



Notice  
February 5, 2013

Dennis M. Walcott  
Chancellor

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

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

The New York City Department of Education (“DOE”) is proposing to co-locate a new district middle school (19K654, “19K654”) in building K166 (“K166”) located at 800 Van Sicten Avenue, Brooklyn, NY 11207, in Community School District 19 (“District 19”). If this proposal is approved, 19K654 will be co-located in K166 with J.H.S. 166 George Gershwin (19K166, “J.H.S. 166”), an existing district middle school that serves students in sixth through eighth grades and The UFT Charter School (84K359, “UFT Charter”), an existing public charter school that currently serves students in kindergarten through twelfth grade in two separate sites. At K166, UFT Charter serves students in grades six through twelve. At another location, in building K292 (“K292”), which has entrances at both 300 Wyona Street and 301 Vermont Street, Brooklyn, NY, 11207, in District 19, UFT Charter serves students in kindergarten through fifth grade; this proposal to co-locate 19K654 in K166 will not impact UFT Charter’s programs in K292.

The Educational Impact Statements have been amended to update the eligibility status of J.H.S. 166 for School Improvement Grant funding. The amended information is provided in a Notice of Amendment Section V. of the Educational Impact Statement and does not substantially revise the proposal.

19K654 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. 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 grades in 2015-2016.

In a separate Educational Impact Statement (“EIS”), posted on January 17, 2013, the DOE is proposing to gradually phase-out and eventually close J.H.S. 166 because of its low performance and inability to improve quickly to better support student needs. The proposal can be found at:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>. If the phase-out 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 grades 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, describing the opening and co-location of 19K654, it is assumed that the proposal to phase-out J.H.S. 166 will be approved by the Panel for Educational Policy (“PEP”). However, if the proposal to phase-out J.H.S. 166 is not approved, this EIS and the accompanying Building Utilization Plan (“BUP”) will be revised as necessary.

In a separate EIS, posted on January 17, 2013, the DOE is proposing to resite the sixth through eighth grades of UFT Charter from K166 to K292 in September 2013. If that proposal is approved, UFT Charter will only serve ninth through twelfth grades in K166. The proposal can be found at: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>. 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 19K654, 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. For the purposes of this EIS, describing the co-location of 19K654, it is assumed that the proposal to resite UFT Charter’s middle school grades will be approved by the PEP. However, if the proposal to resite UFT Charter’s middle school grades is not approved, this EIS and the accompanying BUP will be revised as necessary.

In a separate EIS posted on January 17, 2013, the DOE is also proposing to backfill the space left vacant by UFT Charter’s middle school grades with the opening and co-location a charter high school, Achievement First Charter High School 2 (“AF High School 2”) in K166 beginning in September 2013. If that proposal, located at <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>, is approved, AF High School 2 will serve students in ninth grade in 2013-2014, and would phase-in one grade each year, until the school is at full scale serving ninth through twelfth grade students in 2016-2017. For the purposes of this EIS, describing the co-location of 19K654, it is assumed that the proposal to co-locate AF High School 2 will be approved by the PEP. However, if the proposal to co-locate AF High School 2 is not approved, this EIS and the accompanying BUP will be revised as necessary.

If this proposal is approved, 19K654 will be a district middle school that will serve students in sixth through eighth grades. 19K654 will admit students through the District 19 Middle School Choice process and will first offer priority to students residing in the K166 residential zone and then admits students using a limited unscreened admissions method. Students would then be matched to the school through a matching process operated by the Office of Student Enrollment (“OSE”). Additional information about the District 19 Middle School Choice process is provided in Section III.A of this proposal.

According to the 2011-2012 Enrollment, Capacity, Utilization Report (“Blue Book”), K166 has a target capacity of 1,320 students. In 2012-2013, the building is serving 986 students, J.H.S 166 is serving 400 students; and UFT Charter is serving 586 sixth through twelfth grade students, yielding a building utilization rate of 75%.

In 2015-2016, once J.H.S. 166 has completed its phase-out, 19K654 is at full scale, AF High School 2’s ninth through eleventh grades have phased-in, and UFT Charter’s middle school is resited, it is projected that there will be approximately 825-980 students served in K166, thereby yielding an estimated building utilization rate of approximately 63%-74%. Once AF High School 2 is fully phased-in 2016-2017, K166 is projected to serve 895-1,070 students, thereby yielding an estimated building utilization rate of approximately 68%-81%.

If this proposal and the proposal to phase-out J.H.S. 166 are approved, 19K654 will replace the middle school seats that will be lost as a result of the phase-out and eventual closure of J.H.S 166 and will provide a new educational option for families in District 19.

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>.

## **II. Information regarding where the full text of the proposed item may be obtained.**

The EIS and BUP can be found on the Department of Education’s Web site: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm>

Copies of the EIS and BUP are also available in the main offices of J.H.S. 166 and UFT Charter in building K166.

## **III. Submission of public comment.**

Written comments can be sent to [D17Proposals@schools.nyc.gov](mailto:D17Proposals@schools.nyc.gov)

Oral comments can be left at 212-374-0208.

## **IV. The name, office, address, email and telephone number of the city district representative, knowledgeable on the item under consideration, from whom information may be obtained concerning the item.**

Name: Lauren Spillane  
Office: Division of Portfolio Planning  
Address: 52 Chambers Street, New York, NY 10007  
Email: [D19Proposals@schools.nyc.gov](mailto:D19Proposals@schools.nyc.gov)  
Phone: 212-374-0208.

**V. Date, time and place of joint public hearings for this proposal.**

A hearing for all four proposals described above will be held at building K166.

This hearing is scheduled for:  
February 21, 2013 at 6:00 p.m.  
800 Van Siclen Avenue  
Brooklyn, NY 11027

Resiting proposals require two Joint Public hearings, one at each impacted site. As a result, a second hearing regarding the proposal to resite UFT Charter's sixth through eighth grades will be held at building K292.

This hearing is scheduled for:  
February 27, 2013 at 6:00pm  
300 Wyona Street  
Brooklyn, NY 11207

Questions about the proposal should be directed as indicated in section IV above.

Speaker sign-up will begin 30 minutes before the hearing and will close 15 minutes after the start

**VII. Date, time and place of the Panel for Educational Policy meeting at which the Panel will vote on the proposed item.**

March 11, 2013 at 6:00pm

Brooklyn Technical High School  
29 Fort Greene Pl  
Brooklyn, NY 11217