Public Hearing Summary

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<th>Charter School:</th>
<th>University Prep Charter Middle School</th>
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<tbody>
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<td>Hearing Date:</td>
<td>March 27, 2019</td>
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<td>Hearing Location:</td>
<td>Building X155, 470 Jackson Avenue, Bronx, NY (CSD 7)</td>
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<td>Start Time</td>
<td>6:08 p.m.</td>
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<td>End Time</td>
<td>6:30 p.m.</td>
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**Background:**

The New York City Department of Education (“NYCDOE”) proposes to temporarily co-locate grades 5-7 of University Prep Charter Middle School ("University Prep Middle") in part of Building X155 ("X155") beginning in the 2019-20 school year. X155 is located at 470 Jackson Avenue, Bronx, NY in New York City Community School District (“CSD”) 7.

University Prep Middle would be temporarily co-located with Academic Leadership Charter School (“Academic Leadership”), an existing SUNY authorized charter school serving students in grades 5-8 and one site of P.S. X754 J.M. Rapport School for Career Development (“P.S. 754”), a district 75 school serving students in grades 9-12. The New York City Panel for Educational Policy approved this proposal on April 17, 2019.

According to the NYCDOE’s Enrollment, Capacity, Utilization Report, X155 has the capacity to serve 1,026 students. Currently, the building serves approximately 559 students, yielding a building utilization rate of approximately 53%. According to the NYCDOE, by the 2020-2021 school year, building X151 is projected to serve approximately 836 - 966 students, yielding a projected utilization rate of approximately 81-94%, which demonstrates sufficient space for all schools.

The NYCDOE Building Usage Plan (“BUP”) allocates University Prep Middle 11 full-size rooms, nine half-size rooms, and zero quarter-size rooms by the 2020-2021 school year.
**Hearing Notes:**

Approximately four members of the public attended the hearing. District 75 Superintendent Ketler Louissaint facilitated the hearing.

Co-Founder and Executive Director of Academic Leadership Norma Hurwitz spoke in favor of the co-location. She stated she looks forward to working collaboratively with both schools.

Co-Founder of Academic Leadership Ted Hurwitz spoke in favor of the co-location.

University Prep Middle Principal David Patterson spoke in favor of the co-location. He thanked both schools and stated he is excited and looking forward to being partners and learning from one another.

**Preliminary Determination:**

The State University of New York ("SUNY") Charter Schools Institute (the "Institute") reviewed the Educational Impact Statement 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 renewal application and other information, 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 schools, and the charter school currently 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, school leadership teams 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 move to a facility 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 its 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 Board of Trustees as required by the New York Charter Schools Act of 1998 (as amended), the Institute approves the facility for use by the charter school subject to compliance with the terms of its charter agreement regarding facilities.