Public Hearing Summary

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<th>Charter School:</th>
<th>Achievement First Linden Charter School</th>
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<tbody>
<tr>
<td>Hearing Date:</td>
<td>April 1, 2019</td>
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<td>Hearing Location:</td>
<td>Building K218, 370 Fountain Avenue, Brooklyn, NY (CSD 19)</td>
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<td>Start Time</td>
<td>6:03 p.m.</td>
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<td>End Time</td>
<td>6:47 p.m.</td>
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**Background:**

The New York City Department of Education ("NYCDOE") proposes to temporarily co-locate grades 5-8 of Achievement First Linden Charter School ("AF Linden") in part of Building K218 ("K218") beginning in the 2019-20 school year. K218 is located at 370 Fountain Avenue, Brooklyn, NY in New York City Community School District ("CSD") 19.

AF Linden would be temporarily co-located with J.H.S. 218 James P. Sinnott ("J.H.S. 218"), a district middle school serving students in grades 6-8, and School for Classics High School ("School for Classics"), a district high school serving students in grades 9-12. K218 also houses the community based organizations ("CBOs"), Beacon and City Year, as well as the NYCDOE’s Substance Abuse Prevention and Intervention Specialists program. The New York City Panel for Educational Policy ("PEP") approved this proposal on April 17, 2019.

According to the NYCDOE’s Enrollment, Capacity, Utilization Report, K218 has the capacity to serve 1,312 students. Currently, the building serves approximately 698 students, yielding a building utilization rate of approximately 53%. According to the NYCDOE, by the 2021-2022 school year, building XK218 is projected to serve approximately 1,015 – 1,125 students, yielding a projected utilization rate of approximately 77-86%, which demonstrates sufficient space for all schools and CBOs.

The NYCDOE Building Usage Plan ("BUP") allocates AF Linden 16 full-size rooms, three half-size rooms, and zero quarter-size rooms by the 2021-2022 school year.
Hearing Notes:

Approximately 40 members of the public attended the hearing. Brooklyn High School Superintendent Janice Ross facilitated the hearing.

Omowale Clay, a representative of Council Member Inez Barron, spoke in opposition to the co-location. He stated the Council Member believes co-locations were never supposed to happen and that charter schools should have their own locations. He stated co-locations create tension between parents in the same community and affect the disbursement of funds. He stated he visited the previous location of AF Linden and expressed concern that the current co-location will not be temporary. He questioned what will happen in three years and whether the other public schools will be moved out of the building. He stated AF Linden is supposed to move to Alabama Avenue and there is great concern about that site. He stated a three year temporary co-location is too long and hinders the development of schools in the building already. He expressed concern that if AF Linden intends to move to private space then it should not take three years to build. He asked if representatives from AF Linden were available to speak with him.

Celia Green, President of Citywide Council on High Schools, spoke in favor of the co-location. She stated she has children in public schools in Brooklyn and can support the proposal. She stated she understands all kids need space and schools need space to grow but is hopeful that the temporary co-location can help AF Linden achieve its goals and bridge a gap between charter and district schools.

A student at AF Linden spoke in favor of the co-location. She stated she would not be receiving the best education if AF Linden did not exist, and she had attended a traditional public school. She stated the teachers at AF Linden help her to understand the material, and she learns about teamwork. She stated she was grateful for the teachers who make the school a safe place to learn and grow, and hopes to move to the new location.

A student at AF Linden spoke in favor of the co-location. She stated she has been a student at AF Linden since first grade and has learned about friendship, support, and independence, and scholars are taught about mindset, perseverance, love, and respect. She spoke of the enrichment and after school intervention programs available at AF Linden. She expressed concern that families would have to look for new schools if the proposal is not approved.

An AF Linden parent spoke in favor of the co-location. She expressed how AF Linden has changed her son, and she toured different schools before deciding on AF Linden. She stated AF Linden is doing transformational things in East New York and must be provided the space to do so. She spoke of the leadership and innovative Greenfield model available at AF Linden and stated there is nothing better.

An AF Linden teacher and parent spoke in favor of the co-location. She stated she has taught at AF Linden for four years and has previously taught in the public school sector and another charter network. She stated the AF Linden team creates a magical environment that fosters learning, strength of character, and academic achievement, and charters offer black and brown families choice. She expressed that due to lack of resources and exposure, those families are not getting the
same opportunities as others but they deserve the same opportunities. She stated the charter and public sectors have to work collaboratively to make sure children can choose their setting for academic success and she hopes the PEP approves the proposal.

An AF Linden parent spoke in favor of the co-location. She stated her family moved to New York last year and visited seven schools before choosing AF Linden. She expressed that her daughter loves school, learning, her teachers, and is driven to exceed standards. She is excited about the future needs for the AF Linden educational program and wants it to continue in the new location.

An AF Linden parent spoke in favor of the co-location. He stated he is a lifelong East New York resident and supports the school because of the Greenfield program. He stated he sees the passion among parents and teachers, and that is what children in the community need. He stated he attended co-located schools, it worked out just fine, and he is well educated and well spoken.

**Preliminary Determination:**

The State University of New York (“SUNY”) Charter Schools Institute (the “Institute”) reviewed the Educational Impact Statement and the BUP prepared by the NYCDOE for the facility at issue. The Institute also inspected the space at the time of the hearing and found it to be a typical NYCDOE building that appeared to be in compliance with applicable law. Based on the documentation prepared by the NYCDOE and the information in the charter school’s renewal application and other information, the Institute also finds that the proposed use of the space by the charter school would not violate applicable law.

Based on the site review, the physical space proposed to be allotted to the charter school was safe and adequate. In addition, there appears to be sufficient common spaces and resource spaces to be shared by the charter school, the district schools, and the CBOs. Finally, the Institute notes that the BUP, at the time of the co-location hearing, was in draft form. Pursuant to New York Education Law, school leadership teams from the co-located schools are required to agree on a plan to utilize common spaces in the building. As such, the BUP will not be finalized until the co-location is finalized.

With respect to public comments, the Institute thanks the members of the community and the elected representative for their candor. The Institute notes that SUNY has no authority over NYCDOE decisions regarding the physical locations of NYCDOE schools, grants, or programs. SUNY also has no positive authority to place schools into NYCDOE space.

As the charter school proposes to move to a facility in the CSD or NYC borough set forth in its renewal application, the Institute only needs to determine whether the space, and the charter school’s use of the space, would be in compliance with its charter and applicable law. In such cases, SUNY does not separately approve the school’s location. Therefore, as the Institute has held the hearing on behalf of the SUNY Board of Trustees as required by the New York Charter Schools Act of 1998 (as amended), the Institute approves the facility for use by the charter school subject to compliance with the terms of its charter agreement regarding facilities.