



Revised Notice
May 23, 2011

Chancellor Dennis M. Walcott

The Revised Proposed Extension and Expansion of the Co-location of Bronx Success Academy 1 (84X493) with P.S. 30 Wilton (07X030) in School Building X030 for the 2011-2012 School Year

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

On January 14, 2011, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) and a Building Utilization Plan (“BUP”) describing a proposal to extend the duration and expand the scope of the “co-location” of Bronx Success Academy 1 Charter School (84X493, “BSA 1”) to add second grade in school building X030 (“X030”), which is located at 510 East 141st Street, Bronx, NY 10454 in Community School District 7 (“District 7”), where it is currently sited with P.S. 30 Wilton (07X030, “P.S. 30”), an existing zoned elementary school, for the 2011-2012 school year. BSA 1, an existing elementary charter school, currently serves students in kindergarten and first grade. P.S. 30 currently serves students in kindergarten through fifth grade and offers two sections of pre-kindergarten. A “co-location” means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, libraries, and cafeterias.

The Panel for Educational Policy (“PEP”) had approved the proposal to co-locate BSA 1’s kindergarten and first grade with P.S. 30 on May 18, 2010, and BSA 1 opened in X030 in August 2010. Under that proposal, BSA 1 was expected to be co-located with P.S. 30 for grades kindergarten and one only. After diligent efforts, the DOE has not been able to identify a permanent location for BSA 1. Therefore, the DOE proposed that BSA 1 stay in X030 for an additional year as it continues to phase in, adding a second grade, and as the DOE continues to search for an alternative site. The PEP approved the proposal to extend the duration and expand the scope of BSA 1’s co-location with P.S. 30 through the 2011-2012 school year on March 1, 2011.

The Office of Space Planning reviewed the X030 school building in October 2010. Based on that office’s evaluation, there is a sufficient number of rooms in X030 to permit P.S. 30 to continue operating at full organizational capacity and to accommodate BSA 1 for an additional school year. Importantly, each school will continue to receive its respective baseline allocation of space.

BSA 1 is chartered to serve grades kindergarten through five. The DOE recognizes there is not sufficient space in X030 for BSA 1 to grow to full scale based on its chartered enrollment plan. The DOE will consider all long-term options to accommodate the anticipated growth of BSA 1, including re-siting BSA 1, requesting that BSA 1 revise its enrollment plan, and/or siting certain of BSA 1's grades in X030 permanently and siting other grades in a different location. Any proposal to extend or make the co-location of BSA 1 with P.S. 30 permanent for all or some of BSA 1's grades would be the subject of a subsequent EIS.

Upon further consideration of the BUP, among other things, the DOE has determined to substantially revise this proposal.

The DOE has now published a revised EIS and revised BUP. The revisions to the EIS and BUP are described in detail in Section II below.

This revised notice also provides information about a new Joint Public Hearing that will take place on this revised proposal. That hearing will take place on June 8, 2011 at 6:00 P.M. at X030, which is located at 510 East 141st Street, Bronx, NY 10454.

The revised proposal will also be subject to a new vote by the PEP on June 27, 2011 at 6:00 P.M. at The High School for Fashion Industries, which is located at 225 W. 24th Street, New York, NY 10011.

If this revised co-location proposal is approved, BSA 1 will continue to be co-located with P.S. 30 and will serve kindergarten through second grade in the 2011-2012 school year. Building X030 has the capacity to serve 695 students. In 2009-2010, the building only served 493 students at P.S. 30, yielding a target utilization rate of 71%. The 2010-2011 audited enrollment at BSA 1 and P.S. 30 is 193 and 476 students, respectively, yielding a building utilization rate of 96% of target capacity. With the addition of approximately 45-55 students at BSA 1, and stable enrollment at P.S. 30, the projected total enrollment at X030 would be approximately 640-740 students in 2011-2012. The 2011-2012 utilization rate of X030 is expected to be approximately 106% of target capacity.¹

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

Upon further consideration of the BUP, among other things, the DOE has determined to substantially revise this proposal. Specifically, the BUP has been revised in the following manner:

- The DOE has clarified the rationale for the amount of time that each co-located school is allocated in the proposed shared space schedule;
- The proposed shared space schedule has been adjusted;

¹ Although a utilization rate in excess of 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 more efficient or different uses. In addition, charter school enrollment plans are frequently based on larger class sizes than target capacity, contributing to building utilizations above 100% while not impacting the utilization of the space allocated to the traditional public school. Section III.B. of the revised EIS and the revised BUP set forth the baseline number of rooms to be allocated to each school pursuant to the Footprint as well as the total number rooms in a building to provide a more complete picture of the availability of space in a building.

- Certain room allocations have been adjusted;
- Summaries of the total room allocations for each school have been added;
- Enrollment figures for the 2010-2011 school year have been updated according to the 2010-2011 Audited Register; and
- Projected enrollment for the 2011-2012 school year is consistent with final enrollment projections for 2011-2012.

In addition, the EIS has been modified as follows:

- Enrollment and demographic figures have been updated based on the 2010-2011 Audited Register;
- Enrollment projections for 2011-2012 have been updated with the DOE's final projections for the same year;
- Additional information regarding P.S. 30's extracurricular programs has been included;
- The anticipated impact of this revised proposal on P.S. 30's programming has been clarified; and
- The Chancellor's right to re-site BSA 1 in the event of an increased zoned demand for P.S. 30 has been explained.

III. Summary of all public comment received to date.

A Joint Public Hearing regarding the original proposal was held at X030 on February 16, 2011. At that hearing, interested parties had an opportunity to provide input on the original proposal. Approximately 60 members of the public attended the hearing and 12 people spoke. Present at the meeting were: District 7 Community Superintendent Yolanda Torres; District 7 Community Education Council ("CEC 7") representatives Tanya Jones, Almeta Trammel, and Gloria Cruz; P.S. 30 Principal Jeanene Worrell-Breeden and School Leadership Team ("SLT") representatives Carlos López and Jaqueline Smith; and BSA 1 SLT and Success Charter Network representative Nicole Foster. Remarks were also given by Frederico Pérez on behalf of Congressman José E. Serrano.

The following comments and remarks were made at the Joint Public Hearing on the original proposal:

1. P.S. 30 SLT representative Carlos López said P.S. 30 has a long-standing history as a community school, with several partnerships in the community, associations with local businesses and college organizations, and a commitment to keep drugs away from the neighborhood. The school accepts all kinds of children, including children with special needs. Despite significant struggles and changed scoring guidelines, P.S. 30 has remained an "A-rated" school.
2. Mr. López also expressed the following concerns about the original proposal:
 - a. BSA 1 wants to take space that is currently occupied by the Lutheran Dental Center, which sees over 135 P.S. 30 students every year.
 - b. The Division of Portfolio Planning needs to revisit its formulas; he contends that an administrative room (half-size classroom) cannot house a 12:1:1 class when special needs children need more space to function and learn.

- c. The Success Network spreads misinformation. They also solicit and send advertisements via flyers and phone calls to parents of high-scoring children, which are violations of privacy.
 - d. Charter schools are fine when they serve the same amount of special needs kids that district schools do, or when they start in their own building.
 - e. The DOE is trying to dismantle public education. The answer is not to close schools, but to talk to community residents and see how problems can be fixed.
3. Frederico Pérez expressed the following concerns about the proposal:
 - a. The proposal is part of a larger game by the DOE to dismantle the public school system of New York City. There are more charter schools in the Bronx than in any other borough. Congressman Serrano does not support the charter schools coming into the Bronx.
 - b. BSA 1 will continue to take three rooms away from P.S. 30 every year.
 - c. BSA 1 takes rooms that are being used to provide community services.
 4. CEC 7 representative Gloria Cruz stated her opposition to the proposal because the Success Charter Network has done things without advising the P.S. 30 community and has made her daughter feel “less than.” She said BSA 1 made P.S. 30 change its school colors and disrespected the community by parking buses in the street that blocked traffic. She also said her daughter feels “less than” because she will get in trouble if she expresses her opinion about BSA 1.
 5. Multiple commenters stated their opposition to the proposal because it would take space away from P.S. 30.
 6. Multiple commenters stated that BSA 1 was trying to take over the X030 building. A commenter also stated that BSA 1 has not helped P.S. 30 and is working against P.S. 30 students.
 7. Multiple commenters stated that BSA 1 should have their own school building.
 8. Multiple commenters expressed their support for the original proposal because it will benefit children in the community and throughout the Bronx. A commenter said the original proposal will not displace P.S. 30 and that as a tax-paying citizen and a member of the community, her child also has the right to have a classroom. Another commenter said that BSA 1 is based on a model that has a record of success.
 9. A commenter stated that the data does not show what teachers have to deal with in regard to their schedule and the resources that have been taken away from P.S. 30. As evidence, the commenter explained that a math teacher has to walk around with portable boxes and that the music teacher no longer has access to pianos and violins. The commenter said that P.S. 30 students have suffered cuts in resources and space.
 10. A commenter questioned whether BSA 1 students were actually from the P.S. 30 school zone. The commenter felt that the proposal was displacing families from the P.S. 30 zone.
 11. Multiple commenters stated that BSA 1 does not enroll or help students with special needs.

The analysis of these public comments is available at
<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Mar12011Proposals.htm>.

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

The revised EIS and revised BUP can be found on the Department of Education's Website at <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 BSA 1 and P.S. 30.

V. Submission of public comment.

Written comments can be sent to D07Proposals@schools.nyc.gov.
Oral comments can be left at (212) 374-5159.

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

Name: Rosa Fernández
Office: Office of Portfolio Management
Address: 52 Chambers Street, New York, NY 10007
E-mail: D07Proposals@schools.nyc.gov
Phone: (212) 374-5159

VII. Date, time and place of Joint Public Hearings for this proposal.

A Joint Public Hearing regarding the original proposal was held at X030 on February 16, 2011. A full transcript of this hearing can be found here: <http://schools.nyc.gov/community/planning/changes/bronx/bsa1>.

A new Joint Public Hearing will be held to gather public comment on this revised proposal:

Date: June 8, 2011
Time: 6:00 P.M.
Location: Building X030
510 East 141st Street, Bronx, NY 10454

Questions about the proposal can 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. To request interpretation services, please contact Ms. Fernández 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 revised proposed item.

Date: June 27, 2011
Time: 6:00 P.M.
Location: The High School for Fashion Industries
225 W. 24th Street, New York, NY 10011