

EDUCATIONAL IMPACT STATEMENT: The Proposed Co-location of a New High School, 02M534, with Legacy School for Integrated Studies (02M429) and a District 75 Inclusion Program, P721M@M883, in School Building M883 Beginning in 2012- 2013

I. Summary of Proposal

The New York City Department of Education (“DOE”) is proposing to open and site a new high school (02M534, “New School”), in school building M883 (“M883”) located at 34 West 14th Street, Manhattan, NY 10011, located within the geographical confines of Community School District 2 (“District 2”). If this proposal is approved, New School would be co-located with Legacy School for Integrated Studies (02M429, “Legacy”) and a District 75 school’s inclusion program, P721M@M883 (75M721, “P721M@M883”), which is one site of a multi-site District 75 school, P721M (75M721, “P721M”) and serves students in grades nine through twelve.¹ 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.

In a separate Educational Impact Statement (“EIS”) posted on December 22, 2011, the DOE proposed to phase out and eventually close Legacy. This EIS can be accessed on the DOE’s Website at <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/Feb2012Proposals>.

The proposed co-location of New School in building M883 is part of the DOE’s central goal to create new school options that will better serve future students and the community at large. New School would offer a rigorous, college-preparatory program, would be open to students through the Citywide High School Admissions Process, and would have a limited unscreened admissions method, giving priority to Manhattan students or residents. New School would open during the 2012-2013 school year, when it would serve approximately 105-115 students in the ninth grade. New School would gradually phase in by adding one grade per year. The school is expected to reach full scale in 2015-2016 and would serve approximately 420-460 students in grades nine through twelve.

In the event that the phase-out of Legacy 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 New School in M883. Such a revised proposal would be described in a revised EIS.

P721M is an existing District 75 school that serves a combined total of 213 students in ninth through twelfth grades during the 2011-2012 school year.² P721M currently has five sites in Manhattan, including P721M@M883.³ P721M@M883 serves 10 high school-aged students with a range of disabilities.⁴ Students

¹ District 75 provides Citywide educational, vocational, and behavior support programs for students who are on the autism spectrum, have significant cognitive delays, are severely emotionally challenged, are sensory impaired, and/or are multiply disabled. District 75 provides services to students in a variety of settings, including elementary, middle, and high schools, students’ homes, hospitals, and agencies. These programs are located at more than 310 sites in the Bronx, Brooklyn, Manhattan, Queens, Staten Island, and Syosset, New York. Please visit the DOE website for additional information about District 75 programs at <http://schools.nyc.gov/Offices/District75/default.htm>.

² 2011-2012 Unaudited Register as of October 31, 2011.

³ The main site for 75M721 is P721M@M641, which serves high school-aged students at 250 West Houston Street, New York, NY 10014, in Manhattan’s Community School District 2, and the three other sites are: (1) P721M@M615, which serves high school-aged students at 131 Avenue of Americas, New York, NY 10013; (2) P721M@M477, which serves high school-aged students at 345 Chambers Street, New York, NY 10282; and (3) P721M@M844, which serves high school-aged students at 400 First Avenue, New York, NY 10010.

⁴ School-reported data.

are placed in District 75 programs based on their individual needs and recommended special education services. P721M@M883 is a District 75 inclusion program. P721M@M883 students are enrolled in Legacy general education classes based on their Individualized Education Program (“IEP”) recommendations and receive Special Education Teacher Support Services (“SETSS”). In an inclusion program, a student with special education needs receives services in a general education classroom along with general education students.

Legacy is a high school that serves 313 students in grades nine through twelve. It admits students in ninth and tenth grades through the Citywide High School Admissions Process. Additional information about the High School Admissions Process is described in further detail in Section III.A of this proposal.

The DOE has proposed to phase out Legacy after an extensive review of data and community feedback indicating that the school is unable to turnaround despite numerous efforts to improve instruction and school organization. As noted in the EIS posted on December 22, 2011, performance at Legacy has been poor for many years.

If the Panel for Educational Policy (“PEP”) approves the proposal to phase out Legacy, the school will no longer admit new ninth-grade students after the end of this school year. However, Legacy will continue to serve students currently enrolled in the school. Legacy’s enrollment will decrease gradually over the next three years, and the school will complete phasing out in June 2015.

If the proposal to phase out Legacy and the proposal to open and co-locate New School are approved, beginning in 2012-2013, P721M@M883’s inclusion program currently associated with Legacy would continue to exist as Legacy phases out and would be associated with New School as it phases in, so that the inclusion program will continue to exist in M883. Current P721@MM883 students would continue in the inclusion program at Legacy; entering ninth grade students would be enrolled in New School.

Background on the DOE’s Decision-Making Process

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. Continuing to allocate space and resources to schools that are unable to significantly improve student performance is neither efficient nor equitable. As detailed in the EIS posted on December 22, 2011, the DOE has concluded that phasing out Legacy is appropriate due to the school’s history of poor performance.

As part of the replacement strategy for Legacy, the DOE is proposing to recover the seats lost through the proposed phase-out of Legacy by opening New School in the M883 building. The DOE believes that co-locating a new high school in M883 would create a much needed new educational option in the community.

II. Proposed or Potential Use of Building

According to the 2010-2011 Enrollment, Capacity, Utilization Report (the “Blue Book”), M883 has the capacity to serve 486 students. In 2010-2011—the most recent year for which audited enrollment data is available—the building only served 360 students,⁵ yielding a utilization rate of 74%.⁶ In 2011-2012, the building is serving 323 total students,⁷ yielding a utilization rate of 66%.⁸ (The concepts of “capacity” and “utilization rate” are described below.)

⁵ 2010-2011 Audited Register.

⁶ All references to building utilization rates in this document are based on target capacity data from the 2010-2011 Blue Book. Utilization rates referenced for the 2010-2011 school year only include the number of students estimated to be regularly attending the school, and do not include Long Term Absences (“LTAs”), students who have been absent continuously for 30 days or more as of October 31, 2010.

⁷ 2011-2012 Unaudited Register as of October 31, 2011.

⁸ The utilization rate reported here may differ from that published in the 2010-2011 Blue Book because the building enrollment figures referenced throughout this document and used in the calculation of utilization rates for the 2012-2013 school year and beyond are based on the unaudited enrollment as of October 31, 2011. This methodology is consistent with the manner in which the DOE conducts planning and calculates space allocations and funding for all schools. In determining the space

Over the next five years, the proposed grade spans for the schools in the building are as follows:⁹

Grades Spans						
DBN	School Name	2011-12	2012-13	2013-14	2014-15	2015-16
02M429	Legacy School for Integrated Studies	9-12	10-12	11-12	12	-
02M534	New School	-	9	9-10	9-11	9-12
75M721	P721M @ M883	9-12	9-12	9-12	9-12	9-12

When Legacy completes its phase-out and New School completes its phase-in and achieves full-scale, the DOE projects the building will have an 88-97% projected utilization rate. This projected utilization rate is based on a standard phase-in plan for a new high school projected to have the equivalent of four sections per entry grade in the first year. Actual enrollment, however, will depend on applicant demand.

If approved, New School would serve approximately 420-460 students in grades nine through twelve at full-scale. Therefore, the building has adequate capacity to accommodate the full expansion of New School during and after the phase-out of Legacy.

allocation for co-located schools, the Office of Space Planning will conduct a detailed site survey and space analysis of the building to assess the amount of space available in the building.

⁹ As Legacy phases out, some students may technically be classified in grades “no longer served” at the school. This would occur in situations where current students were “held over” because they had not accumulated sufficient credits to be promoted to the next grade. For example, a current ninth-grade student who only earned four credits during the 2011-2012 school year would technically still be considered a ninth-grade student in 2012-2013. In those cases, students would still be served in Legacy and would have access to appropriate courses to support their continued progress toward graduation.

The table below shows the enrollments for each school and building utilization rate for a six-year period:

School Name	2010-2011 Audited Register	2011-12 Unaudited Enrollment	2012-2013 Projected Enrollment	2013-2014 Projected Enrollment	2014-2015 Projected Enrollment	2015-2016 Projected Enrollment
Legacy	347	313	185 - 225	85 - 125	30 - 70	-
New School	-	-	105 - 115	210 - 230	315 - 345	420 - 460
P721M@833	13	10	9 - 12	9 - 12	9 - 12	9 - 12
Total Building Enrollment	360	323	299 - 352	304 - 367	354 - 427	429 - 472
Utilization	74%	66%	62% - 72%	63% - 76%	73% - 88%	88% - 97%

As described in more detail in the Blue Book, which is available at <http://www.nycsca.org/Community/CapitalPlanManagementReportsData/Enrollment/2010-2011-BlueBook.pdf>, a building's target utilization rate is calculated by dividing the aggregated enrollment of all the school organizations in the building by the aggregated "target capacities" of those organizations. Each school organization's "target capacity" is calculated based upon the scheduled use of individual rooms as reported by principals during an annual facilities survey, the DOE's standards for maximum classroom capacities (which are lower than the UFT contractual class sizes and differ depending on grade level), and the efficiency with which classrooms are programmed (i.e., the frequency with which classes are scheduled in a given classroom).

The most recent year for which target capacity has been calculated for buildings is 2010-2011. The DOE's projected utilization rates for the 2011-2012 school year and beyond are based on the 2010-2011 target capacity, which assumes that the components underlying that target capacity (scheduled use of classrooms, maximum classroom capacity, etc.) remain constant. Thus, projected utilization rates for 2011-2012 and beyond provide only an approximation of a building's usage because each of the factors underlying target capacity may be adjusted by principals from year to year to better accommodate students' needs. For example, changing the use of a room from an administrative room to a homeroom at the high school level will increase a building's overall target capacity because high school administrative rooms are not assigned a capacity. Holding enrollment constant, this change would result in a lower utilization rate. Similarly, if a room previously used as a kindergarten classroom is subsequently used as a fifth grade classroom, the building's target capacity would increase because we expect that a fifth grade class will have more students than a kindergarten class. This is reflected in the fact that the DOE's standard for maximum classroom capacity is higher for fifth grade classrooms than for kindergarten classrooms. In this example, as well, assuming enrollment is constant, the utilization rate would decrease.

III. Impact of the Proposal on Students, Schools, and the Community

A. Students

Beginning in September 2012, New School would be housed in the M883 building and would be open to prospective ninth-grade students who apply through the Citywide High School Admissions Process. Admissions to New School would be open to any New York City student with priority given to Manhattan students or residents. The school is proposed to have a limited unscreened admissions method. This means enrollment is available to all students regardless of past academic history. Limited unscreened programs give priority to students who demonstrate interest in the school by attending a school information session or open house or visit the school's exhibit at a high school fair.

Impact on Students Currently Attending Schools in the M883 Building

For a detailed description of the impact that the proposal to phase out Legacy will have on its current students, please see the corresponding EIS. This proposal to co-locate New School in M883 is expected to have only minimal impact on current students in the building. Legacy and P721@M883 are the only organizations located in building M883.

During the course of the proposed phase-out period, Legacy students would be co-located with students attending New School during its phase-in period. The co-location would result in slightly higher building utilization rates in some years of the co-location. It would also result in Legacy students sharing common spaces with New School students. As discussed in Section III.B, the DOE believes that there is enough space in the building that the co-location would have minimal impact on Legacy students.

In New York City, the High School Admissions Process is a Citywide choice process (see below under "Impact on Admissions for Future High School Students" for more information on the process).

The High School Admissions Process permits an applicant to list up to 12 high school programs in order of preference on his or her application. High school admissions applications were due December 2, 2011. Students who are in ninth grade for the first time can participate in the High School Admissions Process and can apply to attend a different high school for tenth grade. Current ninth-grade students at Legacy who are interested in attending a different school for tenth grade may have already taken part in this process by submitting an application on or before December 2, 2011. If this proposal is approved in February 2012, there would be another opportunity for current ninth-grade students at Legacy, and students at other schools, to submit a new list of 12 schools in Round Two of the High School Admissions Process.

In March, students will be able to participate in Round Two of the High School Admissions process. Students would submit a Round Two application and would be able to rank schools that have available seats for tenth grade. Students may receive a match as part of Round Two in April. If a student submitted an application as part of Round One of the High School Admissions process, a match received in Round Two will nullify the Round One match.

Current repeat ninth-grade students would complete high school at Legacy, if they earn credits on schedule. As the school becomes smaller, students who do not earn credits on schedule would receive more individualized attention to ensure they receive the support they need to succeed. Students would also be encouraged to meet with their guidance counselor to review progress toward graduation and consider applying to a Transfer High School.

Current tenth-, eleventh-, and twelfth-grade students who are on track to graduate will complete high school at Legacy, if they continue to earn credits on schedule. As the school becomes smaller, students will receive more individualized attention through graduation to ensure they are receiving the support they need to succeed. Students should meet with their guidance counselor to discuss all of their options.

Current tenth-, eleventh-, and twelfth-grade students who are not on track to graduate should meet with their guidance counselor to discuss their options. Depending on their age, academic profile, and credit accumulation, some students may be better served at a Transfer High School or a Young Adult Borough Center.¹⁰ These programs have strong track records for helping over-age, under-credited students get back on track toward graduation. In general, however, it is expected that most current Legacy students will remain enrolled at the school as they work toward graduation.

The DOE will arrange a new placement for students who haven't accumulated sufficient credits and those who have not passed the minimum number of Regents exams to graduate by June 2015.

Legacy currently offers Integrated Co-Teaching ("ICT") classes, Self Contained ("SC") classes, and Special Education Teacher Support Services ("SETSS"). Legacy currently offers English as a Second Language ("ESL") services; it does not offer a transitional bilingual or dual-language program. Students with disabilities will continue to receive mandated services in accordance with their Individualized Education Plans ("IEP"). English Language Learners ("ELLs") at Legacy will continue to receive mandated services as the school phases out.

Under this proposal, all current P721M@M883 students enrolled in classes at Legacy would continue to be enrolled in classes at Legacy as it phases out, and they would have the opportunity to graduate from Legacy assuming that they continue to earn credits on schedule. The DOE would work with any student to arrange an alternative placement for P721M@M883 inclusion students enrolled in classes at Legacy who have not received their District 75 diploma by June 2015. Potential alternative placements after June 2015 would include, but are not be limited to, enrollment in P721M@M883 inclusion classes at New School, inclusion classes at another District 75 inclusion site, or in a transitional program.¹¹ The other District 75 schools offering high school inclusion programs in Manhattan are listed below in Section III.A.

A more detailed description of the potential impact that the phase-out of Legacy would have on Manhattan high school students is outlined in the separate EIS proposing the phase-out of Legacy. Please visit the DOE's website to access that EIS: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/Feb2012Proposals>.

Impact on Community Partnerships at Existing Schools

The DOE does not anticipate that this proposal to site New School in M883 will affect the academic programs, and extracurricular activities or partnerships currently offered at Legacy or P721M@M883. Legacy would continue to offer extracurricular programs based on student interests, available resources, and staff support for those programs. The proposed co-location would not impact those opportunities. Students would continue to have the opportunity to participate in a variety of extracurricular programs, though the specific programs offered at a given school are always subject to change. That is true for any City student as all schools modify extracurricular offerings annually based on student demand and available resources.

As noted in the corresponding EIS, Legacy will continue offering student athletics and other extracurricular programs options, but the number and range of extracurricular programs offered may gradually diminish due to declining student enrollment as the school phases out.¹²

Legacy currently offers PSAL sports jointly with schools in the Washington Irving High School Campus. The availability of the PSAL program on the Washington Irving campus is not expected to diminish because all schools in the campus participate in the program. Typically, campuses that are home to multiple

¹⁰ Young Adult Borough Centers ("YABCs") are evening academic programs designed to meet the needs of high school students who might be considering dropping out because they are behind or because they have adult responsibilities that make attending school in the daytime difficult. Students graduate with a diploma from their home school after they have earned all of their credits and passed all of the required exams while attending the YABC.

¹¹ Transitional programs include vocational and community based experiences to help students transition into the world of work.

¹² Athletic and extracurricular offerings reflect those listed for Legacy in the 2011-2012 Directory of High Schools. PSAL is the Public School Athletic League.

schools continue to field athletic teams, but do so collaboratively, with students from all schools in the building eligible to participate. In this case, Legacy already collaborates with the Washington Irving campus. If this proposal is approved, we anticipate that this same opportunity would exist for students in building M883, including students attending Legacy as that school phases out and students at New School as that school phases in. Teams from City campuses that have undergone conversion to multiple small schools have competed at the championship level under their campus banners.

According to the High School Directory, Legacy currently offers the following academic programs, and extracurricular activities and partnerships:¹³

Extra-Curricular Activities:	Clubs:
<ul style="list-style-type: none"> • Internships • Community Partnerships • College Activities and Visits • Senior Exhibition • Student Publications • National Honor Society • PM School • Saturday School • Computer Technology • Digital Portfolio • Media Center • Drama 	<ul style="list-style-type: none"> • Science Fairs • Math Team • Chess • MOUSE Squad • Student Weekly News

Enrollment Impact for Future High School Students – High School Admissions Process

The proposed co-location of New School with P721M@M883 and Legacy (until Legacy completes phasing out in June 2015) is expected to have only minimal impact on current students attending Legacy. As detailed below, current eighth-grade students in all five boroughs would be eligible to apply to New School through the Citywide High School Admissions Process in Round Two.

In New York City, High School Admissions are based on a Citywide choice process, with students ranking up to 12 high schools in order of preference.

Beginning with high school admission for September 2012, there are two rounds in the High School Admissions Process:

Round One: All eighth-grade and interested first-time ninth-grade students participate in this round. All students, including applicants to the Specialized High Schools, will receive match results at the end of February 2012.

Round Two: All eighth-grade and first-time ninth-grade students are eligible to apply to schools in Round Two. Any student who does not receive a match in Round One must apply to the

¹³ Compiled from the 2011-2012 High School Directory.

available programs in Round Two to receive a match. Beginning this year, any student who received a match in Round One may reapply to available programs in Round Two. A student who participates in Round Two and has already received a Round One match will have his or her Round One match nullified if the student receives a match in Round Two. The available programs for Round Two include schools with remaining seats and new schools that will open the following September. Students will receive Round Two results at the end of April 2012.

For information about the High School Admissions Process, visit:
<http://schools.nyc.gov/ChoicesEnrollment/High>.

New School will admit students through a limited unscreened admissions method, giving priority to Manhattan students or residents.

High school students with IEPs are admitted in the same manner as general education students. Schools will create programs that meet the needs of all students ensuring exposure to a general education curriculum. Therefore, placement for students with IEPs is the same as described above.

Similarly, ELL students are admitted to high schools in the same manner as their non-ELL peers. Any students requiring ELL services will continue to receive appropriate services at the high school to which they are matched.

High school admissions applications were due on December 2, 2011. If this proposal is approved by the PEP on February 9, 2012, students who are interested in applying to New School would have the opportunity to submit a new application during Round Two. Schools with available seats as well as new high schools designated to open throughout the city for the 2012-2013 school year will also be available for these students to consider in Round Two. If a student already received a match in Round One, that match will be nullified if the student receives a Round Two match.

Enrollment Impact for Future High School Students – Over-the-Counter

In addition to the High School Admissions Process, some students will continue to receive placement in a high school through the over-the-counter (“OTC”) process.

OTC placement is a term that refers to the method of enrolling students who need a school assignment because they were not part of any admissions process for entry grades and/or were not enrolled in a NYC school at the time school started. Most of these students fall into one of four categories:

- New to the New York City school system; or
- Left the New York City school system and have returned; or
- Are seeking transfers (based on the guidelines outlined in Chancellor’s Regulation A-101);¹⁴ or
- Students who did not participate in the High School Admissions Process for some other reason.

When a student arrives for an OTC placement, his/her school assignment is determined by his/her interests, home address and which schools have available seats, and, where applicable, transfer guidelines. The student visits a Borough Enrollment Office where he/she meets with a counselor who reviews options that will meet the student’s needs.

There is a peak enrollment period occurring just prior to and into the opening of school when thousands of students arrive. Prior to the start of the peak enrollment period, schools are reminded about the number of OTC students they can expect. This number is based on a school’s enrollment projection and the results of the admissions process.

¹⁴ As detailed in Chancellor's Regulation A-101, students have the "right to return" to their prior school following discharge within one calendar year of discharge, subject to available seats. Therefore, it is possible that non-zoned students arriving for an OTC placement may be granted admission to a zoned school.

If the Division of Portfolio Planning determines that additional OTC seats may be needed, the number of seats available are reviewed and – if space allows – adjusted in those schools where the admissions methods are limited unscreened, educational option, or unscreened.

Screened programs (those that have academic criteria) which have a two year track record of not filling through the High School Admissions Process are “de-screened” for OTC in order to increase the number of options for students. In addition, screened and audition schools, transfer schools, international schools, and alternative programs are offered through referral.¹⁵ In this way, the DOE is able to offer individual students the widest breadth of options across a large number of schools.

The number of schools that admit students during the peak enrollment period has grown steadily over time, which means that students arriving during this period are being offered more options than in the past. In the 2011-2012 school year, 490 schools that serve grades nine through twelve accepted students during the peak enrollment period, compared to 388 five years ago. Moreover, in Manhattan, the number of schools that admit students during this period has increased from 92 to 120.

Impact on Future High School Applicants: District 75 Inclusion Program

If this proposal and the proposal to phase-out Legacy are approved, beginning in 2012-2013, P721M@M883’s inclusion program currently associated with Legacy would continue to serve current students as Legacy phases out. New students in the inclusion program would be associated with New School as it phases in, so that the inclusion program will continue to exist in M883. District 75 students who receive District 75 SETSS services in middle school participate in an application process administered by District 75 for a high school inclusion program. For more information regarding this application process please refer to the following Website: <http://schools.nyc.gov/Offices/District75/default.htm>.

Below is a list of other high schools in Manhattan that currently offer District 75 inclusion programs to which students can apply:

District	District 75 Program	High School with Inclusion Program
2	P138M	Food and Finance High School (02M288)
2	P138M	Urban Assembly School of Design and Construction (02M300)
2	P138M	The Facing History High School (02M303)
2	P226M	Millennium High School (02M418)
2	P226M	Urban Academy Laboratory High School (02M565)
2	P721M	The High School of Fashion Industries (02M600)
2	P751M	Humanities Preparatory Academy (02M605)
2	P751M	Chelsea Career and Technical Education High School (02M615)
4	P169M	Manhattan Center for Science and Mathematics (04M435)

The creation of new District 75 inclusion programs is based on demand and need. The DOE will assess the need to create new District 75 high school inclusion programs in Manhattan or other boroughs.

¹⁵ International schools are designed to provide quality education for recently arrived immigrant students through a unique educational model. Transfer schools are small, academically rigorous high schools designed to re-engage students who have dropped out or who have fallen behind and now have fewer credits than they should for their age (these students are called "over age and under-credited").

B. Schools

The opening of New School is intended to offer additional seats at the high school level in Manhattan. The M883 building would continue to house P721M@M883 and Legacy as it phases out. M883 has enough capacity to accommodate P721M@M883, Legacy as it phases out, and New School as it phases in. In 2015-2016, after Legacy has completed its phase-out, P721M@M883 and New School are collectively projected to enroll approximately 429 - 472 students, and the projected building utilization rate for M883 at that point would be 88-97%.

The current and projected enrollment for the organizations in M883 during the course of the phase-out of Legacy and the phase-in of New School is shown in the tables below.

Legacy	Total Enrollment
2011-12 (unaudited)	313
2012-13 (proj.)	185 - 225
2013-14 (proj.)	85 - 125
2014-15 (proj.)	30 - 70
2015-16 (proj.)	-

New School	Total Enrollment
2011-12 (unaudited)	-
2012-13 (proj.)	105 - 115
2013-14 (proj.)	210 - 230
2014-15 (proj.)	315 - 345
2015-16 (proj.)	420 - 460

P721M@M883	Total Enrollment
2011-12 (unaudited)	10
2012-13 (proj.)	13
2013-14 (proj.)	9 - 12
2014-15 (proj.)	9 - 12
2015-16 (proj.)	9 - 12

If this proposal is approved, there will be sufficient space to accommodate Legacy, New School, and P721M@M883 pursuant to the Citywide Instructional Footprint (the “Footprint”) throughout the period while Legacy phases out and New School phases in. (Please visit the New York City Department of Education website to access the Instructional Footprint, which guides space allocation and use in City schools: <http://schools.nyc.gov/community/planning/default.htm>.)

The Footprint sets forth the baseline number of rooms that should be allocated to a school based on the grade levels served by the school and number of classes per grade. For existing schools, the Footprint is applied to the current number of sections per grade, assuming class size will remain constant. The Borough Director of Space Planning then confirms both the baseline and current space allocation totals during a walk-through of the building, where he/she is accompanied by a school’s representative.

For grades six through twelve, the Footprint assumes that students move from class to class and that classrooms should be programmed at maximum efficiency. The Footprint does not require that every teacher have his or her own designated classroom. Principals are asked to program their schools efficiently so that classrooms can be used for multiple purposes throughout the course of the school day. The Footprint allocates the number of baseline rooms for student support services, resource rooms, and administrative space based on the grades a school serves and its enrollment at scale.

As in other situations where schools are co-located, the schools in M883 would need to share large common and specialty rooms in the building, such as the cafeteria, the fitness room, and the library. Specific decisions regarding the allocation of the shared spaces will be made by the Building Council, consisting of principals from all co-located schools, in conjunction with the DOE’s Office of Space Planning.

Any space remaining beyond the baseline shall be allocated equitably among the co-located schools. In determining an equitable allocation, the DOE may consider factors such as the relative enrollments of the co-located schools, the instructional and programmatic needs of the co-located schools, and the physical location of the excess space within the building.

As described in further detail in the corresponding EIS, the DOE is proposing to phase out Legacy. To replace the high school seats lost due to the phase-out of Legacy, the DOE has proposed to open and co-locate New School in building M883. The baseline footprint allocation of New School over the four years it will take to complete its phase-in is included in the chart below.

According to the building survey completed by the Manhattan Director of Space Planning on February 4, 2011, M883 has a total of 20 full-size rooms, including 5 science labs, 9 half-size rooms and 8 quarter-size rooms. The building also has the following rooms: a cafeteria, a library, a dance/yoga room, and a fitness

room.

The Nurse's office is housed in one quarter-size room, and the Custodian's office is housed in two quarter-size rooms. A community based organization ("CBO"), ENACT, occupies one full-size room. The dance/yoga room and fitness room will be shared between the schools starting in the 2012-2013 school year. Thus, there will be 19 full-size rooms (including 5 science labs), 9 half-size rooms, and 5 quarter-size rooms to be allocated to the co-located schools in M883 per the Footprint during and after Legacy's proposed phase-out.

Legacy's footprint will decrease each year as the school phases out one grade at a time. Per the Footprint, Legacy's current allocation is 12 full-size rooms, 3 half-size rooms, and the equivalent of 3 full-size rooms for administrative use. Legacy's baseline footprint allocation over the three years it will take to complete its phase-out is included in the chart below.

For purposes of space allocation, Legacy's enrollment assumes that P721M@M883 students are enrolled in Legacy. All students currently enrolled in the District 75 inclusion program will continue to be included in Legacy's enrollment as it phases out. Similarly, for purposes of space allocation new students at P721M@M883 in 2012-2013 and beyond would be counted as part of New School's enrollment. Therefore, space allocations for each school also include space that is allocated to the inclusion programs because students at P721M@M883 are served in classes at those schools.

There is sufficient space in building M883 to accommodate the phase-out of Legacy and phase-in of New School. After each school receives its adjusted baseline footprint allocation, there will be excess full-size, half-size and quarter size rooms remaining in the building sufficient to fully meet all administrative baseline allocations for all organizations, as detailed year by year in the chart below. Each school will continue to receive at least its baseline Footprint allocation, and any excess space above the space allocated by the Footprint will be divided equitably among the schools as decided by the Building Council in conjunction with the DOE Office of Space Planning.

The table below shows a summary of the baseline Footprint allocation of full-size instructional rooms for each school throughout the proposed phase-out of Legacy and the proposed phase-in of New School:

Baseline Footprint Allocation for Full-Size Classrooms

DBN	School Name	2011-12	2012-13	2013-14	2014-15	2015-16
02M429	Legacy	12	9	5	3	N/A
02M534	New School	N/A	4	8	12	16

TOTAL	12	13	13	15	16
EXCESS	8	7	7	5	4

If this proposal is approved, the Office of Space Planning will work with the Building Council to ensure an equitable allocation of the excess space. In determining an equitable allocation, the Office of Space Planning may consider factors such as the relative enrollments of the co-located schools, the instructional and programmatic needs of the co-located schools, and the physical location of the excess space within the building. In addition, the Office of Space Planning will also work with the schools in M883 to ensure a smooth transition, if necessary, of any rooms currently being used above the Footprint allocation.

Building Safety and Security

The DOE makes available the following supports to schools around safety and security:

- Best Practices Standards for Creating and Sustaining a Safe and Supportive School as a resource guide
- Reviewing and monitoring school occurrence data and crime data (in conjunction with the Criminal Justice Coordinator and NYPD)
- Technical assistance when incidents occur via the Borough Safety Directors
- Professional development and support to CFN Safety Liaisons
- Professional development and kits for Building Response Teams
- Monitoring and certifying School Safety Plans annually

C. Community

The DOE supports parent choice and strives to ensure that all families have access to high-quality schools that meet their children's needs. The proposed opening and co-location of New School in M883 is intended to meet those goals.

Impact on Borough-Wide Seat Capacity

The proposed phase-out of Legacy is one of several previously and concurrently proposed changes to high school seats in Manhattan. These proposed changes include: phasing out schools, co-locations of new schools to replace phase-out schools, grade expansions of existing schools, and enrollment expansions of existing schools.

The DOE plans for high school capacity on a borough-wide basis and bases enrollment planning on ninth grade seats. The chart below details each of the proposed and approved changes and provides a summary of the overall impact on ninth-grade seat capacity in Manhattan.

DBN	School Name	Building	PEP Vote Date	Impact on 9 th Grade Seat Capacity ¹⁶	Admissions Method
High Schools Proposed for Phase-Out Beginning is 2012-2013					
02M429	Legacy School for Integrated Studies	M883	Pending PEP vote in February 2012	-63	Educational Option
02M460	Washington Irving High School	M460	Pending PEP vote in February 2012	-165	Educational Option and Screened
03M283	Manhattan Theatre Lab High School	M490	Pending PEP vote in February 2012	-139	Limited Unscreened
New Schools Proposed to Open in 2012-2013					

¹⁶ Seat Capacity of existing schools is based on total new ninth-grade admits in 2011-2012 (which includes both students who entered through the High School Admissions Process and through over-the-counter placements). Seat capacity of new schools is based on a standard plan to serve four sections of students per grade.

02M533	New School 1	M460	Pending PEP vote in February 2012	+105-115	Limited Unscreened
02M546	The Academy for Software Engineering	M460	Pending PEP vote in February 2012	+105-115	Limited Unscreened
02M534	New School	M883	Pending PEP vote in February 2012	+105-115	Limited unscreened
Planned Enrollment Expansion					
84M335	Harlem Village Academy Leadership Charter School	M045/M209	N/A	+25-32	Continuing eighth graders
High School Grade Expansions for 2012-2013					
04M422	Quest to Learn	M440	N/A	+75-85	Limited Unscreened with priority to continuing eighth graders
04M372	Esperanza Preparatory Academy	M117	December 2011	+80-90	Screened: Language, with priority to continuing eighth graders
Total Proposed Change in 9th Grade Seat Capacity for 2012-2013				+128-185	

With the proposed addition of the 495-552 ninth-grade seats in new high schools, grade expansions at middle schools, and enrollment expansions at high schools, as compared with the loss of 367 seats from the proposed phase-out schools, the DOE will have created more than enough new ninth grade seats to offset those lost. Factoring in all anticipated increases and decreases, there would be a net additional capacity of approximately 128-185 new seats in Manhattan for September 2012.

For the 2011-2012 school year, there were a total of 16,267 ninth-grade seats available in Manhattan.¹⁷ A total of 15,905 new ninth-grade students enrolled in Manhattan high schools in 2011-2012, leaving 362 excess seats borough-wide.

In an EIS posted on December 22nd, the DOE also proposes to expand the grades served by Special Music School (03M859) from kindergarten through eighth grade to kindergarten through twelfth grade, beginning in September 2013. Special Music School would serve 50-60 students in ninth grade.

Detailed information about new high schools will be available in February 2012 at enrollment offices and online at <http://schools.nyc.gov/ChoicesEnrollment/High/Publications>.

This proposal is not expected to impact the ability of community members and organizations to obtain school building use permits at building M883. This proposal is not expected to impact the partial site accessibility of the M883 building.

¹⁷ Current ninth grade seat capacity is based on 2010-2011 ninth grade seat targets for all high schools (excludes District 75, District 79); seat targets schools that have a zoned admissions element were updated to equal the number of ninth grade new admits

IV. Enrollment, Admissions and School Performance Information

New School

Admissions Data

Current Admissions	N/A
Admissions after Co-location Proposal	High School Admissions Process; Limited Unscreened, with priority to Manhattan students or residents

Enrollment Data

New School	Total Enrollment
2011-12 (unaudited)	-
2012-13 (proj.)	105 - 115
2013-14 (proj.)	210 - 230
2014-15 (proj.)	315 - 345
2015-16 (proj.)	420 - 460

Demographic Data

New School does not yet have enrollment. Therefore, there is no demographic data for the school.

School Performance Data

New School does not yet have enrollment. Therefore, there is no performance data for the school.

Legacy

Admissions Data

Current Admissions	High School Admissions Process; Educational Option with priority to Manhattan students or residents
Admissions after Phase-out and Co-location Proposals	N/A

Enrollment Data

Legacy	Total Enrollment
2011-12 (unaudited)	313
2012-13 (proj.)	185 - 225
2013-14 (proj.)	85 - 125
2014-15 (proj.)	30 - 70
2015-16 (proj.)	-

Demographic Data

Percentage of Students Receiving ICT or SC services¹⁸	21%
Percentage of Students with Individual Education Program¹⁹	28%
Percentage of English Language Learner Students²⁰	8%
Percentage of Students Eligible for Free or Reduced Lunch²¹	95%

¹⁸ Students Receiving ICT and SC services as percentage of total students from the 2011-2012 Unaudited Register as of October 31, 2011.

¹⁹ Students with Individual Education Program as percentage of total students from the 2011-2012 Unaudited Register as of October 31, 2011.

²⁰ English Language Learner students as percentage of total students 2011-2012 Unaudited Register as of October 31, 2011.

²¹ Percentage of Students Eligible for Free or Reduced Lunch from School Allocation Memorandum No. 8, FY12, July 5, 2011

School Performance Data

Legacy School for Integrated Studies ²²	2008-2009	2009-2010	2010-2011
School Performance and Progress			
Overall Progress Report Grade	D	C	F
Quality Review Score	P	UPF	D
Key Components of Performance and Progress			
% 10+ Credit Accumulation in Year 1	64%	68%	43%
4 Year Graduation Rate	52%	59%	43%
6 Year Graduation Rate	57%	44%	64%
% Graduating with a Regents Diploma	20%	19%	33%
Attendance Rate	77%	77%	72%
2010-2011 State Accountability Status²³			
In Good Standing			

P721M@M883

Admissions Data

Current Admissions	District 75 High School Choice
Admissions after Co-location Proposal	District 75 High School Choice

Enrollment Data

P721M@M883	Total Enrollment
2011-12 (unaudited)	10
2012-13 (proj.)	13

²² Source: Progress Report

²³ This status is determined by the New York State Department of Education under the No Child Left Behind Act. For more information, please visit the New York State Education Department Web site at <http://www.p12.nysed.gov/irs/accountability>.

2013-14 (proj.)	9 - 12
2014-15 (proj.)	9 - 12
2015-16 (proj.)	9 - 12

Demographic Data²⁴

Percentage of Students Receiving ICT or SC services	100%
Percentage of Students with Individual Education Program ²⁵	99%
Percentage of English Language Learner Students	40%
Percentage of Students Eligible for Free or Reduced Lunch	66%

School Performance Data²⁶

P721M (75M721)	2008-2009	2009-2010	2010-2011
<i>School Performance and Progress</i>			
Overall Progress Report Grade	N/A	N/A	N/A
Quality Review Score	N/A	N/A	P
<i>Key Components of Performance and Progress</i>			
% 10+ Credit Accumulation in Year 1	N/A	N/A	N/A
4 Year Graduation Rate	N/A	N/A	N/A
6 Year Graduation Rate	N/A	N/A	N/A
% Graduating with a Regents Diploma	N/A	N/A	N/A
Attendance Rate	N/A	N/A	N/A
<i>2010-2011 State Accountability Status</i>		N/A	

²⁴ Data reflects entire P721M enrollment across all five locations, including but not limited to P721M@M883.

²⁵ Students may be admitted to a District 75 program with a Comparable Service Plan in lieu of an IEP, at which point the District 75 school's assessment team has 30 days to complete an IEP for the student.

²⁶ Data reflects entire P721M enrollment across all five locations, including but not limited to P721M@M883.

V. Initial Costs and Savings

New district schools are provided with a fixed per-school allocation and a variable per-pupil allocation of funds to cover start-up costs. Based on current one-time allocations for new schools, New School will receive a fixed allocation of \$80,000 during its first year. In addition, New School will receive approximately \$51,300 in new school start-up per-pupil allocations. Beginning in its second year of operation, New School will receive \$100 per pupil enrolled in each new grade level, until it reaches its full grade span.

All schools receive approximately \$225,000 in annual fixed Fair Student Funding (“FSF”) foundation allocations to fund administrative costs and an additional \$50,000 in Children First supplemental funding. Estimated FSF for New School in its first year is \$454,407. The student achievement and need-based allocations are not taken into account in this estimate because incoming students’ achievement levels and needs cannot be predicted. All money allocated through FSF can be used at the principal’s discretion. All dollar amounts are based on FY 2012 allocations and are subject to change based on adjustments to the DOE’s overall operating budget.

This proposal is not expected to impose any costs on the other schools located in the M883 building. All costs and savings to the proposed phase out of Legacy are detailed in the corresponding EIS.

VI. Effect on Personnel Needs, Costs of Instruction, Administration, Transportation and Other Support Services

A. Personnel Needs

New district schools follow the hiring process consistent with the procedures set forth in the collective bargaining agreement between the DOE and UFT. New district schools that have an impact on a school that is closing or phasing out shall be required to hire no less than 50% of their staff from the most senior qualified staff from the closing or phasing out school, if sufficient number of staff apply, until the impacted school is closed.

The impact on personnel at Legacy as a result of the phase-out proposal is detailed in the corresponding EIS.

B. Cost of Instruction

Most funding in school budgets is allocated on a per-pupil basis. The basic operating budgets for New School and Legacy are determined by the same FSF per capita entitlement used at all other New York City District public schools. Each student receives a per-pupil allocation based on the grade level of the student. FSF allocations are subject to variation, but for 2011-2012, the base per-pupil entitlement for high schools is \$4,207.47.

In addition, FSF awards supplemental entitlements on a per-pupil basis for students who have additional needs and therefore cost more to educate. For example, during the 2011-2012 school year, high schools received an additional \$2,043.69 per pupil for each English Language Learner they enrolled. At the high school level, supplemental funds are awarded to each student who is an ELL student, who requires special education services, or who is performing below grade level upon enrollment. In the case of students who

fall into more than one of these categories, schools are awarded supplemental funding to meet all of those needs.

FSF covers basic instructional expenses and FSF funds may, at the school's discretion, be used to hire staff, purchase supplies and materials, or implement instructional programs. As the total number of students enrolled grows, the overall budget increases accordingly, allowing the school to meet the instructional needs of its larger student population. Similarly, if the total number of students enrolled falls, the budget shrinks accordingly, as the school needs fewer supplies and potentially a smaller staff.

As with all other schools citywide, Legacy, New School, and P721M@M883 may receive additional "categorical" funding based on student characteristics and needs. For example, Federal Title I funding is awarded to schools based on the proportion of low-income students they enroll. P721M@M883 and New School are not currently eligible for Title I funding. Legacy is currently eligible for Title I funding. Assuming that Legacy continues to meet Title I criteria, the size of its Title I funding awards would grow or shrink as the school population grows or shrinks.

While schools do receive supplemental support for students with disabilities through FSF, that only represents part of the funding provided to support those students. Schools are budgeted to meet the needs of their students with disabilities as defined by their IEPs.

Please note that increased or reduced per capita funds allocated to the school as a result of this proposal do not represent net/incremental system costs. All dollar amounts are based on FY 2012 allocations and are subject to annual variation based on adjustments to the DOE's overall operating budget

The impact on the cost of instruction at Legacy as a result of the phase-out proposal is detailed in the corresponding EIS.

C. Administration

New School is expected to hire school supervisors and/or administrator personnel as needed throughout the course of the school's phase-in.

The impact on the administration of Legacy as a result of the phase-out proposal is detailed in the corresponding EIS.

D. Transportation

Transportation will be provided according to Chancellor's Regulation A-801:
<http://schools.nyc.gov/NR/ronlyres/21A1B11A-886B-4F74-9546-E875EE82A14C/40303/A801.pdf>.

E. Other Support Services

The provision of certain support services is described above. Other support services would be provided consistent with Citywide policy as New School phases in.

VII. Building Information

Building	M883	
Type of Building	High school	
Year Built	Leased in 1994	
Overall BCAS rating	2.30	
2010-2011 Target Building Utilization	76%	
2010-2011 Target Building Capacity	486	
FY 2011 Maintenance Costs	Labor	\$2,364
	Materials	\$0
	Maintenance and repair contracts	\$28,712
	Service contracts	\$0
	Custodial operations costs—Materials	\$3,743
	Custodial operations costs—Custodial Allocation	\$214,887
FY2011 Energy Costs	Electric	\$91,411
	Gas	\$14,052
	Oil	\$0
Projects completed during the current or prior school year	IP surveillance camera installation	
Projects proposed in the capital plan	CIP-IP Surveillance camera installation	
Accessibility of the building	Fully Programmatically accessible	
Building attributes	Art room, Cafeteria, Computer room, Library, Nurse 's office, Science Labs (CR's) Dance/Fitness room	