

BUILDING UTILIZATION PLAN

As described in greater detail in the attached Educational Impact Statement (“EIS”), the New York City Department of Education (“DOE”) is proposing to extend and expand the co-location of Democracy Prep Charter School (84M350, “Democracy Prep”), an existing public charter school that serves 495 students in grades six through ten and which is currently split-sited between Building M197, located at 2230 5th Avenue, New York, NY 10037 in Community School District 5, and private space located at 207 West 133rd Street, New York, NY, 10030, also in Community School District 5. Democracy Prep is co-located in M197 with P.S. 197 John B. Russwurm (“P.S. 197”), an existing DOE zoned elementary school serving grades kindergarten through five, that also offers a pre-kindergarten program. 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.

When Democracy Prep began its co-location in M197 in 2009-2010 with sixth grade, the DOE committed to re-evaluate the space available in M197 annually to determine if there was sufficient space to enable Democracy Prep to continue co-locating in M197. Democracy Prep currently serves sixth and seventh grades in M197. Under this proposal Democracy Prep would serve eighth grade in M197 and its grades 6-8 would remain permanently in M197. Democracy Prep’s grades nine through twelve would be located in the private space on West 133rd Street.

Pursuant to the New York State Charter Schools Act of 1998 (as amended May 2010), the following plan outlines the proposed allocation of classrooms and administrative space between P.S. 197 and Democracy Prep. It also includes a proposal for the collaborative usage of shared resources and spaces between P.S. 197 and Democracy Prep, including but not limited to cafeterias, libraries, gymnasiums, and recreational areas, which assures equitable access to such facilities. Information about the impact on building safety and security, proposed strategies for communication and collaborative decision-making between the co-located schools, and a description of the shared space committee is also included. Please refer to the EIS, to which this plan is attached for further information about the proposed co-location.

METHODOLOGY

We have applied the DOE Instructional Footprint (“Footprint”)¹ to all schools and/or programs outlined in this plan to allocate rooms in an unbiased manner, and have divided the remaining space equitably based on the proportion of the total students in the building enrolled by each school and/or program, the instructional and programmatic needs of the co-located schools, and the physical location of the excess space within the building.

JUSTIFICATION OF FEASIBILITY AND EQUITABILITY OF CLASSROOM AND ADMINISTRATIVE SPACE ALLOCATION

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 classes and class size a school has programmed and is confirmed by a walk-through of the building by the Borough Director of Space Planning and the school’s principal. For elementary schools serving grades K-5 and offering a pre-kindergarten section, the Footprint assumes that classes are self-contained. Therefore, the Footprint allocates one full-size classroom for each general education or Collaborative Team Teaching section and a full-size or half-size classroom to accommodate each Self-Contained special education section served by the school. In addition to these instructional rooms, which are counted toward a building’s capacity, schools serving grades K-5 also receive an allocation of cluster or specialty classrooms proportionate to the number of students enrolled. These classes can be used at the principal’s discretion for purposes such as art and/or music instruction, among other things, and do not count toward a building’s capacity.

¹ The Footprint is a tool to be used by all stakeholders in the analysis and assessment of space usage in DOE buildings. Its purpose is to ensure that the space allocation plan for all schools is fair and equitable. In co-location agreements, the parameters outlined in the Footprint should serve as a guideline for making decisions about the allocation of space, while empowering building occupants to make decisions that best meet the needs of all students in the building. The DOE Footprint can be found at:

http://schools.nyc.gov/NR/rdonlyres/8CF30F41-DE25-4C30-92DE-731949919FC3/87633/NYCDOE_Instructional_Footprint_Final9210TNT.pdf

At the elementary level, cluster classrooms are allocated as follows:

Enrollment	# of Cluster Rooms
1,251 and up	5
750-1,250	4
251-750	3
151-250	2
0-150	1

For grades 6-12 the Footprint assumes that students move from class to class and that classrooms should be programmed at maximum efficiency. The Footprint allocates one full-size classroom for each general education or Collaborative Team Teaching section and a full-size or half-size classroom to accommodate each Self-Contained special education section served by the school. 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.

All schools receive a baseline of the approximate equivalent of 3.5 full-size classrooms² for student support services, resource rooms and administrative space when serving their entire grade span. Any space not allocated pursuant to the Footprint 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.

While the Footprint sets forth a baseline space allocation, school leaders are empowered to make decisions about how to utilize the space allocated to the school. Each principal, therefore, must make decisions about how and where students will be served within the space allocated to the school. The DOE, however, will provide support to the schools to ensure that the schools use the space efficiently in order to maximize capacity to support student needs and maintain appropriate delivery of special education and related services to students. Where appropriate, school leaders will have an opportunity to draw upon the expertise and guidance of the Office of Special Education, which is dedicated to promoting positive educational outcomes for students with disabilities.

Allocation of Classrooms and Administrative Space

According to a building walkthrough and survey performed on January 18, 2011 by Richard Bocchicchio, Director of Space Planning, building M197 has a total of 36 full-size classrooms/spaces,³ 6 half-size classrooms/spaces,⁴ the equivalent of 2.0 full-size designed administrative office/space, and 2 quarter-size rooms which can be utilized as administrative offices/spaces.⁵ M197 also contains a gymnasium, auditorium, lunchroom, library and outdoor playground.

Harlem Children’s Zone, a community-based organization (“CBO”), is currently located in one full-size and one half-size space. The building custodian and the school nurse are each located in a half-size space. The School-Based Support Team (“SBST”) is located in a designed administrative space that is the equivalent of a half-size space. Excluding these spaces, the M197 building has a total of 35 full-size classrooms, 3 half-size classrooms/spaces, the equivalent of 1.5 full-size designed administrative office/space, and 2 quarter-size administrative offices/spaces remaining that can be allocated to schools.

² Due to the configuration of the various DOE buildings across New York City, schools may be given the equivalent of 3 full size classrooms for student support services and one half-size resource room, which could be equal to 2 full size classrooms and 3 half-size classrooms or 1 full size classroom and 5 half-size classrooms, etc.

³ Full size classrooms have an area of 500 square feet or more.

⁴ Half-size classrooms have an area of less than 500 square feet but greater than 239 square feet.

⁵ Quarter size rooms are smaller than 240 square feet and can be utilized as administrative/office space or as resource rooms.

2009-2010

In 2009-2010, P.S. 197 served 353 students in kindergarten through fifth grade, in addition to 16 students in one section of pre-kindergarten. These students were served in 22 total classes/sections. The table below summarizes P.S. 197's baseline Footprint allocation, which is based on the methodology described at the beginning of this document, P.S. 197's adjusted baseline allocation, which satisfies the baseline Footprint allocation while accounting for the specific design of the building, and the amount of space that P.S. 197 was actually using during the 2009-2010 school year.

2009-2010: P.S. 197	Full Size Class-rooms	Half Size Class-rooms	Administrative Spaces				
			Designed Admin (FSE) ⁶	Full-size Space	Half-size Space	Quarter-Size Space	Total Admin (FSE)
Baseline Footprint Allocation	19	7	1.5	1	0	2	3.0
Adjusted Baseline Allocation	25	1	1.5	1	0	2	3.0
Current Space Allocation	28	2	1.5	1	0	2	3.0

The DOE adjusted P.S. 197's baseline allocation for the following reason:

- Given the limited number of half size classrooms in building M197, the DOE allocated 6 additional full-size classrooms/spaces in lieu of 6 half-size classrooms/spaces to accommodate P.S. 197's Self-Contained special education classes.

In 2009-2010, Democracy Prep served 102 students in sixth grade. These students were served in 4 classes/sections.⁷ The table below summarizes Democracy Prep's baseline Footprint allocation, which is based on the methodology described at the beginning of this document, and the amount of space that Democracy Prep used during the 2009-2010 school year.

2009-2010: Democracy Prep	Full Size Class-rooms	Half Size Class-rooms	Administrative Spaces				
			Designed Admin (FSE)	Full-size Space	Half-size Space	Quarter-Size Space	Total Admin (FSE)
Baseline Footprint Allocation	5	1	0.0	1	1	0	1.5
Current Space Allocation	5	0	0.0	1	1	0	1.5

As indicated above, in 2009-2010, P.S. 197 operated three full-size and one half-size room over its adjusted baseline allocation, and Democracy Prep operated one half-size room below its baseline allocation.

⁶ FSE refers to full size equivalent rooms that may be used for administrative purposes.

⁷ 2009-2010 Audited Register Data.

2010-2011

In 2010-2011, P.S. 197 serves 357 students in kindergarten through fifth grade, in addition to 18 students in one section of pre-kindergarten. These students are served in 17 total classes/sections.⁸

The table below summarizes P.S. 197's baseline Footprint allocation, which is based on the methodology described at the beginning of this document, P.S. 197's adjusted baseline allocation, which satisfies the baseline Footprint allocation while accounting for the specific design of the building, and the amount of space that P.S. 197 is currently using.

2010-2011: P.S. 197	Full Size Class-rooms	Half Size Class-rooms	Administrative Spaces				
			Designed Admin (FSE)	Full-size Space	Half-size Space	Quarter-Size Space	Total Admin (FSE)
Baseline Footprint Allocation	16	6	1.5	1	0	2	3.0
Adjusted Baseline Allocation	20	2	1.5	1	0	2	3.0
Current Space Allocation	24	2	1.5	1	0	2	3.0

The DOE has adjusted P.S. 197's baseline allocation for the following reason:

- Given the limited number of half-size classrooms in building M197, the DOE has allocated 4 additional full-size classrooms/spaces in lieu of 4 half-size classrooms/spaces to accommodate P.S. 197's Self-Contained special education classes.

In 2010-2011, Democracy Prep serves 219 students in sixth through seventh grade. These students are served in 8 classes/sections.⁹

The table below summarizes Democracy Prep's baseline Footprint allocation, which is based on the methodology described at the beginning of this document, and the amount of space that Democracy Prep is currently using.

2010-2011: Democracy Prep	Full Size Class-rooms	Half Size Class-rooms	Administrative Spaces				
			Designed Admin (FSE)	Full-size Space	Half-size Space	Quarter-Size Space	Total Admin (FSE)
Baseline Footprint Allocation	9	1	0.0	2	2	0	2.0 ¹⁰
Current Space Allocation	9	0	0.0	1	1	0	1.5

⁸ 2010-2011 Audited Register Data.

⁹ 2010-2011 Audited Register Data.

¹⁰ This is below 3.0 as the school is not yet serving the full middle school grade span.

As demonstrated in the table above, P.S. 197 is currently using four classrooms in excess of their adjusted baseline allocation, and Democracy Prep is using one less half-size classroom and one and a half fewer administrative spaces than its baseline allocation. The table below summarizes the space in excess of baseline and adjusted baseline allocations in building M197.

2010-2011: Building M197	Full Size Class-rooms	Half Size Class-rooms	Quarter-Size Class-rooms
Space In Excess of Adjusted Baseline Allocation	3*	0	0

*This assumes one additional full-size room would be applied to Democracy Prep to meet its baseline allocation.

2011-2012

In 2011-2012, the DOE projects that P.S. 197 will continue to serve between 325-385 students and will continue to have 17 sections (including one section of pre-kindergarten), maintaining the adjusted baseline allocation from the previous year.¹¹ The table below summarizes P.S. 197’s adjusted baseline allocation:

2011-2012: P.S. 197	Full Size Class-rooms	Half Size Class-rooms	Administrative Spaces				Total Admin (FSE)
			Designed Admin (FSE)	Full-size Space	Half-size Space	Quarter-Size Space	
Adjusted Baseline Allocation	20	2	1.5	1	0	2	3.0

In 2011-2012, Democracy Prep will be at scale, serving between 300-330 students in grades six through eight in 12 sections.¹² The table below summarizes Democracy Prep’s baseline and actual allocation:

2011-2012: Democracy Prep	Full Size Class-rooms	Half Size Class-rooms	Administrative Spaces				Total Admin (FSE)
			Designed Admin (FSE)	Full-size Space	Half-size Space	Quarter-Size Space	
Baseline Footprint Allocation	13	1	0.0	2	2	0	3.0
Actual Allocation	13	0	0.0	1	1	0	1.5

Democracy Prep will not receive its baseline allocation for the following reason:

- There are an insufficient number of rooms in the M197 building to provide Democracy Prep with its full baseline Footprint allocation. Specifically, Democracy Prep would continue to be below the Footprint allocation for administrative space and would not receive a half-size resource room. While Democracy Prep will have the necessary full-size classrooms for all homeroom sections, this will likely require their designated cluster room to also be used for pull-out instruction.

¹¹ Enrollment projections will not be finalized before April. Changes in enrollment necessitating an allocation of space different from the allocation set forth in this plan would result in an amendment to this plan.

¹² Enrollment projections will not be finalized before April. Changes in enrollment necessitating an allocation of space different from the allocation set forth in this plan would result in an amendment to this plan.

After P.S. 197 and Democracy Prep have received their respective adjusted baseline allocation or actual allocation of rooms (as applicable), the following number of rooms will remain unallocated:

2011-2012: Building M197	Full Size Class- rooms	Half Size Class- rooms	Quarter- Size Class- rooms
Space In Excess of Baseline Allocations	0	0	0

This will serve as the permanent allocation of space. While P.S. 197 would receive four fewer classrooms than the number it currently uses in 2010-2011, it would receive its entire, upwardly adjusted baseline allocation of space in all future years. According to the 2009-2010 Room Survey for P.S. 197, in 2009-2010 P.S. 197 described the following uses for full-size classrooms in excess of programmed class sections and cluster rooms: Occupational Therapy, resource room, save/suspension room, speech, academic intervention services; these functions do not require full-time full-size classrooms. As a result, the DOE does not believe that P.S. 197's instructional or programmatic capabilities will be affected by the proposal.

Shared Space Plan

A proposed shared space plan is below. The following plan is based on the estimated duration of time each of the co-located schools will have in each of the shared spaces in building M197. The final shared space schedule will be collaboratively drafted by the Building Council after the proposed co-location has been approved by the Panel for Education Policy.

JUSTIFICATION OF FEASIBILITY AND EQUITABILITY OF PROPOSED SHARED SPACE PLAN

This proposed plan illustrates how the population size of each co-located school will be used to determine a proportional allotment of time in each shared space. Building Councils are free to deviate from the proportional allotment of time to accommodate the specific programmatic needs of all special populations or groups within each school as is feasible and equitable, provided that the Building Council comes to an agreement of the final Shared Space Plan collaboratively. If such accommodation results in an alteration to the proportional distribution of space, the Building Council shall explain the basis for such alteration. (NOTE: The Building Council will revisit the shared space plan and its schedules on an annual basis to account for any changes in enrollment or programmatic needs. If conflicts emerge and progress is impaired, the Building Council shall follow the dispute resolution procedures outlined in the Campus Policy Memo which follows).

The DOE projects P.S. 197 to serve 325-385 students in 2011-2012 and Democracy Prep to serve 300-330 students in 2011-2012.

Space	Monday	Tuesday	Wednesday	Thursday	Friday
Cafeteria (Capacity: 150)	Breakfast 7:45 – 8:15am: P.S. 197 & Democracy Prep Lunch 10:42 – 12:25pm: P.S. 197 12:30-2:00pm: Democracy Prep After School 3:00 – 3:40pm: Play School 3:40 – 4:20: HCZ	Breakfast 7:45 – 8:15am: P.S. 197 & Democracy Prep Lunch 10:42 – 12:25pm: P.S. 197 12:30-2:00pm: Democracy Prep After School 3:00 – 3:40pm: Play School 3:40 – 4:20: HCZ	Breakfast 7:45 – 8:15am: P.S. 197 & Democracy Prep Lunch 10:42 – 12:25pm: P.S. 197 12:30-2:00pm: Democracy Prep After School 3:00 – 3:40pm: Play School 3:40 – 4:20: HCZ	Breakfast 7:45 – 8:15am: P.S. 197 & Democracy Prep Lunch 10:42 – 12:25pm: P.S. 197 12:30-2:00pm: Democracy Prep After School 3:00 – 3:40pm: Play School 3:40 – 4:20: HCZ	Breakfast 7:45 – 8:15am: P.S. 197 & Democracy Prep Lunch 10:42 – 12:25pm: P.S. 197 12:30-2:00pm: Democracy Prep After School 3:00 – 3:40pm: Play School 3:40 – 4:20: HCZ
Library	Building Council will coordinate scheduling based on programmatic needs.	Building Council will coordinate scheduling based on programmatic needs.	Building Council will coordinate scheduling based on programmatic needs.	Building Council will coordinate scheduling based on programmatic needs.	Building Council will coordinate scheduling based on programmatic needs.
Gymnasium (Capacity: 250)	9:00-11:00am Democracy Prep; 11:00-3:00pm P.S. 197 After School 4:00 – 5:30pm: HCZ 5:40 – End of day: Democracy Prep	9:00-1:00pm P.S. 197; 1:00-3:00pm Democracy Prep After School 4:00 – 5:30pm: Play School 5:40 – End of day: Democracy Prep	9:00-11:00am Democracy Prep; 11:00-3:00pm P.S. 197 After School 4:00 – 5:30pm: HCZ 5:40 – End of day: Democracy Prep	9:00-1:00pm P.S. 197; 1:00-3:00pm Democracy Prep After School 4:00 – 5:30pm: Play School 5:40 – End of day: Democracy Prep	9:00-11:00am Democracy Prep; 11:00-3:00pm P.S. 197
Auditorium (Capacity: 404)	Building Council will coordinate scheduling based on programmatic needs. 9:50-12:30; 1:10-2:05; 5:45-6:30 Democracy Prep ¹³ After School 4:30 – 5:45pm: Play School	Building Council will coordinate scheduling based on programmatic needs. 9:50-12:30; 1:10-2:05; 5:45-6:30 Democracy Prep After School 4:30 – 5:45pm: HCZ	Building Council will coordinate scheduling based on programmatic needs. 9:50-12:30; 1:10-2:05 Democracy Prep After School 4:30 – 5:45pm: Play School	Building Council will coordinate scheduling based on programmatic needs. 9:50-12:30; 1:10-2:05 Democracy Prep After School 4:30 – 5:45pm: HCZ	Building Council will coordinate scheduling based on programmatic needs. 11:10-12:50; 1:15-2:30 Democracy Prep After School 4:30 – 5:45pm: Play School
Other: Playground	9:00 – 1:00pm: P.S. 197 1:00 – 3:00pm Democracy Prep	9:00 – 11:00pm: Democracy Prep 11:00 – 3:00pm P.S. 197	9:00 – 1:00pm: P.S. 197 1:00 – 3:00pm Democracy Prep	9:00 – 11:00pm: Democracy Prep 11:00 – 3:00pm P.S. 197	9:00 – 1:00pm: P.S. 197 1:00 – 3:00pm Democracy Prep

¹³ These times reflect when Democracy Prep currently uses the Auditorium during the 2010-2011 school year. Future use will be coordinated by the Building Council.

After-school use of the shared spaces is negotiated between the existing afterschool programs in the building, including Democracy Prep, Harlem Children's Zone, and ESS Playschool. Harlem Children's Zone and ESS Playschool are expected to continue providing their current programming in M197.

Building Safety and Security

Pursuant to Chancellor's Regulation A-414, every school/campus must have a School Safety Committee. The committee plays an essential role in the establishment of safety procedures, the communication of expectations and responsibilities of students and staff, and the design of prevention and intervention strategies and programs specific to the needs of the school. The committee is comprised of various members of the school community, including Principal(s); designee of all other programs operating within the building; UFT Chapter Leader; Custodial Engineer/designee; and In-house School Safety Agent Level III. The committee is responsible for addressing safety matters on an ongoing basis and making appropriate recommendations to the Principal(s) when it identifies the need for additional security measures, intervention, training, etc.

The committee is also responsible for developing a comprehensive School Safety Plan which defines the normal operations of the site and what procedures are in place in the event of an emergency. The plan must be consistent with the Citywide prescribed safety plan shell. Each program operating within a school must enter program specific information in the School Safety Plan. Safety plans are updated annually by the School Safety Committee in order to meet changing security needs, changes in organization and building conditions and other factors. In addition, the committee recommends changes in the safety plan at any other time when it is necessary to address security concerns.

Consistent with the process described above, the leader/designee of Democracy Prep will continue to be part of the M197 School Safety Committee. As a member of the School Safety Committee, the leader/designee of Democracy Prep will participate in the development of the building's Safety Plan and ensure that any security related issues or needs which may arise with respect to the co-location of Democracy Prep will be addressed on an ongoing basis. Moreover, the Safety Plan for the M197 school building will be modified as appropriate to meet any changing security needs associated with the co-location. Democracy Prep will enter information in the M197 school's overall Safety Plan to ensure the safe operation of the school building.

Each school building must also establish a Building Response Team that will consist of trained staff members from each of the campus' schools, and which is activated when emergencies or large building-wide events occur. The members of this team must be identified and listed in the School Safety Plan.

The completed Safety Plan for the M197 school building will be submitted to the Borough Safety Directors of the Office of School and Youth Development for approval. If changes or modifications are necessary, the School Safety Committee will be advised. Once the School's Safety Plan is approved, it will be submitted to the NYPD for final approval and certification by the NYPD.

Proposed Communications Strategy

As per the Campus Policy Memo 2010,¹⁴ co-located schools on campuses must actively participate in a Building Council, which is a campus structure for administrative decision-making for issues impacting all schools in the building. Only principals and charter leaders serve on the Building Council. The Building Council shall meet at least once a month to discuss and resolve issues related to the smooth daily operation of all schools in the building and the safety of the students they serve. The Building Council principals and charter school leaders, where applicable, communicate their decisions campus-wide to staff, students and parents, especially for issues of safety, shared space, campus schedules, split staff agreements and extended facility use.

A Shared Space Committee shall be established at campuses where charters are co-located in a public school building with one or more non-charter schools or District 75 programs by the principals of the schools and/or programs, as set forth in Chancellor's Regulation A-190. With respect to charter co-locations approved after May 28, 2010, the effective date of the Amended Charter School Act, the Shared Space Committee is to review the implementation of the Building Utilization Plan once it has been approved by the PEP. With respect to charter schools that were approved to be located or co-located in a public school building prior to the effective date of the Amended Charter School Act, the Shared Space Committee shall review implementation of the current building space plans in place at those buildings. The Shared Space Committee will meet minimally four times per year.

The Shared Space Committee will be comprised of the principal, a teacher and a parent of each co-located school. With respect to a non-charter school's teacher and parent members, such Shared Space Committee members shall be selected by the corresponding constituent member of the SLT of the school. Charter school leaders will work with their constituencies to select the parent and teacher representing that school. Shared Space Committee agendas and minutes shall be shared with the Building Council. Shared Space Committee members may be asked to communicate with their constituencies about the Building Utilization Plan and its campus implementation.

Proposed Collaborative Decision Making Strategy

Building Council members are equal partners in shaping the educational environment; they share responsibility and accountability for building administration, communication and culture. They must respect each other's unique culture and simultaneously make and communicate shared decisions that are good for all students and schools on the campus. They make decisions by consensus and they work to ensure collaboration on all campus implementation issues. To the extent that the Building Council cannot reach a resolution on an issue, they shall avail themselves of the dispute resolution procedures set forth in the Campus Policy Memo 2010.

¹⁴ Campus Policy Memo 2010 is available at <http://schools.nyc.gov/community/campusgov>, under "Key Documents".