



Public Comment Analysis

Date: April 27, 2011

Topic: The Proposed Co-location of a New DOE School, Bronx Arena High School (08X537), with The Felisa Rincón de Gautier Institute of Law And Public Policy (08X519) and Bronx Academy High School (08X560) in School Building X972

Date of Panel Vote: April 28, 2011

Summary of Proposal

The New York City Department of Education (“DOE”) is proposing to co-locate a new transfer high school, Bronx Arena High School (08X537, “Bronx Arena”), in school building X972 (“X972”) located at 1440 Story Avenue, Bronx, NY 10473, within the geographical confines of Community School District 8 (“District 8”). If approved, Bronx Arena would be co-located in building X972 with The Felisa Rincón De Gautier Institute of Law and Public Policy (08X519, “Felisa Rincón”), an existing high school currently serving students in grades nine through twelve, and Bronx Academy High School (08X560, “Bronx Academy”), an existing transfer high school currently serving students classified in grades ten through twelve based on their credit accumulation. A “co-location” means that two or more school organizations are located in the same building and may share common spaces like auditoriums, libraries, gymnasiums, and cafeterias.

In a separate Educational Impact Statement (“EIS”) posted on March 3, 2011, the DOE has also proposed to phase out and eventually close Bronx Academy. The DOE proposed to phase out Bronx Academy after conducting an extensive review of data and community feedback which indicated that the school is unable to turn around despite numerous efforts to improve instruction and school organization. Bronx Academy currently enrolls students who are 16 years of age and older in grades ten through twelve. If that proposal is approved, Bronx Academy would no longer admit new students after the end of the current school year and it would complete phasing out in June 2013. The details of that proposal are available on the DOE’s website at <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Apr282011Proposals.htm>. In the event that the phase-out of Bronx Academy is not approved, the DOE would re-examine the availability of space in the building and may, as appropriate, revise its proposal to co-locate Bronx Arena in building X972. Such a proposal would be described in a revised EIS.

If this co-location proposal were to be approved, Bronx Arena would open in building X972 in September 2011 with approximately 125-150 students in grade nine. In 2011-2012, Bronx Arena

would be co-located with Bronx Academy and Felisa Rincón and the building would serve approximately 625-725 students, yielding an approximate building utilization rate of 95%-110% of target capacity. Although a utilization rate in excess of 100% may suggest that a building will be over-utilized or over-crowded in a given year, as discussed in Section II of the EIS describing this co-location proposal, 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. Furthermore, Section III.B. of the EIS describes the allocation of rooms between the organizations to provide a more complete picture of the available space in X972. In 2013-2014, once Bronx Academy has completed its phase-out and Bronx Arena has completed its expansion, X972 would serve approximately 550-645 students, yielding a building utilization rate of approximately 83%-98% of target capacity.

The details of this co-location proposal are available in an EIS which can be accessed at <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Apr282011Proposals.htm>. Copies of the EIS are also available in the main offices of Bronx Academy and Felisa Rincón.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at X972 on April 6, 2011. At the hearing, interested parties had an opportunity to provide input on the proposal. Approximately 150 members of the public attended the hearing and 76 people spoke. Present at the meeting were: Deputy Chancellor Marc Sternberg; Bronx High Schools Superintendent Elena Papaliberios; Cluster Leader Debra Maldonado; Network Leader Margaret Struk; President of Community Education Council (“CEC”) 8 Bob Franklin; CEC 8 representative Elisabeth Bikoko; Principal of Bronx Academy Gary Eisinger; Bronx Academy School Leadership Team (“SLT”) representatives Jascinth Findlay, Linda Butkowski, and Lilian Castillo; Felisa Rincón SLT representative Jeffrey Rodriguez; Denise Sullivan from the Citywide Council on High Schools (“CCHS”); Jenny Sobelman from the DOE Office of Public Affairs; and Helen Reyes from the Office of State Senator Ruben Díaz.

The proposal to phase out Bronx Academy was also addressed at this hearing. The analysis of comments concerning the phase-out proposal can be found at: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Apr282011Proposals>.

The following comments and remarks were made at the Joint Public Hearing:

1. A commenter questioned why the DOE is replacing Bronx Academy with a new school organization that will take years to mature into the great community Bronx Academy has become.
2. Multiple commenters expressed concern about the closure of Bronx Academy and the lack of options available to students as a result.

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

The DOE received nine written comments via e-mail, seven written comments via mail, as well as a newsletter published by Bronx Academy that was distributed at the Joint Public Hearing, all of which primarily concerned the proposal to phase-out Bronx Academy. One of the e-mails received included 20 letters written by students at Bronx Academy. To the extent that these comments related to the co-location proposal, they are described below:

3. A commenter questioned why the DOE would close an existing school and open a new school instead of working with the existing school to make it better.
4. A commenter stated that they did not need an alternative school in order to make changes.

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

- In response to comments 1, 3 and 4 related to the DOE's strategy of closing failing schools and replacing them with new small schools: The DOE notes that it is striving to create a system of great schools in NYC. To accomplish this goal, the DOE has replaced 91 of the lowest-performing schools with 474 new schools. Of the 474 new schools, 365 are traditional public schools (including 25 transfer schools) and 109 are public charter schools. The DOE believes that replacing failing schools with new small schools is the most effective way to quickly turn around student achievement. In the Bronx, for instance, the new schools on the Evander Childs Campus had a graduation rate of 80.3% in 2009-2010—nearly 50 percentage points higher than the former Evander Childs High School's graduation rate of only 30.7% in 2002.

For a discussion of the rationale related to the DOE's decision to phase out Bronx Academy please refer to the EIS describing that phase-out proposal, which is available at <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Apr282011Proposals.htm>, as well as the Public Comment Analysis on the phase-out proposal which is available at <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Apr282011Proposals>.

- With regard to comment 2 which relates to the availability of options for future students in the Bronx Academy community: 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 DOE believes that continuing to allocate space and resources to schools that are unable to significantly improve student performance is neither efficient nor equitable. The co-location of Bronx Arena in building X972 is intended to provide a much needed high-quality transfer school for students and families in the Bronx. This proposal furthers the DOE's commitment to investing in schools that optimize student performance.

As described in the EIS, the new transfer school will provide additional seats to high school students who are over-age and under-credited and who wish to attend a transfer

school in the borough. In addition, there are 44 transfer high schools Citywide—excluding Pacific High School in Brooklyn and Bronx Academy High School in the Bronx, both of which have been proposed for phase-out next year—that will continue to serve as options for over-age and under-credited students. Seven of these transfer schools are located in the Bronx. A list of other transfer schools Citywide is attached to the EIS as Appendix A.

Changes Made to the Proposal

No changes have been made to this proposal as a result of the public comments received.