

## **EDUCATIONAL IMPACT STATEMENT:**

### **The Proposed Opening and Co-location of Achievement First Charter High School 2 with Existing Schools J.H.S. 166 George Gershwin (16K166), The UFT Charter School (84K359), and a New Middle School (19K654) in Building K166 Beginning in 2013-2014**

#### **I. Summary of Proposal**

The New York City Department of Education (“DOE”) is proposing to open and co-locate a Achievement First Charter High School 2 (“AF High School 2”) in building K166 (“K166”), located at 800 Van Siclen Avenue, Brooklyn, NY 11207, in Community School District 19 (“District 19”) beginning in 2013-2014.<sup>1</sup> When fully at scale, AF High School 2 will serve students in ninth through twelfth grades. If this proposal is approved, AF High School 2 will be co-located in K166 with J.H.S. 166 George Gershwin (“J.H.S. 166”), an existing district middle school that serves students in sixth through eighth grade, the UFT Charter School (84K359, “UFT Charter”), an existing public charter school that serves students in kindergarten through twelfth grades across two separate sites, and a proposed new district middle school (19K654, “19K654”) that when fully at scale will serve students in sixth through eighth grades., if that proposal is approved.

UFT Charter’s kindergarten through fifth grades are located in building K292 (“K292”), which is located at 300 Wyona Street and 301 Vermont Street, Brooklyn, NY, 11207 in District 19, while UFT Charter’s sixth through twelfth grades are located in building K166.<sup>2</sup> In a separate Educational Impact Statement (“EIS”) posted on January 17, 2013,<sup>3</sup> the DOE has proposed to resite UFT Charter’s sixth through eighth grades from K166 to K292.<sup>4</sup>

For the purposes of this EIS, which describes the opening and co-location of AF High School 2 in K166, it is assumed that the proposal to resite UFT Charter’s middle school grades to K292 will be approved by the Panel for Educational Policy (“PEP”). However, if the proposal to resite is not approved, this EIS and the accompanying Building Utilization Plan (“BUP”) will be revised as necessary.

In a separate EIS also posted on January 17, 2013, the DOE is proposing to phase-out J.H.S. 166 due to

<sup>1</sup> 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.

<sup>2</sup> Although UFT Charter School’s kindergarten through fifth grade and J.H.S. 292 are both located in building K292, they use separate entrances and therefore have separate addresses.

<sup>3</sup> The proposal can be found at: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>.

<sup>4</sup> UFT Charter is in the process of applying for renewal of its charter from its charter authorizer, the State University of New York’s Charter School Institute (“SUNY CSI”). For the purposes of this EIS describing the co-location of AF High School 2 in K166, it is assumed that SUNY CSI will approve UFT Charter’s charter renewal. However, if SUNY CSI denies UFT Charter’s application for renewal, the Building Utilization Plan (“BUP”) associated with this proposal will be revised as necessary to accurately reflect the proposed allocation of space in K166.

its low performance and inability to improve quickly to better support student needs.<sup>5</sup> If that proposal is approved, J.H.S. 166 will no longer admit sixth grade students after the conclusion of the 2012-2013 school year. One grade will then be phased-out each subsequent year. During the 2013-2014 school year, J.H.S. 166 will serve students in seventh and eighth grade and, in 2014-2015, it will serve students in eighth grade. J.H.S 166 will close after June 2015.

For the purposes of this EIS, which describes the opening and co-location of AF High School 2 in K166, it is assumed that the proposal to phase out J.H.S. 166 will be approved by the PEP. However, if the proposal to phase-out is not approved, this EIS and the accompanying BUP will be revised as necessary.

In a separate EIS also posted on January 17, 2013, the DOE is proposing to co-locate and phase in 19K654 in K166, which will serve students in sixth through eighth grade and will admit students through the District 19 Middle School Choice Process, offering priority to students residing in the K166 residential zone and then using a limited unscreened admissions method.<sup>6</sup> If that proposal is approved, 19K654 will begin enrolling sixth grade students in 2013-2014 and will add one grade per year until it is at full scale and serves students in sixth through eighth grade in 2015-2016.

For the purposes of this EIS, which describes the opening and co-location of AF High School 2 in K166, it is assumed that the proposal to co-locate 19K654 in K166 will be approved by the PEP. However, if the proposal to co-locate 19K654 is not approved, this EIS and the accompanying BUP will be revised as necessary.

AF High School 2 will open with ninth-grade classes in 2013-2014, and will add one grade each year until it serves students in ninth through twelfth grades in 2016-2017. AF High School 2 will only enroll students who have been promoted from one of two charter middle schools currently operated by Achievement First Schools (“Achievement First”), a Charter Management Organization (“CMO”). The charter middle schools that will feed into AF High School 2 beginning in the 2013-2014 school year are Achievement First Bushwick (84K538, “AF Bushwick”), located in Community School District 32 (“District 32”), and Achievement First East New York (84K358, “AF East NY”), located in District 19. AF Bushwick was authorized by the State University of New York’s Charter School Institute (“SUNY CSI”) and opened in the 2006-2007 school year. AF East NY was authorized by the DOE and opened in the 2005-2006 school year. AF Bushwick is currently authorized to serve grades K-11 and AF East NY is currently authorized to serve K-10; both schools have informed the DOE that they intend to apply to their authorizers to expand to serve K-12. Should SUNY CSI or the DOE deny AF Bushwick or AF East NY’s requests to expand, or if AF Bushwick or AF East NY fails to make these requests, the respective school will only serve its presently approved grade span.

According to the 2011-2012 Enrollment Capacity Utilization Report (the “Blue Book”), K166 has the capacity to serve a total of 1,320 students. In 2012-2013, J.H.S 166 is serving 400 students<sup>7</sup> and UFT Charter is serving 586 sixth through twelfth grade students,<sup>8</sup> yielding a building utilization rate of 75%.<sup>9</sup> This means that the building is “underutilized” and has space to accommodate additional

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<sup>5</sup> The proposal can be found at: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm> . . .

<sup>6</sup> The proposal can be found at: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>.

<sup>7</sup> 2012-2013 Unaudited Register (as of October 26, 2012).).

<sup>8</sup> This figure represents total headcount as of October 1, 2012.

<sup>9</sup> All references to building utilization rates in this document are based on capacity data from the 2011-2012 Blue Book and enrollment data from the 2012-2013 Unaudited Register (as of October 26, 2012) or charter headcount as of October 1, 2012. This methodology is consistent with the manner in which the DOE conducts planning and calculates space allocations and funding for all schools. In determining the space allocation for co-located schools,

students. If this proposal is approved, in 2016-2017, once AF High School 2's ninth through twelfth grades have fully phased in and the school has reached full scale, AF High School 2 is projected to serve 325-410 ninth through twelfth grade students, UFT Charter is projected to serve 225-285 ninth through twelfth grade students, 19K654 is projected to serve 345- 375 sixth through eighth grade students, and J.H.S. 166 will no longer serve any students, for a total of 895- 1,070 students, yielding a projected building utilization rate of approximately 68% - 81%.

K166 houses two community-based organizations ("CBOs"): CAMBA and the East New York Campus Satellite of Medgar Evers College ("ENY"). ENY hosts a GED Plus program in K166. GED Plus programs help students earn their GED and prepare them for college and career options. GED programs are offered to students who are 18-21 years old and are available as full-time or part-time programs. More information about GED Programs is available:

<http://schools.nyc.gov/Offices/District79/SchoolsProgramsServices/default.htm>.

### *Background on the DOE's Decision-Making Process*

The DOE strives to ensure that all students in New York City have access to a diverse range of high-quality schools at every stage of their education. In determining the optimal way to distribute space to schools, the DOE is proposing to co-locate AF High School 2 with J.H.S. 166, UFT Charter, and 19K654.

Achievement First currently manages a total of six schools in New York City. Of the schools eligible for Progress Reports in 2011-2012, four schools, Achievement First Crown Heights (84K356), AF Brownsville (84K626), AF Endeavor (84K508), and AF Bushwick (84K538), received A's on the overall Progress Report and one school, AF East NY(84K358), received a B. AF Apollo (84K774) is not yet eligible to receive a Progress Report.

The DOE believes in Achievement First's record of success and supports AF High School 2's placement in District 19 in order to provide an additional high-quality educational opportunity for students and families.

## **II. Proposed or Potential Use of Building**

K166 has the capacity to serve a total of 1,320 students. In 2012-2013, 986 students are being served in K166. This yields a utilization rate of 75%. This is one indicator that the building is "underutilized" and has extra space to accommodate additional students. (The concepts of "capacity" and "utilization rate" are described below.)

If this proposal to co-locate AF High School 2 with J.H.S. 166, UFT Charter, and 19K654, is approved, in 2013-2014, AF High School 2's ninth grade will begin phasing in. In 2016-2017, once AF High School 2's ninth through twelfth grades have fully phased in and the school has reached full scale, AF High School 2 is projected to serve 325-410 ninth- through twelfth-grade students; UFT Charter is projected to serve 225-285 ninth- through twelfth-grade students; 19K654 is projected to serve 345-375 sixth through eighth grade students; and J.H.S. 166 will no longer serve any students, for a total of 895- 1,070 students, yielding a projected building utilization rate of approximately 68%- 81%.

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the Office of Space Planning will conduct a detailed site survey and space analysis of the building to assess the amount of space available in the building.

If this proposal to co-locate AF High School 2 with J.H.S. 166, UFT Charter, and 19K654 is approved, the current and proposed grade spans for the schools in K166 over five years is as follows:

<b>Grade Spans</b>						
<b>DBN</b>	<b>School Name</b>	<b>2012-2013</b>	<b>2013-2014</b>	<b>2014-2015</b>	<b>2015-2016</b>	<b>2016-2017</b>
-	AF High School 2	-	9	9-10	9-11	9-12
19K166	J.H.S. 166	6-8	7-8	8	-	-
84K359	UFT Charter	6-12	9-12	9-12	9-12	9-12
19K654	19K654	-	6	6-7	6-8	6-8

The table below demonstrates the projected enrollment of each school, as well as the building’s projected utilization rates.<sup>10,11,12,13</sup>

<b>DBN</b>	<b>School Name</b>	<b>2012-2013 Enrollment</b>	<b>2013-2014 Projected Enrollment</b>	<b>2014-2015 Projected Enrollment</b>	<b>2015-2016 Projected Enrollment</b>	<b>2016-2017 Projected Enrollment</b>
-	AF High School 2	-	95 - 120	180 - 225	255 - 320	325 - 410
19K166	J.H.S. 166	400	215 - 235	100 - 110	-	-
84K359	UFT Charter	586	225 - 285	225 - 285	225 - 285	225 - 285
19K654	19K654	-	115 - 125	230 - 250	345 - 375	345 - 375
<b>Total Building Enrollment</b>		986	650 - 765	735 - 870	825 - 980	895 - 1,070
<b>Utilization</b>		75%	49% - 58%	56% - 66%	63% - 74%	68% - 81%

<sup>10</sup> All projections referenced for UFT Charter for the 2013-2014 school year and beyond reflect the charter school’s enrollment pursuant to its charter application.

<sup>11</sup> All projections referenced for AF High School 2 for the 2013-2014 school year and beyond are based on enrollment information in the charter applications for AF Bushwick and AF East NY.

<sup>12</sup> All projections referenced for J.H.S 166 for the 2012-2013 and beyond are based on the 2012-2013 Unaudited Register (as of October 26, 2012).

<sup>13</sup> Enrollment projections for 19K654 are based on a phase-in plan of four general education/integrated co-teaching sections and two self contained sections per entry grade in the first year. Actual enrollment in 2013-2014 and beyond, however, depends on applicant demand.

As described in more detail in the Blue Book, which is available at [http://www.nycsca.org/Community/CapitalPlanManagementReportsData/Enrollment/2011-2012\\_Classic.pdf](http://www.nycsca.org/Community/CapitalPlanManagementReportsData/Enrollment/2011-2012_Classic.pdf), a building's target utilization rate is calculated by dividing the aggregated enrollment of all the school organizations in the building by the aggregated "target capacities" of those organizations. Each school organization's "target capacity" is calculated based upon the scheduled use of individual rooms as reported by principals during an annual facilities survey, the DOE's standards for goal classroom capacities (which are lower than the United Federation of Teachers contractual class sizes and differ depending on grade level), and the efficiency with which classrooms are programmed (i.e., the frequency with which classes are scheduled in a given classroom).

The most recent year for which target capacity has been calculated for buildings is 2011-2012. The DOE's projected utilization rates for the 2012-2013 school year and beyond are based on the 2011-2012 target capacity, which assumes that the components underlying that target capacity (scheduled use of classrooms, goal classroom capacity, etc.) remain constant. Thus, projected utilization rates for the 2012-2013 and beyond provide only an approximation of a building's usage because each of the factors underlying target capacity may be adjusted by principals from year to year to better accommodate students' needs. For example, changing the use of a room from administrative rooms to a homeroom at the high school level will increase a building's overall target capacity because for high schools administrative rooms are not assigned a capacity. Similarly, if a room previously used as a kindergarten classroom is subsequently used as a fifth grade classroom, the building's target capacity would increase because we expect that a fifth grade class will have more students than a kindergarten class. This is reflected in the fact that the DOE's standard for goal classroom capacity is higher for fifth grade classrooms than for kindergarten classrooms. In this example, as well, assuming enrollment is constant, the utilization rate would decrease.

### III. Impact of the Proposal on Affected Students, Schools, and Community

#### A. Students

The proposed co-location of AF High School 2 is not expected to impact current or future student enrollment or instructional programming at UFT Charter, 19K654, or J.H.S. 166.

#### *Impact on Students Currently Attending School in K166*

The proposed co-location of AF High School 2 in K166 is intended to provide an educational option for District 19 and District 32 families. If this proposal is approved, AF High School 2 will begin enrolling ninth-grade students in K166 beginning in the 2013-2014 school year, and will add one grade each year until it serves ninth through twelfth grade students in 2016-2017, when it has reached full scale. AF High School 2 will only enroll students who are currently enrolled in eighth grade at AF Bushwick and AF East New York. These feeder charter middle schools give preference in admissions to students residing in the district in which each school is geographically located. This proposed charter school is not included in the High School Directory for the upcoming school year, and, if this proposal is approved, it would not be included in the future because AF High School 2 will only enroll students who have been promoted from AF Bushwick and AF East NY.

UFT Charter is an existing public charter school that currently serves students in sixth through twelfth grade in building K166. In a separate EIS, the DOE is proposing to resite the sixth through eighth grades of UFT Charter to building K292. UFT Charter currently enrolls students through the charter lottery process. If the proposal to resite the sixth through eighth grades of UFT Charter is approved, students will continue to apply to UFT Charter through the charter lottery process. More information about the charter lottery process can be found at:

<http://schools.nyc.gov/community/planning/charters/Directory.htm>. The proposal to resite UFT Charter's middle school grades and its impact on students currently attending school in K166 are outlined in a separate EIS available at:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>.

The DOE does not anticipate that this proposal to co-locate AF High School 2 will impact admissions, enrollment, or instructional programming at UFT Charter.

The DOE is also proposing to phase-out J.H.S. 166, an existing district middle school, from K166. If this proposal is approved, in 2013-2014 J.H.S. 166 will only serve students in seventh and eighth grades, and in 2014-2015 J.H.S. 166 will only serve students in eighth grade. J.H.S. 166 will close in June 2015. The proposal to phase out J.H.S. 166 and its impact on students currently attending school in K166 are outlined in a separate EIS available at:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>.

The DOE does not anticipate that this proposal to co-locate AF High School 2 will impact admissions, enrollment, or instructional programming at J.H.S. 166.

The DOE is also proposing to co-locate 19K654 in K166 to replace the seats lost by the phase-out and closure of J.H.S. 166 and to provide a new educational option for District 19 families. The proposal to co-locate 19K654 and the proposal's impact on students currently attending school in K166 are outlined in a separate EIS available at:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>.

During the course of the phase-out of J.H.S. 166, 19K654 will phase-in at K166 beginning with sixth grade in the 2013-2014 school year and adding one grade each subsequent year until it reaches full scale serving grades six through eight in the 2015-2016 school year. The DOE does not anticipate that this proposed co-location of AF High School 2 will impact admissions, enrollment, or instructional programming at 19K654.

J.H.S. 166 currently serves sixth- through eighth-grade students. According to the District 19 Middle School Directory, J.H.S. 166 currently offers the following special programs and initiatives, extracurricular activities and partnerships:<sup>14</sup>

- **Enrichment Classes:** Integrated Algebra, Art, Music, Computer, Music Engineering, Martial Arts, Instrumental Music
- **Language Classes:** Spanish
- **Extracurricular Activities:** Marching Band, Dance, Drama, Recording Studio
- **Special Programs:** High School Preparatory Program, Peer Tutoring Program, Performing Arts, Jazz Band, Music Instruction, Advisory, Student Government, Service Learning Program, Swimming, Mentoring Programs
- **Boys Sports:** Basketball, Baseball, Flag Football, Swimming
- **Girls Sports:** Dance, Double Dutch, Swimming
- **Co-ed Sports:** Baseball, Swimming
- **Partnerships:** Medgar Evers College, New York Police Department, CAMBA, Man Up, Brooklyn Empowerment Neighborhood Initiative

The DOE does not anticipate that this proposed co-location AF High School 2 will prevent J.H.S. 166 from continuing to offer any of these options. Nor does the DOE expect this proposal will impact admissions, enrollment, or instructional programming at J.H.S. 166 during the course of its phase out. The DOE is proposing to phase-out J.H.S. 166.

<sup>14</sup>The District 19 Middle School Directory is available on the DOE website at <http://schools.nyc.gov/NR/ronlyres/12D1803B-D5F9-4679-AC80-169301413EA9/0/201213D19MSD.pdf>.

The DOE does not anticipate that the proposed co-location of AF High School 2 will impact the ability of J.H.S. 166, UFT Charter, or 19K654 to continue to offer extracurricular activities based on student interests, available resources, and staff support for those programs. However, the co-location may change the way those programs are configured. For example, some activities may need to share classroom space or the scheduling of these activities may change as a result of greater demands on the available space during or after school hours.

The proposed co-location will not impact those opportunities, but it may change the way those programs are configured. For example, some activities may need to share classroom space or the scheduling of these activities may change as a result of greater demands on the available space during or after school hours. Students will continue to have the opportunity to participate in a variety of extracurricular programs, though the specific programs offered at a given school are always subject to change. That is true for all City students as all schools annually modify extracurricular offerings based on student demand and available resources.

### *Impact on Community-Based Organizations*

K166 houses two community-based organizations (“CBOs”): CAMBA and ENY.

CAMBA is a non-profit CBO, which partners with the J.H.S. 166 school community, neighborhood residents, businesses, and other CBOs to provide after-school programs that incorporate a wide variety of activities. These activities include homework help, academic enrichment, conflict remediation/resolution, community service, and project-based clubs, as well as educational, recreational, and cultural activities.

CAMBA is not expected to lose any space or reduce the services offered at K166 as a result of this proposal and will continue to operate in K166 subject to interest and demand.

ENY is a satellite campus of Medgar Evers College. ENY is not expected to lose any space or reduce the services offered at K166 as a result of this proposal and will continue to operate in the K166 building subject to interest and demand.

ENY, which has a linkage partnership with the East New York Development Corporation, hosts a GED Plus program in the K166 building. GED Plus programs are citywide programs that provides full-time and part-time GED services, as well as support to students transitioning to a college and/or a career, at no cost to students between the ages of 18 and 21. Students who are 17 may enroll if there are extenuating circumstances and with parent/guardian permission. Students interested in enrolling in a GED Plus program are encouraged to speak with their school counselor, visit a District 79 Referral Center, and/or contact the GED program directly to schedule an intake interview.

The GED Plus program at K166 operates in space allocated to ENY. The DOE does not anticipate that current or future students attending the GED Plus program in building K166 would be impacted by this proposal, as ENY is not expected to lose any space in K166 as a result of this proposal.

More information about full and part-time GED programs may be found here:

<http://schools.nyc.gov/ChoicesEnrollment/AlternativesHS/FullPtGED/default.htm>.

### *Enrollment Impact for Future High School Students – High School Admissions Process*

As discussed previously, if this proposal is approved, current eighth grade students enrolled at AF Bushwick and AF East NY who will be promoted as of June 2013 may choose to attend AF High

School 2 for ninth grade in the following year. These feeder charter middle schools give preference in admissions to the students residing in the district in which each school is geographically located. If there are remaining seats in the ninth grade, after the seats are filled by returning students from the two feeder middle schools, AF High School 2 may accept students from the school's waitlist.

This proposed charter high school is not included in the High School Directory for the upcoming school year, and, if this proposal is approved, it would not be included in the future because AF High School 2 will only enroll students who have been promoted from AF Bushwick and AF East NY.

If this proposal is approved, eighth-grade students from AF Bushwick and AF East NY who may have applied for admission in an existing high school through the Citywide High School Admissions process can choose to enroll in AF High School 2. These students, as well as every other New York City student applying to high school can choose to apply through the Citywide high school choice process. For more information about the High School Admissions Process, please visit: <http://schools.nyc.gov/ChoicesEnrollment/High>.

High school students with Individualized Education Programs (“IEPs”), with the exception of those students recommended for a District 75 placement, are admitted in the same manner as general education students. Schools will create programs that meet the needs of all students, enabling students with IEPs to learn alongside their non-disabled peers to the greatest extent possible.

Similarly, English Language Learners (“ELLs”) students are admitted to high schools in the same manner as their non-ELL peers. Any students requiring ELL services will continue to receive appropriate services in accordance with DOE policy.

The New York City High School Directory, which is available in print at DOE middle schools, Borough Enrollment Offices, or on the DOE’s Web site at: <http://schools.nyc.gov/ChoicesEnrollment/High/Publications>, offers a full list of high schools Citywide.

## **B. Schools**

As discussed above, if this proposal is approved, K166 has adequate capacity to accommodate J.H.S. 166 as it phases out, the high school grades of UFT Charter, as well as 19K654 and AF High School 2 as they phase-in and reach full scale. Collectively, the schools are projected to enroll an estimated 895-1,070 students in 2016-2017. At that point, AF High School 2’s ninth through twelfth grade will be at full scale in K166, and the projected utilization rate for K166 will be approximately 68%-81%. This means that the building has adequate room to accommodate the schools that will be co-located in K166.

The projected enrollments for J.H.S. 166, UFT Charter in K166, 19K654, and AF High School 2 for the next five years are shown in Section IV below.

As described in more detail in the attached BUP that accompanies this EIS, if this proposal is approved, there will be sufficient space in K166 to accommodate J.H.S. 166, UFT Charter, 19K654 and AF High School 2 pursuant to the Citywide Instructional Footprint (the “Footprint”) throughout the period while AF High School 2 gradually phases in. Please visit the DOE’s Web site to access the Footprint, which guides space allocation and use in City schools.<sup>15</sup>

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<sup>15</sup> The Footprint is available at: <http://schools.nyc.gov/community/planning/changes/default.htm> under “Key Documents.”

The Footprint sets forth the baseline number of rooms that should be allocated to a school based on the grade levels served by the school and number of classes per grade. For existing schools, the Footprint is applied to the current number of sections per grade, assuming class size would remain constant. A representative from the Office of Space Planning then confirms both the baseline and current space allocation totals during a walk-through of the building, where he/she is accompanied by a school representative.

For grades six through twelve, the Footprint assumes that students move from class to class and that classrooms should be programmed at maximum efficiency. The Footprint does not require that every teacher have his or her own designated classroom. Principals are asked to program their schools efficiently so that classrooms can be used for multiple purposes throughout the course of the school day. The Footprint allocates the number of baseline classrooms for student support services, resources rooms, and administrative space based on the grades a school serves and its enrollment at scale.

Any space remaining beyond the baseline shall be allocated equitably among the co-located schools. In determining an equitable allocation, the DOE may consider factors such as the relative enrollments of the co-located schools, the instructional and programmatic needs of the co-located schools, and the physical location of the excess space within the building.

As in other situations where schools are co-located, the schools would need to share large common and specialty rooms in the building, such as the cafeteria, the gymnasium, and the library. Specific decisions regarding the allocation of the shared spaces would be made by the Building Council, consisting of principals from all co-located schools. A Shared Space Committee would also meet a minimum of four times a year and report back to the Building Council regarding the BUP and the scheduling of shared spaces.

### **C. Community**

K166 is currently underutilized. This means that the space in the building is not being used as effectively as possible and could be used to create new educational opportunities. The DOE supports parent choice and strives to ensure that all families have access to high-quality schools that meet their children's needs. The proposed co-location of AF High School 2 is intended to meet those goals by providing an additional high school option for students in District 19 and District 32.

As a result of this co-location, there may be as many as 95-120 fewer eighth grade students vying for seats through the High School Admissions Process. This slight reduction is not expected to have a significant impact on the Citywide High School Admissions Process.

The DOE believes in Achievement First's record of success and supports the permanent placement of an Achievement First charter school in District 19 in order to continue providing educational opportunities for students and families. If this proposal is approved, AF High School 2 will add approximately 325-410 ninth through twelfth grade seats to District 19, and will join seven other existing charter schools in District 19. These other schools are listed in the following chart:

**Charter Options**

DBN	School Name	Grade Span 2012-13	Grade Span at Scale	Projected Enrollment 2012-13 <sup>16</sup>
84K358	Achievement First East New York Charter School <sup>17</sup>	K-8	K-11	701
84K359	UFT Charter	K-12	K-12	1,177
84K386	Invictus Preparatory Charter School	5-6	5-8	180
84K740	Brooklyn Scholars Charter School	K-7	K-8	496
84K769	Hyde Leadership Charter School – Brooklyn	K-3	K-5	289
84K774	Achievement First Apollo Charter School	K-3	K-5	335
84K785	Imagine Me Leadership Charter School	K-3	K-5	207

Detailed information about New York City charter schools is published annually and is available in print or on the DOE’s Web site here: [http://schools.nyc.gov/NR/rdonlyres/50117A5B-DB95-4231-82CC-16C853A8EE2B/0/CharterSchoolDirectory\\_English.pdf](http://schools.nyc.gov/NR/rdonlyres/50117A5B-DB95-4231-82CC-16C853A8EE2B/0/CharterSchoolDirectory_English.pdf).

This proposal is not expected to impact the ability of community members and organizations to obtain school building use permits at K166. This proposal is not expected to impact the full site accessibility of K166.

#### IV. Enrollment, Admissions, and School Performance Information

*J.H.S. 166*

**Admissions Data**

<b>Current Admissions</b>	Grade 6-8: District 19 Middle School Choice
<b>Admissions During and After Proposed Co-Location of AF High School 2</b>	N/A <sup>18</sup>

<sup>16</sup> All figures represent total headcount as of October 1, 2012.

<sup>17</sup> If this proposal is approved, the high school grades of AF East New York will be accounted for in AF High School 2.

<sup>18</sup> For the purposes of this EIS, describing the co-location of AF High School 2 in K166, it is assumed that the proposal to phase-out J.H.S. 166 will be approved by the PEP. If the proposal to phase-out J.H.S. 166 is not approved, the admissions method for J.H.S. 166 will not change.

Enrollment Data<sup>19</sup>

	Grade 6	Grade 7	Grade 8	Total Enrollment
2012-13 (unaudited)	105	120	175	400
2013-14 (projections)	-	100-110	115-125	215-235
2014-15 (projections)	-	-	100-110	100-110
2015-16 (projections)	-	-	-	-
2016-17 (projections)	-	-	-	-

Demographic Data<sup>20</sup>

Percentage of Students Receiving ICT or SC Services	21%
Percentage of Students with IEPs	28%
Percentage of ELLs Students	7%
Percentage of Students Eligible for Free or Reduced Lunch	64%

School Performance Data

J.H.S. 166	2009-2010	2010-2011	2011-2012
<b>School Performance and Progress</b>			
Overall Progress Report Grade	C	C	C
Quality Review Score	P	D	D
<b>Performance Data</b>			
English Language Arts % Proficient (Levels 3 and 4)	13%	11%	11%
Math % Proficient (Levels 3 and 4)	24%	22%	25%
<b>Other Key Performance Indicators</b>			
Attendance Rate	89%	87%	88%
<b>2012-2013 State Accountability Status</b> <sup>21</sup>			
Priority School			

<sup>19</sup> All figures are from the 2012-2013 Unaudited Register (as of October 26, 2012).

<sup>20</sup> All figures are as a percentage of total students from the 2012-2013 Unaudited Register (as of October 26, 2012).

<sup>21</sup> This status is determined by SED under the New York State waiver for the No Child Left Behind Act. For more information, please visit the SED Web site at <http://www.p12.nysed.gov/accountability/ESEADesignations.html>.

*UFT Charter at K166*

**Admissions Data**

<b>Current Admissions</b>	Charter Lottery Application
<b>Admissions During and After Proposed Co-location and Phase-in of AF High School 2</b>	Charter Lottery Application

**Enrollment Data<sup>22,23</sup>**

	<b>Grade 6</b>	<b>Grade 7</b>	<b>Grade 8</b>	<b>Grades 9-12</b>	<b>Total Enrollment</b>
2012-13 (unaudited)	112	122	102	250	586
2013-14 (projections)	-	-	-	225-285	225-285
2014-15 (projections)	-	-	-	225-285	225-285
2015-16 (projections)	-	-	-	225-285	225-285
2016-17 (projections)	-	-	-	225-285	225-285

**Demographic Data<sup>24</sup>**

Percentage of Students Receiving ICT or SC Services	8%
Percentage of Students with IEPs	4%
Percentage of ELLs Students	2%
Percentage of Students Eligible for Free or Reduced Lunch	85%

<sup>22</sup> All figures represent total headcount as of October 1, 2012.

<sup>23</sup> UFT Charter School is a split-sited K-12 school. Enrollment shown here for 2012-2013 is for grades 6-12 in building K166 only. Grades K-5 are located at building K292 in District 19. Projections for 2013-2014 and following years assume only the ninth- through twelfth-grades are located in K166, as proposed in a separate EIS as discussed above.

<sup>24</sup> All figures are as a percentage of UFT’s sixth through twelfth grade students at K166 from the 2012-2013 Unaudited Register (as of October 26, 2012).

School Performance Data<sup>25</sup>

<b>UFT Charter- Kindergarten through Eighth Grades</b>	2009-2010	2010-2011	2011-2012
<b>School Performance and Progress</b>			
Overall Progress Report Grade	D	C	D
Quality Review Score <sup>26</sup>	N/A <sup>27</sup>	N/A	N/A
<b>Performance Data</b>			
English Language Arts % Proficient (Levels 3 and 4)	28%	29%	33%
Math % Proficient (Levels 3 and 4)	34%	47%	43%
<b>Other Key Performance Indicators</b>			
Attendance Rate	93.6%	93.1%	94.3%
<b>2012-2013 State Accountability Status</b>			
In Good Standing			

<b>UFT Charter - High School</b> <sup>28</sup>	2009-2010	2010-2011	2011-2012
<b>School Performance and Progress</b>			
Overall Progress Report Grade	N/A	N/A	N/A
Quality Review Score	N/A	N/A	N/A
<b>Key Components of Performance and Progress</b>			
% 10+ Credit Accumulation in Year 1	77%	85%	74%
4 Year Graduation Rate	N/A	N/A	N/A
6 Year Graduation Rate <sup>1</sup>	N/A	N/A	N/A
% Graduating with a Regents Diploma	N/A	N/A	N/A
Attendance Rate	93%	91%	90%
<b>2012-2013 State Accountability Status</b>			
In Good Standing			

<sup>25</sup> School performance data is derived from the school’s Progress Reports. UFT Charter receives two Progress Reports, one for kindergarten through eighth grades and one for high school. School performance data exclusively for UFT Charter’s sixth through eighth grades is not available. Therefore UFT Charter’s school performance data for kindergarten through eighth grades is listed below.

<sup>26</sup> For more information about Quality Reviews, please visit the DOE Web site at <http://schools.nyc.gov/Accountability/tools/review>.

<sup>27</sup> Not all schools receive a Quality Review every year.

<sup>28</sup> UFT Charter High School has just completed phasing-in in 2012-2013, and has therefore not received a progress report yet. Information on credit accumulation and the attendance rate can be found here: [http://schools.nyc.gov/OA/SchoolReports/2011-12/Progress\\_Report\\_2012\\_HS\\_K359.pdf](http://schools.nyc.gov/OA/SchoolReports/2011-12/Progress_Report_2012_HS_K359.pdf)

*AF High School 2*

Admissions Data

<b>Current Admissions</b>	N/A
<b>Admissions During and After Proposed Co-location and Phase-in of AF High School 2</b>	<b>Grades 9-12:</b> Enroll students who have been promoted from AF East NY and AF Bushwick

Enrollment Data

	<b>Grade 9</b>	<b>Grade 10</b>	<b>Grade 11</b>	<b>Grade 12</b>	<b>Total Enrollment</b>
2012-13 (unaudited)	-	-	-	-	-
2013-14 (projections)	95-120	-	-	-	95-120
2014-15 (projections)	95-120	85-105	-	-	180-225
2015-16 (projections)	95-120	85-105	75-95	-	255-320
2016-17 (projections)	95-120	85-105	75-95	70-90	325-410

Demographic Data

AF High School 2 does not yet have enrollment. Therefore, there is no demographic data for the school.

School Performance Data

AF High School 2 does not yet have enrollment. Therefore, there is no performance data for the school.

*19K654*

Admissions Data

<b>Current Admissions</b>	N/A
<b>Admissions During and After Proposed Co-location and Phase-in of AF High School 2</b>	Grade 6-8: District 19 Middle School Choice

Enrollment Data

	Grade 6	Grade 7	Grade 8	Total Enrollment
2012-13 (unaudited)	-	-	-	-
2013-14 (projections)	115-125	-	-	115-125
2014-15 (projections)	115-125	115-125	-	230-250
2015-16 (projections)	115-125	115-125	115-125	345-375
2016-17 (projections)	115-125	115-125	115-125	345-375

Demographic Data

19K654 does not yet have enrollment. Therefore, there is no demographic data for the school. The DOE anticipates that 19K654 will have similar demographic data to that of J.H.S. 166, and as it will give priority to students from J.H.S. 166’s zone, is likely to have similar student characteristics and needs.

School Performance Data

19K654 does not yet have enrollment. Therefore, there is no performance data for the school.

**V. Initial Impact on Budget and Cost of Instruction**

Please refer to the Fair Student Funding & School Budget Resource Guide FY 2013 (“FSF Guide”) and FY13 School Allocation Memoranda for additional information on cost of instruction and how the changes to FSF funding and other school allocations will be impacted as a result of register changes at UFT Charter, 19K654, and J.H.S. 166. The FSF Guide is available at:

[http://schools.nyc.gov/offices/d\\_chanc\\_oper/budget/dbor/allocationmemo/fy12\\_13/FY13\\_PDF/FSF\\_Guide.pdf](http://schools.nyc.gov/offices/d_chanc_oper/budget/dbor/allocationmemo/fy12_13/FY13_PDF/FSF_Guide.pdf). The FY13 School Allocation Memoranda are available at:

[http://schools.nyc.gov/offices/d\\_chanc\\_oper/budget/dbor/allocationmemo/fy12\\_13/AM\\_FY13\\_CAT.html](http://schools.nyc.gov/offices/d_chanc_oper/budget/dbor/allocationmemo/fy12_13/AM_FY13_CAT.html).

The General Education Charter School per-pupil rate is determined by the New York State Education Department (“NYSED”), and is based on a formula used for all traditional public school districts. The formula divides the district’s Approved Operating Expenditures (“AOE”) by Total Allowable Pupil Units (“TAPU”). Special Education funding is an allocation that Charter Schools may qualify for and receive for serving students that receive special education services for more than 20% of the week as mandated by an IEP.

In accordance with the New York State Charter Schools Act of 1998 (as amended), the Chancellor or his/her designee must first authorize in writing any proposed capital improvement or facility upgrade in excess of five thousand dollars, regardless of the source of funding, made to accommodate the co-location of a charter school within a public school building. For any such improvements or upgrades that have been approved by the Chancellor, capital improvements or facility upgrades shall be made in an amount equal to the expenditure of the charter school for each non-charter school within the public school building.

## VI. Effect on Personnel Needs, Administration, Transportation and Other Support Services

### A. Personnel Needs

The proposed co-location of AF High School 2 is not expected to change the number of personnel positions assigned to J.H.S. 166, UFT Charter, and 19K654, nor is it expected to significantly alter the duties of current staff in K166.

New administrative staff and non-pedagogical positions will be created at AF High School 2 as it grows to scale. The precise number of positions needed for the 2013-2014 school year and subsequent school years will be determined by the charter school’s management. Those decisions will be made at the school based on need and budgetary considerations.

### B. Administration

No change in school supervisory or administrator positions at J.H.S. 166, UFT Charter, and 19K654 is expected as a result of this proposal. AF High School 2 may hire school supervisors and/or administrator personnel on an as needed basis throughout the course of the school’s phase-in.

### C. Transportation

If this proposal is approved, transportation would continue to be provided according to Chancellor’s Regulation A-801: <http://schools.nyc.gov/NR/ronlyres/21A1B11A-886B-4F74-9546-E875EE82A14C/40303/A801.pdf>. There will be no change to existing transportation practices at J.H.S. 166 or UFT Charter in K166 as a result of this proposal.

### D. Other Support Services

The provision of certain support services is described above. Other support services will be provided consistent with Citywide policy as AF High School 2 phases-in.

## VII. Building Information

<b>Building</b>		K166
<b>Type of Building</b>		MIDDLE
<b>Year Built</b>		1956
<b>Overall BCAS rating</b>		2.38
<b>2011-2012 Target Building Utilization</b>		72%
<b>2011-2012 Target Building Capacity</b>		1,320
<b>FY 2012</b>	<b>Labor</b>	\$13,958

<b>Maintenance Costs</b>	<b>Materials</b>	\$12,623
	<b>Maintenance and repair contracts</b>	\$44,156
	<b>Service contracts</b>	\$5,130
	<b>Custodial operations costs—Materials</b>	\$10,000
	<b>Custodial operations costs—Custodial Allocation</b>	\$294,037
<b>FY 2012 Energy Costs</b>	<b>Electric</b>	\$158,738
	<b>Gas</b>	\$7,737
	<b>Oil</b>	\$136,190
<b>Projects completed during the current or prior school year</b>		Classroom Connectivity
<b>Projects proposed in the capital plan</b>		None
<b>Accessibility of the building</b>		Building is functionally fully programmatically accessible
<b>Building attributes</b>		Art Rooms, Auditorium, Cafeteria, Computer Rooms, Gymnasium, Library, Nurse's Office