



Public Comment Analysis¹

Date: October 11, 2013

Topic: The Proposed Co-Location of the High School Grades of Icahn Charter School 1 (84X717), Icahn Charter School 2 (84X378), Icahn Charter School 3 (84X422), Icahn Charter School 4 (84X496), Icahn Charter School 5 (84X538), Icahn Charter School 6 (84X133), and Icahn Charter School 7 (84X362) with J.H.S. 144 Michelangelo (11X144) and Pelham Gardens Middle School (11X566) in Building X144, Beginning in 2014-2015

Date of Panel Vote: October 15, 2013

Summary of Proposal

On August 29, 2013, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) and Building Utilization Plan (“BUP”) describing a proposal to co-locate the high school grades of Icahn Charter School 1(84X717, “Icahn 1”), Icahn Charter School 2 (84X378, “Icahn 2”), Icahn Charter School 3 (84X422, “Icahn 3”), Icahn Charter School 4 (84X496, “Icahn 4”), Icahn Charter School 5 (84X538, “Icahn 5”), Icahn Charter School 6 (84X133, “Icahn 6”), and Icahn Charter School 7 (84X362, “Icahn 7”), collectively known as Icahn Charter High School (“Icahn Charter High School”), in building X144 (“X144”), located at 2545 Gunther Avenue, Bronx, NY 10469 in Community School District 11 (“District 11”) beginning in 2014-2015.

If this proposal is approved, Icahn Charter High School will be co-located in building X144 with J.H.S. 144 Michelangelo (11X144, “J.H.S. 144”) and Pelham Gardens Middle School (11X566, “Pelham Gardens”), both existing zoned district middle schools. 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.

J.H.S. 144 currently serves students in sixth through eighth grades, and Pelham Gardens currently serves students in sixth and seventh grades and will reach full scale in 2014-2015, when it will serve students in sixth through eighth grades. If this proposal is approved, beginning in the 2014-2015 school year, Icahn Charter High School will enroll ninth grade students who completed eighth grade at one of the seven existing charter schools operated by the Icahn Network throughout the Bronx (subject to the availability of seats). The majority of these schools—Icahn 2, Icahn 3, Icahn 4, and Icahn 5—are located in District 11 and serve a large number of students who live within the district, so it is anticipated that Icahn Charter High School will serve a significant number of District 11 students.

Icahn Charter Schools 1 through 4 are currently authorized to serve students in kindergarten through eighth grades. Icahn Charter Schools 5 through 7 are currently authorized to serve students in kindergarten through sixth grades. The Icahn Network has informed the DOE that it plans to apply to its authorizer, the State University of New York Trustees (“SUNY”) to revise the charters of Icahn 1, 2, 3, 4, 5, 6, and 7 to allow these schools to serve high school grades; Icahn High School will be the continuation of Icahns 1 through 7 for ninth through twelfth grades. Only

¹ This Analysis of Public Comments reflects those public comments received to date. The DOE will continue to accept public comments until Monday, October 14 at 6 p.m. If any additional comments are received, they will be addressed in an amended analysis.

SUNY has the authority to approve or deny Icahn Network's application for charter revision. For the purpose of this proposal, it is assumed that SUNY will approve Icahn Network's applications for charter revisions.

If this proposal is approved, beginning in the 2014- 2015 school year, Icahn Charter High School will serve approximately 40-50 students in ninth grade, and will add one grade each year until it reaches its full grade span of ninth through twelfth grades in 2017-2018. At that time, Icahn Charter High School will serve approximately 270-310 students in ninth through twelfth grades. As each of the seven Icahn schools reaches eighth grade and more students from Icahn 1 through Icahn 7 articulate to ninth grade, Icahn Charter High School will continue to increase enrollment and section count each year. In 2019-2020, Icahn Charter High School will reach stable section count, but will continue to increase enrollment until the 2023-2024 school year. At that time, Icahn Charter High School is projected to reach a stable enrollment and serve approximately 600-640 students.

With respect to J.H.S. 144, in the 2012-2013 school year, the DOE began reducing the school's enrollment based on a determination that it was struggling to serve its students. By 2015-2016, J.H.S 144 will reach a stable, reduced enrollment of approximately 555-585 students in grades six through eight.

Concurrent with the planned enrollment reduction of J.H.S. 144, a new school, Pelham Gardens, was opened and co-located in the X144 building in 2012-2013 in order to provide a new, high-quality middle school option for families. In 2014-2015, Pelham Gardens will reach full scale to serve students in sixth through eighth grades. In 2015-2016, Pelham Gardens will reach a stable enrollment and serve approximately 480-510 students in grades six through eight.

According to the 2011-2012 Enrollment, Capacity, Utilization, Report (the "Blue Book"), building X144 has the capacity to serve 1,559 students. During the 2013-2014 school year, the building serves a total of approximately 1,007 students, yielding a building utilization rate of approximately 65%. According to the Under-utilized Space Memorandum, building X144 is "under-utilized" and has extra space to accommodate additional students. If this proposal is approved, in 2023-2024, Icahn Charter High School, J.H.S 144, and Pelham Gardens will collectively serve approximately 1,635-1,735 students in the building, which yields a projected utilization rate of approximately 105%-111%. As discussed in Section II.B of the EIS and in the attached BUP, while the building utilization rate is projected to exceed 100%, all three schools will receive their baseline space allocations pursuant to the Citywide Instructional Footprint over the course of the proposal.

The DOE strives to ensure that all students in New York City have access to a high-quality school at every stage of their education. The co-location of Icahn Charter High School in building X144 is intended to provide an additional option to students and families in District 11 and the Bronx, and specifically to allow Icahn middle school students to continue their education with Icahn through high school.

Icahn Network currently operates seven charter schools across the Bronx, four of which are located in District 11. Of the seven existing schools, four received Progress Report grades in 2011-2012. All four of those schools (Icahns1-4) received As on their overall Progress Report grades for 2011-2012. Icahns 5, 6, and 7 are in the process of phasing in and are not yet eligible to receive Progress Reports.

The DOE believes in the Icahn Network's overall record of success and supports the permanent placement of Icahn Charter High School in District 11 in order to continue providing excellent educational opportunities for students and families.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at the X144 building on October 7, 2013. At that hearing, interested parties had an opportunity to provide input on the original proposal. Approximately 48 members of the public attended the hearing, and 22 people spoke. Present at the meeting were District 11 Community Superintendent Elizabeth A. White; Bronx Borough President Representative Monica Major; New York State Senator Jeffery Klein; New York State Assemblyman Mark Gjonaj; New York City Councilmember Andy King; Michael Johnson, a representative from Assemblyman Michael Benedetto's office; Community Education Council 11 ("CEC 11") President Pamela Johnson; CEC 11 members Marie Plasir, Cheryl Smith, Steve Miller, Michael DiMurro; Community Board 11 Representatives Jeremy Warneke, Albert D'Angelo, Diane Norris, Sylvio Mazzella, and Linda White; Jeremy Kabinoff, Principal of J.H.S. 144 Michelangelo representing the School Leadership Team ("SLT"); Joanne Urena, a staff member representing Pelham Gardens Middle School; and Harry Hartfield, Stephanie Crane, and Keely Faulkner from the DOE. Because the joint public hearing also served as the facilities hearing for State University of New York ("SUNY") to gather community feedback on the proposed co-location, a representative from SUNY, Ralph Rossi, was also in attendance.

The following comments, and remarks were made at the joint public hearing on October 7, 2013 on the proposal:

1. Carlene Turner, a member representing the SLT of J.H.S. 144 asserted that:
 - a. This co-location would lead to the overcrowding of building X144.
 - b. There are concerns about middle school students sharing the same building as high school students.
 - c. She generally opposes this co-location.
2. Joanne Urena, a staff member representing Pelham Gardens Middle School points out that:
 - a. She generally opposes this co-location.
 - b. The progress report data on Icahn Charter schools overstates the performance of Icahn students.
3. Pamela Johnson, CEC 11 President and a member of Community Board 12 pointed out that:
 - a. She, the CEC, and the community board unanimously oppose this co-location.
 - b. There are concerns about all of the students in building X144 sharing space; for example, the limited number of bathrooms may be difficult to share.
 - c. There was once a high school in trailers behind the X144 building sharing the X144 space and it did not work out well.
 - d. There are concerns about middle school students sharing the same building as high school students.
 - e. There are concerns about the way the DOE engages with the community. In particular, she noted that the DOE did not meet with the SLT, principals, or the community board prior to issuing the proposal.
 - f. The DOE offered X144 to Icahn Charter High School.
 - g. There are concerns about overcrowding and whether or not there is space for Icahn Charter High School in building X144.
4. Michael Johnson, a representative from Assemblyman Benedetto's office expressed general opposition to this co-location and concerns for the co-location of middle school students with high school students.
5. State Senator Jeff Klein expressed and submitted in writing that:
 - a. Icahn Network is an outstanding charter management organization.
 - b. The timeline of the DOE's engagement practices moves too quickly.
 - c. Middle school students and high school students should not be housed in the same building.
 - d. J.H.S. 144 may have plans to expand programming and grade levels, and this co-location would prevent this from happening.
6. Assemblyman Mark Gjonaj voiced that:
 - a. There are concerns of overcrowding at building X144.

- b. Middle school students and high school students should not be housed in the same building.
 - c. He is not opposed to the Icahn Network, but rather he opposes Icahn Charter High School's co-location in this building.
 - d. He has concerns about safety and the undesired possibility of the installation of metal detectors at building X144.
 - e. Given the current political emphasis on pre-kindergarten, it is possible that a pre-kindergarten program could be added to the X144 building; it would be unfortunate if that possibility were foreclosed due to a lack of space in the building resulting from the proposed co-location.
7. Councilman Andy King asserted that:
 - a. Middle school students should not be in the same building as high school students.
 - b. He is not opposed to the Icahn Network, but rather he opposes Icahn Charter High School's co-location in this building.
8. Jeremy Warneke, the District Manager of Community Board 11, voiced and submitted in writing that:
 - a. There is general opposition to the co-location of Icahn Charter High School with J.H.S. 144 and Pelham Gardens Middle School.
 - b. There is concern about the mixing of high school students with middle school students.
 - c. There are concerns about students who live in District 11 not being accepted in the Icahn charter system.
 - d. There are concerns about Icahn requiring more space than the building currently allows.
9. Multiple members of Community Board 11 asserted their beliefs that:
 - a. There are concerns about co-locating middle school students with high school students.
 - b. There is support for the growth and success of J.H.S. 144.
 - c. There is opposition to the co-location of Icahn Charter High School in building X144.
 - d. There are concerns about space in building X144 being over-utilized.
 - e. There is a desire to fill building X144 with District 11 students and concern that District 11 students will not be admitted to Icahn Charter High School.
10. Linda White, the co-chair of the Education Committee of Community Board 11 asserted that:
 - a. Mr. Icahn wants to save money by utilizing public space for his high school.
 - b. Although building X144 is currently under-utilized, it should not be overcrowded.
 - c. She is concerned that J.H.S. 144 and Pelham Gardens will be pushed out of the building completely.
11. Several commenters voiced general support for J.H.S. 144 as well as the staff, teachers, and students.
12. Many commenters noted that J.H.S. 144 has been improving and asked the DOE to give J.H.S. more time to continue to improve instead of implementing this proposal.
13. Several commenters voiced general opposition to the proposal.
14. Many commenters asserted that the co-location of this school would negatively impact the safety of building X144.
15. Several commenters asserted that they oppose the engagement practices of the DOE, specifically commenting that the outcomes and comments presented in this hearing bear no impact on the Panel for Educational Policy ("PEP") vote.
16. Several commenters asserted that this co-location would lead to overcrowding in building X144.
17. A few commenters asserted that there would be a negative impact to the community from high school students who need to take public transportation to and from the X144 building.

18. Multiple commenters asserted that the shared space in building X144 would be over-crowded.
19. Several commenters asserted that it would be inappropriate for middle school students to share the same space and building as high school students.
20. Multiple commenters voiced concerns for the charter lottery process of Icahn Charter schools, specifically in that District 11 students would not be able to attend Icahn Charter High School due to the long waitlist and high demand.
21. Many commenters asserted opposition to the fact that District 11 students would not be able to articulate to Icahn Charter High School.
22. Many commenters asserted that there should be an expansion of programming at J.H.S. 144, such as woodshop, or an expansion of the grade span, to perhaps include kindergarten through eighth grades.

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

23. A member of the Community Board 11 submitted a statement in writing, asserting that:
 - a. There is general opposition to the co-location of Icahn High School.
 - b. There is support for J.H.S. 144 and its growth.
 - c. There are concerns about the admissions policies of Icahn Charter High School and the lack of access to the school for District 11 students.
 - d. There are concerns that the outdoor shared space would change as a result of the co-location of Icahn Charter High School.
 - e. There are concerns for the co-location of middle school students and high school students in the same building.
 - f. There are concerns about the impact of high school students on the community and their effect on public transportation.
24. A resolution from CEC 30 (of Queens) was received via email calling for co-located charter schools to pay for space and services in public school buildings.
25. A resolution from CEC 30 (of Queens) was received via email calling for a moratorium on all school closures, phase-outs and charter school co-locations.

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

Comments 1(c), 2(a), 3(a), 4, 6(c), 7(b), 8(a), 9(c), 13, 23(a), and 25 voice general opposition to the co-location proposal.

Though some members of the J.H.S. 144 and Pelham Gardens community objected to the idea of co-locating Icahn Charter High School in the X144 building, the DOE believes that the X144 community and District 11 as a whole will benefit from the placement of this charter school in District 11, as it is expected to represent a new high-quality high school option for students and will allow many current Icahn students to continue their education in the Icahn Network.

Roughly half of our schools share space in a building. Because of co-locations, we are able to use our limited facilities efficiently while simultaneously creating additional high-quality options for New York City families. This is necessary when we have scarce facilities and a demand for more high-performing options.

Comments 1(b), 3(d), 4, 5(c), 6(b), 7(a), 8(b), 9(a), 19, and 23(e) asserted that middle school students should not be located in the same building and share the same space as high school students. Comment 3(c) pointed out that there was once a high school in trailers behind the X144 building sharing the X144 space and it did not work out well.

Due to space limitations, it is not unusual for varying grade levels to be co-located together. There are numerous examples of buildings and campuses in New York City that successfully house mixed grade co-locations.

These examples include:

- Building 166 in District 9 which currently houses three schools: Grant Avenue Elementary School (09X449) which serves students in grade K-5; Science and Technology Academy: A Mott Hall School (09X454) which serves students in grades 6-8; and Bronx Early College Academy for Teaching & Learning (09X324) which serves students in grades 6-12.
- Building X193 in District 12 which currently houses three schools: P.S. 211 (12X211) which serves students in grades K-8, I.S. 318 Math, Science and Technology Through the Arts (12X318) which serves students in grades 6-8, and Children’s Aid College Prep Charter School (84X124) which currently serves students in grade K-2.
- Building X026 in District 10 which currently houses two schools and a District 75 program: MS. 390 (10X390) which currently serves students in grades 6-8, P.S. 396 (10X396) which serves students in grades K-5, and P.S. X010, a District 75 program which serves students in grades K-5.
- The Julia Richman Educational Complex, which houses four small high schools, a K-8 school, and a District 75 program;
- Building M092 currently houses three schools: St. Hope Leadership Academy Charter School, a charter middle school serving students in grades 5-8, P.S. 92, a district elementary school which serves students in grades K-5, and Democracy Prep Charter School, a charter high school serving students in ninth through twelfth grades.
- Building K324 currently houses three schools: M.S. 267, an existing middle school serving students in grades six through eight, La Cima Charter school, a charter elementary school serving students in grades K-5, and Bedford Stuyvesant Collegiate, an existing charter secondary school, which is currently in the process of growing to serve students in grades 5-12. Members of the Building Council worked together to secure financing from KaBOOM to resurface the schoolyard and playground for all of the children at K324.

The DOE is optimistic that this success and cooperation can be replicated in the X144 building.

Furthermore, Pursuant to Chancellor’s Regulation A-414, every school/campus is mandated to form a School Safety Committee, which is responsible for developing a comprehensive School Safety Plan that defines the normal operations of the site and what procedures are in place in the event of an emergency. The School Safety Plan is updated annually by the Committee to meet changing security needs, changes in organization and building conditions, and any other factors. Updates can also be made at any other time if it is necessary to address security concerns. The Committee will also address safety matters on an ongoing basis and make appropriate recommendations to the principal(s) when it identifies the need for additional security measures.

Comments 1(a), 3(g), 6(a), 8(d), 9(d), 10(b), 16, and 18 asserted that building X144 would be overcrowded as a result of this proposal, and questioned whether there is sufficient space in X144 to accommodate Icahn Charter High School in the building.

In response to comment 8(d), each school in building X144 will receive their baseline space allocations pursuant to the Citywide Instructional Footprint over the course of the proposal. The Citywide Instructional Footprint (the “Footprint”) is the guide used to allocate space to all schools based on the number of class sections they program and the grade levels of the school. The number of class sections at each school is determined by the principal based on enrollment, budget, and student needs; there is a standard guideline of target class size (i.e., number of students in a class section) for each grade level. At the middle school and high school levels, the Footprint assumes every classroom is programmed during every period of the school day except one lunch period. The full text of the

Instructional Footprint is available at http://schools.nyc.gov/NR/rdonlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.pdf.

The BUP details the number of class sections each school is expected to program each year and allocates the number of classrooms accordingly. The assignment of specific rooms and location for each in the building, including those for use in serving students with Individualized Education Plans (“ IEPs”) or special education needs, will be made in consultation with the Building Council, which is comprised of the principal of each school, and the Office of Space Planning if the proposal is approved. The BUP demonstrates that there is sufficient space in the building to accommodate the proposed co-location.

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 than the standard assumptions in the utilization calculation.

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.

Comment 2(b) asserts that the Progress Report grades received by Icahn charter schools overstate the performance of Icahn students.

The DOE’s annual Progress Report compares school performance across 40 schools serving the most similar student populations. The Progress Reports of any DOE district school or charter school are treated in the same manner and are held to the same standards.

Comments 3(b) and 23(d) concern how the co-located schools will share space in building X144.

Principals from each school organization co-located in a building serve on a Building Council to make decisions about overall use of the shared space and shared space schedules, including the use of the cafeteria and scheduling of lunch periods for students in each co-located school organization. If the Principals are unable to agree upon a schedule for shared spaces, there is a mediation process outlined in the Campus Policy Memo, which is available at <http://schools.nyc.gov/community/campusgov>.

The BUP puts forth a proposed shared space schedule for the co-located schools. The final shared space schedule will be decided upon by the Building Council if this proposed co-location is approved by the PEP.

If the principals are unable to agree upon a schedule for shared spaces, there is a mediation process outlined in the Campus Policy Memo, which is available at: <http://schools.nyc.gov/community/campusgov>.

If there are any specific problems concerning use of the building’s bathrooms or outdoor spaces as suggested by these comments, they will be resolved by the Building Council. The DOE believes the indoor and outdoor facilities offered by building X144 are sufficient to meet the needs of J.H.S. 144, Pelham Gardens, and Icahn Charter High School.

Comments 3(e), 5(b) and 15 pointed out concerns about the way the DOE engages with the community. In particular, comment 3(e) stated that the DOE did not meet with the SLT, principals, or the community board prior to issuing the proposal. Further, comment 5(b) asserted that the timeline of the DOE’s engagement practices moves too quickly, and comment 15 asserted that the joint public hearing bears no effect on the outcome of the PEP vote.

The DOE appreciates all feedback from the community regarding a proposal. Contrary to what was said in comment 3(e), the DOE met with principals and CEC Leadership prior to posting the proposal. When the EIS and BUP for this proposal were issued, they were distributed to the staff, faculty and parents at the impacted schools, as well as posted on the DOE’s Web site and made available in each school’s main office. In addition, the DOE dedicated a proposal-specific website, voicemail, and email address to collect feedback on this proposal. Furthermore, all impacted school communities were invited to the joint public hearing to provide feedback. This feedback is analyzed

in this document and, which is posted 24 hours prior to the PEP vote so that it can be considered by the PEP in determining whether or not to approve the proposal. The DOE's public review process is governed by Chancellor's Regulation A-190 and this process was followed for this proposal.

Although the DOE recognizes that people in the community may have strong feelings against this proposal, the DOE believes that if this proposal is approved, the school communities at J.H.S. 144, Pelham Gardens, and Icahn Charter High School will be able to create productive and collaborative partnerships that will maximize the opportunities available to students.

While the DOE supports the proposal to co-locate Icahn Charter High School in the X144 building, the DOE notes that no decision has yet been made on this proposal. Any such proposed change to school utilization must be approved by the PEP before it can take effect. The PEP will vote on this proposal at its October 15, 2013 meeting. Interested stakeholders are welcome to provide additional comments that that PEP meeting.

Comments 3(f) and 10(a) assert that the DOE offered the space in building X144 to Icahn Charter High School and that Mr. Icahn wants to save money by utilizing public space for his high school.

Proposals about where new schools are sited are made by the DOE's Division of Portfolio Planning ("Portfolio") in conjunction with the Office of Space Planning. The DOE proposes co-locations of district and charter schools in public school buildings to ensure that we are using our existing capital in the most efficient manner possible so that students and families in every community have access to high-performing educational options. Although individual buildings may house multiple district and/or charter school organizations, these options are available to all students.

According to the 2011-2012 Enrollment, Capacity, Utilization, Report (the "Blue Book"), building X144 has the capacity to serve 1,559 students. During the 2013-2014 school year, the building serves a total of approximately 1,007 students, yielding a building utilization rate of approximately 65%. According to the Under-utilized Space Memorandum, building X144 is "under-utilized" and has extra space to accommodate additional students. Further, the DOE seeks to provide space to high quality education options for all students, regardless of whether they are served in DOE or public charter schools. The DOE welcomes public charter schools to lease or provide their own space, but will offer space in DOE schools where it is feasible to do so.

Comment 5(a) acknowledges the Icahn Network as an outstanding charter.

The DOE also acknowledges and commends the students and staff of the Icahn Charter schools for their hard work, dedication, and passion for their schools.

Comments 5(d), 6(e), 22, and 23(b) expressed concern that this co-location proposal would prevent the expansion of programming at J.H.S. 144.

As a preliminary matter, the DOE notes that J.H.S. 144 began undergoing an enrollment reduction beginning in the 2012-2013 school year, a decision based on a determination that the school was struggling to serve its students. By 2015-2016, J.H.S. 144 will reach a stable, reduced enrollment of approximately 555-585 students in grades six through eight. The decision to reduce enrollment at J.H.S. 144 pre-dates this proposal; no impact to J.H.S. 144's enrollment, programming, or academic or extra-curricular offerings is expected as a result of this proposal. In thinking about expanding J.H.S. 144—as suggested by some of these commenters—it is important to bear in mind that a decision was already made that, for the immediate future, J.H.S. 144 would best be served by serving a smaller group of students so it can focus on improving its performance.

While the co-location will reduce the amount of excess space that is currently available to J.H.S. 144 and Pelham Gardens, J.H.S. 144 and Pelham Gardens will continue to receive their baseline (or adjusted baseline, as applicable) footprint allocation of rooms throughout the course of the phase-in of Icahn Charter High School.

As to the inquiry regarding J.H.S. 144's continued access to specific rooms in the X144 building, such as the woodworking room, it should be noted that the assignment of specific rooms and the location for each organization in the building will be made in consultation with the

principals of each school and the Office of Space Planning, if the proposal is approved. To the extent that the assignment of rooms does not meet the programmatic needs of a school, the Building Council may discuss alternative arrangements (for additional information, please see the BUP associated with this proposal for a description of the Building Council's dispute resolution process).

With respect to concerns that co-locations prevent existing schools from expanding the grades they serve, it should be noted that many factors are taken into account in connection with a grade reconfiguration. For example, the availability of budget resources and physical space, demographic need, enrollment demand, and school performance are all considered. The process for applying to reconfigure grades is at: <http://schools.nyc.gov/community/planning/reconfiguration/default.htm>.

Comments 6(d) and 14, concern the impact of this proposal on security in building X144 and questioned whether the proposal will require the installation of metal detectors in the building.

Roughly half of the DOE's schools share space in a building. Because of co-locations, limited facilities can be used more efficiently while simultaneously creating additional high-quality options for New York City families. This is necessary when there are scarce facilities and a demand for more high-performing options.

With respect to safety concerns, pursuant to Chancellor's Regulation A-414, every school/campus is mandated to form a School Safety Committee, which is responsible for developing a comprehensive School Safety Plan that defines the normal operations of the site and establishes emergency procedures. The School Safety Plan is updated annually by the Committee to meet the building's changing security needs, changes in organization and building conditions, and any other factors; these updates can also be made at any other time when it is necessary to address security concerns. The Committee also addresses safety matters on an ongoing basis and make appropriate recommendations to the principal(s) when it identifies the need for additional security measures. The DOE is committed to ensuring that all co-locations are safe for students.

The Office of Safety and Youth Development ("OSYD") will regularly monitor the campus schools' DOE incident data and the NYPD building crime data for spiking trends. When there is evidence of spikes in incidents and crime, OSYD will schedule a review of the data with representatives from all the co-located schools and follow up with a safety walk or a full comprehensive safety assessment to identify areas of concern and re-establish safety and security systems for the campus, as appropriate.

With regard to the possibility of metal detectors at building X144, this measure is taken to ensure and maintain safety on campus. Currently the DOE does not have plans to introduce metal detectors into building X144 and this plan to co-locate Icahn Charter High School does not require metal detectors in the building.

Comments 8(c), 9(e), 20, 21, and 23(c) all express concern that Icahn Charter High School will not serve students from the local community, claiming that District 11 students will not be able to attend due to high demand and a long waitlist for the school.

As explained in the EIS, Icahn Charter High School will mark the continuation of Icahns 1 through 7, once their charters are revised to permit them to serve students in ninth through twelfth grades. The co-location of Icahn Charter High School will allow some current and future Icahn students to complete their high school education in the Icahn Network. To the extent that demand for seats at Icahn Charter High School exceeds capacity, a procedure for choosing among interested students will be set by Icahn Network.

While Icahn Charter High School will not enroll new students from District 11 into the ninth grade who are not currently attending an Icahn middle school in the Bronx, the DOE anticipates that the school will serve a substantial number of students from District 11 given that the majority of the existing Icahn charter schools in the Bronx—Icahn 2, Icahn 3, Icahn 4, and Icahn 5—are located in District 11 and serve a large number of students who live within the district; it is expected that many of those District 11 middle school students will continue on to attend Icahn Charter High School.

For information about the charter lottery application process for Icahns 1 through 7, please consult the DOE's website here: <http://schools.nyc.gov/community/planning/charters/Directory.htm>.

Comments 9(b) and 11 voice general support for J.H.S. 144 as well as the staff, teachers, and students.

The DOE acknowledges and commends the students and staff of J.H.S. 144 for their hard work, dedication, and passion for the school.

Comment 10(c) stated concerns that this proposal would eventually lead to J.H.S. 144 and Pelham Gardens being completely pushed out of the building.

As noted in the EIS, this proposed co-location of Icahn Charter High School is not expected to impact the admissions, enrollment, or educational options of students currently attending J.H.S. 144 and Pelham Gardens. J.H.S. 144 and Pelham Gardens will continue to admit students through the middle school application process. The DOE has no plans to remove J.H.S. 144 or Pelham Gardens from the X144 building.

Comment 12 noted that J.H.S. 144 has been improving and asked the DOE to give J.H.S. 144 more time to continue to improve instead of implementing this proposal.

The proposed co-location of Icahn Charter High School is not a performance-based intervention; J.H.S. 144's enrollment reduction has already been underway since 2012-2013. Rather, as stated above, the DOE has determined that the X144 building is under-utilized and therefore could be used more efficiently to serve a greater number of students.

Comments 17 and 23(f) suggest that high school students will have a negative effect on the community, noting specifically the need for high school students to take public transportation.

The DOE does not expect that there will be a material increase in the number of buses arriving at the school at any given time as a result of this proposal.

Furthermore, high schools in New York City admit students through the Citywide choice process, which results in high school students frequently taking public transportation to attend schools in districts that are not the same as the ones in which they reside. The DOE has not observed any resulting negative effect to communities.

In response to comment 17, the DOE does not anticipate that the presence of high school students would have a negative impact on the local community. Given that many of the students expected to attend Icahn Charter High School are students who reside in District 11, the DOE does not expect that this proposal would significantly change the local community.

Comment 24 refers to a resolution from CEC 30 in Queens that was received via email calling for co-located charter schools to pay for space and services in public school buildings.

The DOE seeks to provide space to high quality education options for all students, regardless of whether they are served in DOE or public charter schools. The DOE welcomes public charter schools to lease or provide their own space, but will offer space in DOE schools where it is feasible to do so.

Changes Made to the Proposal

No changes were made to the proposal.