EDUCATIONAL IMPACT STATEMENT: The Proposed Temporary Co-Location of a New Public Charter School, Invictus Preparatory Charter School, with J.H.S. 218 James P. Sinnott (19K218) and The School for Classics: An Academy of Thinkers, Writers, and Performers (19K683) in School Building K218

I. Summary of Proposal

The New York City Department of Education ("DOE") is proposing to site Invictus Preparatory Charter School ("Invictus Prep"), a new public charter school that would serve up to 602 students in fifth through eighth grade, in Building K218 ("K218"), located at 370 Fountain Avenue, Brooklyn, NY, 11208, in Community School District 19.[1] Invictus Prep would be co-located in K218 with an existing DOE zoned middle school that serves sixth through eighth grade, J.H.S. 218 James P. Sinnott (19K218, "J.H.S. 218"), and an existing DOE high school that currently serves ninth through eleventh grades, the School for Classics: An Academy of Thinkers, Writers, and Performers (19K683, "The School for Classics"), and is in the process of phasing in twelfth grade. K218 also houses a Community Based Organization (CBO), Beacon, which provides after-school programs to students. J.H.S. 218 enrolls students through the District 19 Middle School Choice Process. It has a zoned program and a screened application program open to students and residents of District 19. The School for Classics enrolls students through the Citywide high school admissions process, and it will complete its phase-in in 2011-2012. Invictus Prep would be a new charter school that would temporarily serve fifth through eighth grade students in K218.[2] 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.

This is a proposal to incubate Invictus Prep in K218 for four years – the 2011-2012, 2012-2013, 2013-2014 and 2014-2015 school years. The DOE will evaluate the space available in K218 and other District 19 locations and will issue a new Educational Impact Statement ("EIS") for the long-term siting of Invictus based on the most appropriate space available for the 2015-2016 school year and beyond.

Invictus Prep has been approved by its charter authorizer, the State University of New York's Charter School Institute ("SUNY Charter School Institute"), to open a new public charter school in Community School District 19 in Brooklyn. SUNY Charter School Institute approved Invictus Prep's proposal to open with fifth grade classes in 2011-2012 and to add one grade each year until it serves up to 351 students in fifth through eighth grade. Invictus Prep will provide a preference to District 19 students in its charter school lottery application process.[3]

If this temporary proposal is approved, in 2011-2012, the first year of the proposed co-location, Invictus

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[1] http://invictusprep.org/

[2] Invictus Prep is authorized by its charter authorizer to serve fifth through eighth grades and the DOE anticipates that Invictus Prep will apply for a grade expansion to serve fifth through twelfth grades. The DOE recognizes there is not sufficient space in K218 for Invictus Prep to serve high school grades. The DOE is considering all long-term options to accommodate the anticipated growth of Invictus Prep.

[3] For more information about the charter school lottery application process, please consult the DOE's Directory of NYC Charter Schools, which can be accessed on the DOE's website: http://schools.nyc.gov/community/planning/charters/For+Parents. Applicants who reside in the district in which a charter is located receive preference for admission.

Prep will enroll approximately 90 students in fifth grade. In 2012-2013, Invictus Prep would expand to serve approximately 90 students in sixth grade. In 2013-2014, Invictus Prep would expand to serve approximately 90 students in seventh grade. In 2014-2015, Invictus Prep would complete its incubation and serve approximately 351 students in fifth through eighth grade.

K218 has been identified as an under-utilized building, meaning it currently has at least 300 seats available.[4] In 2009-2010, the building served 802 students[5] and had a capacity to serve 1,405 students, yielding a target building utilization of 57%.[6] In 2010-11, J.H.S. 218 and the School for the Classics enrolled a combined total of 837 students,[7] which yields an estimated utilization rate of 60%.[8] In 2014-15, when Invictus Prep completes its incubation, K218 would serve approximately 1326-1406 students,[9] which yields an estimated utilization rate of 100%.

In the future, if there is an increase in student enrollment resulting from demand greater than current projections for J.H.S. 218 or an increase in the number of families residing in the zoned area, the Chancellor reserves the right to relocate Invictus Prep to an alternate location geographically proximate to K218. The Chancellor shall certify in writing that in her judgment, the need of the school system requires the re-acquisition of the charter school space for DOE use.

II. Proposed or Potential Use of Building

The building in which J.H.S. 218 and the School for Classics are located, K218, has the capacity to serve 1,405 students. In 2009-2010, the building only served 802 students, yielding a target utilization rate of just 57%. J.H.S. 218's enrollment in 2010-2011 school year was 599 students, and the School for Classics' enrollment for the 2010-2011 school year was 238 students, which yields an estimated utilization rate of 60%. In 2014-15, Invictus Prep will have completed its incubation and will serve students in fifth through eighth grade. At that point, K218 would serve approximately 1326-1406 students across all of the schools, which yields an estimated utilization rate of 100%.

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4 The preliminary 2010-2011 Under-Utilized Space Memorandum and List was published on the DOE's website on October 8, 2010. It can be accessed at http://schools.nyc.gov/community/planning.

5 2009 audited register

6 The utilization rate reported here may differ from that published in the 2009-2010 Enrollment Capacity Utilization Report (the "Blue Book") because the Blue Book enrollment includes Long Term Absences ("LTAs"), students who have been absent continuously for 30 days or more as of October 31st, 2009. The building capacity figures quoted here are consistent with the Blue Book. However, the building enrollment figures referenced throughout this EIS and used in the calculation of utilization rates only include the the number of students estimated to be regularly attending the school, and thus does not include LTAs. This methodology is consistent with the manner in which the DOE conducts planning and calculates space allocations and funding for all schools. In determining the space allocation for co-located schools, the Office of Space Planning will conduct a detailed site survey and space analysis of the building to assess the amount of space available in the building.

7 2010 audited register

8 The official target capacity and utilization rates for the 2010-2011 school year and beyond are not yet available. All references to building utilization rates in this document are based on target capacity data from the 2009-10 Blue Book. As discussed above, utilization rates referenced herein only include the projected number of students who may actually attend the school and do not include Long Term Absences (LTAs).

9 Estimate includes projected enrollment at J.H.S. 218, the School for the Classics, and Invictus Prep.

Over the next four years, the proposed grade spans for the schools in the building are as follows:

School Year	2010-11	2011-12	2012-13	2013-14	2014-15
J.H.S. 218	6-8	6-8	6-8	6-8	6-8
The School for Classics	9-11	9-12	9-12	9-12	9-12
Invictus Prep	N/A	5	5-6	5-7	5-8

J.H.S. 218 would continue serving sixth through eighth grade.

The School for Classics would complete its phase in in K218 in 2011-12, when it will achieve full scale and would serve students in ninth through twelfth grades.

Invictus Prep would open in K218 in 2011-2012 and will serve fifth grade with an enrollment of approximately 90 students. In 2014-2015, Invictus Prep will have completed its proposed incubation and would serve approximately 351 students in fifth through eighth grade.

As noted previously, K218 also houses a Community Based Organization (CBO), Beacon, which provides after-school programs to students. This CBO would not be impacted as a result of this proposal.

As described in more detail in the Enrollment, Capacity, Utilization Report, which is available at http://source.nycsca.org/pdf/capitalplan/2009-10/BB_2009_2010.pdf, a building's target utilization rate is calculated by dividing its official audited enrollment by its target capacity. A building's target capacity factors in the scheduled use of individual rooms as reported by principals during an annual facilities survey, the DOE's internal class size targets (which are lower than the UFT contractual class sizes), and the efficiency with which classrooms are programmed (i.e., the frequency with which classes are scheduled in a given classroom).

The most recent year for which target capacity has been calculated for buildings is 2009-2010. As described earlier in this EIS, the DOE's projected utilization rates for the 2010-2011 school year and beyond are based on the 2009-2010 target capacity, which assumes that the components underlying that target capacity (scheduled use of classrooms, aspirational class size targets, programming efficiency, etc.) remain constant. Thus, projected utilization rates for 2010-2011 and beyond provide only an approximation of a building's usage because each of the factors underlying target capacity may be adjusted by principals from year to year to better accommodate students' needs. For example, changing the use of a room from an administrative room to a homeroom at the high school level will increase a building's target capacity. Similarly, if a room previously used as a kindergarten classroom is subsequently used as fifth-grade classroom, the building's target capacity would increase because fifth grade has a higher target classroom capacity than kindergarten.

Although a utilization rate greater than or equal to 100% may suggest that a building will be over-utilized or over-crowded in a given year, this rate does not account for the fact that rooms may be programmed for different uses or more efficient ones. In addition, charter school enrollment plans are frequently based on larger class sizes than target capacity, contributing to building utilizations above 100%. Section III.B. sets forth the baseline number of rooms to be allocated to each school pursuant to the Footprint[10] as well as the total number rooms in a building to provide a more complete picture of the availability of space in a

[10] Please visit the New York City Department of Education website to access the Instructional Footprint, which guides space allocation and use in City schools: http://schools.nyc.gov/NR/rdonlyres/8CF30F41-DE25-4C30-92DE-731949919FC3/87633/NYCDOE_Instructional_Footprint_Final9210TNT.pdf

building. Further, enrollment in schools can have small variations from one year to another due to factors that cannot be anticipated, like a small increase in the number of students that need to repeat ninth grade in a high school or the number of kindergarten-aged children living in a school zone being higher one year compared to another.

III. Impact of the Proposal on Affected Students, Schools, and Community

As noted previously, Invictus Prep has been approved by its charter authorizer, SUNY Charter School Institute, to open a new public charter school in Community School District 19 in Brooklyn. If this proposal is approved Invictus Prep would open with a fifth grade class in 2011-2012 and would add one grade each year until it serves up to 351 students in fifth through eighth grade in 2014-2015. As noted previously the DOE will evaluate the space available in K218 and other District 19 locations and will issue a new Educational Impact Statement ("EIS") for the long-term siting of Invictus based on the most appropriate space available for the 2015-2016 school year and beyond. As noted previously, K218 also houses a Community Based Organization (CBO), Beacon, which provides after-school programs to students. This CBO would not be impacted as a result of this proposal.

A. Students

Impact on Students Currently Attending J.H.S. 218

The proposal to incubate Invictus Prep in K218 for four years is not expected to impact current or future student enrollment, or admissions at J.H.S. 218.

J.H.S. 218 is a DOE zoned middle school, and it enrolls students from its zone through the District 19 Middle School Choice process. It also offers a screened application program which is open to all students and residents of District 19 through the middle school choice process.[11] J.H.S. 218 enrolled 599 sixth through eighth grade students in 2010-2011.[12] J.H.S. 218 currently offers Collaborative Team Teaching ("CTT") classes, Self-Contained classes ("SC"), and Special Education Teacher Support Services ("SETSS"). The existing CTT, SC and SETSS classes would continue to be provided and students with disabilities will continue to receive mandated services in accordance with their Individual Education Plans ("IEP"). Similarly, future students with IEPs will continue to receive mandated services at J.H.S. 218.

In accordance with DOE policy, English Language Learner ("ELL") students are admitted to middle schools in the same manner as their peers who are not ELLs. Current and future ELL students at J.H.S. 218 would continue to receive mandated services.

J.H.S. 218 is currently using a large number of excess rooms in the building. If this proposal is approved, J.H.S. 218 will lose a number of these excess classrooms and will need to operate closer to its baseline allocation of rooms pursuant to the Citywide Instructional Footprint. As described in the attached Building Utilization Plan, the DOE does not anticipate that the reduction of classroom space will impact the availabilty of instructional programming at J.H.S. 218.

- J.H.S. 218 currently offers Regents classes in Eath Science, and Integrated Algebra. J.H.S. 218 also offers the following Special Programs and Initiatives: iTeach/iLearn One-to-One Laptop Program, Police Athletic League (PAL)/Beacon Propgram, Math Fair, Career Day, Poetry Slam, and Field Day.
- J.H.S. 218 also offers the following extracurricular activities: Umoja Steppers, Sinnott Dance

[11] Enrollment in a screened application program is determined by criteria designated by the school.
[12] 2010-2011 audited register.

Ensemble, Sinnott Chorus, iSquad, Warriors Basketball Team, Indoor Track, and Outdoor Track.

J.H.S. 218 would continue to offer extracurricular programs based on student interests, available resources, and staff support for those programs. The proposed co-location would not impact those opportunities, but those programs may be configured differently as a result of this temporary proposal. Students would continue to have the opportunity to participate in a variety of extracurricular 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 extracurricular offerings annually based on student demand and available resources.

In addition, the DOE does not anticipate that this proposal would impact J.H.S. 218's partnerships.

- J.H.S. 218 partners with St. Francis College, Long Island University, Brooklyn College, iTeach/iLearn, Cooperative, Healthy, Active, Motivated, Positive Students (CHAMPS).

Impact on Students Currently Attending The School for Classics

The proposed co-location of Invictus Prep is not expected to impact current or future student enrollment, or admissions at the School for Classics.

In 2010-2011, the School for Classics serves students in ninth through eleventh grade. In 2011-2012, the School for Classics will expand to serve twelfth grade students and achieve full scale. The School for Classics is a DOE high school, and it enrolls 238 students through the citywide high school admissions process. The School for Classics currently offers Collaborative Team Teaching ("CTT") classes, Self-Contained classes ("SC"), and Special Education Teacher Support Services ("SETSS"). The existing CTT, SC and SETSS classes would continue to be provided and students with disabilities will continue to receive mandated services in accordance with their Individual Education Plans ("IEP"). Similarly current and future students with IEPs will continue to receive mandated services at the School for Classics.

Students with IEPs are admitted to high schools in the same manner as general education students. Schools are expected to create programs that meet the needs of all students and ensure appropriate exposure to a general education curriculum. In addition, students who are classified as ELLs and are enrolled and receiving English as a Second Language ("ESL") or transitional bilingual services will continue to receive mandated services. The School for Classics offers transitional bilingual programs in Spanish, and will continue to do so as mandated. All current and future ELL at the School for Classics would continue to receive mandated services.

As described in the attached Building Utilization Plan, the DOE does not anticipate that this proposal will impact the availabilty of instructional programming and extracurricular activities at the School for Classics.

- The School for Classics currently offers set and costume design, acting, dance, music, play production, playwriting, theater production, classical literature, performing and visual arts, publicity, documentary, school leadership, and Spanish.
- The School for Classics currently offers the following extracurricular activites: Advisory and Leadership, Geography and Travel, Drama, Math Club, Creative Writing Club, Drama Club, and Student Government.

The School for Classics would continue to offer extracurricular programs based on student interests, available resources, and staff support for those programs. The proposed temporary co-location would not impact those opportunities. Students would continue to have the opportunity to participate in a variety of extracurricular 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 extracurricular offerings annually based on student demand and available resources.

The DOE does not anticipate that this proposal would impact the School for Classics's partnerships.

- The School for Classics partners with STARR Incorporated, the New Perspectives Theater Company, Brooklyn College, ArtsConnection, and the Brooklyn Arts Council.

Impact of Invictus Prep's Co-Location on Future Middle School Students in District 19

If this proposal is approved, Invictus Prep would admit fifth grade students via lottery, with a preference for District 19 students. Incoming fifth grade students will be eligible to participate in the Invictus Prep admissions lottery. If this proposal is approved, Invictus Prep would add approximately 301 additional fifth through eighth grade school seats in District 19.

In addition to Invictus Prep, there are several existing public charter schools in District 19 that offer a preference for District 19 students through the charter lottery application process. Those schools are listed below:

School Name (DBN)	Address	Current Grades Served	Grades Served at Scale	Current Enrollment in 2010-2011[13]	Admissions Criteria	Extracurricular Activities
Achievement First East New York Charter School (84K358)	557 Pennsylvania Avenue (ES) 158 Richmond Street (MS)	K-6	K-8	513 (ES) 86 (MS)	Kindergarten Lottery	Mandatory Summer Academy, Extended day, After-school, REACH Club, African Drumming, Dance
Brooklyn Scholars Charter School (84K740)	2635 Linden Boulevard	K-5	K-8	249	Kindergarten Lottery	After-school
The United Federation of Teachers Charter School (84K359)	300 Wyona Street (ES) 800 Van Siclen Avenue (MS)	K-10	K-12	448 (ES) 309 (MS) 148 (HS)	Kindergarten Lottery	Extended day, extracurricular activities

The chart above also includes (where available at the time of EIS creation) details about specialized academic programs planned for these charter schools. Detailed information about charter schools and the charter lottery application process is published annually and is available in print or on the DOE website here: http://schools.nyc.gov/community/planning/charters/For+Parents.

[13] 2010-2011 audited register

J.H.S. 218 is a zoned middle school, and it will continue to enroll students who are zoned to it through the District 19 Middle School Choice process. A student's zoned school is determined by his or her home address. For more information about school zoning and admissions processes, please visit the DOE website's School Search function: http://schools.nyc.gov/SchoolSearch. J.H.S. 218 also admits students and residents of District 19 to the unzoned academic screened program through the District 19 Middle School Choice process and will continue to do so. Screened programs evaluate applicants based on their academic grades, standardized test scores, attendance and punctuality, in addition to other assessments.

In the District 19 Middle School Choice process, students rank their preferences from among District 19 choice middle schools. These options include:[14]

- unzoned, choice middle schools with a screened application process (admission is based on criteria designated by the school);
- unzoned, choice middle schools with an unscreened or limited-unscreened application processes (Note: limited-unscreened schools admit students on the same basis as unscreened schools except that they give preference to students who have attended a school information session);
- zoned middle schools

Non-District 75 students with IEPs will participate in the middle school admissions processes in the same manner as their non-disabled peers. The DOE will support middle schools by reviewing students' IEPs to focus on addressing the needs of students with disabilities by providing individualized service models that ensure students have access to the general education curriculum to the greatest extent possible. The middle school to which a student is matched will develop a program to meet the student's needs. This process would apply to students with IEPs transitioning to middle school in the same manner as it applies to all other students. Similarly, any students with IEPs will continue to receive appropriate services at the choice school to which they are matched.

In accordance with DOE policy, ELLs participate in the middle school admissions processes in the same manner as their peers who are not ELLs. Students who are ELLs are placed according to the same criteria as their English-speaking peers. Students requiring ELL services will continue to receive mandated services at the middle school to which they are matched.

In addition, J.H.S. 218 is expected to continue to accept over-the-counter students. [15]

Over-the-counter (OTC) placement is a term that refers to the method of enrolling students who need a school assignment because they were not part of any admissions process for entry grades and/or were not enrolled in a NYC school at the time school started. These students fall into one of four categories:

- New to the New York City school system; or
- Left the New York City school system and have returned; or
- Are seeking transfers (based on the guidelines outlined in Chancellor's Regulation A-101)[16]; or
- Students who did not participate in the middle school admissions process for some other reason.

When a middle school eligible student arrives for an over-the-counter placement, his or her school

[14] http://schools.nyc.gov/ChoicesEnrollment/Middle.

[15] Enrollment projections for J.H.S. 218 include students zoned to J.H.S. 218 and students who seek to enroll "over-the counter." As described in more detail in the attached Building Utilization Plan that accompanies this EIS, schools are assigned space based on the relative enrollments of the co-located schools. Thus, the space allocated to J.H.S. 218 in K218 will accommodate the school's projected enrollment, including "OTC" students.

[16] Per Chancellor's Regulation A-101, students have the "right to return" to their prior school following discharge within one calendar year of discharge, subject to available seats. Therefore, it is possible that non-zoned students arriving for an OTC placement may be granted admission to a zoned school.

assignment is determined by his or her interest, home address and which schools have available seats, and where applicable, transfer guidelines. Students are eligible to attend middle school based on the district of elementary school attendance or the district to which the student's address is zoned for middle school. In un-zoned districts, the student visits a Borough Enrollment Office where he or she meets with a counselor who reviews options that will meet the student's needs. However, in many districts, students may simply report to their zoned middle school at the start of the year.

If the Division of Portfolio Planning determines that additional OTC seats may be needed, the number of available seats is reviewed and—if space allows—adjusted in those schools where the admissions methods are limited unscreened, educational option or unscreened. Should a zoned school reach capacity, the school may be "capped," in which case OTC arrivals may be directed to a different district middle school. Should sufficient space open at the capped school, the student has the right to return if they so choose.

In addition, screened and audition middle schools and alternative programs are offered through referrals. In this way, the DOE is able to offer individual students the widest breadth of options across a large number of schools.

Future rising sixth-grade students will continue to have access to a broad range of middle school options through the District 19 Middle School Choice process. Achievement First East New York Charter School serves kindergarten through sixth grade and also provides a District 19 priority in its admissions lottery. The United Federation of Teachers Charter School serves kindergarten through tenth grade and also provides a District 19 priority in its admissions lottery.

Impact of Invictus Prep's Co-location on Future High School Students

This proposal will not affect the manner in which students are admitted to the School for Classics.

In New York City, high school admissions are based on a Citywide choice process, with students ranking up to 12 high schools in order of preference during the "Main Round" of high school admissions. Starting in 2011-2012 school year, the School for Classics will expand to serve twelfth grade and will be fully phased-in with a projected enrollment of 300-350 students in ninth through twelfth grades. The School for Classics will continue to admit students as part of the High School Admissions Process. The School for Classics has a limited unscreened admissions method, and it gives priority to students who attend an information session. The proposed co-location of Invictus Prep will not impact the School for Classics's admissions policies.

Students who are currently enrolled in the eighth grade and are interested in applying to the School for Classics would participate in the High School Admissions Process this school year for a ninth-grade seat in September 2011. It will continue to add one grade per year until 2014-2015, when it would serve sixth through twelfth grade students and achieve full scale. The High School Admissions Process permits student applicants to list up to twelve high school programs in order of preference on his/her application. Students submit these applications in early December.

There are three rounds to the High School Admissions Process:

Specialized High Schools Round: Students who took the Specialized High School Admissions Test and are eligible based on their test score as well as students who auditioned and qualified for La Guardia High School for the Arts receive both a specialized high school offer and, if they received one, their Main Round offer at the same time in February. Students who receive a specialized high school offer as well as a Main Round offer must choose between the two.

Main Round: All eighth-grade students (minus those who qualified and accepted their specialized high school offer) are in this round. Generally, just before this round is executed, new schools are announced and all eighth graders who would want to apply to any of the new schools would have the

opportunity to re-submit their high school application. The new high school application would list students' new options, in order of preference, and supersede the application previously submitted in December 2010.

Supplementary Round: Any student who is not matched in the Main Round would have to complete a new high school application in April 2011. The choices available for these students include any school that has available seats at the conclusion of the Main Round.

For more information regarding the timeline and deadlines for the High School Admissions Process, please refer to the following website: http://schools.nyc.gov/ChoicesEnrollment/High/Calendar.

Students with Individualized Education Plans ("IEPs") are admitted to high schools in the same manner as general education students. Schools are expected to create programs that meet the needs of all students and ensure appropriate exposure to a general education curriculum. Therefore, the placement process for students with IEPs and ELLs is the same process as described above.

In addition to the High School Admissions Process, some students receive placement into the school through the over-the-counter process. When a student needs an over-the-counter placement, his or her school assignment is determined by his or her interest, home address and which schools have available seats, and where applicable, transfer guidelines. The student visits a Borough Enrollment Office where he or she meets with a counselor who reviews options that would meet the student's needs.

There is a peak enrollment period occurring just prior to and into the opening of school when thousands of students arrive. Prior to the start of the peak enrollment period, schools are reminded about the number of OTC students they can expect. This number is based on a school's enrollment projection and the results of the admissions process.

If the Division of Portfolio Planning determines that additional OTC seats may be needed, the number of seats available is reviewed and—if space allows—adjusted in those schools where the admissions methods are Limited Unscreened, Educational Option or Unscreened.

Screened programs (those that have academic criteria) which have a two year track record of not filling projected enrollment targets through the High School Admissions Process are "de-screened" for OTC students in order to increase the number of options for students. In addition, screened and audition schools, transfer schools, international schools and alternative programs are offered to OTC students through referral.[17] In this way, the DOE is able to offer individual OTC students the widest breadth of options across a large number of schools.

The number of schools that admit students during the peak enrollment period has grown steadily over time, which means that students arriving during this period are being offered more options than in the past. In the 2010-2011 school year, 481 schools that serve grades nine through twelve accepted students during the peak enrollment period, compared to 428 four years ago.

[17] International schools are designed to provide quality education for recently arrived immigrant students through a unique educational model. Transfer schools are small, academically rigorous high schools designed to re-engage those who have dropped out or who have fallen behind and now have fewer credits than they should for their age (these students are called "over-age and under-credited").

B. Schools

Invictus Prep would be a new public charter school open to all residents of District 19. The proposed co-location of Invictus Prep in K218 is intended to provide families with another middle school in District 19.

In 2010-2011, building K218 enrolled 837 students with the capacity to serve 1,405 students, which yields an estimated utilization rate of 60%. If this proposal is approved, Invictus Prep would begin phasing in building K218 in 2011-2012. Collectively, J.H.S. 218, the School for Classics, and Invictus Prep are projected to enroll approximately 1,326-1,406 students in 2014-2015, when the incubation is complete. At that point, the projected utilization rate for K218 would be approximately 100%.

The estimated enrollment for J.H.S. 218, the School for Classics, and Invictus Prep in K218 over a five year period are shown in the table below:

J.H.S. 218's estimated enrollment, over a period of 5 years:

	Grade 6	Grade 7	Grade 8	Projected Enrollment
2010-11[18]	180	203	216	599
2011-12	175-185	190-200	210-220	575-605
2012-13	175-185	190-200	210-220	575-605
2013-14	175-185	190-200	210-220	575-605
2014-15	175-185	190-200	210-220	575-605

The School for Classic's estimated enrollment, over a period of 5 years:

	Grade 9	Grade 10	Grade 11	Grade 12	Total Projected Enrollment
2010-11[19]	93	98	47	-	238
2011-12	300-350				
2012-13	400-450				
2013-14	400-450				
2014-15	400-450				

[18] 2010-2011 audited register.
[19] 2010-2011 audited register.

Invictus Prep's estimated enrollment, over a period of 5 years:

	Grade 5	Grade 6	Grade 7	Grade 8	Total Projected Enrollment
2010-11	-	-	-	-	-
2011-12	90	-	-	-	90
2012-13	90	90	-	-	180
2013-14	90	90	90	-	270
2014-15	90	90	90	81	351

As described in more detail in the attached Building Utilization Plan that accompanies this EIS, there would be sufficient space to accommodate J.H.S. 218, the School for Classics, and Invictus Prep, pursuant to the Citywide Instructional Footprint (the "Footprint") throughout the period while Invictus Prep gradually phases in. Please visit the DOE's website to access the Footprint, which guides space allocation and use in City schools: http://schools.nyc.gov/NR/rdonlyres/8CF30F41-DE25-4C30-92DE-731949919FC3/87633/NYCDOE_Instructional_Footprint_Final9210TNT.pdf.

Currently, J.H.S. 218 and the School for Classics are using a number of excess classrooms above their baseline space allocations, but as Invictus Prep phases into the building, J.H.S. 218 and the School for Classics will need to operate closer to their respective baseline space allocations. The DOE does not antcipate that the reduction of classroom space will impact J.H.S. 218 or the School for Classics's ability to meet the needs of all their students.

In the future, if there is an increase in student enrollment resulting from demand greater than current projections for J.H.S. 218 or an increase in the number of families residing in the zoned area, the Chancellor reserves the right to relocate Invictus Prep to an alternate location geographically proximate to K218. The Chancellor shall certify in writing that in her judgment, the need of the school system requires the re-acquisition of the charter school space for DOE use.

The Footprint sets forth the baseline number of rooms that should be allocated to a school based on the grade levels served by the school and number of classes per grade. For existing schools, the Footprint is applied to the current number of classes and class size a school has programmed and is confirmed by a walk-through of the building by the Borough Director of Space Planning and the school's principal. For elementary schools serving kindergarten through fifth grade (and for all pre-kindergarten programs), the Footprint assumes that classes are self-contained ("SC"). Therefore, the Footprint allocates one full-size classroom for each general education or collaborative team teaching ("CTT") section and a full-size or half-size classroom to accommodate each SC special education section served by the school. In addition to these rooms, schools serving grades K-5 receive an allocation of cluster or specialty classrooms proportionate to the number of students enrolled. These spaces can be used at the principal's discretion for purposes such as art and/or music instruction, among other things.

For grades 6-12 the Footprint assumes that students move from class to class and that classrooms should be programmed at maximum efficiency. The Footprint allocates one full-size classroom for each general education or CTT section and a full-size or half-size classroom to accommodate each SC special education section served by the school. The Footprint does not require that every teacher have his or her own designated classroom. Principals are asked to program their schools efficiently so that classrooms can be used for multiple purposes throughout the course of the school day.

As described in more detail in the attached Building Utilization Plan that accompanies this EIS, there will be sufficient instructional space in K218 for J.H.S. 218, the School for Classics, and Invictus Prep to be co-located in K218 for the period of this proposal. As in other situations where schools are co-located, the schools would need to share large common and specialty rooms in the building, namely the cafeteria, the two gymnasiums, and the library. Specific decisions regarding the allocation of the shared spaces will be made by the Building Council, consisting of principals from all co-located schools, in conjunction with the DOE Office of Space Planning. A Shared Space Committee will also meet a minimum of four times a year and report back to the Building Council regarding shared space questions. Any unallocated space would be equitably distributed among the schools based on student enrollment.

In accordance with New York State Charter Schools Act of 1998 (as amended), the Chancellor or his/her designee must first authorize in writing any proposed capital improvement or facility upgrade in excess of five thousand dollars, regardless of the source of funding, made to accommodate the co-location of a charter school within a public school building. For any such improvements or upgrades that have been approved by the Chancellor, capital improvements or facility upgrades shall be made in an amount equal to the expenditure of the charter school for each non-charter school within the public school building.

C. Community

The DOE supports parent choice and strives to ensure that all families have access to diverse schools that meet their children's needs. The proposed co-location of Invictus Prep is intended to meet those goals by providing an additional middle school choice option for students in District 19.

In 2009-2010, K218 had a utilization rate of 57%. The building has the capacity to serve 1,405 students. In 2010-2011, J.H.S. 218 and the School for Classics enrolled a combined total of 837 students in K218, which yields an estimated utilization rate of 60%. If the proposal to site Invictus Prep in K218 is approved, K271 would serve approximately 965-1,045 students in 2011-2012, which yields an estimated utilization rate of 74%.

By 2014-2015, when the School for Classics has achieved full scale and Invictus Prep has completed its incubation and serving fifth through eighth grade, the DOE projects the building will have approximately a 100% utilization rate. This means that by 2014-2015, K218 would enroll more students, and the space would be more efficiently utilized, than was the case during the 2009-2010 school year.

As discussed earlier, students in District 19 may also apply to attend Achievement First Apollo Elementary School, Achievement First East New York Charter School, Brooklyn Scholars Charter School, Hyde Charter School II, Imagine Me Charter School, and the United Federation of Teachers Charter School. As these charter schools all expand to full scale, they will increase the number of charter elementary, middle and high school seats available in District 19. Detailed information about charter schools will also be published annually and would be available in print or on the DOE website here: http://schools.nyc.gov/community/planning/charters/For+Parents.

In addition to this proposal, the DOE is also phasing in other middle and high schools in District 19. Beside the School for Classics, the following District 19 schools are also currently phasing in:

School Name (DBN)	Address	Current Grades Served	Grades Served at Scale	Current Enrollment in 2010-2011[20]	Admissions Criteria	Extracurricular Activities
Academy of Innovative Technology (19K618)	999 Jamaica Avenue	9-11	9-12	297	Citywide high schools admissions process	Leadership through Community Service, Student Leadership Council, Peer Mediation, MOUSE Squad, Youth Ambassadors Program, Junior Achievement, A+ Computer Repair Program, Peer Tutoring, Saturday Tutorials, Computer Literacy for Families, Digital Filmmaking, Open Act, Film, Chess, Book, Robotics, Stepping, Spoken Word, Music
Brooklyn Lab School (19K639)	999 Jamaica Avenue	9-11	9-12	308	Citywide high schools admissions process	Student Government, School Leadership Team, National Staff Developers Council, Extended Day and Saturday Academy, Research, Art Club, Dance, Craft, Community Design/Build, Project Chill (Snowboarding), Video and Audio, Team Sports, Fitness, Chess
East New York Middle School of Excellence (19K678)	605 Shepherd Avenue	6-7	6-8	146	Limited unscreened	Big Brothers Big Sisters Program, Renzulli's Schoolwide Enrichment Model
Academy for Health Careers (19K751)	355 Park Place	9	9-12	81	Citywide high schools admissions process	Student Government, Peer Mediation, After-School Tutoring, Peer Tutoring, Homework Center, Newspaper, Drama, Dance, Chess

P.S./I.S. 72 Annette Goldman (19K072) is currently in the last year of phasing out, and is permanently housing a new zoned elementary school, East New York Elementary School of Excellence (19K677) and a new middle school, East New York Middle School of Excellence (19K678).

This proposal is not expected to impact the ability of community members and organizations to obtain school building use permits at K218. This proposal is not expected to impact the site accessibility of the K218 building.

[20] 2010-2011 audited register.

IV. Enrollment, Admissions and School Performance Information

J.H.S. 218

Admissions Data

Current Admissions	**Grades 6-8**: Zoned; Academic Screened District 19 Middle School Choice Process

Enrollment Data

Current Grades Served	6–8
Current Actual 2010-2011 Enrollment:[21]	599
Projected Grades Served in 2011-2012	6-8
Projected 2011-2012 Enrollment	575-605
Projected Grades Served in 2012-2013	6-8
Projected 2012-2013 Enrollment	575-605
Projected Grades Served in 2013-2014	6-8
Projected 2013-2014 Enrollment	575-605
Projected Grades Served in 2014-2015	6-8
Projected 2014-2015 Enrollment	575-605

Demographic Data

Percentage Students Receiving CTT or SC services[22]	14%
Percentage Students with Individual Education Plan[23]	19%
Percentage English Language Learner Students[24]	12%
Percentage of Students Eligible for Free or Reduced Lunch[25]	91%

[21] Source: 2010-2011 audited register
[22] Students Receiving CTT and SC services as percentage of total students from the 2010-2011 Audited Register.
[23] Students with Individual Education Plan as percentage of total students from the 2010-2011 Audited Register.
[24] English Language Learner students as percentage of total students from the 2010-2011 Audited Register.
[25] Percentage of Students Eligible for Free or Reduced Lunch from School Allocation Memorandum No. 9, FY11, June 30, 2010.

School Performance Data

J.H.S. 218 James P. Sinnott	2007-2008	2008-2009	2009-2010[26]
School Performance and Progress			
Overall Progress Report Grade	B	A	B
Quality Review Score	Proficient	-	-[27]
Performance Data[28]			
English Language Arts % Proficient (Levels 3 and 4)	40%	54%	27%
Math % Proficient (Levels 3 and 4)	60%	73%	45%
Other Key Performance Indicators[29]			
Attendance Rate	88%	88%	90%
2010-2011 State Accountability Status	In Good Standing		

The School for Classics

Admissions Data

Current Admissions	**Grades 9-11**: Citywide high school admissions process

[26] In 2010, the New York State Education Department adjusted the "cut scores" on annual mathematics and English Language Arts exams, raising the score required for students to achieve Level 3 (grade-level proficiency) or higher on the exam. As a result, the percent of students performing at grade level fell significantly at schools statewide, including most New York City schools. While the percent of students achieving proficiency declined, on average, New York City's students' raw scores on the tests remained largely unchanged relative to the prior year.
[27] Not all schools receive a Quality Review each year.
[28] Source: Progress Report
[29] Source: Progress Report

Enrollment Data

Current Grades Served	9–11
Current Actual 2010-2011 Enrollment:	238
Grades Served at Scale	9-12
Projected 2011-2012 Enrollment	300-350
Projected Grades Served in 2012-2013	9-12
Projected 2012-2013 Enrollment	400-450
Projected Grades Served in 2013-2014	9-12
Projected 2013-2014 Enrollment	400-450
Projected Grades Served in 2014-2015	9-12
Projected 2014-2015 Enrollment	400-450

Demographic Data

Percentage Students Receiving CTT or SC services[30]	12%
Percentage Students with Individual Education Plan[31]	17%
Percentage English Language Learner Students[32]	10%
Percentage of Students Eligible for Free or Reduced Lunch[33]	93%

[30] Students Receiving CTT and SC services as percentage of total students from the 2010-2011 audited register.
[31] Students with Individual Education Plan as percentage of total students from the 2010-2011 audited register.
[32] English Language Learner students as percentage of total students from the 2010-2011 audited register.
[33] Percentage of Students Eligible for Free or Reduced Lunch from School Allocation Memorandum No. 9, FY11, June 30, 2010.

School Performance Data

THE SCHOOL FOR CLASSICS: AN ACADEMY OF THINKERS, WRITERS AND PERFORMERS	2007-2008	2008-2009	2009-2010
School Performance and Progress			
Overall Progress Report Grade	The School for Classics opened in 2009, and it did not a receive a Progress Report.		
Quality Review Score	The School for Classics opened in 2009, and it did not a receive a Quality Review.		
Graduation Data			
Four-Year Graduation Rate	The School for Classics will expand to serve twelfth grade students in 2011-2012. Thus, no graduation rates are available.		
Four-Year Regents Diploma Rate			
Six-Year Graduation Rate			
Other Key Indicators[34]			
Percent of First-Year Students Earning 10+ Credit	The School for Classics opened in 2009. Thus, this data is not available.		96%
Attendance Rate			89%
2010-2011 State Accountability Status	Pending		

Invictus Prep

Admissions Data

Projected Admissions	**Grades 5**: Lottery

[34] Source: Progress Report

Enrollment Data

Projected Grades Served in 2011-2012	5
Projected 2011-2012 Enrollment	90
Projected Grades Served in 2012-2013	5-6
Projected 2012-2013 Enrollment	180
Projected Grades Served in 2013-2014	5-7
Projected 2013-2014 Enrollment	270
Projected Grades Served in 2014-2015	5-8
Projected 2014-2015 Enrollment	351

Demographic Data

Invictus Prep does not yet enroll students. Therefore, there is no demographic data for the school.

School Performance Data

Invictus Prep does not yet enroll students. Therefore, there are no school performance data for the school.

V. Initial Costs and Savings

In accordance with New York State Charter Schools Act of 1998 (as amended), the Chancellor or his/her designee must first authorize in writing any proposed capital improvement or facility upgrade in excess of five thousand dollars, regardless of the source of funding, made to accommodate the co-location of a charter school within a public school building. For any such improvements or upgrades that have been approved by the Chancellor, capital improvements or facility upgrades shall be made in an amount equal to the expenditure of the charter school for each non-charter school within the public school building.

VI. Effect on Personnel Needs, Costs of Instruction, Administration, Transportation and Other Support Services

A. Personnel Needs

This co-location is not expected to change the number of personnel positions assigned to J.H.S. 218 or the School for Classics or significantly alter the duties of current staff.

New administrative staff and non-pedagogical positions will be created at the School for Classics over the course of the school's phase-in. The School for Classics is expected to hire additional teachers as it achieves full scale.

New administrative staff and non-pedagogical positions will be created at Invictus Prep over the course of the school's phase-in. The precise number of positions needed for the 2011-2012 school year would be determined by the charter school management. Those decisions would be made at the school based on need and budgetary considerations.

B. Cost of Instruction

The co-location of Invictus Prep in K218 would not impact the instruction costs for J.H.S. 218 or the School for Classics. This proposal should not impact the operating budget or costs of instruction at J.H.S. 218. The basic operating budget for those schools is determined by the same Fair Student Funding (FSF) formula 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 allocation based on the grade level of the student. FSF allocations are subject to annual variation, but for 2010-2011, the base per-pupil allocation for elementary schools was $4059.71, for middle schools was $4,384.81, and for high schools was $4,181.11. In addition, FSF awards supplemental allocations on a per-pupil basis for students who have additional needs and therefore cost more to educate. For example, during the 2010-2011 school year, elementary schools received an additional $1623.00 per pupil for each English Language Learner they enrolled; middle schools received an additional $2,031.00 per pupil for each English Language Learner they enrolled; and high schools received an additional $2,031.00 per pupil for each English Language Leaner they enrolled. At the elementary level, supplemental funds are awarded for each student who is an English Language Learner, who requires special education services, or who is eligible for free or reduced-price lunch. For middle and high schools, supplemental funds are awarded to each student who is an English Language Learner, who requires special education services, or who is performing below grade level upon enrollment. In the case of students who fall into more than one of these categories, schools are awarded supplemental funding to meet all of those needs.

FSF covers basic instructional expenses and FSF funds may, at the school's discretion, be used to hire staff, purchase supplies and materials, or implement instructional programs. As the total number of students enrolled grows, the overall budget will increase accordingly, allowing the school to meet the instructional needs of its larger student population. Similarly, if the total number of students enrolled falls, the budget shrinks accordingly, as the school will need fewer supplies and potentially a smaller staff.

As with all other schools Citywide, J.H.S. 218 and the School for Classics may receive additional "categorical" funding based on student characteristics and needs. For example, federal Title I funding is awarded to schools based on the proportion of low-income students they enroll. All three of these schools are currently eligible for Title I funding. Assuming that the schools continue to meet Title I criteria, the size of their respective Title I funding awards would grow or shrink as the school population grows or shrinks.

While schools do receive supplemental support for special education students through Fair Student Funding, that only represents part of the funding provided to support those students. Schools are budgeted to meet the needs of their special education students as defined by their IEPs. J.H.S. 218 and the School for Classics will continue to receive funds to meet the needs of all special education students in accordance with their IEPs.

Please note that increased or reduced per capita funds allocated to the school as a result of changes in enrollment that may occur do not represent net/incremental system costs. All dollar amounts are based on FY10 allocations and are subject to annual variation based on adjustments to the DOE's overall operating budget.

The General Education Charter School per pupil rate is determined by the New York State Education Department (NYSED), and is based on a formula used for all traditional public school districts. The formula divides the district's Approved Operating Expenditures (AOE) by Total Allowable Pupil Units (TAPU). Special Education funding is an allocation that Charter Schools may qualify for and receive for serving students that receive special education services for more than 20% of the week as mandated by an IEP.

C. Administration

No change in school supervisory or administrator positions at J.H.S. 218 is expected as a result of this proposal.

The School for Classics may hire school supervisors and/or administrator personnel on an as needed basis throughout the course of the school's phase-in.

Invictus Prep may hire school supervisors and/or administrator personnel on an as needed basis throughout the course of the school's phase-in.

D. Transportation

There will be no change to existing transportation practices at J.H.S. 218 and the School for Classics due to this proposal.

Transportation would continue to be provided according to Chancellor's regulation A-801: http://schools.nyc.gov/NR/rdonlyres/21A1B11A-886B-4F74-9546-E875EE82A14C/40303/A801.pdf.

E. Other Support Services

The provision of certain support services is described above. Other support services will continue to be provided consistent with Citywide policy.

VII. Building Information

Type of Building	Intermediate School
Year Built	1964
Overall BCAS rating	2.61 out of 5
Target Utilization	57%
Target Capacity	1405
FY 2009 Maintenance Costs	**Labor:** $57,181.00 **Materials:** $39,141.00 **Maintenance and repair contracts:** $39,777.00 **Custodial operations costs—Materials:** $10,840.00 **Custodial operations costs—Custodial Allocation:** $325,262.00
FY 2009 Energy Costs	**Electric:** $178,679.00 **Gas:** $94,516.00 **Oil:** $0
Projects completed during the current or prior school year	CIP- Walk in freezer replacement. New science lab suite & IEH PO18- rooms 212 & 419
Projects proposed in the capital plan	Educational Enhancements- science lab upgrades. Walk-in freezer replacement.
Accessibility of the building	Building is not functionally programmatic accessible.
Building attributes	Art room Auditorium, Cafeteria,Computer rooms(CR's),Gymnasium, Library.