



Revised Notice
May 13, 2011

Dennis M. Walcott
Chancellor

The Proposed Temporary Co-location of a New Public Charter School, East Harlem Scholars Academy Charter School (84MTBD), with Existing Schools Central Park East I (04M497), Central Park East High School (04M555), and J.H.S. 013 Jackie Robinson (04M013) in Building M013

I. Description of the subject and purpose of the proposed item under consideration.

In an Educational Impact Statement (“EIS”) posted on February 5, 2011 and amended on February 17, 2011, the New York City Department of Education (“DOE”) proposed to open and temporarily site East Harlem Scholars Academy Charter School (84MTBD, “East Harlem Scholars”), a new public charter school that would serve students in kindergarten through fifth grade, in Building M013 (“M013”), located at 1573 Madison Avenue in Manhattan, in Community School District 4. East Harlem Scholars would be co-located in M013 with Central Park East I (04M497, “CPE I”), J.H.S. 013 Jackie Robinson (04M013, “J13”), and Central Park East High School (04M555, “CPEHS”). CPE I is an existing DOE choice elementary school that serves 189 students in kindergarten through fifth grades and also offers a pre-kindergarten program. J13 is an existing District 4 choice middle school that serves 265 students in grades six through eight. CPEHS is an existing DOE high school that serves 402 students in grades nine through twelve.

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. The proposal was approved by the Panel for Educational Policy (“PEP”) on March 23, 2011.

The DOE has now published a revised EIS and revised Building Utilization Plan (“BUP”). The revised proposal is described in more detail in Section II below.

This revised notice also provides information about a joint public hearing that will take place regarding this proposal. The revised proposal will be subject to a vote by the Panel for Educational Policy (“PEP”), the date and location of which are set forth below.

This is a proposal to incubate East Harlem Scholars in M013 for two years – the 2011-2012 and 2012-2013 school years. Incubation means the school will not serve its full grade span during the period of this proposal. The DOE will evaluate the space available in M013 and other District 4 locations and will issue a new EIS for the long-term siting of East Harlem Scholars based on the most appropriate space available for the 2013-2014 school year and beyond.

East Harlem Scholars will be managed by the East Harlem Tutorial Program (“East Harlem Tutorial”), a Community Based Organization (“CBO”). East Harlem Tutorial has been approved by its charter authorizer, the State University of New York (“SUNY”), to open a new public charter school in Community School District 4 in Manhattan. The school would open with kindergarten and first-grade classes in 2011-2012, and would add one grade each year until it serves 270-300 students in kindergarten through fifth grade. However, as noted above, this is a temporary proposal that only deals with the siting of East Harlem Scholars’ kindergarten and first grades in 2011-12, and its kindergarten through second grades in 2012-2013. East Harlem Scholars’ has admitted students via the charter school lottery application process, with preference for District 4 residents. East Harlem Tutorial is already active in the M013 building and provides after-school programming to J13, CPEHS, and CPE I students.

II. Identification of all revisions, including substantial revisions to the item.

The revised EIS includes an adjusted projected enrollment for CPEHS that conforms with budget register projections for 2011-2012. As a result, it also changes the total number of students projected to be served by all four schools and the projected building utilization rate for the following school year. This revised EIS also includes additional information on extracurricular activities at CPE I, J13 and CPEHS and updates information related to the admissions process at the co-located schools.

The DOE has also published a substantially revised Building Utilization Plan (“BUP”), which is annexed to this revised EIS. The revised BUP makes the following changes:

- the number of students that CPEHS is projected to serve in the coming years has been revised to reflect budget register projections for 2011-2012. The number of sections CPEHS will program to serve these students has also been revised, resulting in revisions to CPEHS’s baseline allocation of space in future years;
- the allocation of space between all four school organizations has been changed to reflect CPEHS’s reduced baseline allocation;
- the baseline allocation for CPE I has been adjusted to reflect the correct number of cluster rooms based on the school’s enrollment;
- the floors that each school will be located on have been noted; and
- the proposed shared space schedule on pages 14-15 has been adjusted and the DOE has clarified the rationale for the amount of time that each co-located school is allocated in the shared spaces under this proposal.

III. Summary of all public comment received to date.

A joint public hearing regarding this proposal was held at Central Park East I / Central Park East High School / J.H.S. 013 Jackie Robinson on March 22, 2011. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 260 members of the public attended the hearing, and 37 people spoke. Present at the meeting were: Manhattan and Bronx High School Superintendent Geraldine Taylor Brown; Community School District 4 Superintendent Luz Cortazzo; Principal of Central Park East High School Bennett Lieberman; Principal of J.H.S. 013 Jacob Michelman; Principal of Central Park East I Julie Zuckerman; Community Education Council District 4 representative Marie Hines; CEC 4 representative and

J.H.S. 013 School Leadership Team representative Angela Smith; Executive Director of East Harlem Tutorial Jeffrey Ginsburg; Representatives from DOE Portfolio Planning Elizabeth Rose, Benjamin Taylor, and Anyeli Matos.

The following comments and remarks were made at the joint public hearing:

1. A CEC 4 representative said parents have the right to choose the school for their child. There is no problem with the school coming in if there is room for the school and as long as the students in Building M013 will not lose anything. Hopefully, all four principals will work to make that happen.
2. Chairman of East Harlem Scholars board, Jeffrey Ginsburg, made several points:
 - a. He wants change, and the hearing is an example of change and advocacy.
 - b. The students at the hearing are a part of 15,000 people who have been a part of East Harlem Tutorial. The organization will be adding even more students.
 - c. Alumni and students are the proof of East Harlem Tutorial's success, which is why East Harlem Scholars wants the opportunity to temporarily live in the building.
 - d. The large majority of those at the hearing to support East Harlem Scholars will not benefit from the school; rather, they attended the hearing because they care so deeply about East Harlem Tutorial.
 - e. East Harlem Scholars will be a great program for students regardless of where they come from, their language, or their income.
 - f. East Harlem Tutorial wants to keep being successful, and the neighborhood needs East Harlem Scholars. Only 25% of district students have made it to college. Though there is improvement in other parts of the city, there is not improvement here. 98% of East Harlem Tutorial's alumni have made it to college.
 - g. East Harlem Scholars will measure itself by student success, not by its equipment or building.
 - h. To clarify, this is a temporary location. 105th Street and 2nd Avenue is where East Harlem Scholars plans to build a permanent location, near the East Harlem Tutorial headquarters.
 - i. East Harlem Scholars wants to work with the schools in building M013. The organization has a long history of working with others. The organization has worked to tutor students in the schools in M013.
 - j. East Harlem Tutorial also played a large part in bringing about the remodeling of the playground.
 - k. East Harlem Scholars will be an English Language Learners preference school, a school of the community for the community.
3. A J13 SLT representative said her three oldest children attended the East Harlem Tutorial program, and it was a successful program then, as it is now. There is space in the building, so East Harlem Scholars should use it. The community needs more education and college-ready programs in the district.
4. The Principal of CPE I, Julie Zuckerman, made several statements about the proposal:
 - a. Nobody is disputing that there is space in the building, and her school does not have a problem with East Harlem Tutorial. The organization has provided after-school programs to the three schools in M013.
 - b. CPE I is impacted by the proposal because there is a strongly felt need for a middle school option consistent with the program at CPE I. CPE I has applied

three times for the school to extend through eighth grade. The first time, the DOE said there was not a need. The second time, the DOE said that there is no space for expansion. The following year CPE I was encouraged to submit an application, and it put in a letter of intent but decided as a school community not to go forward, as it had seemed that she, the CPE I principal, would be transitioning out of her position. However, after that, the school sent a letter stating that it would intend to expand the school anyways. Now, the school is faced with situation where the timetable for the school to expand is in flux. The flux of the timetable for expansion is a result of failures of the Division of Portfolio Planning (“DPP”). With the proposal, an expansion of CPE I conflicts with the siting of East Harlem Scholars.

- c. Having East Harlem Scholars in the building for the next two years would perhaps be okay with respect to CPE I’s expansion plans, but it does not really seem that East Harlem Scholars will be able to move into the proposed new building on time. If that is the case, where is DPP going to move that school after two years?
 - d. DPP said that schools would no longer be sited in buildings unless there is a definite permanent location for after the period of incubation.
 - e. What is the DOE’s exit plan? Does DPP have one? CPE I would have no problem welcoming East Harlem Scholars if there were an exit plan. It seems, by DPP’s own admission and track record, that there is no exit strategy.
5. For the following reasons, multiple commenters expressed support for the proposal:
- a. There are limited education options in the community, and there is difficulty educating students in the community. The proposed new school is needed now because of all of East Harlem Tutorial’s proven success, its well designed programs, and the high demand for the organization’s programs.
 - b. East Harlem Scholars will offer much needed extended day opportunities to East Harlem Scholars students.
 - c. East Harlem Scholars has already obtained land to develop a long term location, and the organization only needs time to develop the space.
 - d. East Harlem Tutorial is about teaching community members to be good citizens. There were parents, youth, volunteers, board members, alumni, staff and friends attending the hearing who, as Geoff Ginsberg stated earlier in the hearing, do not necessarily have children who will benefit from the proposed school, but were present in order to be civically engaged by interacting with the schools that already exist in M013.
 - e. The commenters either experienced or witnessed great success earned by students impacted by East Harlem Tutorial, and more students will benefit as a result of the proposal.
 - f. East Harlem Tutorial has been sharing the building with CPE I for years, and it is not a new situation. Since the proposal is temporary co-location, it will not be in the building forever.
 - g. The schools will be able to work together because they all have the same vision, which is a better education for all students.
 - h. Every school should have the blueprint of East Harlem Tutorial.
6. A commenter stated that, as a board member, she is confident in the organization’s ability to build the new building.
7. A commenter said learning is not about the building that the school is in.

8. A commenter said, as a parent of four kids attending CPE 1 and on the school's PTA, everyone knows that East Harlem Tutorial is a great program, but the problem is the space. The principals of the schools in M013 work together well to negotiate the space available in the building, but as it is, CPE I students have no use of the gym. The playground is only available because the grant was written by CPE I parents. Fortunately, the CPE I students spend a lot of time outside because they cannot use the gym, which is an example of how strained space is in the building. The DOE has not provided an exit strategy for East Harlem Scholars, but CPE I needs to expand to serve more grades.
9. A commenter said she hopes the DOE will be true to their word that the East Harlem Scholars building will be finished in two years, and CPE I will be able to have room to expand.
10. A commenter said the DOE needs to be clearer about how resources will be divided in the building. East Harlem Tutorial needs to be transparent about how their fundraising program works, and it needs to provide a clear picture of how long the building will take to be built, so CPE I will know if it will be able to expand after two years.
11. Multiple commenters asserted that the proposal pits schools against each other.
12. Multiple commenters stated that CPE I children do not have access to the gym because middle school and high school students use it for mandatory classes.
13. Multiple commenters asserted that CPE I is running a successful program that provides a valuable service to the community
14. A commenter said the DOE is telling the community that it does not care about the amount of space available to students.
15. A commenter said the proposal is simply part of the DOE's plan to privatize education, and East Harlem Tutorial is being used for this purpose at the expense of students in DOE schools
16. A commenter said the co-location will only work if the leaders involved in the proposal who were present at the hearing work together.
17. A commenter asserted that there are crazy logistics of sharing a building with two other schools, so four schools would be crazier.
18. A commenter said there is a disturbing pattern of DOE pushing out district schools and replacing them with charter schools. Though East Harlem Scholars say the time to open the school is now, the same is true about the expansion of CPE I, a progressive school. There are 17 charter schools in Harlem and East Harlem. There are two progressive elementary schools in the area and none that are K-8 programs.

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

The DOE received approximately 58 oral and written comments expressing opposition to the proposal:

19. Commenters asserted that CPE I should be allowed to expand to serve students through grade eight in the building because of the unique, progressive, project-based model offered by CPE I, and because many parents want their students to continue being served by the school after they graduate elementary school. The commenters asserted that the co-location of East Harlem Scholars would make this expansion impossible, and expressed the opinion that it is unclear why the DOE would favor a program competing with CPE I. Previously, the DOE denied CPE I's expansion proposal citing a lack of space in the building for an expansion.
20. Commenters asserted that there is already strain on shared spaces in the building, and this

strain will be made worse by adding students to the building, a result of poor planning by the DOE. CPE I students already have no access to the gymnasium. Their access to outdoor spaces and the cafeteria will be similarly shortened. East Harlem Scholars students will be similarly handicapped by limited access to these shared spaces, negatively impacting all involved. Students are already eating lunch at 10:30 am, and some of the lower grade classes have to have lunch in their classrooms because of current constraints. These strains will result in less educational opportunity for students at schools currently in the building. The increasingly limited access to shared space will prevent elementary students from socializing with their peers outside the classroom.

21. Commenters asserted that CPE I parents wrote a grant to have the outdoor areas reconstructed, and that parents will be discouraged from working to secure grants for facility improvements, like the playground, if the DOE does not ensure the children of those parents receive unimpeded access to those facilities. The commenters further asserted that the DOE is allowing access by CPE I students to that playground space to be limited by this proposal.
22. Commenters expressed the opinion that it seems unlikely the building being built for East Harlem Scholars will be ready in time for occupancy, especially considering they have not yet broken ground, their fundraising levels are unclear, and they have no structures yet in place as evidence that it is a formal school. Moreover, a commenter noted that DOE has said it will not propose the placement of new schools without being certain it first has a plan in place for that school. The DOE has also not provided any information on what will happen if the new building is not ready in time.
23. Commenters asserted that East Harlem Scholars should wait until their own building is built before opening. The commenters expressed the opinion that the district has enough elementary seats available to be able to handle such a delay. There is no rush to open the school especially considering the school does not have a principal lined up yet.
24. A commenter asserted that the mixture of middle school and high school students with elementary students already creates stress for CPE I families. The problems from this mixture include exposure to foul language and fights in the cafeteria.
25. A commenter noted that families had initially been told that East Harlem Scholars students would eat lunch in their classrooms, but this has now been changed to say they will share cafeteria space.
26. A commenter asserted that CPE I families are opposed to the proposal.
27. A commenter expressed the opinion that the proposal is not in the interest of students served in building M013.
28. A commenter expressed the opinion that the DOE is sabotaging one of its very few successful schools with this proposal, a place where parents actually want their children to attend, and asserted that the media will be interested in the issue.
29. A commenter expressed the opinion that in addition to negatively impacting the currently existing schools, the proposal dooms East Harlem Scholars to failure because of the limited space it will receive.
30. A commenter asserted resources should be put into the schools already operating in the building. Money and resources given to new charter schools should be used to support existing staffs. Programs at the existing schools should expand instead of starting an entirely different school. The commenter also expressed the opinion that opening a whole new school is a waste of resources. Whatever staff is needed to complete such an expansion should be hired to fund the expanded programs.
31. Commenters expressed the opinion that the proposal is a terrible idea, without specifying

why.

32. Commenters expressed the opinion that the CPE I community can interpret the proposal only as a hostile attack on them by the DOE.
33. A commenter asked what the data is for how often school construction is completed within the estimated time schedule.
34. A commenter asserted that CPE I is a good school despite the faulty DOE grading system.
35. A commenter asserted that this proposal is racist, and these types of co-locations take place only in Black and Latino communities.
36. A commenter asserted that the DOE has pitted two quality educational organizations (CPE I and Harlem East Scholars) against each other with this proposal, making them fight each other for space.
37. A commenter asserted that the joint public hearing on March 22, 2011 at M013 was a stage-managed affair which did not provide enough information on what the DOE's plan is if the East Harlem Scholars building is not ready in two years.
38. A commenter asserted that it is already hard enough to have elementary students in such close quarters with much older students, and the compression caused by the proposal will only make this worse.

The DOE also received approximately 16 oral and written comments expressing support for the proposal:

39. Commenters asserted that East Harlem Tutorial has been a part of the community for many years, and has demonstrated extraordinary success during that time.
40. Commenters asserted that East Harlem Tutorial was the community sponsor for the remodeled playground.
41. Commenters asserted that there is space in building M013.
42. Commenters asserted that East Harlem Tutorial works with many students currently enrolled in schools in M013 through after-school programs.
43. Commenters asserted that there is an urgent need for new elementary seats in the neighborhood.
44. A commenter expressed support for the proposal if the new building will be ready for East Harlem Scholars in two years.

IV. Information regarding where the full text of the proposed item may be obtained.

The revised EIS and revised BUP can be found on the Department of Education's Web site:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/June2011Proposals>

Copies of the revised EIS and revised BUP are also available in the main offices of Central Park East I, Central Park East High School and J.H.S. 013 Jackie Robinson.

V. Submission of public comment.

Written comments can be sent to D04Proposals@schools.nyc.gov.

Oral comments can be left at 212-374-3466.

VI. The name, office, address, email and telephone number of the city district representative, knowledgeable on the item under consideration, from whom information may be obtained concerning the item.

Name: Yoo Jin Cheong
Office: Division of Portfolio Planning
Address: 52 Chambers Street, New York, NY 10007
Email: D04Proposals@schools.nyc.gov
Phone: 212-374-3466

VII. Date, time and place of joint public hearing for this proposal.

A joint public hearing regarding the original proposal was held at Central Park East I / Central Park East High School / J.H.S. 013 Jackie Robinson on March 22, 2011. A full transcript of this hearing can be found here:

<http://schools.nyc.gov/community/planning/changes/manhattan/EastHarlem>

An additional joint public hearing will be held to gather further public comment on the revised proposal:

June 6, 2011 at 6:00 p.m.
Central Park East I / Central Park East High School / J.H.S. 013 Jackie Robinson
1573 Madison Avenue,
New York, NY 10029

Questions about the proposal should be directed as indicated in section VI above.

Speaker sign-up will begin 30 minutes before the hearing and will close 15 minutes after the start. Interpretation services will be provided in Spanish. To request interpretation services in another language, please contact Ms. Cheong at the e-mail address or telephone number above.

VIII. Date, time and place of the Panel for Educational Policy meeting at which the Panel will vote on the proposed item.

June 27, 2011 at 6:00 p.m.
High School of Fashion Industries
225 West 24th Street,
New York, NY 10011