



## Public Hearing Summary

Charter School:	New York Center for Autism Charter School Bronx
Hearing Date:	February 14, 2017
Hearing Location:	Building X116, 977 Fox Street, Bronx, NY 10459 (CSD 12)
Start Time	6:00 p.m.
End Time	7:10 p.m.

### **Background:**

The New York City Department of Education (“NYCDOE”) proposes to co-locate the ungraded school, New York Center for Autism Charter School Bronx (“NYCACS Bronx”), to Building X116 (“X116”) beginning in the 2017/18 school year. X116 is located at 977 Fox Street, Bronx, in Community School District (“CSD”) 12.

NYCACS will be co-located with School of Performing Arts (12X217, “School of Performing Arts”) and Entrada Academy (12X384, “Entrada Academy”), both existing district middle schools that serve students in 6<sup>th</sup> through 8<sup>th</sup> grade, as well as South Bronx Classical Charter School (84X346, “SBCCS”), an existing charter school authorized by the New York State Board of Regents that serves students in Kindergarten through 8<sup>th</sup> grade. If this proposal is approved, NYCACS Bronx will replicate their model and open in X116 beginning in the 2017/2018 school year, when it will serve approximately 10-20 students between the ages of five and 12.

According to the NYCDOE’s 2015/16 Enrollment, Capacity, Utilization Report, X116 has the capacity to serve 1,249 students. Currently, the building serves approximately 983 students, yielding a utilization rate of 79%. According to the NYCDOE, if this proposal is approved by the NYC Panel for Education Policy, in 2017/18, there will be approximately 990-1,150 total students served in X116, yielding a projected utilization rate of approximately 79%-92%. There is a second year of implementation to allow for slight growth of projected enrollment at School of Performing Arts and Entrada Academy.

The NYCDOE Building Usage Plan (“BUP”) allocates NYCACS 5 full-size rooms and 6 quarter-size rooms.

**Hearing Notes:**

Approximately 95 people were in attendance. CSD 12 Superintendent Rafaela Espinal-Pacheco facilitated the hearing.

Principal Dionne Williams of School of Performing Arts, Principal Theresa Picciano of Entrada Academy and Principal Lester Long of SBCCS were present at the meeting and made no comment.

Six students from Entrada Academy spoke in opposition of the co-location. They said that an additional school in the building would restrict their space, causing the current 6<sup>th</sup> grade classrooms to move to a different floor with other grades.

One student from New York City Autism Charter School (“NYCACS”) (authorized by SUNY and located in Manhattan) spoke in favor of the co-location. The student spoke about the positive experiences the school provides and expressed excitement for the school to expand to the Bronx. The student discussed opportunities like internships with local community organizations.

Four parents from Entrada Academy spoke in opposition of the co-location. They said adding an additional school in the building will lead to overcrowding. They said that they worry about the safety of all students in the building with the additional students and space constraints.

One parent/board member from NYCACS spoke in favor of the co-location. The parent spoke about the positive impact the school has had on students at the school, as well as the positive impact the replicated school in the Bronx will have on the overall community and the co-located schools through learning opportunities about autism for all community members.

Two teachers from Entrada Academy spoke in opposition to the co-location. One teacher spoke about concerns for the public schools losing students to charter schools. One teacher spoke about concerns for safety due to additional students, such as additional busses and noise pollution, as well as the amount of students that would be in hallways during transitions.

Seven staff members from NYCACS spoke in favor of the co-location. Many expressed the openness and desire to become a part of the community, as well as opportunities to work with current students at all of the schools currently in the building. They described the positive impact their school has on other schools and communities by raising awareness of autism and providing an educational opportunity for students with autism.

**Preliminary Determination:**

The SUNY Charter Schools Institute (the “Institute”) reviewed the Educational Impact Statement (“EIS”) and the BUP prepared by the NYCDOE for the facility at issue. The Institute also inspected the space at the time of the hearing and found it to be a typical NYCDOE building that appeared to be in compliance with applicable law. Based on the documentation prepared by the NYCDOE and the information in the charter school’s application, the Institute also finds that the proposed use of the space by the charter school would not violate applicable law.

Based on the site review, the physical space proposed to be allotted to the charter school was safe and adequate. In addition, there appears to be sufficient common spaces and resource spaces to be shared by the charter school, the district school and any community programs in the building. Finally, the Institute notes that the BUP, at the time of the co-location hearing, was in draft form. Pursuant to New York Education Law, SLTs from the co-located schools are required to agree on a plan to utilize common spaces in the building. As such, the BUP will not be finalized until the co-location is finalized.

With respect to public comments, the Institute thanks the members of the community for their candor. The Institute notes that SUNY has no authority over NYCDOE decisions regarding the physical locations of NYCDOE schools, grants or programs. SUNY also has no positive authority to place schools into NYCDOE space.

As the charter school proposes to site in the CSD or NYC borough set forth in its charter application, the Institute only needs to determine whether the space, and the charter school's use of the space, would be in compliance with the school's charter and applicable law. In such cases, SUNY does not separately approve the school's location. Therefore, as the Institute has held the hearing on behalf of the SUNY Trustees as required by the New York Charter Schools Act of 1998 (as amended), it proposes to approve the facility for use by the charter school subject to compliance with the terms of its charter agreement regarding facilities.