

Exhibit 5
Response to Question 4, Section II
FCC Form 315

This application is being submitted to obtain Commission consent to the transfer of control of the New York City Board of Education effected by the enactment by the New York State Assembly of a bill amending the Education Law of the State of New York, specifically Chapter 16, Title II, Article 52-A. A copy of that bill is attached to this application as Exhibit 13.

As enacted, that bill modified, among other things, the composition and structure of the New York City Board of Education (“Board”) and granted the Chancellor of the New York Board of Education (“Chancellor”) effective control over the Board. Specifically, the new law replaces the former seven member Board, which was appointed by the Mayor of the City of New York and the five Borough Presidents of New York City, with a new thirteen member Board. Under the new law, each Borough President appoints one member of the Board, and the Mayor appoints the seven other members of the Board and the Chancellor. The Chancellor is a member and chairperson of the Board. The Chancellor serves at the pleasure of the Mayor.

As the Board is reconstituted, the Chancellor is granted broad executive and policy powers over the primary and secondary educational system of the City of New York, including the operation of the broadcast facilities licensed to the Board, as well as other matters within the jurisdiction of the Board. The members of the Board are charged solely with giving the Chancellor advice on matters of policy affecting the welfare of the city school system. They are precluded from exercising any executive power or performing any executive or administrative functions. As such, this application seeks

consent to the transfer of control of the Board from the former members of the Board to the Chancellor.