

### **Public Comment Analysis**

Date: April 16, 2013

Topic: The Proposed Co-location of Grades Five and Six of Success Academy Charter School—Harlem 4 (84M386) with P.S. 185 The Early Childhood Discovery and Design Magnet School (03M185), P.S. 208 Alain L. Locke Magnet School for Environmental Stewardship (03M208), Harlem Link Charter School (84M329), and P226M@P208M (75M226) in Tandem Buildings M185/M208 for the 2013-2014 School Year

Date of Panel Vote: April 17, 2013

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### **Summary of Proposal**

On March 1, 2013, the New York City Department of Education (“DOE”) issued a proposal to co-locate grades five and six of Success Academy Charter School—Harlem 4 (84M386, “SA–Harlem 4”) in Tandem Buildings M185 and M208 (“M185/M208”), located respectively at 20 West 112<sup>th</sup> Street, New York, NY 10026 and 21 West 111<sup>th</sup> Street, New York, NY 10026 in Community School District 3 (“District 3”), for the 2013-2014 school year only. “Tandem buildings” are two separate buildings with separate entrances which are joined by a central core containing a shared gymnasium, auditorium, and cafeteria(s). A “co-location” means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, and cafeterias.

If this proposal is approved, grades five and six of SA–Harlem 4 will be co-located in M185/M208 for the 2013-2014 school year only with four existing schools: P.S. 185 The Early Childhood Discovery and Design Magnet School (03M185, “P.S. 185”), a zoned early childhood school in the M185 building serving students in kindergarten through second grades and offering three sections of a full-day pre-kindergarten program; P.S. 208 Alain L. Locke Magnet School for Environmental Stewardship (03M208, “P.S. 208”), a zoned elementary school in the M208 building serving students in third through fifth grades; Harlem Link Charter School (84M329, “Harlem Link”), a public charter school located in both the M185 and M208 buildings serving students in kindergarten through fifth grades; and P226M (75M226, “P226M@P208M”), one site of a multi-site District 75 school that is currently serving students in kindergarten through fifth grades in M208.

In addition, there are currently two DOE organizations occupying space in the M185/M208 building: District 3 School Food and District 75’s professional development office; this proposal is not anticipated to impact the siting of either organization.

P.S. 185 is a zoned early childhood school that admits students in kindergarten through second grade in accordance with Chancellor’s Regulation A-101. P.S. 185 also has a pre-kindergarten

program, which admits students through the standard universal pre-kindergarten admissions process.

P.S. 208 is a zoned elementary school that admits students in third through fifth grades in accordance with Chancellor's Regulation A-101. Although they are two distinct schools, P.S. 185 and P.S. 208 serve the same zone, and students generally articulate from the second grade at P.S. 185 to the third grade at P.S. 208.

P226M is a District 75 school that operates 11 schools which are split-sited across ten different locations, including M185/M208. P226M@P208M currently serves students in kindergarten through fifth grades in M208. Students are placed in District 75 programs, like P226M@P208M, based on individual students' needs/recommended special education services.

Harlem Link is a public charter school currently serving students in kindergarten through fifth grade and admits students via a charter lottery application process.

The fifth grades of Success Academy Charter School–Harlem 2 (84M384, “SA–Harlem 2”) and Success Academy Charter School–Harlem 3 (84M385, “SA–Harlem 3”) are currently co-located in M185/M208 for the 2012-2013 school year. Both SA–Harlem 2 and SA–Harlem 3 will move out of M185/M208 prior to the beginning of the 2013-2014 school year. SA–Harlem 2 and SA–Harlem 3 will serve their articulating fifth grade students at other sites beginning in the 2013-2014 school year.

If this proposal is approved, SA–Harlem 4 will serve students in grades five and six in M185/M208 for the 2013-2014 school year only. Any plan(s) to co-locate future cohorts of SA–Harlem 4 in a DOE building would be described in a future Educational Impact Statement (“EIS”), which would require approval by the Panel for Educational Policy (“PEP”).

The State University of New York (“SUNY”) Charter Schools Institute originally authorized SA–Harlem 4 to serve students in kindergarten through fifth grades. On February 26, 2013, SUNY approved the renewal of SA – Harlem 4's charter for another five years through July 31, 2018 and authorized it to expand to serve students in grades kindergarten through eight.

SA–Harlem 4 is an existing public charter school currently serving students in kindergarten through fifth grades across two sites. SA – Harlem 4's kindergarten through fourth grades are served in building M113 (“M113”), located at 240 West 113<sup>th</sup> Street, New York, New York 10026 in District 3, about 0.3 miles north of M185/M208. SA–Harlem 4's fifth grade is temporarily being served in building M149 (“M149”), located at 34 West 118<sup>th</sup> Street, New York, New York 10026, also in District 3, about 0.5 miles from M185/M208.

SA–Harlem 4 is co-located with two other schools in M113: P.S. 241 STEM (03M241, “P.S. 241”), a zoned elementary school serving students in kindergarten through fifth grades as well as a pre-kindergarten program; and The Opportunity Charter School (84M279, “Opportunity”), a public charter school serving students in grades six through twelve. SA–Harlem 4's kindergarten

through fourth grades will continue to be served at this site and will continue to be co-located with P.S. 241 and Opportunity.

The fifth grade of SA–Harlem 4 is co-located in M149 for only the 2012-2013 school year and will no longer be co-located in M149 beginning in the 2013-2014 school year. SA–Harlem 4’s fifth grade is temporarily co-located with three other schools in M149: P.S. 149 Sojourner Truth (“03M149, “P.S. 149”), currently serving students in kindergarten through eighth grade as well as a pre-kindergarten program; P811M@P149M (75M811, “P811M@P149M”), one site of a multi-site District 75 school; and grades kindergarten through four of Success Academy Charter School–Harlem 1 (84M351, “SA–Harlem 1”), a public charter school currently serving students in kindergarten through seventh grade. SA–Harlem 1, SA–Harlem 2 and SA–Harlem 3 are operated by Success Academy Charter Schools (“SACS”), the same charter management organization (“CMO”) that operates SA–Harlem 4.

SACS is a CMO that currently operates 12 public elementary charter schools in New York City and 2 public middle charter schools. The four SACS elementary schools that received a Progress Report for the 2011-2012 school year received overall grades of A.

According to the 2011-2012 Enrollment Capacity Utilization Report (the “Blue Book”), M185/M208 has a combined target capacity to serve 1,016 students. Currently, the buildings serve 900 students, yielding a combined building utilization rate of 89%. According to the 2011-2012 Under-utilized Space Memorandum and List, building M208 is “underutilized” and has extra space to accommodate students. SA–Harlem 2 and SA–Harlem 3 will vacate M185/M208 prior to the beginning of 2013-2014 school year, at which point the building will continue to be underutilized. If this proposal is approved, in 2013-2014, SA–Harlem 4 will serve approximately 122-155 students in fifth and sixth grades at M185/M208 in 2013-2014, at which point the buildings are projected to serve approximately 826-983 students in total, yielding an estimated building utilization rate of 81%-97%. The allocation of instructional and administrative space is discussed in more detail in the attached revised Building Utilization Plan (“BUP”).

### **Summary of Comments Received at the Joint Public Hearing**

A joint public hearing regarding this proposal was held at building M208 on April 8, 2013. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 25 members of the public attended the hearing, and 10 people spoke. Present at the meeting were: New York State Senator Bill Perkins; New York City Council Member Inez Dickens; New York State Senator Bill Perkins’ Chief of Staff Cordell Cleare; DOE Senior Superintendent Elaine Gorman; Community School District 3 Superintendent Ilene Altschul; SUNY Representative Elizabeth Genco; Harlem Link Principal Steve Evangelista; P.S. 185 Principal Jane Murphy; P.S. 208 School Leadership Team Representative (“SLT”) and PTA President Theresa Black; P226M@P208M SLT Representative Angela Donadelle; Community Education Council 3 (“CEC 3”) Representatives Christine Annechino, Camille Goodridge, Laurie Frey, Olaiya Deen, and Mary Kane; District 3 Family

Advocate DJ Sheppard; and Yael Kalban, Yoo Jin Cheong, Juan Rosales and Meera Jain from the DOE.

### **Summary of Comments Received at the Joint Public Hearing**

1. New York State Senator Bill Perkins, opposed the proposal and commented as follows:
  - a. Charter schools should obtain vacant parochial school buildings because they have space.
  - b. Charter schools are not public schools and should pay rent for their space.
  - c. There is blind favoritism for charter schools in New York City.
  - d. The DOE should investigate possible cheating throughout the system after the school test scandal was uncovered in Atlanta.
  - e. There is deception and conspiracy within the DOE.
  - f. Families are not here this evening because they believe that joint public hearings are fraudulent.
  - g. The outcome of this proposal is predictable.
  - h. This community doesn't want to engage with the DOE because they don't believe in co-locations.
2. New York City Council Member Inez Dickens, opposed the proposal and commented as follows:
  - a. This proposal will negatively impact the schools in this building.
  - b. Charter schools should pay rent for occupying space in school buildings.
  - c. What is being done to ensure an equitable usage of time in the shared spaces?
  - d. Charter schools are allocated optimal times in the shared spaces while district schools are allocated non-optimal times.
  - e. How can this building be expected to accommodate additional students?
  - f. Public schools students cannot be educated in closets or rooms without windows.
  - g. Public schools students are not supported in the same way that charter school students are supported.
  - h. Why was building M208 categorized as "underutilized"?
  - i. Were parents informed of this meeting?
  - j. Is there a possibility that this co-location may not be approved by the PEP?
  - k. Charter schools should obtain space in parochial school or other private buildings, not in public school buildings.
  - l. This is not about being anti-charter schools, but rather pro-public schools.
  - m. The DOE does whatever it wants to.
  - n. We have to fight this co-location like we fought the proposal to truncate Wadleigh.
3. Cordell Cleare, representing New York State Senator Bill Perkins, opposed the proposal and commented as follows:

- a. The DOE should announce that this hearing is being recorded so people are not intimidated of speaking their mind.
  - b. Who is behind the decision to co-locate schools?
  - c. Co-locations make it difficult to share space and educate children when there are so many people in one building.
  - d. Please take interest in making children the priority of your work.
4. Christine Annechino, CEC 3 President, opposed the proposal and commented as follows:
- a. The fact that parents are not here tonight does not mean they are not disgusted with this proposal.
  - b. The community has lost confidence in the DOE and SUNY to support their needs and to treat them equally, and that is why parents have not turned out for this hearing.
  - c. P.S. 208 has done a great job with its magnet grant and expressed their interest in growing to middle school.
  - d. We are disappointed that P.S. 208 cannot grow to middle school because the DOE is putting another school in this building.
5. Camille Goodridge, CEC 3 2<sup>nd</sup> Vice President, opposed the proposal and commented as follows:
- a. SA-Harlem 4 will come back again next year to expand in the building.
  - b. P.S. 208 requested to expand, but was not given the chance to even though there will be space.
  - c. Why are charter schools allowed to expand, but not district schools?
6. Laurie Frey, CEC 3 Secretary, opposed the proposal and commented as follows:
- a. The BUP doesn't account for special rooms for English Language Learner students.
  - b. The DOE did not apply the Instructional Footprint in allocating space to SACS.
  - c. This co-location is fundamentally unfair.
  - d. Does the cost per student published in the EIS include all costs?
  - e. If the DOE didn't take approximately \$7,000 of per pupil funding, this would leave P.S. 208 with more funding than they currently have.
  - f. The district schools are responsible for paying the rent, but charters are not required to.
7. Olaiya Deen, CEC 3 member, opposed the proposal and commented as follows:
- a. SACS is corrupt and complicit with Mayor Bloomberg.
  - b. There is a rash of Success Academy Charter Schools in this the city.
  - c. Mayor Bloomberg and Eva Moskowitz are trying to privatize education by opening more charter schools.
8. Steve Evangelista, Principal of Harlem Link, opposed the proposal and commented as follows:
- a. We have a model Building Council with principals that have been gracious and supportive of the charter schools in this building.
  - b. We want support from the DOE and SACS in that the new principals will be cooperative and play by the rules at future Building Council meetings.
  - c. How is building M208 "underutilized" when it was designed for two schools with 1,000 students, but now has five schools?

- d. The Instructional Footprint doesn't account for administrative, financial and operational needs of a charter school.
- e. The Instructional Footprint doesn't account for the special needs of children.
9. Theresa Black, P.S. 208 SLT member and PTA president commented as follows:
  - a. SA—Harlem 2 and 3 are currently in the building, and as long as SA—Harlem 4 is about the same size and uses the same space, we don't have a problem with this proposal.
  - b. We will need to address scheduling dismissal times with the new staff from SA—Harlem 4.
10. One commenter stated that:
  - a. The use of the word "temporary" is misleading, as another proposal to co-locate SA—Harlem 4 in this building can be issued next year.
  - b. The SA—Harlem schools will require space for their middle and high school students and will come to District 3 for space because it is convenient.
  - c. There is no benefit to this community or its children from having charter schools here.
  - d. The DOE should be concerned with how much space they are giving to charter schools.
  - e. SUNY should not approve charter schools unless they have a location or space identified in their application.
  - f. The DOE should seriously consider the feedback from the community when there is overwhelming opposition to the co-location of charter schools.

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

No written comments were received at the joint public hearing.

No oral comments were received via voicemail.

No written comments were received via email.

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

- Comments 1(d,e), 2(l,m,n), 3(d), 4(b) and 7(a,b), are not directly related to this proposal and thus do not require a response.
- Comment 10(e) is directed to SUNY, not the DOE, and thus the DOE is not in a position to respond.
- Comments 1(f,h), 2(i), 3(a),4(a), and 10(f) pertain to the joint public hearing process; how the DOE considers community feedback when creating and voting on proposals; and recording of the hearing proceedings. The DOE appreciates all feedback from the community regarding a proposal. When the Educational Impact Statement and Building Utilization Plan were issued on March 1, 2013, they were made available to the staff, faculty and parents of

P.S. 185, P.S. 208, Harlem Link, P226M@P208M, and SA—Harlem 2 3, and 4 on the DOE’s Web site, and in each school’s respective main office. In addition, the DOE dedicates a proposal-specific website and voicemail to collect feedback on this proposal. Furthermore, all schools’ staff, faculty and parent communities are invited to the Joint Public Hearing to provide further feedback. In the case of this proposal, the DOE solicited feedback from community members at the hearing, as well as through voicemail and email since the proposal was posted on March 1, 2013. Each school distributed parent letters and notices provided by the DOE to all students informing parents of the proposal and the various ways in which they could provide feedback. All feedback received from the community via email, phone, or at the hearing is included in this document, which has been provided to the PEP and is publicly available on the DOE Web site.

At the joint public hearing on April 8, 2013, Senior Superintendent Elaine Gorman facilitated and stated at the start of the hearing that the proceedings were being recorded. In addition, the law allows non-disruptive recording of public meetings by third parties. 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 P.S. 185, P.S. 208, P226M@P208M and Harlem Link will be able to create productive and collaborative partnerships with SA-Harlem 4.

- Comment 2(a) suggests that this proposal will negatively impact the schools in M185/M208. As stated in the Educational Impact Statement, the proposed co-location is not expected to impact future student enrollment, instructional programming, or the admissions processes for the schools currently co-located in building M185/M208.
- In regards to comment 10(c), the DOE believes that the co-location of SA—Harlem 4 in M185/M208 will be a valuable addition to the District 3 community and will not prevent the other schools in M185/M208 from continuing to serve all students who enroll there. This co-location will allow students currently enrolled in the fourth and fifth grades at SA—Harlem 4 in building M113 and M149, respectively, to articulate to the next grade level at a nearby building.
- Comments 2(f), 3(b,c), 6(a,b,c), 8(d), and 10(d) discuss space allocations and co-locations. Roughly half of our schools share space in a building. Co-locations allow us to use our limited facilities efficiently while simultaneously creating additional educational options for New York City families. Co-location is therefore very common in New York City buildings – with 33% of all DOE buildings housing more than one school organization. This is necessary because we have scarce resources and a demand for more options. 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 public charter schools sharing space. In all cases, allocation of classroom, resource, and administrative space is guided by the Citywide Instructional Footprint (the “Footprint”) which is applied to all schools in the building. The DOE seeks to fully utilize all its building capacity to serve students. The DOE does not distinguish between students attending public charter schools

and students attending district schools. In all cases, the DOE seeks to provide high quality education and allow parents/students to choose where to attend school.

The Footprint is the guide used to allocate space to all schools based on the number of class sections the school programs and the grade levels of the school. The number of class sections at each school is determined by the Principal based on enrollment, budget, and student needs; there is a standard guideline of target class size (i.e., number of students in a class section) for each grade level. At the middle school and high school levels, the Footprint assumes every classroom is programmed during every period of the school day except one lunch period. The full text of the Instructional Footprint is available at [http://schools.nyc.gov/NR/ronlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011\\_FINAL.pdf](http://schools.nyc.gov/NR/ronlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.pdf).

For buildings with charter schools, there may be a Building Utilization Plan (“BUP”) which details the number of class sections each school is expected to program each year and allocates the number of classrooms accordingly. The assignment of specific rooms and location for each in the building, including those for use in serving students with IEPs or special education needs, will be made in consultation with the Principals of each school and the Office of Space Planning if the proposal is approved. The BUP demonstrates that there is sufficient space in the building to accommodate the proposed co-location.

- In response to comment 8(e), as mentioned in the EIS, the schools in M185/M208 currently serve students in Integrated Co-Teaching (“ICT”) classes, students enrolled in self-contained (“SC”) special education classes, and students receiving Special Education Teacher Support Services (“SETSS”). Students with disabilities receive services in accordance with their Individualized Education Program (“IEP”) developed for each student. The Footprint allocates one full-size or half-size classroom to accommodate each SC section served by the schools in M185/M208. As outlined in the BUP, in 2013-2014, the schools in M185/M208 will receive at least the baseline and/or adjusted baseline Footprint allocations for serving students in SC classes.
- In response to comment 10(b), the DOE is committed to providing a portfolio of high quality school options to students and families. The DOE strives to ensure that all students in New York City have access to a high-quality school in an appropriate environment at every stage of their education. Although there is no current plan to site SACS middle or high school students in the building, the DOE assesses seat needs and availability at all levels – elementary, middle, and high – and if they determine that there is a need for additional middle school and high school seats and space is available in District 3, the DOE will follow the A-190 process, regardless of whether it is for the co-location of a public district school or public charter school.
- Comments 1(g) and 2(j) suggest a decision has already been made regarding this proposal. While the DOE supports the co-location of SA-Harlem 4 grades five and six in M185/M208 for 2013-2014, the DOE notes that no decision has been made on this proposal. Any such

proposed change to school utilization must be approved by the PEP before it can take effect. The PEP will vote on this proposal at its April 17, 2013 meeting.

- Comments 2(c,d) and 9(b) pertain to scheduling time in shared spaces and the Building Council in M185/M208. The Building Utilization Plan puts forth a **proposed** shared space schedule for the co-located schools that is feasible and demonstrates that the co-located schools may be treated equitably and comparably in the use of shared spaces. The final shared space schedule will be collaboratively drafted by the Building Council if the proposed co-location is approved by the PEP. As per the Campus Policy Memo, co-located schools on campuses must actively participate in a Building Council, which is a campus structure for administrative decision-making for issues impacting all schools in the building. Only principals and charter school leaders serve on the Building Council. The Building Council meets at least once a month to discuss and resolve issues related to the smooth daily operation of all schools in the building and the safety of the students they serve. The Building Council principals and charter school leaders, where applicable, communicate their decisions campus-wide to staff, students and parents, especially for issues of safety, shared space, campus schedules, split-staff agreements and extended facility use.

Further, a Shared Space Committee (“SSC”) shall be established by the principals of the schools at campuses where charter schools are co-located in a public school building with one or more non-charter schools or District 75 schools. The SSC reviews the implementation of the BUP once it has been approved by the PEP. The SSC will meet at minimum four times per year. The SSC will be comprised of the principal, a teacher and a parent of each co-located school.

- In response to comments 8(a,b) and 9(a), the DOE supports the positive efforts of the Building Council in M185/M208. This proposal maintains the current allocation of space in the building for P.S. 185, P.S. 208, P226M@P208M, and Harlem Link. SA—Harlem 4 is projected to serve a similar number of students as are currently being served in the building by SA—Harlem 2 and 3, and will be allocated the same amount of space. Therefore, the DOE expects that this proposal will have little impact on the co-located schools, and the schools will be able to continue their effective relationships. However, if conflicts emerge and progress is impaired, the Building Council will follow the dispute resolution procedures outlined in the Campus Policy Memo available at the following link: <http://schools.nyc.gov/community/campusgov/KeyDocuments/CampusMemo.htm>.
- Comments 1(a,b), 2(b,k), and 6(f) pertain to leasing space in parochial schools and charging charter schools for space. The DOE seeks to provide space for additional education options for all students, regardless of whether students are served in DOE or public charter schools. We welcome public charter schools to lease or provide their own space, but we will offer space in DOE buildings where it is feasible to do so. The DOE does not lease space directly for charter schools; a charter school interested in parochial school or other space would have to acquire or lease that space with private funds. As mentioned in the EIS, building M208 is

currently underutilized and has extra space to accommodate additional students once SA-Harlem 2 and 3 moves out, which can be used for public district schools or public charter schools.

- Comments 2(e,h) and 8(c) pertain to building utilization rates. According to the 2011-2012 Underutilized Space Memorandum and List, building M208 is “underutilized” and has space to accommodate additional students. This classification is based on the 2011-2012 Blue Book. Although the building is housing SA – Harlem 2 and SA – Harlem 3 during the 2012-2013 school year, these organizations will vacate M185/M208 prior to the beginning of 2013-2014 school year, at which point the building will continue to be underutilized. If this proposal is approved, in 2013-2014, SA–Harlem 4 will serve approximately 122-155 students in fifth and sixth grade at M185/M208, at which point the buildings are projected to serve approximately 826-983 students in total, yielding an estimated building utilization rate of 81%-97%, which is below the building capacity.
- Comments 1(c) and 2(g) concern the availability of resources for DOE schools and the contention that charter schools have preferential access to resources. With regard to funding and other resources, charter schools receive public funding for general education students 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 charter schools is not affected by the approval or rejection of this proposal. Charter school 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.). With respect to concerns that charter schools take resources away from DOE schools, it should be noted that charter schools receive public funding based on their student enrollment, as do DOE schools. To the extent that a student opts to attend a charter school rather than a particular DOE school, that DOE’s school enrollment may decline, resulting in less per student funding. In this regard, the impact of a parent selecting a charter school is no different than the impact of a parent selecting an alternative DOE school. The DOE believes the ability for parents to choose where they wish their child to attend school is of paramount important, and is committed to increasing these options available to families.
- Comment 4(c,d) and 5(b,c) discuss the positive aspects of P.S. 208 and its intention to grow to middle school. The DOE commends P.S. 208 for their commitment to students and families. In regards to P.S. 208’s request to expand, the DOE received a letter of intent from P.S. 208 to reconfigure their grade span through the Office of New Schools. P.S. 208’s application will be considered along with all applications from schools interested in reconfiguring grades served. This proposal will not impact the consideration of P.S. 208’s application.
- In response to comments 5(a) and 10(a), as stated in the EIS, any plan(s) to co-locate future cohorts of SA—Harlem 4 or another school organization in M185/M208 would be described in a future EIS and BUP, which would require approval by the PEP.

- In response to comments 6(d,e), the EIS does not state the total cost per student of the schools in M185/M208. Charter schools receive public funding for general education students 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 charter schools 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).

The basic operating budget for the district schools in M185/208 is determined by the Fair Student Funding (“FSF”) formula, which is used at all other New York City district public schools. Under FSF, schools receive City tax levy funding on a per-pupil basis. Each student receives a per-pupil entitlement based on the grade level of the student, as well as other factors such as whether the student is an English Language Learner (“ELL”) or a student with a disability.

FSF dollars – approximately \$5.0 billion in the 2012-2013 school year based on projected registers – are used by all district schools to cover basic instructional needs and are allocated to each school based on the number and need-level of students enrolled at that school. All money allocated through FSF can be used at the principals’ discretion, such as hiring staff, purchasing supplies and materials, or implementing instructional programs. As the total number of students enrolled changes, the overall budget will increase or decrease accordingly, allowing the school to meet the instructional needs of its student population. P.S. 208’s enrollment has declined in recent years, which, in combination with a reduction in overall state educational funding, has led to a decline in the school’s budget. However, throughout that period P.S.208’s budget has been determined by the same process as all other DOE schools.

Please refer to the Fair Student Funding Guide and FY13 School Allocation Memoranda for additional information on FSF funding and other school allocations.

The FSF Guide is available at:

[http://schools.nyc.gov/offices/d\\_chanc\\_oper/budget/dbor/allocationmemo/fy12\\_13/FY13\\_PDF/FSF\\_Guide.pdf](http://schools.nyc.gov/offices/d_chanc_oper/budget/dbor/allocationmemo/fy12_13/FY13_PDF/FSF_Guide.pdf).

The FY13 School Allocation Memoranda is available at:

[http://schools.nyc.gov/offices/d\\_chanc\\_oper/budget/dbor/allocationmemo/fy12\\_13/AM\\_FY13\\_CAT.html](http://schools.nyc.gov/offices/d_chanc_oper/budget/dbor/allocationmemo/fy12_13/AM_FY13_CAT.html)

- In response to comment 7(c), which suggests that the City and SACS are trying to privatize education, charter schools are public schools.

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

- No changes have been made to this proposal in response to public feedback.