

### **Public Comment Analysis**

Date: March 24, 2015

Topic: The Proposed Temporary Re-Siting and Co-Location of M.S.266 Park Place Community Middle School (13K266) and the Inclusion Program of P077K@K902 (75K077) with Existing School P.S. 93 William H. Prescott (13K093) in Building K093 Beginning in the 2015-2016 School Year

Date of Panel Vote: March 25, 2015

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### **Summary of Proposal**

On February 5, 2015, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) describing a proposal to temporarily re-site and co-locate M.S. 266 Park Place Community Middle School (13K266, “M.S. 266”) and the inclusion program of one site of P077K (75K077, “P077K@K902”) to Building K093 (“K093”) beginning in the 2015-2016 school year. M.S. 266 is a middle school that serves students in grades six through eight. P077K@K902 is a District 75 program that serves students in grades six through twelve. Students in the P077K@K902 inclusion program, which serves students on the autism spectrum, are served in M.S. 266’s general education classes. M.S. 266 and P077K@K902 are currently co-located in Building K902 (“K902”), which is located at 62 Park Place, Brooklyn, NY 11217 in Community School District 13 (“District 13”). If this proposal is approved, M.S. 266 and a portion of P077K@K902 would be temporarily re-sited to K093, located at 31 New York Ave, Brooklyn, NY 11216, also in District 13, for a two-year period beginning in the 2015-2016 school year. If this proposal is approved, M.S. 266 and the inclusion program of P077K@K902 would be re-sited to K093 where they will be co-located with P.S. 93 William H. Prescott (13K093, “P.S. 93”), an existing zoned elementary school that serves students in kindergarten through fifth grade and offers a full-day pre-kindergarten program.

Due to exterior and interior building facilities issues, the New York City School Construction Authority (“SCA”) will need to complete extensive construction and facilities repairs on M.S. 266’s current school building, K902. The SCA anticipates the project will take approximately two years to complete. Conditions in the building during these repairs will necessitate that students be served elsewhere for the duration of the construction; as a result, both M.S. 266 and P077K@K902 must be temporarily re-sited to other buildings. Given these circumstances, the DOE has determined that a temporary re-siting to a building within M.S. 266’s current school district is most appropriate. Additionally, students in P077K@K902’s inclusion program would be re-sited along with M.S. 266 in order to provide those students with the opportunity to continue their educational programming within M.S. 266’s general education classes. K093 is located approximately 1.8 miles from K902. After construction and facilities upgrades are complete, M.S. 266 and P077K@K902 students will be able to return to their current school building, which will have improved facilities and learning conditions.

Where possible, the DOE aims to utilize available space in other local school buildings to serve students during a temporary period of construction. Each year, the DOE evaluates public school buildings throughout New York City that are “under-utilized” or have extra space to accommodate additional students. According to the 2013-2014 Enrollment, Capacity, and Utilization Report (the “Blue Book”), K093 has the capacity to serve 702 students, and currently serves 306 students, yielding a utilization rate of 44%. This means that K093 is “under-utilized” and has space to accommodate additional students. Therefore, K093 has the capacity to accommodate M.S. 266 and P077K@K902’s inclusion program, which currently serve 129 students and nine students, respectively.

If this proposal is approved by the Panel for Educational Policy (“PEP”), M.S. 266 and the students in P077K@K902’s inclusion program will be temporarily re-sited and co-located with P.S. 93 in the 2015-2016 and 2016-2017 school years. M.S. 266 and P077K@K902 students will no longer attend classes in K902 during this

time. Instead, they will attend classes in K093, where M.S. 266 and P077K@K902's inclusion students will be co-located with P.S. 93. After the re-siting in 2015-2016, P.S. 93, M.S. 266, and P077K@K902's inclusion program will serve approximately 406-496 students in K093, yielding a projected utilization rate of 58%-71%. This demonstrates that there is sufficient space for the two schools at K093.

M.S. 266 and P077K@K902's inclusion students' return to building K902 for the 2017-2018 school year is contingent on the completion of construction at K902 by September 2017. As noted, the DOE currently plans to move M.S. 266 and P077K@K902's inclusion students to building K093 for the 2015-2016 and the 2016-2017 school years. If construction of K902 is not completed by September 2017, the DOE will issue a separate EIS extending M.S. 266's and P077K@K902's inclusion students' co-location at K093 or detailing an alternate siting plan for M.S. 266 and P077K@K902's inclusion students until the construction at K902 is complete.

The details of this proposal have been released in an EIS, which can be accessed here:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2014-2015/March2015SchoolProposals>.

Copies of the EIS are also available in the main office of P.S. 93, M.S. 266, and P077K@K902.

### **Summary of Comments Received**

The DOE conducted public engagement in the course of creating this proposal, which included:

- A walkthrough of building K093 with a member of DOE senior leadership on November 24, 2014, and a meeting after the walkthrough with the P.S. 93 principal and School Leadership Team ("SLT") members, M.S. 266 Principal, and a representative from Community Education Council ("CEC") 13 to discuss the proposal further, take questions and concerns from both school communities, and determine whether significant logistical or other concerns would prevent the implementation of this proposal if approved by the PEP.
- A community meeting at K902 on February 26, 2015, at which members of the P077K@K902 and M.S. 266 school communities had an opportunity to ask proposal-specific questions and receive response from DOE representatives. Approximately 35 people attended this meeting, including M.S. 266 Principal Glenda Esperance, P077K Network Leader Kathleen Lefevre, District 75 Superintendent Gary Hecht, CEC 13 President David Goldsmith, CEC 13 member and M.S. 266 liaison Diane Stephen, Citywide Council on District 75 ("CCD75") Representative Celia Green, Office of Space Planning Brooklyn Director Charles Fisher, and Estelle Acquah and Tim Castanza from the DOE's Office of District Planning.

The DOE also held two joint public hearings at Buildings K093 and K902 regarding this proposal, on March 9, 2015 and March 18, 2015 respectively. At these hearings, interested parties had an opportunity to provide input on the proposal. Approximately ten members of the public attended the hearing at K093 on March 9, 2015, and nine people spoke. Approximately 50 people attended the hearing at K902 on March 18, 2015 and 17 people spoke.

The following people were present at the K093 hearing: Chancellor's Designee and District 13 Community Superintendent Barbara Freeman; District 13 Family Advocate Precious Jones-Walker; CEC 13 First Vice President Ed Brown; P.S. 93 Principal Sandra Philip; M.S. 266 Principal Glenda Esperance; P077K@K902 Network Leader Kathleen Lefevre; and Estelle Acquah, Jonathan Geis, and Brandon Bloomfield from the DOE.

The following people were present at the K902 hearing: Chancellor's Designee and District 75 Superintendent Gary Hecht; District 13 Family Advocate Precious Jones-Walker; CEC 13 President David Goldsmith; M.S. 266 Principal Glenda Esperance, M.S. 266 SLT Member Mecca Nelson; P077K@K902 Network Leader Kathleen Lefevre; P077K@K902 SLT Representative Engina Brooks; and Estelle Acquah and Jonathan Geis from the DOE.

Information on the joint public hearing and PEP meeting can be found on the DOE website at:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2014-2015/March2015SchoolProposals>

**The following comments and remarks were made at the joint public hearing on March 9, 2015:**

1. P.S. 93 Principal Sandra Philip acknowledged that she is present as a representative of P.S. 93 and this hearing is an opportunity for the P.S. 93 community to voice any concerns that it has about M.S. 266 being a part of the K093 Community.
2. M.S 266 Principal Glenda Esperance stated the following:
  - a. The M.S. 266 community anticipates the temporary move M.S. 266's move and the opportunity to share the building with PS 93 to create a community during the temporary co-location period.
  - b. She has experience being in a shared space for eight years and has had no hiccups to date. Her goal is to service all students, no matter what schools they attend.
  - c. The Office of Student Enrollment has added M.S. 266 to the Middle School application new schools round; if any P.S. 93 students would like to attend M.S. 266 they will have the opportunity to apply.
  - d. She also shared that M.S. 266 is a great school. The students come from a variety of different cultures. M.S. 266 offers diverse programming, including: music, after-school arts, chess club, foreign language, an IKEA sponsored oyster tank, and snowboarding.
3. P077K Network Leader, Kathleen Lefevre stated that P077K has nine students in M.S 266's inclusion classes. Both schools have a very collaborative relationship and have been partners in the K902 building. M.S. 266 is able to work with others and will be able to continue this collaborative tone in a co-location with P.S. 93. M.S 266's work with P077K's inclusion students in a testament to how welcoming the school is. A change such as this re-siting is sometimes harder for adults; it's important for adults to set an example for students so that students feel they have ownership over how the transition goes forward.
4. CEC 13 First Vice President, Ed Brown, stated that the CEC has the following concerns regarding M.S. 266:
  - a. The DOE should provide busing for M.S. 266 to ensure that students are easily able to travel to K093.
  - b. M.S. 266 receives funding for specialty programs from the elected officials in Park Slope. It is important that this funding is sustained to ensure program continuity. M.S. 266 should maintain the ability to obtain new funding from elected representatives, in order to create more programs.
  - c. M.S 266's principal needs to have the support to be able to market the school in K093 and maintain the ability to attract students and families and support the school's enrollment.
5. P.S. 93's Parent Teacher Association President inquired about the following:
  - a. Each school's use of exits/entrances.
  - b. Whether there will be additional safety agents assigned to the building.
6. A P.S. 93 SLT member stated the following inquiries and concerns:
  - a. She is most concerned about safety as safety is paramount. The DOE needs to make sure that there is a solid policy in place that governs anti-bullying, and that appropriate safety measures are put in place so that academics are not interfered with.
  - b. Once MS 266 moves out, will the DOE use any excess space in K093 to co-locate another school in the building?
7. A commenter highlighted the following concerns:
  - a. The potential for overcrowding in K093.
  - b. Safety of the younger students in the building, particularly as they exit school grounds.

8. A P.S. 93 teacher expressed concern about the interactions between the older and younger students.
9. A P.S. 93 parent stated that she and her children are immigrants. P.S. 93 is a great school that has helped her son adjust to a new country. The teachers have been supportive of her son.

**The following comments and remarks were made at the joint public hearing on March 18, 2015:**

10. P077K Network Leader, Kathleen Lefevre stated that it is important for the schools to be re-sited to allow building K902 to receive the necessary repairs. Additionally, she stated that both school communities should express their concerns so that leadership can understand any concerns or questions and work to address them.
11. CEC 13 President, David Goldsmith, stated the following:
  - a. Although the community understands that the re-sitings are absolutely necessary to ensure students' safety, it is critical for parents to voice their concerns so the DOE and school leadership can address them.
  - b. P077K wanted to remain as a whole site and did not want to be split into multiple sites; however, parents continue to be concerned about the distance of the new building and the ability for P077K to maintain its current community partnerships.
  - c. The community is concerned that these temporary re-sitings may become permanent. DOE has stated this is only temporary and families can be assured that the CEC will hold the DOE to their word.
  - d. The CEC wants to be sure that the P.S. 93 school community is not negatively impacted by the co-location. Because this will be a co-location between two District 13 schools the Superintendent and the CEC will work closely with both schools to make sure the co-location is as smooth as possible.
12. M.S. 266 Principal Glenda Esperance stated the following:
  - a. She encourages everyone to speak and share concerns to leadership can offer solutions.
  - b. K902 is in great need of repair, as result, the move will happen in September and it will be in the betterment of both school communities.
  - c. Parents are concerned about whether the school will come back to K902 once construction is complete.
  - d. Parents are also concerned about the DOE providing appropriate transportation to the new site.
13. P077K PTA President, Elgina Brooks, read a student statement in which the students expressed concerns about the re-siting, including the following:
  - a. P077K should have adequate space and have access to bathrooms.
  - b. P077K has many community partnerships, which should continue at the new building.
14. M.S. 266's PTA President raised the following concerns:
  - a. Parents are not assured that the school will come back. Some students just matriculated at M.S. 266 for sixth grade; by the time the school comes back, these students will have graduated.
  - b. M.S. 266 may lose enrollment as some parents have expressed that they don't want to go to the new location. Some parents purposely send their children to M.S. 266 because they would prefer that their children not attend school in the Bedford Stuyvesant neighborhood, although they may live closer to that area. Additionally, students from the Bedford Stuyvesant neighborhood may bring bad behaviors to the school.

- c. Transportation and travel is a concern. Parents will have to travel further to get to work once they drop off their children at school. Students who currently drop off their younger siblings at nearby schools will no longer be able to do so.
15. A parent at P077K expressed the following:
  - a. The children will not be able to come back to K902 once construction is complete.
  - b. They are concerned about having the appropriate staff and facilities at the new location. If teachers don't want to move to the new location, what will the process be to put new teachers in place so that students have continuity?
  - c. The DOE should have a contingency plan prepared in case the PEP does not approve this proposal.
  - d. Logistically, when would the move occur? If it the move occurs at the beginning of the school year, teachers will not have time to move and teach simultaneously.
  - e. If parents opt to leave, will they be given money to attend private schools?
16. A parent raised concerns that P077K staff is on vacation in August and may not have time to move at that time.
17. A P077K SLT member stated the following:
  - a. P077K's accomplishments, including internships, partnerships and job placements need to be preserved in order to support students' continued growth and development. The school community needs to find new partnerships at K014.
  - b. P077K's spaces should have air conditioning because some students have medications and/or have seizure disorders. Additionally, all Smartboards and furniture should be accommodated.
18. A parent of a child at P077K relayed the following:
  - a. She is concerned about how overcrowded K014 is.
  - b. P077K should be able to continue its partnerships and programs.
19. A commenter expressed the following concerns:
  - a. The timing of the move should not run into the school year.
  - b. If the construction takes longer than two years, the temporary location shouldn't become a permanent location.
  - c. P077K has travel training and a wonderful program, which should be preserved.
20. A commenter asked for reassurance that the schools will be able to return to K902.
21. A P077K parent stated the following:
  - a. Parents would like to see a blueprint in order to be assured that the space in the new building is adequate.
  - b. Where will the busing take place in the new building? Right now students gather in the auditorium.
22. A P077K teacher stated the following questions and concerns:
  - a. P077K uses a vocational classroom at K902 that houses various technologies; will there be necessary wiring at K014 to support this?
  - b. Will there be air conditioning in the new building?
  - c. Will students be able to have recess?

- d. P077K has several students who use diapers and some who menstruate. They need appropriate access to bathrooms and privacy.
  - e. P077K has several classrooms in honor of staff members that have been part of our school for a long-time.
  - f. Will P077K still have the same number of classrooms and rooms when returning to K902?
  - g. Teachers need the appropriate time to plan the logistics around the move and cannot pack and unpack while students are in classrooms.
23. A teacher at P077K raised concerns about the distance between K902 and K014. He stated that the average travel time for students will double, and 93% of students will need a travel transfer, an increase from the 50% currently. This is will be very challenging for the students and will cause a regression in their academic and social progress.
24. A parent at P077K asked the following questions:
- a. Will students be able to resume the current community partnerships when they return?
  - b. If construction takes longer than two years, will we be able to stay at I.S. 14? What is the contingency plan?
25. A commenter stated that the community has concerns about this proposal and wants to ensure everything is better when everyone returns.
26. A commenter asked if there will be appropriate, private space for counselors and support staff to assist students as they transition.

#### **Summary of Issues Raised in Written Comments Submitted to the DOE**

The DOE received one email through the dedicated email address for this proposal and zero comments through the dedicated phone line.

#### **The following comments were submitted through the dedicated email address**

27. A commenter requested that the DOE ensure that P077K will return to K902 once construction is complete, particularly because P077K has many community partnerships and job sites that are located in close proximity to K902.

#### **Analysis of Issues Raised, Significant Alternatives Proposed**

Comments 2(a-b), 3, and 12(b) are in favor of the proposal and do not require a response

Comments 2(c-d),4(b), 9, and 22(e-f) are not directly related to the proposal and thus do not require a response.

Comments 1, 10, 11(a) and 12(a) encourage families to share concerns and offer feedback to the DOE about the proposal.

The DOE conducted public engagement in the course of creating this proposal, which included:

- A walkthrough of building K093 with a member of DOE senior leadership on November 24, 2014, and a meeting after the walkthrough with the P.S. 93 principal and School Leadership Team (“SLT”)

members, M.S. 266 Principal, and a representative from CEC 13 to discuss the proposal further, take questions and concerns from both school communities, and determine whether significant logistical or other concerns would prevent the implementation of this proposal if approved by the PEP.

- A community meeting at K902 on February 26, 2015, at which members of the P077K@K902 and M.S. 266 school communities had an opportunity to ask proposal specific questions and receive response from DOE representatives. Approximately 35 people attended this meeting.

The DOE also held two joint public hearings at Buildings K093 and K902 regarding this proposal, on March 9, 2015 and March 18, 2015 respectively. At these hearings, interested parties had an opportunity to provide input on the proposal. Approximately ten members of the public attended the hearing at K093 on March 9, 2015, and nine people spoke. Approximately 50 people attended the hearing at K902 on March 18, 2015 and 17 people spoke.

Additionally, the DOE accepted comments via a dedicated email address and phone line. The DOE received one written comment via the dedicated email address and zero oral comments via the dedicated phone line.

Comment 25 expresses community concern with the proposal.

While the DOE understands that some members of the M.S. 266 and P077K community have concerns about this proposal, the DOE acknowledges that current learning conditions in the K902 building are not optimal for students and thus necessitate that students be served elsewhere for the duration of the construction needed to maintain the building and improve learning conditions at K902. The DOE has also received comments from members of the community in support of this proposal and looks forwards to students at both M.S. 266 and P077K being able to be served in a space that provides improved learning conditions and facilities.

Comment 4(c) and 14(b) express concern about the re-sitings' impact on both schools' enrollments.

As stated in the EIS, the DOE does not anticipate that this proposal will significantly impact enrollment at M.S. 266 or P.S. 93, although students that apply to M.S. 266 based on the school's current location may choose other options during the school's re-siting to K093.

Comments 4(a) and 12(d) concern transportation and travel challenges M.S. 266 may face when traveling to K093. Comment 4(a) specifically expresses a request to have the DOE provide busing to M.S. 266 students to accommodate their travel to K093.

Transportation for students from M.S. 266 will continue to be provided according to Chancellor's Regulation A-801. More details on the DOE transportation policy can be found at: <http://schools.nyc.gov/NR/rdonlyres/21A1B11A-886B-4F74-9546-E875EE82A14C/40303/A801.pdf>.

This proposal is not expected to impact the transportation services for P.S. 93. For M.S. 266 the temporary re-siting and co-location may result in different students being eligible for busing than in past years, in accordance with Chancellor's Regulation A-801.

The DOE is working closely with OPT to determine appropriate travel routes and schedules for students from M.S. 266 to K093.

Comments 11(b), 13(b), 17(a), 18(b), 19(c), 22(c), and 24(a), express concerns about potential changes to programming and community partnerships at M.S. 266 and P077K@K902 as a result of these proposals.

As stated in the EIS for the temporary partial re-siting and co-location of P077K@K902 with I.S. 14 and P811K@K014 in K014, the proposal is not expected to impact current or future student enrollment, admissions, or instructional programming at P077K@K902. P077K@K902 will continue to offer special programming in their new location based on student interests, available resources, and staff support for those programs. However, the temporary partial re-siting to K014 may change which programs are offered or the way those programs are configured. Additionally, as in K902, some activities in K014 may need to share classroom space or the scheduling of these activities may change as a result of greater demands on the available space during or after school hours.

Students will continue to have the opportunity to participate in a variety of extra-curricular programs though the specific programs offered at a given school are always subject to change. That is true for any City student as all schools modify extra-curricular offerings annually based on student demand and available resources.

The maintaining of P077K's existing partnerships and the development of new partnerships are the discretion of the principal and school leadership. While the DOE understands that the temporary re-siting may result in certain programming or partnerships being postponed or changed, the DOE is confident that the P077K community will continue to provide P077K students with a variety of programmatic offerings, as is the case at their current building K902. The job developer and transition coordinator at P077K will continue to be responsible for securing additional partnerships for P077K.

Similarly, the DOE does not anticipate that this proposal will impact the programming, current extra-curricular activities, or partnerships at M.S 266. M.S. 266 will continue to offer extra-curricular programs based on student interests, available resources, and staff support for those programs. However, the temporary re-siting to K093 may change the way those programs are configured. Additionally, some activities may need to share classroom space or the scheduling of these activities may change as a result of greater demands on the available space during or after school hours. Students will continue to have the opportunity to participate in a variety of extra-curricular programs though the specific programs offered at a given school are always subject to change. That is true for any City student as all schools modify extra-curricular offerings annually based on student demand and available resources.

Comment 5(a) refers to an inquiry made by the P.S. 93 PTA Presidents regarding each schools' use of K093's exits and entrance if M.S 266 is housed in the building. Additionally, comments 6(a) and 7(b) are related to general safety at K093 and the development of safety plans at K093.

Pursuant to Chancellor's Regulation A-414, every school or campus is mandated to form a School Safety Committee ("the Committee"). This committee is responsible for developing a comprehensive School Safety Plan that defines the normal operations of the site, including entering and exiting the building and what procedures are in place in the event of an emergency, including a fire safety plan, which entails fire drill and evacuation procedures. School leaders from P.S. 93 and M.S. 266 will form a School Safety Committee at K093. The School Safety Plan is updated annually by the Committee to meet the changing security needs, changes in organization and building conditions and any other factors; these updates can also be made at any other time it is necessary to address security concerns. The Committee will also address safety matters on an ongoing basis and make appropriate recommendations to the principals when it identifies the need for additional security measures.

In addition, as stated in the EIS, the DOE makes available the following supports to schools relating to safety and security:

- Providing "Best Practices Standards for Creating and Sustaining a Safe and Supportive School," as a resource guide;
- Reviewing and monitoring school occurrence data and crime data (in conjunction with the Criminal Justice Coordinator and the New York City Police Department);
- Providing technical assistance via the Borough Safety Directors when incidents occur;
- Providing professional development and kits for Building Response Teams; and
- Monitoring and certifying School Safety Plans annually.

The DOE is committed to working with P.S. 93 and M.S. 266 to ensure a safe school atmosphere for all students.

Comment 5(b) is related to assignment of additional safety guards at K093.

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.

Comment 6(b) is an inquiry about whether the DOE will use excess space in K093 to co-locate another school once M.S 266 moves out.

As stated in the EIS, there are no other proposed uses for K093 at this time.

Comments 7(a), 18(a), and 21(a) express concern about the potential for overcrowding in K093 and K014.

As stated in the EIS, if the proposal to temporarily re-site and co-locate M.S. 266 and the inclusion program of one P077K@K902 to K093 is approved by the PEP, M.S. 266 and the students in P077K@K902's inclusion program will be temporarily re-sited and co-located with P.S. 93 in the 2015-2016 and 2016-2017 school years. M.S. 266 and P077K@K902 students will no longer attend classes in K902 during this time. Instead, they will attend classes in K093, where M.S. 266 and P077K@K902's inclusion students will be co-located with P.S. 93. After the re-siting in 2015-2016, P.S. 93, M.S. 266, and P077K@K902's inclusion program will serve approximately 406-496 students in K093, yielding a projected utilization rate of 58%-71%. This demonstrates that there is sufficient space for the two schools at K093.

Additionally, as stated in the EIS for the proposal regarding the temporary partial re-siting at K014, there is sufficient space in K014 to meet all of I.S 14, P811K@K014 and P077K@K902's instructional and administrative needs. As a result of this proposal, in 2016-2017, the schools located in K014 are collectively projected to enroll approximately 630-680 students, yielding a projected utilization rate of approximately 56% -60% in K014, and thus will have sufficient space to accommodate all schools.

Comment 8 expresses concerns about a mixed grade co-location between P.S. 93 and M.S. 266.

Due to space limitations, it is not unusual for varying grade levels to be co-located in a building together. There are multiple successful examples of mixed grade co-located school buildings or campuses in New York City. For example, building K046 in District 13 currently houses Fort Greene Preparatory Academy, a district middle school which serves students in grades 6-8, and P.S. 046 Edward C. Blum, a district elementary school that serves grades kindergarten through five.

Comment 11(d) expresses a general sentiment that P.S. 93 should not be negatively impacted by the co-location.

The proposed temporary re-siting and co-location of M.S. 266 and the inclusion program of P077K is not expected to impact the admissions, enrollment, educational programming, or educational options of students currently attending P.S. 93. P.S. 93 will also continue to offer extra-curricular programming based on student interests, available resources, and staff support for those programs. This proposal is not expected to impact those opportunities. Students will continue to have the opportunity to participate in a variety of extra-curricular programs, but the proposed co-location may change the way those programs are configured. For example, some activities may need to share classroom space or the scheduling of these activities may change as a result of greater demands on the available space during or after school hours.

In addition, as mentioned, there are currently hundreds of DOE schools that are co-located. Each school in K093 will receive its equitable allocation of space per the Footprint. If the proposed co-location is approved by the PEP, the Building Council, consisting of principals from both co-located schools, is encouraged and empowered to work together, and with the Office of Space Planning, to determine a shared space plan that minimizes the disruption to the schools and the current use of shared spaces. Specific decisions regarding the allocation of the shared spaces will continue to be made by the Building Council in conjunction with the DOE's Office of Space Planning. In any building where more than one school is co-located, the Building Council meets regularly to address issues related to space allocations, shared space usage, and space issues. Additionally, a Shared Space Committee meets a minimum of four times a year and reports back to the Building Council regarding shared space questions. School leaders should utilize Campus Policy Memo as a resource for sharing space, which is available at: <http://schools.nyc.gov/community/campusgov>.

The DOE supports the schools in the K093 building in their efforts to improve. The DOE does not anticipate that this proposal will limit their ability to do so.

Comment 13(a) and 26 expressed concern about P077K having adequate space in K014, particularly for student support services.

There are currently hundreds of schools in buildings across the City that are co-located; some of these co-locations are multiple DOE schools while others are DOE and District 75 schools sharing space. In all cases, the Citywide Instructional Footprint is applied to ensure equitable allocation of classroom, resource and administrative space. The

Footprint allocates the number of baseline rooms for student support services, resources rooms, and administrative space based on the grades a school serves and its enrollment at scale. As in other situations where schools are co-located, the schools will need to share large common and specialty rooms in the building, such as the cafeteria, the gymnasium, and the library. Specific decisions regarding the allocation of the shared spaces will be made by the Building Council, consisting of principals from both co-located schools, in conjunction with OSP. A Shared Space Committee would also meet a minimum of four times a year and report back to the Building Council regarding the scheduling of spaces.

As stated in the EIS, there is sufficient space in K014 to meet all of I.S 14, P811K@K014 and P077K@K902's instructional and administrative needs.

Comments 13(a), 17(b) and 22(b,d) express concern about P077K having appropriate access to air conditioning bathrooms in K014.

OSP and the Division of School Facilities ("DSF") will work with both schools, as well as SCA to assure that P077K's space provides the necessary air conditioning needed for students at their temporary space in K014.

In many buildings where schools are co-located, each school is assigned bathrooms on the floors or hallways of their classrooms and specific stairways for students to use. These measures are taken to cultivate cohesive cultures within each school. If the assignment of specific bathrooms is not working or is inadequate, the Building Council will work together to determine alternate planning if necessary. The third floor of K014, the area where P077K will be located during the temporary re-siting, has both male and female bathroom facilities.

Comments 11(c), 12(c), 14(a), 15(a), 19(b), 20, 24 and 27 are related to the ability of students to return to K902 after the renovations at the building are complete and what happens if the construction is not completed in the timeline discussed in the proposal.

As stated in the EIS for both proposals, due to exterior and interior building facilities issues, the SCA will need to complete extensive construction and facilities repairs on building K902, and anticipates the project will take approximately two years to complete. This project cannot be performed with students in the building. Conditions in the building during these repairs necessitate that students be served elsewhere for the duration of the construction; as a result, both P077K@K902 and M.S. 266 must be temporarily re-sited to other buildings.

P077K@K902's students' return to building K902 for the 2017-2018 school year is contingent on the completion of construction in K902 by September 2017. As stated in the EIS, if construction of K902 is not completed during this time, the DOE will issue a separate EIS extending the co-locations at K093 and/or K014 or detailing an alternate siting plan for M.S. 266 and P077K@K902's students until the construction at K902 is complete. At this time, the DOE does not see any reason why M.S. 266 or P077K would not return to K902, which will have much improved facilities and learning conditions, after construction and facilities upgrades are complete.

Comment 15(b) asks about the process by which the DOE will ensure that P077K is fully staffed to meet the needs of students should any P077K staff decline to continue to work at K014.

While the DOE hopes that staff will remain, any staff member who does not wish to remain at P077K can file for a transfer. Additionally, any hiring of new or additional staff will be conducted consistent with the procedures set forth in the collective bargaining agreement between the DOE and UFT.

Comments 15(c) and 24(b) expressed concern that there is no contingency plan in place should the PEP shoes not approve these proposals.

If these proposals are not approved by the PEP, the DOE may issue a new proposal(s) for an alternative siting plan(s) in accordance with Chancellor's Regulation A-190.

Comments 15(d), 16, 19(a), and 22(a, g) are related to the timeline and logistics of moving from K902 to K093 and K014 respectively.

If these proposals are approved by the PEP, OSP will work with all impacted schools to develop an appropriate date for P077K's to move into K093 and K014. This will include the moving of any materials that the P077K leadership would like to move from K902 to K093 and K014 including any necessary technology such as Smartboards. If the proposal is approved, there will be a placement meeting at both K093 and K014, attended by school leaders, the District 75 and Community Superintendents, OSP and the Office of Campus Governance to discuss a variety of topics including sharing space and logistics of the move.

Comment 15 (e) asked if parents will be able to receive funding for private school if they choose to not send their student to P077K due to the proposal.

In accordance with state and federal special education law, a parent or guardian may file a request for an impartial hearing for any matter relating to the identification, evaluation or educational placement of a student with a disability, or the provision of a free appropriate public education to the child. An impartial hearing is a formal proceeding in which disagreements between you and the school district are decided by an impartial hearing officer appointed by the Department of Education. For additional information as to a parent's rights about the Impartial Hearing Process, as well as how to request an impartial hearing in NYC, please see the Procedural Safeguard's Notice which can be found at the following link:

<http://www.vesid.nysed.gov/specialed/publications/policy/PSGN109.doc>.

Comment 21 (b) is related to transportation logistics at K014 as a result of the proposal.

If the proposal is approved, there will be a placement meeting at K014, attended by both school leaders, the District 75 and District 22 Superintendent, the Office of Space Planning ("OSP") to discuss specific logistical planning for the schools at K014, including transportation schedules, locations for drop-off and pick-up and any other transportation planning needs determined by the leadership of I.S. 14 and P077K.

Additionally, the DOE is working with OPT to determine appropriate scheduling for transportation services at K014.

Comments 14(c) and 23 are related to concerns about transportation and travel for P077K's students and families as a result of this proposal.

Transportation for students from P077K will continue to be provided according to Chancellor's Regulation A-801. More details on the DOE transportation policy can be found at: <http://schools.nyc.gov/NR/rdonlyres/21A1B11A-886B-4F74-9546-E875EE82A14C/40303/A801.pdf>.

This proposal is not expected to impact the transportation services for I.S. 14. For P077K, the temporary re-siting and co-location may result in different P077K students being eligible for busing than in past years, in accordance with Chancellor's Regulation A-801.

The DOE is working closely with OPT to determine appropriate travel routes and schedules for students from P077K to K014.

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

No changes have been made to this proposal.