

**Revised Educational Impact Statement**

**Re-siting of P.S. 138 (75M138) from School Building M033**

**I. Summary of Proposal**

This is a revision to a proposal to relocate the majority of the P.S. 138M @ M033 (75M138, hereinafter referred to as “P.S. 138”) program from M033 to M047. P.S. 138 is an existing District 75 school that is sited in multiple locations. M033 is located at 281 Ninth Avenue, Manhattan in District 2. M047 is located at 223 West 25<sup>th</sup> Street, Manhattan, also in District 2. Since the proposal was initially posted on January 8, 2010, the Department of Education (“DOE”) has received several comments from P.S. 138 parents and local elected officials raising concerns about the limited number of wheelchair students that could be accommodated at M047. As a result of these concerns, the DOE has revised its proposal.

In the 2010-2011 school year, P.S. 138 will relocate most of the students currently located in school building M033 to other existing P.S. 138 sites, new sites, or other existing District 75 sites. No students will be moving to M047. These moves will locate students closer to their homes, in buildings with age-appropriate general education populations, and provide greater focus on these students’ Individualized Education Plans (“IEPs”) and instructional needs.<sup>1</sup>

Of the 100 students currently served at M033:

- Twenty-seven students would remain at M033. Twenty of these students have IEPs that call for integration in a hearing environment that does not use sign language. Seven of these students are already enrolled in inclusion classes at P.S. 33. This site will now serve only students with cochlear implants and students in full inclusion classes.
- Thirty-nine students would transfer to the main site of P.S. 138, located at M030 at 144-176 East 138<sup>th</sup> Street in District 5. Twenty-eight of these students reside in Districts 4, 5 or 6; thus, the M030 location is significantly closer to their homes than M033. This site serves multiply handicapped and students with autism.
- Thirteen students would move to the new site for P.S. 276, the Battery Park City School, located at 55 Battery Place in District 2. This is a newly constructed facility opening in September 2010. P.S. 276 is a zoned school that will serve PK-2 and 6<sup>th</sup> grade in 2010, expanding grades each year until reaching full scale of PK- 8<sup>th</sup> grade. The students moving to this location live in Districts 1, 2, and 3, and are age appropriate for the grades served at P.S. 276 in 2010. The program to

<sup>1</sup> Parents of those P.S. 138M @ M033 students who will be moving from M033 retain all rights afforded to them under the Individuals with Disabilities Education Act and state law.

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which these students will transfer will be a new site for P.S. 94, an existing District 75 school with multiple sites. All students moving to this site will be in 6:1:1 classes and are typically students with autism.

- Eleven students would move to the new East Side Middle school building located at 331 East 91<sup>st</sup> Street in District 2. This is a newly constructed facility opening in September 2010 that will house East Side Middle School, a District 2 middle school choice school. The students proposed for this location are age appropriate for middle school. All students moved to this site will be in 12:1:4 classes and are multiply handicapped.
- Ten students who do not live in Manhattan would be provided seats at schools in their home boroughs.

The DOE has proposed that the space vacated by the P.S. 138 sections leaving M033 be used to house M.S. 260 Clinton School for Writers and Artists (“Clinton”), a District 2 middle school serving grades 6-8. This proposal is the subject of a separate educational impact statement that will be voted on by the Panel for Educational Policy at its March 22, 2010 meeting, along with this proposal. As stated above, twenty-seven P.S. 138 students, whose needs call for integration in a hearing environment that does not use sign language, will remain at M033. P.S. 33M, an existing elementary school, is also located in M033 and will remain in the building.

The move of most sections of P.S. 138 from M033 will address the need to create additional elementary capacity in the West Village and Chelsea areas of District 2, by allowing Clinton to move from its current location in the M011 building located at 320 West 21<sup>st</sup> Street to M033. The Clinton move will, in turn, enable P.S. 11, an elementary school serving zoned students and District 2 gifted and talented students, and also located in M011, to expand. The Clinton move is temporary while the DOE and School Construction Authority (“SCA”) acquire or construct a new facility for Clinton. Once Clinton moves to its permanent facility, the space at M033 would be used to address District 2 needs at that time.

**II. Enrollment, Admissions, and School Performance Information**

**P.S. 138 @ M033**

**A. Enrollment**

Current Grades Served:	K-5 at this location K-12 across all sites
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Current Enrollment (As of 10/31/2009 ATS Unaudited Register):	100
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Grades Served 2010-2011: K-5

Projected 2010-2011  
Enrollment: 27 students at this location.  
425-450 students across all sites.

**B. Admissions**

Students are enrolled in District 75 schools and programs according to the classifications on their Individualized Education Plans.

**C. School Performance**

Progress Reports for District 75 schools are currently in development.

Quality Review Scores

2007-2008: Well developed  
2008-2009: Proficient

Accountability Status

Overall Federal  
Status (2008-2009): Has No Status - No Title I Funding

Overall State Status  
(2008-2009): In Good Standing

Status with  
Differentiated  
Accountability  
(2009-2010): In Good Standing

To access school performance and accountability information for P.S. 138, please visit <http://schools.nyc.gov/SchoolPortals/05/M138>.

Average Attendance  
(2008-2009): 83.4%

To access a copy of the 2008-2009 Attendance Report for P.S. 138, please visit <http://schools.nyc.gov/AboutUs/data/stats/attendance>.

**III. Proposed or Potential Use of M033**

M033 will continue to serve zoned elementary school students, District 75 elementary school students with cochlear implants whose needs call for integration in a hearing environment that does not use sign language, and District 2 middle school students. The DOE has proposed that the space vacated by the P.S. 138 sections that would leave M033

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be used to house M.S. 260 Clinton School for Writers and Artists (“Clinton”), a District 2 middle school serving grades 6-8. This proposal is the subject of a separate educational impact statement and will be voted on by the Panel for Educational Policy at its March 22, 2010 meeting, along with this proposal. After the move of most sections of P.S. 138, P.S. 33, Clinton, and two sections of P.S. 138 will be co-located in M033.

**IV. Impact of the Proposed Re-Siting on the Community, Existing Schools and Students**

**A. Community Ramifications**

The relocation of PS 138 students will enable Clinton to move from its current location at M011. This will alleviate overcrowding in District 2 elementary schools and create 250-275 additional elementary school seats in the West Village and Chelsea areas by allowing P.S. 11, which is also located in M011, to expand.

**B. Existing Schools**

The move of most sections of P.S. 138 from M033 and the move of Clinton into the building will allow P.S. 11 to expand in M011. P.S. 11 is expected to need at least 3 additional classrooms in 2010-2011 as the number of entering Kindergarten sections exceeds the number of graduating fifth grade classes; and four additional classes in 2011-2012. With the move of Clinton, P.S. 11 will also reclaim its library in 2010.

No significant impact is anticipated for the other schools/programs that will receive the moving P.S. 138 students, as the students will be dispersed to multiple locations, each with sufficient space available to serve the relocated students.

After implementation of the proposal, P.S. 33, Clinton, and P.S. 138 @ M033 will have sufficient space to serve their students as per the citywide instructional footprint. A space plan for all schools in the building will be developed based on the standard instructional footprint. Decisions regarding the programming of shared spaces in M033 will be made by school leaders.

To access the citywide instructional footprint, please visit the New York City Department of Education’s (“DOE”) Web site at [http://schools.nyc.gov/NR/rdonlyres/8CF30F41-DE25-4C30-92DE-731949919FC3/65901/NYCDOE\\_Instructional\\_Footprint\\_revisedMay2009\\_noco.pdf](http://schools.nyc.gov/NR/rdonlyres/8CF30F41-DE25-4C30-92DE-731949919FC3/65901/NYCDOE_Instructional_Footprint_revisedMay2009_noco.pdf).

**C. Students**

The re-siting of the majority of P.S. 138 from M033 will result in most P.S. 138 students attending school closer to their home, and/or in a program more focused on their specific diagnosis. All students will be placed in locations with age appropriate general education programs co-located with D75. All students will receive continuity of their educational program and services.

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- Ten P.S. 138 students who do not live in Manhattan would be provided seats at schools in their home boroughs.

**V. Initial Costs and Savings**

The estimated cost of moving supplies and materials to relocate the school is \$4,100.00. This estimate is based on previous school relocations. Actual costs incurred will be determined by multiple factors at the time of the move.

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

**A. Personnel**

The move of most sections of P.S. 138 from M033 will not impact the personnel needs at any of the other schools located in the building. No significant impacts on personnel needs at P.S. 138 are anticipated as a result of this proposal.

**B. Costs of Instruction**

The move of most sections of P.S. 138 from M033 will not impact the costs of instruction at any of the other schools located in the building. P.S. 138 is not expected to receive additional per capita funding each year as a result of the relocation.

**C. Administration**

The move of most sections of P.S. 138 from M033 will not impact the administrator and/or school supervisor needs at P.S. 138 or any of the other schools located in M033.

**D. Transportation**

Transportation will continue to be provided to all P.S. 138 students pursuant to Chancellor's Regulation A-801 and their IEPs. To access Chancellor's Regulation A-801, please visit the DOE's Web site at <http://schools.nyc.gov/RulesPolicies/ChancellorsRegulations>.

**E. Other Support Services**

Other support services will continue to be provided consistent with citywide policy.

**VII. Building Information**

**A. Building Type, Age and Physical Condition**

M033 is a primary school building that was built in 1951. The building received an overall rating of 2.49 out of 5 on the 2008-2009 Building Condition Assessment Survey ("BCAS"). To view the key for BCAS ratings, please visit <http://schools.nyc.gov/Documents/BCAS/BCAS%20Key.pdf>.

To view the 2008-2009 BCAS Report for M033, please visit <http://schools.nyc.gov/community/facilities/BFIS>.

2008-2009 Target utilization rate: 75%

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2008-2009 Target capacity: 576

The utilization and capacity information is from the Enrollment, Capacity and Utilization Report which is the standard by which the DOE measures the maximum capacity of the building compared to the enrollment. To access the Enrollment, Capacity and Utilization Report, please visit <http://schools.nyc.gov/Offices/SCA/Reports/CapPlan>.

**B. Fiscal Year 2009 Maintenance Costs**

Labor:	\$15,178.00
Materials:	\$22,113.00
Maintenance and Repair Contracts:	\$49,155.00
Service Contracts:	\$3,900.00
Custodial Operations	
Materials:	\$5,804.00
Custodial Allocation:	\$243,514.00

**C. Fiscal Year 2009 Energy Costs**

Electric:	\$154,579.00
Gas:	\$10,800.00
Oil:	\$72,392.00

**D. Recent and Planned Improvements**

Recent improvements to M033 include a room conversion.

Improvements proposed in the 2010-2014 Capital Plan are exterior masonry replacements.

**E. Special Features**

M033 has an art room, an auditorium, a cafeteria, a gymnasium, and a library.

M033 is functionally accessible.