



### **Revised Public Comment Analysis**

Date: February 24, 2010

Topic: Proposed Co-location of Bronx Success Academy 2 with P.S. 146 in School Building X146

Date of Panel Vote: February 24, 2010

The analysis of public comment regarding the proposed co-location of Bronx Success Academy 2 (“BSA2”) with P.S. 146 in school building X146 was revised on February 24, 2010, to reflect additional comments that had not been captured in the analysis that was posted on the New York City Department of Education’s (“DOE”) Web site on February 23, 2010.

One advocacy organization submitted general comments objecting to all proposed co-locations of charter schools with existing district schools. Although the comments did not address any one co-location proposal in particular, the DOE has appended these comments to the public comment analysis for each of the proposed charter co-locations.

### **Summary of Proposal**

In the 2010-2011 school year, BSA2, a new charter school that will serve grades Kindergarten-8 at scale, will open and be temporarily housed in school building X146, located at 968 Cauldwell Avenue in the Bronx. BSA2 will be co-located in X146 with P.S. 146 Edward Collins (08X146, “P.S. 146”), an existing school serving students in Pre-Kindergarten through fifth grade. Under this proposal, BSA2 will open in 2010-2011 with approximately 155-180 students in Kindergarten and grade 1, and will add one grade each school year until it is operating at full scale in 2017-2018. As BSA2 grows to scale, the school will need to relocate from X146. Currently the space available would only allow BSA2 to be housed in X146 for one year. The Department of Education (“DOE”) will continue to explore alternative sites for the school until a suitable location is identified. The DOE is pursuing options for a long-term site for BSA2.

Building X146 has the capacity to accommodate BSA2. P.S. 146 is currently co-located with Carl C. Icahn South Bronx Charter School (84X422, “Icahn South Bronx”). Before the start of the 2010-2011 school year, Icahn South Bronx will re-locate to the X824 building in District 9, and BSA2 will occupy the space Icahn South Bronx currently occupies in X146. The re-location of Icahn South Bronx was approved by the Panel for Educational Policy at the meeting

on January 26, 2010. During the 2008-09 school year, the target capacity utilization for X146 was only at 84 percent even with the combined enrollment of the two existing schools housed in the facility. The building has the capacity to accommodate BSA2 after Icahn vacates its current space; however, BSA2 will need to relocate before the start of the 2011-12 school year.

This proposal will replace the elementary school seats in District 8, which would have been lost due to the Icahn South Bronx relocation. BSA2 will serve 155-180 students in 2010-11. The school will gradually expand to serve 640 additional students at full scale. While admission to BSA will be via lottery, District 8 students will receive preference in that lottery.

The co-location of BSA2 in X146 will also expand the availability of high-quality elementary middle school options for students and their families in District 8. BSA2 is chartered by the State University of New York Board of Trustees and is a part of the Success Academies Network of charter schools. There are four Success Academy schools in New York City:

- Harlem Success 1 located in District 3
- Harlem Success 2 located in District 5
- Harlem Success 3 located in District 4
- Harlem Success 4 located in District 3

State Test data is not available for Harlem Success 2, 3, and 4 because the schools opened in the 2008-2009 school year. Harlem Success 2, 3, and 4 currently serve grades Kindergarten-2. Harlem Success 1 opened in the 2006-2007 school year, and has a solid track record of serving its students well. Last year, 95 percent of students at Harlem Success 1 scored a level 3 or 4 in ELA (23.2 points higher than the District 3 average) and 100 percent of students at Harlem Success 1 scored a level 3 or 4 in Math (8.3 points higher than the District 3 average). The school achieves these results while serving high-need students. Currently, 74 percent of students attending the Success Academy schools are eligible for free or reduced-price lunch and 91 percent of Success Academy students were black or Latino.<sup>1</sup> Additionally, 11.8 percent of students attending Success Academy students have Individualized Education Plans (compared with 13.5 percent citywide) and 2.3 percent of Success Academy students are English language learners, compared with 16.5 percent citywide.<sup>2</sup> There are currently 3,600 students on the waitlist for the existing Success Academy schools.

An Educational Impact Statement on this proposal was posted on the DOE's Web site on January 8, 2010.

### **Summary of Comments Received at the Joint Public Hearing**

A joint public hearing was held at X146 on February 9, 2010 and all interested parties had an opportunity to provide input on the proposal. Approximately 60 people attended the hearing, and ten people spoke. Seven members of the public spoke in opposition to the proposal, citing concerns about potential overcrowding in X146 that would result from the co-location and the potential loss of space in the building to BSA2 that would affect P.S. 146's programmatic

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<sup>1</sup> ATS as of 2.1.2010

<sup>2</sup> ATS as of 2.2.2010

offerings. Three members of the public spoke in favor of the proposal, stating that BSA 2 will provide another high quality elementary school option in District 8 and that BSA 2 will be a good addition to the District 8 community.

### **Summary of Issues Raised in Written and Oral Comments and Significant Alternatives Suggested**

No written or oral comments regarding this proposal have been received. No significant alternatives were proposed.

### **Analysis of Issues Raised, Significant Alternatives Proposed and Changes Made to the Proposal**

Regarding concerns about potential overcrowding in X146 that would result from the co-location, the DOE instructional footprint shows that school building X146 has the capacity to accommodate BSA2 for the 2010-11 instructional school year. P.S. 146 is currently co-located with Icahn South Bronx. Before the start of the 2010-2011 school year, Icahn South Bronx will re-locate to the X824 building in District 9, and BSA2 will occupy the space Icahn South Bronx currently occupies in X146. As stated above, during the 2008-09 school year, the target capacity utilization for X146 was only at 84 percent even with the combined enrollment of the two existing schools housed in the facility. The building has the capacity to accommodate BSA2 after Icahn South Bronx vacates its current space. However, BSA2 will need to relocate before the start of the 2011-12 school year.

As for concerns that the potential loss of space resulting from the co-location of BSA2 would affect P.S. 146's programmatic offerings, X146 has sufficient space to incubate BSA2 during its first year of operation alongside P.S. 146 operating at its full organizational capacity. The co-location would not affect P.S. 146 programmatic offerings.

A copy of the educational impact statement for this proposal can be obtained at <http://schools.nyc.gov/NR/ronlyres/585A6F4E-316F-45AF-A1C4-0F38AC7260E8/75247/X146BronxSuccessEISFinal1811.pdf>.

### **Summary of Issues Raised and Significant Alternatives Suggested**

One advocacy organization submitted general comments objecting to all proposed co-locations of charter schools with existing district schools. In opposing the DOE's proposed co-locations, the comments cited the following reasons: (1) the DOE did not use accurate data in analyzing the utilization and capacity of school buildings; (2) the utilization formula used by the DOE is inadequate and assumes inappropriate target class sizes; (3) charter schools enroll fewer high needs students than district and citywide averages, leading to higher concentrations of high needs students in district schools; and (4) the expansion of charter schools has eliminated critical space from district schools.

The comments suggest a moratorium on any new charter co-locations, or expansions of existing charter schools within shared public school space, until an independent review is conducted to assess the capacity in existing public school buildings and make determinations about the amount of space required to reduce class size to mandated levels.

### **Analysis of Issues Raised, Significant Alternatives Proposed and Changes Made to the Proposals**

The comments assert that the DOE did not use accurate data in analyzing utilization and capacity of school buildings. The data used in analyzing the utilization and capacity of school buildings comes from "The Enrollment, Capacity and Utilization Report" (also known as the "Blue Book"), which is the standard by which the DOE measures the maximum capacity of a school building compared to the enrollment. These calculations are based on information provided by principals in the Annual Facilities Survey conducted by the School Construction Authority. In addition to considering the Blue Book information, the DOE conducts a physical survey of school buildings and takes into consideration current programming prior to proposing a change in utilization.

With regard to the comment regarding the use of inappropriate target class sizes, the DOE does use aspirational targets for school buildings but feels that these goals are appropriate for ensuring a quality education for all students. The DOE understands that building usage varies by schools and leaves programming decisions to school leaders. However, it is important to have a standard means of assessing the use of our limited physical plant resources consistently across the city. The class size targets used for the 2008-2009 Blue Book calculations of target capacity and utilization are lower than those used for determining historical capacity and utilization.

The comments assert that charter schools enroll fewer high needs students than the citywide and district averages, thereby leading to higher concentrations of high needs students in district schools. It is important to note that charter school admissions are done by lottery as

required by State Education Law. Charter schools do in fact serve the full range of public school students.

**Prepared by  
Department of Education**