

REVISED EDUCATIONAL IMPACT STATEMENT: The Proposed Co-Location of a New Public Charter School, Explore Excel Charter School, with Existing School P.S. 114 Ryder Elementary (18K114) in Building K114

I. Summary of Proposal

This revised proposal seeks to “co-locate” Explore Excel Charter School (“Explore”) with an existing New York City Department of Education (“DOE”) elementary school, P.S. 114 Ryder Elementary (18K114, “P.S. 114”) located at 1077 Remsen Avenue, Brooklyn, NY 11236, in Community School District 18, in Building K114 (“K114”). P.S. 114 is an existing zoned elementary school that currently serves kindergarten through fifth grade, and offers one section of full day pre-kindergarten program. Explore would be a new charter school that would serve kindergarten through fifth grade students when it achieves “full-scale” in the K114 building. 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. There is also a community-based organization (“CBO”), the Kings County Mental Health Clinic (“mental health clinic”), housed in the K114 building, providing mental health clinic services to the community. There will be no impact on this CBO as a result of the proposed co-location of Explore in the K114 building.

On January 14, 2011, the (“DOE”) proposed to site a new zoned elementary school, P.S. 521 (18K521, “P.S. 521”), and Explore in K114. An amended Educational Impact Statement (“EIS”) was released on February 14, 2011 to correct typographical errors, include information about the community-based organization in Building K114, and clarify further information in regards to P.S. 114.¹

In a separate EIS published on December 17, 2010, the DOE proposed to gradually phase out and eventually close P.S. 114.² On December 29, 2010, the DOE amended the EIS to correct typographical errors and formatting, delete a redundant table and correct two erroneous references to the District 19 Middle School Choice process instead of the District 18 process. The EIS was revised on January 12, 2011, to modify the proposed phase-out enrollment plan for P.S. 114, which was initially described in the original EIS published on December 17, 2010. In addition, the revised EIS identified the charter school that will open in K114 in 2011-2012, clarified text and footnotes related to building capacity and utilization, included information related to charters occupying DOE space, included 2010-2011 unaudited register information, and included estimated 2010-2011 building utilization rates. The EIS was amended on January 14, 2011, to correct one erroneous mention of the State Education Department (“SED”) as the charter authorizer and clarify that the lottery priority for Explore would give preference to students who currently attend a school that is phasing out or where phase-out has been proposed in an EIS issued by the DOE.

The revised proposal to co-locate a new school and Explore in K114 and the amended proposal to phase-out P.S. 114 were originally scheduled to be voted upon by the Panel for Education Policy (“PEP”) on February 3, 2011 and March 1, 2011 respectively. However, the vote for the phase-out proposal was postponed until March 1, 2011. On March 3, 2011, the DOE ultimately decided to withdraw its proposal to phase out P.S. 114.³ P.S. 114 will now remain open. As a result, this proposal revises the amended proposal to co-locate P.S. 521, Explore and P.S. 114 in K114.

This proposal revises the amended proposal in the following manner:

- All references throughout the document related to the phase-out of P.S. 114 have been removed

¹ <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Mar12011Proposals.htm>

² <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals>.

³ <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Mar12011Proposals.htm>

- because P.S. 114 will no longer be phased out (all sections);
- All references throughout the document related to the phase-in of a new DOE school (P.S. 521) have been removed because P.S. 521 will no longer be sited at K114 (all sections);
 - Grade levels served and enrollment projections for building K114 have been updated (Section II and Section III);
 - The enrollment projections for P.S. 114 show a decline in total enrollment because in the future the school will limit its out-of-zone enrollment (Section III, Section VI);
 - Personnel Needs and Administrative positions at P.S. 114 will change (Section VI) as a result of a decrease in enrollment over time at P.S. 114;
 - The pre-Kindergarten program at P.S. 114 will continue to be offered. (Summary, Section III);
 - If this proposal is approved, Explore will be the only school that is co-located in the building with P.S. 114 (all sections);
 - The lottery preferences for Explore have been updated (Summary, Section III);
 - The EIS now reflects the 2010 audited register, instead of the unaudited register;
 - Also, a revised Building Utilization Plan (“BUP”) will be issued to outline the number of rooms allocated to each school and the use of shared spaces.

Explore was approved by its authorizer, the State University of New York Charter School Institute (“SUNY”) to open a new public charter elementary school in District 18.⁴ If this revised proposal is approved, in 2011-2012, Explore would open in K114 and would serve approximately 56 students per grade in kindergarten through third grade, admitted through the charter lottery application process with a preference for District 18 students.⁵ In 2012-2013, Explore will expand to serve approximately 56 additional students in fourth grade. In 2013-2014, Explore would be at full-scale in K114 and would serve approximately 336 students in kindergarten through fifth grades.⁶

Thus, if this revised proposal is approved, Explore would admit incoming kindergarten, first-grade, second-grade and third-grade students through the charter lottery application process this spring, with a priority preference for students at-risk of academic failure, in particular those students at-risk of academic failure who reside in District 18. Students at-risk of academic failure are defined to be either: (1) students attending or zoned to attend a public school that that has received a “D” or an “F” on the New York City Department of Education Progress Report in the school year prior to the lottery due to poor academic performance, (2) Schools Under Registration Review (SURR) by the State Education Department, or (3) schools subject to restructuring under the federal No Child Left Behind Act.⁷ The lottery preferences and admission process for Explore is described in more detail in Section III A.

⁴ Explore is currently authorized by its charter (SUNY) to serve kindergarten through sixth grade students, but the DOE anticipates that Explore will apply for a grade expansion to serve kindergarten through eighth grade in the future. In this proposal, Explore will reach full scale in the K114 building when it serves fifth grade in 2013-2014. If Explore’s application to serve middle school grades is approved, the DOE will evaluate the space available in K114 and other District 18 locations and will issue a new Educational Impact Statement (“EIS”) for siting the middle school grade levels, based on the most appropriate space available for the 2014-2015 school year and beyond. The DOE is considering all long-term options to accommodate the anticipated growth of Explore. This may include requesting Explore to revise its enrollment plan and/or leaving the elementary grade levels in K114 and placing other grades in a different location.

⁵ <http://schools.nyc.gov/community/planning/charters/Schools/default.htm>

⁶ In this proposal, the DOE projects that Explore would enroll 280 students at full scale in 2013-2014. However, Explore is only authorized by its charter authorizer, SUNY, to serve 250 students. Thus, the DOE’s projection that Explore would serve 280 students is contingent upon Explore obtaining permission from its authorizer to increase enrollment above 250 students. If Explore’s proposal to expand its enrollment is not approved by SUNY, the DOE will re-examine this co-location proposal and may revise as appropriate.

⁷ Details on the application lottery process and how to obtain an application would be forthcoming pending the outcome of this proposal.

P.S. 114 is a DOE elementary school that serves 733 kindergarten through fifth grade students, and 18 students in one section of pre-kindergarten, for a total of 751 students.⁸ The DOE does not anticipate that this proposal would impact the admissions process or instructional programming at P.S. 114.

The building in which P.S. 114 is located, K114, has the capacity to serve 986 students. In 2009-2010, the building only served 844 students⁹, yielding a utilization rate of just 86%.¹⁰ In 2010-2011, the building only served 751 students, yielding a utilization rate of just 76%.¹¹ In 2013-2014, once Explore is at scale there will be approximately 884-929 total students¹² served in the building, yielding a target building utilization of 94%. Therefore, there is space in the building to accommodate the full scale expansion of Explore (K-5) and P.S. 114.

Background on the DOE's Decision-Making Process

The DOE strives to ensure that all students in New York City have options at every stage of their education. In determining the most optimal way to distribute space, the DOE is proposing to co-locate Explore in the K114 building to provide what the DOE believes is an additional elementary school option that will serve the families of District 18. The Explore Charter Schools Network (“Explore Schools”) is a growing Charter Management Organization (“CMO”) that seeks to provide students with the academic skills and critical-thinking abilities necessary to graduate from high school and succeed in college. Explore Schools seeks to provide students in under-served communities with access to high-quality public education and provides value-added support to schools in the network. Explore Schools Network currently manages two charter schools in Brooklyn: Explore Charter School (84K704, 15 Snyder Avenue in District 17) which was opened in 2002 and currently serves approximately 476 kindergarten through eighth grade students¹³ and Empower Charter School (84K742, 801 Park Place in District 17), which was opened in 2009 and currently serves approximately 223 kindergarten through third grade students¹⁴. Empower Charter School does not have performance data available.¹⁵ Explore Charter School earned an overall B grade on the 2009-2010 Progress Report, with an A on the Environment sub-section, and B on the Student Progress sub-section.

The DOE believes Explore Schools’ record of success supports the permanent placement of an Explore charter school in District 18 in order to provide excellent educational opportunities for students and families.

⁸ Source: 2010 audited register

⁹ Source: 2009 audited register

¹⁰ The utilization rate reported here may differ from that published in the 2009-2010 Enrollment Capacity Utilization Report (the “Blue Book”) because the Blue Book enrollment includes Long Term Absences (“LTAs”), students who have been absent continuously for 30 days or more as of October 31, 2009. The building capacity figures quoted here are consistent with the Blue Book. However, the building enrollment figures referenced throughout this EIS and used in the calculation of utilization rates only include the number of students estimated to be regularly attending the school, and thus do not include LTAs. 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 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.

¹¹ The official target capacity and utilization rates for the 2010-2011 school year and beyond are not yet available. All references to building utilization rates in this document are based on target capacity data from the 2009-10 Blue Book. As discussed above, utilization rates referenced herein only include the number of students estimated to be regularly attending the school, and thus do not include LTAs.

¹² Projected building enrollment estimate includes: 1) kindergarten through fifth grade enrollment at P.S. 114, plus one section of pre-kindergarten, and 2) kindergarten through fifth grade enrollment at Explore Charter.

¹³ Source: 2010 audited register

¹⁴ Source: 2010 audited register

¹⁵ In 2009-2010, Empower served kindergarten through second grades, which are not testing grades. Therefore Empower does not have 2009-2010 performance data or a Progress Report score.

II. Proposed or Potential Use of Building

The building in which P.S. 114 is located, K114, has the capacity to serve 986 students. In 2009-2010, the building served 844 students, yielding a target utilization rate of 86%. For the 2010-2011 school year, P.S. 114 served a total of 733 students in kindergarten through fifth grade, as well as one full-day pre-kindergarten program of 18 students, yielding a projected utilization of 76%. There is also a community-based organization (“CBO”), the Kings County Mental Health Clinic (“mental health clinic”), housed in the K114 building, providing mental health clinic services to the community. There will be no impact on this CBO as a result of the proposed co-location of Explore in K114.

In 2013-2014, once Explore is at scale and serves kindergarten through fifth grade, there will be approximately 884-929 total students served in the building, yielding a building utilization rate of 94%. Over the next three years, the proposed grade spans for the schools in the building are as follows:

School Year	2010-11	2011-12	2012-13	2013-14
P.S. 114	K-5	K-5	K-5	K-5
Explore Charter School	N/A	K, 1, 2, 3	K, 1, 2, 3, 4	K, 1, 2, 3, 4, 5

Explore would open in K114 in the 2011-2012 school year and would serve kindergarten through third-grade students with an enrollment of approximately 224 students. Explore would serve approximately 336 kindergarten through fifth grade students in 2013-2014.¹⁶

P.S. 114 would continue to serve kindergarten through fifth grade students.

Once Explore completes its expansion there will be approximately 881-929 students served in the building, yielding a building utilization rate of 94%.

As described in more detail in the Enrollment, Capacity, Utilization Report, which is available at http://source.nycsca.org/pdf/capitalplan/2009-10/BB_2009_2010.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 2009-2010. As described earlier in this EIS, the DOE’s projected utilization rates for the 2010-2011 school year and beyond are based on the 2009-2010 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 2010-2011 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 for high schools 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 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.

¹⁶ As described in this document, the projected enrollment for Explore in 2012-2013 is approximately 280 students. Enrollment beyond 250 students is contingent, however, upon Explore obtaining permission from its authorizer to increase enrollment above 250 students. If Explore’s proposal to expand its enrollment is not approved by SUNY, the DOE will re-examine this co-location proposal and may revise as appropriate.

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

A. Students

Impact on Students Currently Attending School in the K114 building

P.S. 114 currently serves approximately 733 students in kindergarten through fifth grade and offers one full section of pre-kindergarten with 18 seats, for a total of 751 students.¹⁷ All current students attending P.S. 114 may continue at P.S. 114.

In 2011-2012, all District 18 students currently enrolled in kindergarten, first, and second grade would be eligible to participate in the through the charter lottery process to attend Explore. This would include students currently enrolled at P.S. 114.

The proposed co-location of Explore is not expected to impact current instructional programming or extracurricular programs offered at P.S. 114.

- P.S. 114 currently provides fourth and fifth graders with the District 18 Astral program, which provides an enriched curriculum expanding the learning experience in the form of challenging activities designed for critical and creative thought. The Astral program is not part of the Citywide Gifted and Talented program or testing process, no longer enrolls students into its entry grade, and has been in the process of phasing out and will continue to do so independent of this proposal. Gifted and Talented programs are sited or opened based on demand from students who qualify by scoring in the 90th percentile or above on the Citywide Gifted and Talented tests.¹⁸ The possibility of siting a new Gifted and Talented program at P.S. 114 may be determined at a later time.
- P.S. 114 does not currently offer student athletics or other extracurricular program options.

P.S. 114 may in the future offer extracurricular programs based on student interests, available resources, and staff support for those programs. The proposed co-location would not impact those future opportunities, but may change the way those programs are configured. For example, some activities may need to share classroom space or the scheduling of these activities may change as a result of greater demands on the available space during or after school hours. 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.

P.S. 114 currently offers Collaborative Team Teaching (“CTT”) classes, Self-Contained classes (“SC”), and Special Education Teacher Support Services (“SETTS”). The existing CTT, SC and SETTS classes would continue to be provided, and current and future students with disabilities will likewise continue to receive mandated services in accordance with their Individualized Education Plans (“IEPs”).

In accordance with DOE policy, English Language Learners (“ELLs”) are admitted to elementary schools in the same manner as their peers who are not ELL. Current and future ELLs at P.S. 114 would continue to receive mandated services.

¹⁷ Source: 2010 audited register.

¹⁸ Gifted and Talented tests currently in use are the OLSAT and Bracken School Readiness tests and are subject to change.

Impact on Future Elementary School Students

The proposed co-location of Explore in K114 is not expected to impact the admissions process at P.S. 114.

P.S. 114 is a zoned elementary school. A zoned elementary school is determined by a student's home address. For more information about school zoning, please visit the DOE website's School Search function at <http://schools.nyc.gov/schoolsearch>. P.S. 114 would continue to admit all students residing in the P.S. 114 zone, which includes students who enroll through an over-the-counter ("OTC") placement.

Over-the-counter 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. These students fall into one of three 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).¹⁹

When a student arrives for an over-the-counter placement, his or her elementary school assignment is determined by his or her home address and which schools have available seats, and where applicable, transfer guidelines. Students may simply report to their zoned elementary school at the start of the year. The DOE expects that all zoned students will continue to be accommodated at the zoned school.

In cases where the Division of Portfolio Planning determines that additional OTC seats may be needed, the number of available seats is reviewed and—if space allows—adjusted in some schools. Should a zoned elementary school reach capacity, the school may be "capped," in which case OTC arrivals may be directed to a different district school. Should sufficient space open at the capped school, the student has the right to return if they so choose.

In addition, the co-location of Explore in K114 will provide District 18 elementary students with an additional elementary school option. Beginning this spring, all current and future kindergarten students, as well as current first and second grade students residing in District 18 will have the opportunity to participate in the charter application lottery to enter kindergarten, first, second, or third grade at Explore in September 2011.

For the 2011-2012 school year, Explore will accept applications via the charter lottery application process for kindergarten, first-grade, second-grade, and third-grade seats. Applications will be available on the Explore website. After 2011-2012, Explore will only accept applications via the kindergarten lottery only. However, the school may admit students in other grades from the school's waitlist if seats become available.

Explore will enroll students through a lottery, as mandated by New York State charter law. Explore will institute the following admissions policy in order to serve students at-risk of academic failure, in particular those students at-risk of academic failure in District 18. Students at-risk of academic failure are defined to be either: (1) students attending or zoned to attend a public school that that has received a "D" or an "F" on the New York City Department of Education Progress Report in the school year prior to the lottery due to poor academic performance, (2) Schools Under Registration Review (SURR) by the State Education Department, or (3) schools subject to restructuring under the federal No Child Left Behind Act.

¹⁹ Per 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.

The Explore lottery will prioritize applicants in the following order:

- Students who reside in District 18 and who are at-risk of academic failure.
- Students who do not reside in District 18 and who are at-risk of academic failure.
- Students who reside in District 18 but are not at-risk of academic failure.
- Students who do not reside in District 18 and are a not at-risk of academic failure.

Details on the application lottery process and how to obtain an application would be forthcoming pending the outcome of this proposal.

Additionally, as displayed in the table in Section C, there are several other charter schools that are also available to District 18 students and families. These charter schools give preference to District 18 students in their respective lotteries. The following is a list of charter schools in District 18: Brooklyn Ascend Charter School (84K652) which enrolls students through a kindergarten lottery, Brownsville Ascend Charter School (84K737) which enrolls students through a K-2 grade lottery, and Kings Collegiate Charter School (84K608) which enrolls students through a fifth grade lottery. Students residing in District 18 will continue to have the option to participate in these respective lotteries. More information regarding these charter schools is provided in Section C of this proposal. Detailed information about charter schools and the charter lottery application process is published annually and is available in print or on the DOE website here: http://schools.nyc.gov/NR/ronlyres/50117A5B-DB95-4231-82CC-16C853A8EE2B/0/CharterSchoolDirectory_English.pdf.

Impact on Future Pre-kindergarten Students

P.S. 114 will continue to offer a pre-kindergarten program pending continued funding availability.²⁰ The enrollment policy for pre-kindergarten admissions would remain the same. Younger siblings of zoned students already enrolled in P.S. 114 would get first preference into pre-kindergarten admissions. Siblings from outside the zone would receive second preference.

B. Schools

The revised overall plan for Building K114 includes the co-location of Explore with P.S. 114 long-term. When Explore completes its phase-in and achieves “full scale” in the 2013-2014 school year, the building is projected to collectively enroll 884-929 kindergarten through fifth grade students. At that point the building will enroll 884-929 students combined and the projected building utilization will be 94%.

As noted previously, Explore is authorized by its charter to serve kindergarten through sixth grades, and the DOE anticipates that Explore will apply for a grade expansion to serve kindergarten through eighth grades. In this proposal, Explore will reach full scale in the K114 when it serves fifth grade. The DOE will evaluate the space available in K114 and other District 18 locations and will issue a new Educational Impact Statement (“EIS”) for siting the middle school grade levels, based on the most appropriate space available for the 2014-2015 school year and beyond.

P.S. 114 currently enrolls 733 kindergarten through fifth grade students²¹ in 2010-2011, of which 97 students are in kindergarten. Of the 97 kindergarten students, 78 students are zoned to P.S. 114, meaning that the remaining 19 students are not zoned to the school. The enrollment projections for future kindergarten classes are based on historical zone enrollment trends and will reflect a smaller number than the current number of kindergarteners enrolled. Since the incoming kindergarten classes will be smaller

²⁰ Pre-kindergarten funding allocations will be determined prior to the start of the 2011-2012 school year.

²¹ Source: 2010 audited register, excludes pre-kindergarten.

beginning in 2011-2012, the total enrollment is also projected to decrease over time. In the future, P.S. 114 will need to monitor its enrollment to limit the number of out-of-zone students that are admitted into the school.

Over the past 2 years the zoned kindergarten enrollment at P.S. 114 has been on average around 74-75 students. In 2010-2011, 43% of kindergarten through fifth grade students zoned to P.S. 114 attended the school, which comprised 78% of the total enrollment at P.S. 114. Additionally, in 2009-2010, 46% of kindergarten through fifth grade students zoned to P.S. 114 attended the school, which comprised 76% of the total enrollment at P.S. 114.

As discussed above, if this proposal to site Explore in K114 is approved, the DOE will work with P.S. 114 to monitor its enrollment to ensure that P.S. 114 only enrolls students residing in the school’s designated geographic zone in order to provide space to both schools in the building. All students residing in the P.S. 114 zone will continue to be entitled to a seat at their zone school.

In the future, if there is an increase in student enrollment resulting from demand greater than current projections for P.S. 114 or an increase in the number of families residing in the zoned area, the Chancellor reserves the right to relocate Explore to an alternate location geographically proximate to K114. The Chancellor shall certify in writing that in her judgment, the need of the school system requires the re-acquisition of the charter school space for DOE use. The projected K-5 enrollment for both schools over a period of four years are shown in the tables below.

P.S. 114’s Estimated Enrollment over 4 years

	Grade K	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Total
2010-11 (current) ²²	97	92	135	122	144	146	754
2011-12	75-80	90-100	85-95	130-140	115-125	140-150	635-690 ²³
2012-13	75-80	75-80	90-100	85-95	130-140	115-125	570-620 ²⁴
2013-14	75-80	75-80	75-80	90-100	85-95	130-140	530-575 ²⁵

Explore’s estimated enrollment, over a period of 4 years

	Grade K	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Total
2010-11 (current) ²⁶	-	-	-	-	-	-	-
2011-12	56	56	56	56	-	-	224
2012-13	56	56	56	56	56	-	280
2013-14	56	56	56	56	56	56	336

If this proposal is approved, there would be sufficient space to serve P.S. 114 and Explore pursuant to the Citywide Instructional Footprint (the “Footprint”). Please visit the DOE’s website to access the Footprint,

²² Source: 2010 audited register, excludes pre-kindergarten.

²³ Estimate excludes one section of –pre-kindergarten. Projected enrollment with pre-kindergarten is 653-708.

²⁴ Estimate excludes one section of –pre-kindergarten. Projected enrollment with pre-kindergarten is 588-638.

²⁵ Estimate excludes one section of –pre-kindergarten. Projected enrollment with pre-kindergarten is 548-593.

²⁶ Source: 2010 audited register

which guides space allocation and use in City schools: http://schools.nyc.gov/NR/rdonlyres/8CF30F41-DE25-4C30-92DE-731949919FC3/87633/NYCDOE_Instructional_Footprint_Final9210TNT.pdf.

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 kindergarten through five (and for all pre-kindergarten programs), the Footprint assumes that classes are self-contained. Therefore, the Footprint allocates one full-size classroom for each general education or CTT section and a full-size or half-size classroom to accommodate each SC special education section served by the school. In addition to these rooms, schools serving grades K-5 also receive an allocation of cluster or specialty classrooms proportionate to the number of students enrolled. These spaces can be used at the principal's discretion for purposes such as art and/or music instruction, among other things.

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 two full-size classrooms²⁷ for administrative services, student support services and resource rooms. Additional resource rooms and administrative rooms are allocated based on grade level and enrollment scale of each school. 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 more detail in the attached Building Utilization Plan that accompanies this EIS, there will be sufficient instructional space in K114 for Explore to grow to scale. P.S. 114 is currently using a large number of excess rooms in the building, or rooms not included within its footprint allocation. If this proposal is approved, P.S. 114 will lose a number of these excess classrooms and will need to operate closer to its baseline allocation of rooms pursuant to the Citywide Instructional Footprint. As in other situations where schools are co-located, the schools would need to share large common and specialty rooms in the building, namely the cafeteria, gymnasium, 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 Office of Space Planning. A Shared Space Committee will also meet a minimum of four times a year and report back to the Building Council regarding shared space questions. Any unallocated space would be equitably distributed among the schools based on student enrollment.

In accordance with New York State Charter Schools Act of 1998 (as amended), the Chancellor or his or her designee must first authorize in writing any proposed capital improvement or facility upgrade in excess of five thousand dollars, regardless of the source of funding, made to accommodate the co-location of a charter school within a public school building. For any such improvements or upgrades that have been approved by the Chancellor, capital improvements or facility upgrades shall be made in an amount equal to the expenditure of the charter school for each non-charter school within the public school building.

²⁷ Due to the configuration of the various DOE buildings across New York City, schools may be given the equivalent of two full size classrooms for student support services resource rooms, which could be equal to one full size classroom and two half size classrooms or zero full size classrooms and four half size classrooms, etc.

C. Community

Under this proposal, the K114 building will offer a new educational option that will support the learning needs of students in District 18. The proposed co-location of Explore in K114 is intended to increase the number of elementary school options in District 18.

The Explore Charter Schools Network (“Explore Schools”) is a growing Charter Management Organization (“CMO”) that seeks to provide students with the academic skills and critical-thinking abilities necessary to graduate from high school and succeed in college. Explore Schools seeks to provide students in underserved communities with access to high-quality public education and provides value-added support to schools in the network. If this revised proposal is approved, Explore would admit incoming kindergarten, first-grade, second-grade and third-grade students through the charter lottery application process this spring, with a priority preference for students at-risk of academic failure, in particular those students at-risk of academic failure who reside in District 18. Students at-risk of academic failure are defined to be either: (1) students attending or zoned to attend a public school that that has received a “D” or an “F” on the New York City Department of Education Progress Report in the school year prior to the lottery due to poor academic performance, (2) Schools Under Registration Review (SURR) by the State Education Department, or (3) schools subject to restructuring under the federal No Child Left Behind Act.

As noted previously, P.S. 114 currently enrolls 733 kindergarten through fifth grade students in 2010-2011, of which 97 students are in kindergarten. Of the 97 kindergarten students, 78 students are zoned to P.S. 114, meaning that the remaining 19 students are not zoned to the school. The enrollment projections for future kindergarten classes are based on historical zone enrollment trends and will reflect a smaller number than the current number of kindergarteners enrolled. Since the incoming kindergarten classes will be smaller beginning in 2011-2012, the total enrollment is also projected to decrease over time.

In the future, P.S. 114 will need to monitor its enrollment to limit the number of out-of-zone students that are admitted into the school. While all current students may continue their enrollment at P.S. 114, future un-zoned students would attend their zone schools. The 19 current kindergarten students who are not zoned to P.S. 114 are zoned to a variety of other schools in the district and borough. For example, the largest majority of students from outside the zone who attend P.S. 114 amounts to six students who are zoned to P.S. 115 (18K115). The next largest majority of students from outside the zone who attend P.S. 114 amounts to two students zoned to P.S. 233 (18K233), two students zoned to PS 272 (18K272), and two students zoned to P.S. 251 in District 22 (22K251). The remaining seven students are each zoned to a variety of other schools in the district and borough. In the future, students would attend their zone school, or may apply to attend a charter school. As a result, some of the other zoned schools may experience an incremental increase in their zone enrollment, but the DOE anticipates that these schools would be able to continue to enroll all zoned students, consistent with current practice.

In 2010-2011, 43% of kindergarten through fifth grade students zoned to P.S. 114 attended the school, which comprised 78% of the total enrollment in P.S. 114. Additionally, in 2009-2010, 46% of kindergarten through fifth grade students zoned to P.S. 114 attended the school, which comprised 76% of the total enrollment in P.S. 114. Over the past two years, the zoned kindergarten enrollment at P.S. 114 has been on average around 74-75 students. Again, if this proposal is approved, the DOE will work with P.S. 114 to monitor its enrollment to ensure that P.S. 114 only enrolls students residing in the school’s designated geographic zone, to ensure that both schools have sufficient space to operate.

In addition, in the future, if there is an increase in student enrollment resulting from demand above current projections for P.S. 114 or an increase in the number of families residing in the zone area, the Chancellor reserves the right to relocate Explore to an alternate location geographically proximate to K114. The Chancellor shall certify in writing that in his/her judgment the need of the school system requires the re-acquisition of the charter school space for DOE use.

There are also two charter schools in District 18 that are in the process of phasing in to serve kindergarten through twelfth grade, and one charter school that is phasing to serve fifth grade through twelfth grade.

These schools are listed in the below table.

School Name (DBN)	Address	Current Grades Served	Grades Served at Full Scale	Enrollment in 2010-2011 ²⁸	Admissions	Special Programs or Activities
Brooklyn Ascend Charter School (84K652)	205 Rockaway Parkway	K-3	K-12	428	Kindergarten lottery	Extended day
Brownsville Ascend Charter School (84K737)	205 Rockaway Parkway	K-2	K-12	247	Kindergarten-Second Grade Lottery	Saturday school, after-school tutoring, summer school for eligible students, extended day
Kings Collegiate Charter School (84K608)	1084 Lenox Road	5-8	5-12	269	Fifth Grade Lottery	Basketball, soccer, yoga, art, dance, after-school, extended day, extended year

The chart above also includes (where available at the time of EIS creation) details about programs or activities planned for these charter schools. Detailed information about charter schools will also be published annually and would be available in print or on the DOE website here:

<http://schools.nyc.gov/community/planning/charters/For+Parents/default.htm>.

This proposal is not expected to impact the ability of community members and organizations to obtain school building use permits at K114. This proposal is not expected to impact the building accessibility of K114.

IV. Enrollment, Admissions and School Performance Information

P.S. 114

Admissions Data

Current Admissions	<p>Pre-kindergarten: Standard Universal Pre-K Admissions Process</p> <p>Grades K-5: Zoned</p>
---------------------------	---

²⁸ Source: 2010 audited register

Enrollment Data

Current Grades Served	K-5
2010-2011 Enrollment²⁹	733
Grades Served in 2011-2012	K-5
Projected 2011-2012 Enrollment	635-690
Grades Served in 2012-2013	K-5
Projected 2012-2013 Enrollment	570-620
Grades Served during Phase-out in 2013-2014	K-5
Projected 2013-2014 Enrollment	530-575

Demographic Data

Percentage of Students Receiving CTT or SC Services³⁰	6%
Percentage of Students with an Individual Education Plan³¹	11%
Percentage of English Language Learner Students³²	12%
Percentage of Students Eligible for Free or Reduced Lunch³³	84%

²⁹ Source: 2010 audited register, excludes pre-kindergarten.

³⁰ Students Receiving CTT and SC services as percentage of total students from the 2010-2011 Audited Register.

³¹ Students with Individual Education Plans as percentage of total students from the 2010-2011 Audited Register.

³² English Language Learner students as percentage of total students from the 2010-2011 Audited Register.

³³ Percentage of Students Eligible for Free or Reduced Lunch from School Allocation Memorandum No. 9, FY11, June 30, 2010.

School Performance Data

P.S. 114 Ryder Elementary	2007-2008	2008-2009	2009-2010 ³⁴
School Performance and Progress			
Overall Progress Report Grade	B	B	D
Quality Review Score	UPF ³⁵	U	- ³⁶
Performance Data³⁷			
English Language Arts % Proficient (Levels 3 and 4)	57%	64%	35%
Math % Proficient (Levels 3 and 4)	82%	82%	34%
Other Key Performance Indicators³⁸			
Attendance Rate	93%	93%	93%
2010-2011 State Accountability Status	In Good Standing		

Explore Excel Charter School

Anticipated Admissions Data

Anticipated Admissions	Grades K-5: Charter Lottery Application, preference to District 8 students and residents
-------------------------------	---

Enrollment Data

Current Grades Served	N/A
2010-2011 Enrollment:	N/A
Grades Served during Phase-out in 2011-2012	K, 1, 2, 3
Projected 2011-2012 Enrollment	224
Grades Served during Phase-out in 2012-2013	K, 1, 2, 3, 4
Projected 2012-2013 Enrollment	280
Grades Served during Phase-out in 2013-2014	K, 1, 2, 3, 4, 5
Projected 2013-2014 Enrollment:	336

³⁴ In 2010, the New York State Education Department adjusted the “cut scores” on annual mathematics and English Language Arts exams, raising the score required for students to achieve Level 3 (grade-level proficiency) or higher on the exam. As a result, the percent of students performing at grade level fell significantly at schools statewide, including most New York City schools. While the percent of students achieving proficiency declined, on average, New York City’s students’ raw scores on the tests remained largely unchanged relative to the prior year.

³⁵ Underdeveloped with proficient features.

³⁶ Not all schools receive a Quality Review every year

³⁷ Source: Progress Report

³⁸ Source: Progress Report

Demographic Data

Explore has not opened yet. Therefore, there is no demographic data.

School Performance Data

Explore has not opened yet. Therefore, there is no school performance data.

V. Initial Costs and Savings

There are no anticipated initial costs or savings associated with this proposal. In accordance with New York State Charter Schools Act of 1998 (as amended), the Chancellor or his/her designee must first authorize in writing any proposed capital improvement or facility upgrade in excess of five thousand dollars, regardless of the source of funding, made to accommodate the co-location of a charter school within a public school building. For any such improvements or upgrades that have been approved by the Chancellor, capital improvements or facility upgrades shall be made in an amount equal to the expenditure of the charter school for each non-charter school within the public school building.

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

A. Personnel Needs

The proposal will change the number of personnel positions assigned to P.S. 114.

As described in section III B and III C, P.S. 114 currently enrolls 733 kindergarten through fifth grade students³⁹ in 2010-2011, of which 97 students are in kindergarten. Of the 97 kindergarten students, 78 students are zoned to P.S. 114, meaning that the remaining 19 students are not zoned to the school. The enrollment projections for future kindergarten classes are based on historical zone enrollment trends and will reflect a smaller number than the current number of kindergarteners enrolled. Since the incoming kindergarten classes will be smaller beginning in 2011-2012, the total enrollment is also projected to decrease over time. In the future, P.S. 114 will need to monitor its enrollment to limit the number of out-of-zone students that are admitted into the school.

As a result, the projected future enrollment at P.S. 114 is expected to decline. Some administrative staff, teachers, and non-pedagogical positions at P.S. 114 would be excessed as a result of this proposal. This process will take place gradually as student enrollment declines with each successive graduating class. With fewer students, the school's staffing needs will naturally be reduced.

New administrative staff and non-pedagogical positions will be created at Explore over the course of the school's phase-in. Explore is expected to hire additional teachers as each new grade is added.

Explore may hire additional personnel to support its expansion.

³⁹ Source: 2010 audited register, excludes pre-kindergarten.

B. Cost of Instruction

This proposal should not impact the operating budget or costs of instruction at P.S. 114. The basic operating budget for those schools is determined by the same Fair Student Funding (FSF) formula used at all other New York City District public schools. Under FSF, schools receive City tax levy funding on a per-pupil basis. Each student receives a per-pupil allocation based on the grade level of the student. FSF allocations are subject to annual variation, but for 2010-2011, the base per-pupil allocation for elementary schools was \$4059.71. In addition, FSF awards supplemental allocations on a per-pupil basis for students who have additional needs and therefore cost more to educate. For example, during the 2010-2011 school year, elementary schools received an additional \$1623.00 per pupil for each English Language Learner they enrolled. At the elementary level, supplemental funds are awarded for each student who is an English Language Learner, who requires special education services, or who is eligible for free or reduced-price lunch. For middle and high schools, supplemental funds are awarded to each student who is an English Language Learner, 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 will increase 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 will need fewer supplies and potentially a smaller staff.

As with all other schools Citywide, P.S. 114 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. All three of these schools are currently eligible for Title I funding. Assuming that the schools continue to meet Title I criteria, the size of their respective Title I funding awards would grow or shrink as the school population grows or shrinks.

While schools do receive supplemental support for special education students through Fair Student Funding, that only represents part of the funding provided to support those students. Schools are budgeted to meet the needs of their special education students as defined by their Individualized Education Plans (IEPs). P.S. 114 will continue to receive funds to meet the needs of all special education students in accordance with their IEPs.

Please note that increased or reduced per capita funds allocated to the school as a result of changes in enrollment that may occur do not represent net/incremental system costs. All dollar amounts are based on FY10 allocations and are subject to annual variation based on adjustments to the DOE's overall operating budget.

The General Education Charter School per-pupil rate is determined by the New York State Education Department (NYSED), and is based on a formula used for all traditional public school districts. The formula divides the district's Approved Operating Expenditures (AOE) by Total Allowable Pupil Units (TAPU). Special Education funding is an allocation that Charter Schools may qualify for and receive for serving students that receive special education services for more than 20% of the week as mandated by an IEP.

C. Administration

Some school supervisor and/or administrator positions assigned to P.S. 114 may be exceeded once the

school’s registers have been reduced in all grades. Some positions may be excessed as enrollment at the school gradually decreases, as administrative needs will decrease as the school serves an increasingly smaller student population. Again, all excessing will take place in accordance with applicable law and labor contracts.

Explore may hire school supervisors and/or administrator personnel on an as needed basis throughout the course of the school’s phase-in.

D. Transportation

There would be no change to existing transportation practices at P.S. 114 throughout its phase-out.

Transportation will be provided according to Chancellor’s Regulation A-801:
<http://schools.nyc.gov/NR/rdonlyres/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 Explore phase in.

VII. Building Information

Type of Building	Elementary School
Year Built	1907 and 1920
Overall BCAS rating	2.37 out of 5
Target Utilization	86%
Target Capacity	986
FY 2009 Maintenance Costs	Labor: \$20,064.78 Materials: \$9,741.15 Maintenance and repair contracts: \$47,731.41 Custodial operations costs—Materials: \$7,272.72 Custodial operations costs—Custodial Allocation: \$250,960.21
FY 2009 Energy Costs	Electric: \$140,058.00 Gas: \$48,273.00 Oil: \$2,254.00
Projects completed during the current or prior school year	FY10 Reso A Desk computers & smart boards
Projects proposed in the capital plan	Building Upgrade-Lighting Fixtures, classroom/corridors/administrative space: lighting fixture-fluorescent. System replacements-Electrical systems grounding system & panel board.
Accessibility of the building	Fully Programmatic Accessible
Building attributes	Auditorium, Cafeteria, Computer room (CR's), Gymnasium, Library