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Chancellor

Date: March 22, 2010

Topic: Proposed Re-Siting of Quest to Learn (02M422) and Co-location with a New School, Hudson High School of Learning Technologies (02M437), and Existing Schools in the Bayard Rustin Education Complex

Date of Panel Vote: March 23, 2010

Summary of Proposal

In the 2010-2011 school year, Quest to Learn (02M422), an existing school serving students in grade 6, will move from its current location in Community School District 2 (“District 2”) to the Bayard Rustin Education Complex (“BREC”), located at 351 West 18 Street, Manhattan in District 2. Quest to Learn opened in September 2009 and is gradually phasing in one grade per year at its current location. It will serve grades 6-7 in 2010-2011 and will reach its full 6-12 grade scale in 2015-2016. The school is currently housed in school building M047, located at 223 East 23 Street, Manhattan in District 2. It is co-located with The American Sign Language and English Secondary School (02M047, “ASL Secondary”), The American Sign Language and English Lower School (02M347, “ASL Lower”), and a District 75 program, P138M at M047 (“75M138”). ASL Secondary, ASL Lower, and 75M138 will remain in the M047 building after Quest to Learn moves out.

In the 2010-2011 school year, Hudson High School of Learning Technologies, (02M437, “Hudson”), a new Department of Education (“DOE”) high school that will serve grades 9-12, will open in BREC. Hudson will open with approximately 80-100 grade 9 students in 2010-2011 and will add one grade per year until it reaches its grades 9-12 scale in 2013-2014. At scale, Hudson will serve approximately 425-475 students.

BREC currently houses five high schools: (1) Landmark High School (02M419, “Landmark”); (2) Humanities Preparatory Academy (02M605, “Humanities Prep”), a transfer school serving grades 9-12; (3) Manhattan Business Academy (02M392, “Manhattan Business”); (4) the James Baldwin School: A School for Expeditionary Learning (02M313, “James Baldwin”), a transfer school serving grades 9-12; and (5) Bayard Rustin Educational Complex (02M440, “Bayard Rustin”). Bayard Rustin began a gradual phase-out in 2009-2010, which will continue until June 2012 when the school will officially close. Manhattan Business is a new high school that opened in 2009 and currently serves grade 9. It will continue to add one grade per

year until it reaches its full 9-12 scale in 2012-2013. All other schools in the building are operating at full scale.

BREC's 2008-2009 target utilization rate was 83%, and its target capacity was 2,327. The building has sufficient space to accommodate Quest to Learn, Hudson, Landmark, Humanities Prep, Bayard Rustin, Manhattan Business, and James Baldwin throughout the course of the phase-out of Bayard Rustin and the continued phase-in of Quest to Learn, Hudson, and Manhattan Business. Once the phase-out of Bayard Rustin is complete, there will be sufficient space in the building for Quest to Learn, Hudson, Landmark, Humanities Prep, Manhattan Business, and James Baldwin to operate at full organizational capacity.

The relocation of Quest to Learn to BREC is necessary for the school to continue its phase in to full scale. The move to BREC will allow Quest to grow to scale of 525 to 625 students by adding one grade each year, providing another high quality educational option for middle school and high school students in Manhattan. The siting of Hudson in BREC addresses the need to provide higher quality high school options throughout the City.

An educational impact statement on this proposal was posted on the Department of Education's Web site on February 2, 2010. It was subsequently amended on March 5, 2010, to reflect that the DOE now proposes to use the space made available by Quest to Learn's re-siting to house Clinton School for Writers and Artists (02M620, "Clinton"). This proposal is the subject of a separate educational impact statement published on the DOE's Web site on March 5, 2010 and will be presented to the Panel for Educational Policy ("PEP") at its April 20, 2010 meeting.

Summary of Comments Received at the Joint Public Hearing

Two joint public hearings were held to receive public comments regarding this proposal. The first joint public hearing was held at M047 on March 9, 2010, and all interested parties had an opportunity to provide input on the proposal. Nineteen members of the public attended the hearing, and three spoke. One member of the public spoke in opposition to the proposal, citing concerns about student safety and the results of recent Learning Environment Surveys that indicate that student safety in BREC needs improvement. Two members of the public spoke in favor of the proposal, noting that the facility is in an excellent position to meet the instructional needs of both schools, the possibility that the proposal could create additional instructional space on the seventh floor, and that the building's location near galleries and The New School presents unique learning opportunities to Quest to Learn and Hudson High School students.

The second joint public hearing was held at BREC on March 11, 2010, and all interested parties had an opportunity to provide input on the proposal. Sixty members of the public attended the hearing, and seventeen people spoke. Comments were made by students, parents, teachers, principals, and representatives from Gotham Volleyball, a non-profit sports organization headquartered in BREC. Seven members of the public spoke in opposition to the proposal, citing concerns about student safety at entrances and exits, the interactions between high school and middle school students, the availability of adequate technological infrastructure in BREC, the effects of the conversion of physical education space into classrooms on students and the

schools' athletic teams, and Quest to Learn's students' transition from M047 to a large campus like BREC.

Ten members of the public spoke in favor of the proposal, stating that BREC's facilities and location would be a good match for Quest to Learn's instructional program, that Quest to Learn can bring resources to the campus that can be used by the other schools, and that space sharing issues can be resolved through cooperation.

During the second hearing, a request for a campus coordinator to handle the sharing of common spaces was made by representatives of several schools' leadership teams.

Summary of Issues Raised in Written and Oral Comments and Significant Alternatives Suggested

One written comment opposing this proposal was received, and it noted that Quest to Learn's re-siting to BREC would lead to interactions between middle school and high school students. Two oral comments regarding this proposal have been received. One oral comment noted that Quest to Learn should stay at its current location. The other raised concerns about BREC's safety.

One advocacy organization submitted general comments objecting to all proposed co-locations of schools being considered by the Panel on March 23, 2010. A summary and analysis of these comments is included in the attached appendix. In addition to making general comments about co-locations of schools, this submission included a specific comment about this proposal. It stated that the co-location of Quest to Learn in BREC would cost students existing space used to meet the physical education needs of students in BREC.

No significant alternatives have been proposed.

Analysis of Issues Raised, Significant Alternatives Proposed and Changes Made to the Proposal

The Quest to Learn community has some concerns regarding the safety of the BREC building and the fact that middle school students will be placed in a building with high school students. The DOE, current principals of schools currently sited in BREC, and campus safety coordinator have met with Quest to Learn parents to address their concerns. Staggered start and dismissal times across the various entrances to the building will be explored as a way to address some of the safety concerns. Additionally, it will be a priority in the space planning to create contiguous space for each school. The New York City Lab Middle School for Collaborative Studies (02M312) is across the street from BREC, which means that there are other middle school aged children nearby. Recent improvements to M440 include repairs to falling masonry and installation of surveillance cameras. The DOE is planning for capital work to be done in the building to increase capacity in the building.

One main concern is that this proposal includes the conversion of space on the seventh floor to instructional classrooms. The seventh floor currently has two gymnasiums and a

common playground space. In order to create space for Quest to Learn, the common playground space would be converted to create approximately 9-12 classrooms. These additional classrooms will provide additional instructional space for about 250-325 high school students that is greatly needed to meet the demand for high school seats in Manhattan. The two gymnasiums will remain active as gymnasium space. As part of the construction, the DOE is going to consider the feasibility of creating additional physical education space on the sixth floor. After construction, the amount of physical education space available to students in the building will be sufficient to accommodate PSAL teams. PSAL team participation will be based on student demand on the campus. Currently, the following PSAL sports teams are available BREC: baseball, basketball, bowling, handball, soccer, volleyball and tennis.

Quest to Learn cannot grow to scale in its current space. Some of the school's priorities in finding a new space were to be near the New School and have technological infrastructure to support their instructional model. The Bayard Rustin building meets these needs. The technology infrastructure in BREC will be continually assessed and will be addressed through the Capital Plan if needs are identified.

A copy of the educational impact statement for this proposal can be obtained at http://schools.nyc.gov/NR/rdonlyres/676176D9-06BC-42A9-9C45-C5D3C5110CD3/78865/M440_QuesttoLearnandHudsonHighamendedEIS_3510.pdf.

Appendix: Response to Comments Regarding Proposed Co-locations of Schools

Summary of Issues Raised and Significant Alternatives Suggested

One advocacy organization submitted general comments objecting to all proposed co-locations of schools. In opposing the DOE's proposed co-locations, the comments cited the following reasons: (1) the DOE did not use accurate data in analyzing the utilization and capacity of school buildings; (2) the utilization formula used by the DOE is inadequate and assumes inappropriate target class sizes; (3) charter schools and the DOE's new small schools enroll fewer high needs students than district and citywide averages, leading to higher concentrations of high needs students in district schools; and (4) the expansion of charters and new small schools has eliminated critical space from existing district schools.

The comments suggest a moratorium on any new co-locations until an independent review is conducted to assess the capacity in existing public school buildings and make determinations about the amount of space required to reduce class size to mandated levels.

Analysis of Issues Raised, Significant Alternatives Proposed and Changes Made to the Proposals

The comments assert that the DOE did not use accurate data in analyzing utilization and capacity of school buildings. The data used in analyzing the utilization and capacity of school buildings comes from "The Enrollment, Capacity and Utilization Report" (also known as the "Blue Book"), which is the standard by which the DOE measures the maximum capacity of a school building compared to the enrollment. These calculations are based on information provided by principals in the Annual Facilities Survey conducted by the School Construction Authority. In addition to considering the Blue Book information, the DOE conducts a physical survey of school buildings and takes into consideration current programming prior to proposing a change in utilization.

With regard to the comment regarding the use of inappropriate target class sizes, the DOE does use aspirational targets for school buildings but feels that these goals are appropriate for ensuring a quality education for all students. The DOE understands that building usage varies by schools and leaves programming decisions to school leaders. However, it is important to have a standard means of assessing the use of our limited physical plant resources consistently across the city. The class size targets used for the 2008-2009 Blue Book calculations of target capacity and utilization are lower than those used for determining historical capacity and utilization.

Specific reference was made to targets in the City's Contracts for Excellence (CFE) class size reduction plan. DOE proposals for the co-locations of schools are based on current class sizes and the available space in each applicable building according to the citywide instructional footprint which prescribes the number of classrooms needed for each school. Proposals are not based on the space needed for a school to achieve class size reduction targets. The CFE targets are aspirational, are predicated upon levels of State CFE funding that may not occur due to the national recession, and do not reflect current class sizes. The DOE does not believe that the proposed co-locations will increase class size.

The comments assert that charter schools and the DOE's new small schools enroll fewer high needs students than the citywide and district averages, thereby leading to higher concentrations of high needs students in district schools. It is important to note that charter school admissions are done by lottery as required by State Education Law. Charter schools do in fact serve the full range of public school students as do the DOE's new small schools. The new small schools that have been created over the last six years are serving English language learners and special education students at a higher rate than schools citywide, with better outcomes. On average the new schools have a graduation rate of 75%. During the 2008-2009 school year, ninth-grade enrollment at new schools included 14.2 percent special education students and 13.6 percent English language learners, compared to 12.8 percent special education students and 10.3 percent English language learners citywide. When looking across a school's entire population, they also serve more special education students and ELL students than the citywide average. In 2008-2009, new schools served an average of 12.3 percent special education students and 12.6 percent English language learners compared with 11.6 percent and 10.8 percent, respectively, citywide.