklyn High Schools Superintendent Karen Watts, Janice Ross; Transfer High Schools Superintendent, Paul Rotondo; Community Education Council 13 (“CEC 13”) President, David Goldsmith; BCAM Principal, James O’Brien; BCAM School Leadership Team (“SLT”) member; Janna Bello; LACS Principal, Georgia Kouriampalis; Maureen Murphy from SUNY Charter Schools Institute; and Jyoti Folch and Jessica O’Brien from the DOE.

The following comments and remarks were made at the Joint Public Hearing.

1. CEC 13 President, David Goldsmith, commented that CEC 13 is in support of the proposal because this is just a temporary co-location, noting that CEC 13 has great plans for District 13 and has plans for the schools that currently exist in K117.
2. BCAM Principal, James O’Brien, commented as follows:
 - a. Though BCAM would prefer to not have another school in building K117, he knows that the enrollment and capacity data for K117 does not allow the school to disagree in any significant way with the proposal itself.
 - b. BCAM disagrees with the space allocation it is receiving in the BUP, and requests that the BUP be revisited.
 - c. BCAM disagrees with the enrollment projections for the school in 2016-2017 of 370-410 students, and has submitted an enrollment request to the DOE to serve 428 students in the fall, that it expects to be approved.
 - d. BCAM intends to begin serving self-contained sections in 2016-2017, and would like to receive additional space to serve those sections.
 - e. BCAM has received grant funds to be a Chancellor’s Community School, which requires additional academic and professional space to accommodate professional staff for Community School services.
 - f. BCAM should be recognized for the significant contributions it has made to K117, which includes hosting athletic teams, after school programs, and community and citywide partners in the building.
 - g. For all of the reasons related to enrollment projections and school planning previously stated, BCAM disagrees with its space allocation in this proposal and disagrees that it should lose any space as BK Prospect – Clinton Hill expands in the building in 2016-2017 and 2017-2018.
3. LACS Principal, Georgia Kouriampalis, commented that she is looking forward to working together with BK Prospect – Clinton Hill if this proposal is approved.
4. Multiple commenters expressed that they feel BCAM should have more space to accommodate enrollment growth and programmatic offerings.
5. One commenter expressed opinion that high school students should not be on the same floor as middle school students, which may exist if this proposal is approved.
6. One commenter expressed concern about safety in K117 with additional students in the building.
7. Multiple commenters expressed opposition to putting a charter school in K117 to replace the space vacated by Peace Academy’s closing.
8. One commenter expressed doubt that BK Prospect – Clinton Hill will vacate K117 after 2017-2018.
9. Multiple commenters expressed support for BCAM.

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

The DOE received zero (0) voicemails through the dedicated phone number for this proposal.

The DOE received zero (0) emails through the dedicated email address for this proposal.

Analysis of Issues Raised, Significant Alternatives, Significant Alternatives Proposed

Comments 1 and 3 express support for the proposal, and comment 2(a) states that enrollment and capacity data prevent BCAM from opposing the proposal on those grounds. Thus, these comments do not require a response.

Comment 2(b) requests that the space allocation in the BUP be revisited generally, and comments 2(d), 2(e), 2(g), and 4 express that BCAM should receive more space in the BUP due to programming considerations, special education planning, and enrollment growth.

With regards to comment 2(b) that requests the BUP to be revisited to provide BCAM additional space, the DOE notes that space allocations were provided consistent with guidelines in the Citywide Instructional Footprint (“Footprint”) and excess space allocations were provided in a manner consistent with Chancellor’s Regulation A-190. More information on the Footprint can be found here:

<http://schools.nyc.gov/Offices/OSP/KeyDocuments/InstructionalFootprint>, and more information on Chancellor’s Regulation A-190 can be found here: <http://schools.nyc.gov/RulesPolicies/ChancellorsRegulations/VolumeA>.

With regards to comments 2(d), 2(e), 2(g) and 4 that specifically mention plans from BCAM to add self-contained special education programming and additional Community School programs, the DOE notes that BCAM receives excess space in this proposal that can be used for programming above what the school is currently offering. In 2016-2017 BCAM receives 9 full-size rooms, 2 half-size rooms, and 1 quarter-size room of excess space above its Footprint, and in the 2017-2018 school year BCAM receives 5 full-size rooms, 1 half-size room, and 1 quarter-size room of excess. Per guidelines in Chancellor’s Regulation A-190, excess space is allocated proportionally based on each school’s relative enrollment in the building. In the 2016-2017 school year, BCAM receives almost double the amount of excess space of any school in K117, and in the 2017-2018 school year, BCAM receives as much excess space as feasible given considerations of contiguous space for each school.

Comment 2(c) expresses disagreement with BCAM’s enrollment projections as outlined in the proposal.

The DOE’s enrollment projections for BCAM in the EIS are highlighted in the table below:

	Grade 9	Grade 10	Grade 11	Grade 12	Total Enrollment
2015-2016	111	95	81	77	364
2016-2017 (projected)	135-145	90-100	75-85	70-80	370-410
2017-2018 (projected)	135-145	115-125	75-85	70-80	395-435

The enrollment projections in the EIS assume growth for the 9th grade in 2016-2017 and BCAM is also projected to serve up to 435 students in 2017-2018. BCAM’s goal of serving 428 students in the 2016-2017 school year is 18 more students than the upper range of projected enrollment for the school in the EIS, which is 410 students.

Given that the enrollment projections between BCAM and the DOE are similar, with a difference of 18 students, the DOE is confident that BCAM’s space allocation is sufficient to serve any additional enrollment demand that matches BCAM’s own projections versus the projections outlined by the DOE in the EIS and BUP. The BUP allocates BCAM 16 full-size classrooms for instructional use, based on the Footprint described above and aligned to a projected 16 GE/ICT sections that the school is scheduled to serve. Averaging 428 students into these 16 classrooms results in an average class-size of 27 students per class, which is less than the UFT-negotiated limit for high school class sizes of 34 students per class. While BCAM can serve additional demand in its current class sizes, BCAM has also received 9 full-size excess rooms in 2016-2017, and has 5 full-size excess rooms in 2017-2018; this space accounts for growth that is projected into BCAM’s enrollment in both school years.

Thus, while BCAM may disagree with the enrollment projections for the school as outlined in the BUP, the DOE remains confident that the space allocated to BCAM, and the enrollment projections provided for BCAM, are accurate and sufficient to serve anticipated demand for the school in 2016-2017.

Comment 2(f) states that BCAM should be recognized for significant contributions at K117, and comment 9 similarly asserts support for BCAM in K117.

The DOE recognizes the praise for BCAM and joins the BCAM community in celebrating the accomplishments and achievements that BCAM has brought to K117.

Comment 5 expresses safety concerns with middle school and high school students on the same floor.

The DOE understands the concern of prioritizing safety at K117, and notes that the space BK Prospect – Clinton Hill is set to occupy is the same space that Peace Academy Middle School currently occupies. To the extent that high school students currently share the floor with middle school students without safety incidents, the DOE is confident that BK Prospect – Clinton Hill can exist in K117 and interact with the other schools in the building without leading to safety concerns.

In addition, due to space limitations, it is not unusual for varying grade levels to be co-located in a building together and sharing the same floor. There are successful examples of mixed grade co-located school buildings or campuses across New York City, including the current floor layout in K117 where BCAM and Peace Academy Middle School share the first floor. The DOE is confident that BK Prospect – Clinton Hill will continue to operate in a safe environment in K117, as Peace Academy currently does.

Comment 6 asserts that increased enrollment in K117 will lead to safety concerns.

The DOE notes that the building target capacity at K117 is 1,051 students, and in the final year of this proposal, when enrollment is projected to be the highest in K117, projected enrollment for all organizations in K117 is 850-968 students, yielding a projected utilization rate of 81%-92%. The DOE disagrees with the suggestion that utilizing space in a building will lead to safety concerns in that building. Pursuant to Chancellor's Regulation A-414, every school/campus is mandated to form a School Safety Committee, which is responsible for developing a comprehensive School Safety Plan that defines the normal operations of the site and what procedures are in place in the event of an emergency. The School Safety Plan is updated annually by the Committee to meet changing security needs, changes in organization and building conditions, and other factors. Updates can also be made at any other time if it is necessary to address security concerns. The Committee will address safety matters on an ongoing basis and make appropriate recommendations to the principal(s) when it identifies the need for additional security measures.

The Office of School and Youth Development ("OSYD") supports schools in maintaining a safe, orderly, and supportive school environment. The DOE encourages all schools, including those in K117, to seek support from OSYD to address any issues involving safety and security. School Safety Agents ("SSAs") are allocated to schools based on each building's projected enrollment. The NYPD's School Safety Division looks at a set of variables to determine the number of SSAs to deploy to a particular school building, including the crime rate, size and design of the building, enrollment, and grade span. Thus, the proposal to open and temporarily co-locate BK Prospect – Clinton Hill into K117 will not necessarily result in additional SSAs being added to the building, but a combination of factors related to the proposal may result in additional SSAs being employed to K117 if necessary.

Comment 7 voices opposition to using space in K117 for a charter school co-location.

This proposal is driven by the DOE's desire to use building capacity to serve students, to respond to BK Prospect – Clinton Hill's space request pursuant to recent amendments to the New York State Education Law, and to enable BK Prospect – Clinton Hill students to begin their education at BK Prospect – Clinton Hill in 2016-2017 and continue that experience into BK Prospect – Clinton Hill's private space when it is available in 2018-2019.

The DOE understands that members of the public have a wide range of opinions with regards to the use of charter schools as alternative learning environments offered in conjunction with traditional district public schools. Charter

schools became a component of New York State's public education offerings with the enactment of the New York State Charter Schools Act of 1998. That said, there are times when the DOE and certain members of the community differ in their opinions about specific projects. The DOE is presenting this proposal both in compliance with the New York State Education Law, and with the belief that BK Prospect – Clinton Hill offers students and families in District 13 a new option for middle school that is in demand.

Comment 8 expresses doubt that BK – Clinton Hill will leave K117 following the 2017-2018 school year.

As mentioned in the EIS that describes this proposal, BK Prospect - Clinton Hill recently began construction on a new private site to serve students in sixth through eighth grades, located at 1100 Fulton Street, Brooklyn, NY 11238. BK Prospect – Clinton Hill made a request to the DOE for space that could accommodate their first two cohorts of students while they await completion of construction on their private space.

This proposal will enable BK Prospect - Clinton Hill to begin serving students before completion of its private space and will allow families to be served in BK Prospect – Clinton Hill beginning in the 2016-2017 school year and then continue their instruction at BK Prospect - Clinton Hill's new site at 1100 Fulton Street. If this proposal is approved, BK Prospect - Clinton Hill will serve students in grade six in K117 in the 2016-2017 school year, and will serve students in grades six and seven in K117 in the 2017-2018 school year. Beginning in the 2018-2019 school year, when BK Prospect - Clinton Hill's new location is completed, students from BK Prospect - Clinton Hill's school site at K117 will continue to be served by BK Prospect - Clinton Hill, albeit at their new location at 1100 Fulton Street.

As mentioned in the EIS, any significant change in school utilization in K117 for the 2018-2019 school year and beyond would be subject to an additional EIS and would require the approval of the PEP.

Changes Made to the Proposal

No changes have been made to this proposal.