



Revised Notice
May 23, 2011

Chancellor Dennis M. Walcott

The Revised Proposed Extension and Expansion of the Co-location of Bronx Success Academy 2 (84X494) with P.S. 146 Edward Collins (08X146) in School Building X146 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 2 Charter School (84X494, “BSA 2”) to add second grade in school building X146 (“X146”), located at 968 Cauldwell Avenue, Bronx, NY 10456 in Community School District 8 (“District 8”), where it is currently sited with P.S. 146 Edward Collins (08X146, “P.S. 146”), an existing zoned elementary school, for the 2011-2012 school year. BSA 2, an existing elementary charter school, currently serves students in kindergarten and first grade. P.S. 146 currently serves students in kindergarten through fifth grade and offers a pre-kindergarten program. 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 2’s kindergarten and first grade with P.S. 146 on February 24, 2010, and BSA 2 opened in X146 in August 2010. Under that proposal, BSA 2 was expected to be co-located with P.S. 146 for grades kindergarten and one only. After diligent efforts, the DOE has not been able to identify a permanent location for BSA 2. Therefore, the DOE proposed that BSA 2 stay in X146 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 2’s co-location with P.S. 146 through the 2011-2012 school year on March 1, 2011.

The Office of Space Planning reviewed the X146 school building in October 2010. Based on that office’s evaluation, there is a sufficient number of rooms to permit P.S. 146 to continue operating at full organizational capacity and to accommodate BSA 2 for an additional school year. Importantly, each school will continue to receive its respective baseline allocation of space.

BSA 2 is chartered to serve grades kindergarten through five. The DOE recognizes there is not sufficient space in X146 for BSA 2 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 2, including re-siting BSA 2, requesting that BSA 2 revise its enrollment plan, and/or siting certain of BSA 2's grades in X146 permanently and siting other grades in a different location. Any proposal to extend or make permanent the co-location of BSA 2 with P.S. 146 for all or some of BSA 2'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 21, 2011 at 6:00 P.M. at X146, which is located at 968 Cauldwell Avenue, Bronx, NY 10456. 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 2 would continue to be co-located with P.S. 146 and would serve kindergarten through second grade in the 2011-2012 school year. Building X146 has a 2009-2010 target capacity of 630 and a target utilization rate of 102%. The 2010-2011 audited enrollment at BSA 2 and P.S. 146 is 193 and 457 students, respectively. This yields a target utilization rate of 103%. With the addition of approximately 54 students at BSA 2, and stable enrollment at P.S. 146, the projected total enrollment at X146 would be approximately 615-715 students in 2011-2012. The 2011-2012 utilization rate of X146 is expected to be approximately 113% of target capacity.¹

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

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;
- Certain room allocations have been adjusted;
- Summaries of the total room allocations for each school have been added;
- Enrollment figures have been updated according to the 2010-2011 Audited Register; and

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 EIS and the 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.

- 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 are consistent with final enrollment projections for the same year;
- The anticipated impact of this revised proposal on P.S. 146's after-school programming has been clarified; and
- The Chancellor's right to re-site BSA 2 in the event of an increased zoned demand for P.S. 146 has been explained.

III. Summary of all public comment received to date.

A Joint Public Hearing regarding the original proposal was held at X146 on February 15, 2011. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 80 members of the public attended the hearing and 19 people spoke. Present at the meeting were: District 8 Community Superintendent Timothy Behr; District 8 Community Education Council ("CEC 8") representatives Otis S. Thomas and Laurine Berry; P.S. 146 School Leadership Team ("SLT") representatives Geraldine Hilson and Raizza Almeyda; and BSA 2 SLT and Success Charter Network representative Nicole Foster.

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

1. P.S. 146 SLT representative Geraldine Hilson expressed her opposition to the proposal for the following reasons:
 - a. P.S. 146 was in the building first and is committed to serving children of the community, whereas the charter school came in last year and does not serve students with disabilities.
 - b. Creative approaches to education are fine, but they should not come at the cost of displacing public school students. The existence of the Success Charter Network is a political move by the mayor.
 - c. BSA 2 is not considerate towards P.S. 146. Teachers cannot get into the school building in the morning because of BSA 2. BSA 2 students also make noise in the hallway.
 - d. P.S. 146 is being forced to increase its class size, to crowd students into classrooms, and to cut programs like art and music to accommodate the core curriculum.
 - e. The proposal would force kindergarteners and Pre-K students to be in classrooms without toileting facilities, and there is not staff to walk them to the bathroom.
 - f. Since BSA 2 came into the building, P.S. 146's Progress Report rating has gone down from an "A" grade.

2. P.S. 146 SLT representative Raizza Almeyda stated that the community is tired of having to share space with other schools in the building. She said the co-location is not fair to students or teachers. She pointed out that fourth graders have to eat with second graders. She said the P.S. 146 community does not want BSA 2 children in the building.
3. Multiple commenters said the proposal was unfair to P.S. 146 students because they would lose space in building X146. Specifically, commenters expressed concern that P.S. 146 would lose space for the library, science lab, and/or ESL classrooms.
4. Multiple commenters expressed their support for the proposal because BSA 2 has provided a high-quality education for their children and they want what is best for their children.
5. Multiple commenters stated that there is not sufficient space for BSA 2 to expand. A commenter asked the DOE to give parents a tour of the school to show that there will be enough space for both schools and that it would not negatively impact P.S. 146. Another commenter expressed concern that there would not be space for her incoming pre-kindergarten student to learn successfully if there were 20 students in the class. Another commenter inquired why the DOE would have co-located BSA 2 in the first place if there had not been sufficient space the previous year.
6. Multiple commenters said that both P.S. 146 and BSA 2 deserve enough space for their schools to exist. Commenters also stated that the two schools needed to work together to make the co-location successful.
7. Multiple commenters said that P.S. 146 is already overcrowded, specifically in the fourth and fifth grade classrooms.
8. Multiple commenters stated that they would like BSA 2 to have its own building and that BSA 2 classes are also overcrowded.
9. Multiple commenters expressed concern that programs and “flexible services” needed at P.S. 146 would be cut as a result of the proposal, such as Academic Intervention Services, ESL services, and cluster classes. A commenter also stated that some programs have already been cut as a result of the co-location, such as music and art programs, and that P.S. 146 students have shorter gym hours, as well.
10. Multiple commenters stated that charter schools do not serve the same students as P.S. 146 does, and that they receive more funding than district schools.
11. Multiple commenters expressed their support for P.S. 146, citing the history of the school, the dedication of P.S. 146 teachers and staff, and the success of their students.
12. Multiple commenters stated that the community did not want a charter school in their building or in their community. A commenter asked how the BSA 2 community could move into the building and then complain about how much space they were allocated.
13. Multiple commenters expressed concern that the co-location of a charter school was part of a larger system of privatizing education and dismantling public education. A commenter believed that the proposal was part of a larger plan to take over P.S. 146 and eventually close P.S. 146.
14. Multiple commenters expressed concern about building safety. One commenter stated that no one is moving students from the first floor to the third floor. Another commenter stated that she had seen strangers around students in the building.
15. Multiple commenters stated that the charter school schedule interferes with P.S. 146’s schedule and the larger community. Commenters cited the starting time at P.S. 146,

as well as the current scheduling of breakfast and lunch. Another commenter cited days that the charter school is open, but P.S. 146 is not, during which children in the community are unable to play basketball on the schoolyard.

16. A commenter stated that the BSA 2 community is sending a bad message to its students by supporting a proposal that would hurt other students. The commenter stated the proposal makes charter schools seem superior to district schools.

Summary of Issues Raised in Written and/or Oral Comments Submitted to the DOE on the Original Proposal:

The DOE received five oral comments via telephone and no written comments.

17. Multiple commenters stated their opposition to the proposal because it would unfairly take space away from P.S. 146 students.
18. A commenter said it was unfair for one school to have a smaller class size and more space and for the other school to have overcrowded classes.
19. A commenter stated that BSA 2 should go to a different building.
20. A commenter said it felt like BSA 2 was trying to push P.S. 146 out of the building.

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 2 and P.S. 146.

V. Submission of public comment.

Written comments can be sent to D08Proposals@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: D08Proposals@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 X146 on February 15, 2011.

A full transcript of this hearing can be found here:

<http://schools.nyc.gov/community/planning/changes/bronx/bsa2>.

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

Date: June 21, 2011

Time: 6:00 P.M.

Location: Building X146
968 Cauldwell Avenue, Bronx, NY 10456

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 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