



Second Amended Notice
April 12, 2011

The Proposed Expansion of the Co-location of Harlem Success Academy 5 Charter School (84M482) with P.S. 123 Mahalia Jackson (05M123) in School Building M123

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

Harlem Success Academy 5 Charter School (84M482, “HSA 5”) is an existing public charter school located at 301 West 140th Street, New York, NY, 10030, in Community School District 5 (“District 5”), in Building M123 (“M123”). It currently serves students in Kindergarten through first grade. HSA 5 is co-located with P.S. 123 Mahalia Jackson (05M123, “P.S. 123”), a zoned school which serves students in Kindergarten through eighth grade and offers a Pre-Kindergarten program. A “co-location” means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, and cafeterias.

On April 20, 2010, the Panel for Educational Policy (“PEP”) approved the co-location of two grade levels of HSA 5 with P.S. 123 in M123. In the Educational Impact Statement (“EIS”) describing that proposal, the Department of Education (“DOE”) stated that it would assess the available space in M123 to determine whether there is sufficient space for HSA 5 to continue to add additional grades in M123. After conducting such an assessment, the DOE has determined that there is sufficient space for HSA 5 to add an additional grade level in M123.

On December 16, 2011, the DOE published an EIS describing a proposal to expand the co-location of HSA 5 so that it will serve grades K-2 in M123. That proposal was never presented to the PEP for a vote. On March 2, 2011, the DOE issued a new EIS, which described a proposal to expand the co-location of HSA 5 so that it will serve grades K-2 in M123, and included new information about a new special education program at HSA 5. The self-contained special education class would serve second grade students enrolled at HSA 5 and Harlem Success Academy 2 (84M384), an existing public charter school located at 144-176 East 128th Street in Community School District 5. Success Charter Network is seeking authorization from its authorizer, the State University of New York Charter Schools Institute (“SUNY CSI”), to enable it to serve students from HSA 2 requiring special education services in the HSA 5 location. On March 4, 2011, EIS was amended to clarify the characterization of special education services at HSA 5 and the statistics of special needs populations served; however, these changes did not substantially revise the proposal itself.

The DOE has now published a second amended EIS and amended Building Utilization Plan (“BUP”). This second amended EIS corrects typographical and formatting errors, includes the rationale behind HSA 5’s grade expansion and addition of a self-contained special education class, updates the link to the Citywide Instructional Footprint, clarifies that P.S. 123 and HSA 5 will continue to provide all mandated services to their respective students with disabilities and English Language Learner students, discusses the construction of a science lab, scheduled for completion in November 2011, which will impact the use of library space below the lab, and clarifies that HSA 5 is managed by Success Charter Network, but does not modify or revise the

proposal itself. The amended BUP, which is annexed hereto, includes additional information related to the shared space schedule, current construction projects in M123, and corrects the enrollment projection for P.S. 123 for 2011-2012.

If this proposal is approved, HSA 5 would enroll approximately 60-70 additional students, and the total enrollment for the school would be 249. P.S. 123's enrollment in grades Kindergarten through eight would be approximately 670-680 students. P.S. 123 also has a Pre-Kindergarten program which enrolls 54 students. The combined total enrollment in the building would be approximately 973-983 students. In 2009-10, M123's target capacity was 1,044. Thus, M123 has the capacity for HSA 5 to expand and for P.S. 123 to continue to serve Kindergarten through eighth grade students and offer a Pre-Kindergarten program with total building utilization of approximately 93-94% of target capacity.

Any proposal to further extend the co-location of HSA 5 with P.S. 123 in the M123 building or make it a permanent site for all or some of HSA 5's grades, would be the subject of a subsequent EIS and must be approved by the PEP prior to implementation.

Extending the co-location and allowing HSA 5 to expand by one grade would maintain District 5 elementary students' access to a high quality option. Permitting HSA 5 and HSA 2 offer a self-contained class at M123 will further the goal of serving the needs of all students in the community.

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

The second amended Educational Impact Statement ("EIS") and amended Building Utilization Plan ("BUP") can be found on the Department of Education's Web site:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Apr282011Proposals.htm>. Copies of the second amended EIS and amended BUP are also

available in the main offices of HSA 5 and P.S. 123.

III. Submission of public comment.

Written comments can be sent to D05Proposals@schools.nyc.gov.

Oral comments can be left at 212-374-3466.

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: Yoo Jin Cheong
Office: Division of Portfolio Planning
Address: 52 Chambers Street, New York, NY 10007
Email: D05Proposals@schools.nyc.gov
Phone: 212-374-3466

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

April 13, 2011 at 6:00 pm

Harlem Success Academy 5 / P.S. 123 Mahalia Jackson
301 W. 140th Street, New York, NY, 10030

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.

Interpretation services will be provided in Spanish and French. To request interpretation services in another language, please contact Ms. Cheong at the e-mail address or telephone number above.

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

April 28, 2011 at 6:00 p.m.

Prospect Heights Campus, 883 Classon Ave, Brooklyn, NY, 11225