

AMENDED EDUCATIONAL IMPACT STATEMENT: The Proposed Grade Expansion of Harlem Success Academy Charter School 5 (84M482) in Building M123 and the Permanent Co-location of its Kindergarten through Third Grade with P.S. 123 Mahalia Jackson (05M123) in the Building beginning in 2012-2013

I. Summary of Proposal

On March 5, 2012, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) describing a proposal to (1) expand the grades served by Harlem Success Academy Charter School 5 (84M482, “HSA 5”)¹ in M123 from kindergarten through second grades to kindergarten through third grades and (2) indefinitely extend the co-location of those grades of HSA 5 in the M123 building.

This amended EIS corrects a typographical error on page 11 of the original EIS, but does not significantly revise the proposal itself.

HSA 5 is an existing charter elementary school serving kindergarten through second grades in the M123 building, located at 301 West 140th Street, New York, NY 10030, in Community School District 5. HSA 5 is co-located with P.S. 123 Mahalia Jackson (05M123, “P.S. 123”), a zoned school serving students in kindergarten through eighth grades and 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.

HSA 5 currently admits students through a charter lottery application. P.S. 123’s elementary grades are zoned, and its middle grades admit sixth graders through the District 5 Middle School Choice Process using a limited unscreened process. (Admissions procedures are discussed in more detail in Section III below.)

The kindergarten and first grades of HSA 5 have been co-located with P.S. 123 since September 2010. On April 28, 2011, the Panel for Educational Policy (“PEP”) approved an amended proposal to extend the co-location of HSA 5 in M123 for the 2011-2012 school year, and expand HSA 5 to serve kindergarten through second grades, as well as a self-contained special education class.

If this proposal is approved, HSA 5 would begin serving third grade in M123 in 2012-2013, and would continue serving kindergarten through third grades, including one self-contained special education class, in the M123 building indefinitely.

According to the 2010-2011 Enrollment, Capacity, Utilization Report (the “Blue Book”), M123 has the capacity to serve 952 students.² Currently, the building serves 925 students,³ yielding a building utilization

¹ HSA 5 is currently undergoing a formal name change process. If approved by the State University of New York, the school’s charter authorizer, the new name will be Success Academy Charter School—Harlem 5.

² 2010-2011 Blue Book.

³ 2011-2012 Audited Register. This figure represents enrollment at HSA 5 and P.S. 123.

rate of 97%.⁴ If this proposal is approved, HSA 5 will add a third grade in 2012-2013. In 2012-2013, HSA 5 will enroll approximately 68-88 additional students. Including those additional HSA 5 students, M123 is projected to serve approximately 952-1,062 students in total at HSA 5 and P.S. 123 in 2012-2013, yielding an estimated building utilization rate of 100-112%. As discussed in Section III.B and in the attached revised Building Utilization Plan (“BUP”), the building has sufficient space to provide both schools with at least their baseline room allocations despite the projected utilization rate of over 100%. Therefore, the M123 building has the capacity to accommodate all existing schools at their current scales.

Success Academy Charter Schools (“Success Academies”) is a charter management organization (“CMO”) that operates nine public charter schools in New York City. The State University of New York (“SUNY”) Charter Schools Institute has authorized HSA 5 to serve kindergarten through fifth grades. After evaluating the space available in M123, the DOE has concluded that the building can accommodate only the school’s kindergarten through third-grade students. Therefore, the DOE is proposing to expand the co-location of HSA 5 in M123 to include third grade and continue at that grade span in M123 indefinitely. The DOE will consider all long-term options to accommodate the future anticipated growth of HSA 5 to include grades four through eight, and will propose those options in a separate EIS.⁵ If this proposal to co-locate the expanded grades served by HSA 5 in M123 to kindergarten through third grades is approved, students in HSA 5’s kindergarten through third grades would be served in M123 indefinitely.

Success Academies schools have a strong track record of academic achievement: each of the four Success Academies elementary schools that received a Progress Report in 2010-2011, including HSA 2 which is also located in District 5, earned an overall score of A and earned A grades in each of the three subsections of the 2010-2011 New York City Department of Education Progress Report—Student Performance, Student Progress, and School Environment. Three of these schools currently serve kindergarten through fourth grades and one serves kindergarten through sixth grades.

In 2010-2011, 75.6% of third grade students at HSA 2 achieved proficiency on the New York State English Language Arts exam and 87.2% achieved proficiency on the mathematics exam. By contrast, the District 5 average third grade English Language Arts proficiency rate in 2010-2011 was 28.6%, and the District 5 average third grade math proficiency rate in 2010-2011 was 34.9%.

This proposed co-location assumes that P.S. 123 will serve its self-contained special education students in fewer sections than it currently programs. Currently, P.S. 123’s self-contained classes are underenrolled, and the school can therefore serve the same number of students consistent with their Individualized Education Programs more efficiently in fewer self-contained sections. This would not assume a decline in P.S. 123’s enrollment.

The DOE believes that Success Academies’ record of success supports the growth of this school. This proposal to expand and extend the co-location of HSA 5 in M123 would allow the school to continue providing high-quality educational opportunities for students and families. Success Academies strives to provide rigorous and well-rounded instruction in communities throughout New York City.

⁴ All references to building utilization rates in this document are based on target capacity data from the 2010-2011 Blue Book. Utilization rates referenced for the 2010-2011 and 2011-2012 school years are based on audited enrollment, and do not include Long Term Absences (“LTAs”), students who have been absent continuously for 30 days or more as of October 31, 2010 and October 31, 2011 respectively. 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.

⁵ HSA 5 is currently authorized to serve kindergarten through fifth grades. When this charter is up for renewal for 2015, HSA 5 intends to apply to expand the grades served at the school to kindergarten through eighth grades. SUNY has the authority to approve or deny that request.

Currently, elementary students in District 5 can attend their zoned elementary schools, apply to Citywide or district-wide Gifted and Talented programs through the Gifted and Talented application process, or apply to public charter schools like HSA 5. Under this proposal, elementary school students in District 5 would retain all of those options.

II. Proposed or Potential Use of Building

There is sufficient space in building M123 to accommodate the proposed extension of the co-location of HSA 5 in M123. According to the 2010-2011 Enrollment Capacity Utilization Report (the “Blue Book”), building M123 has a target capacity to serve 952 students. (The concept of “target capacity” and the related concept of “utilization rate” are explained below.)

| Target Capacity and Projected Utilization | |
|---|-----|
| Total Capacity (2010-11) | 952 |
| Current Enrollment (2011-12) | 925 |
| Utilization % | 97% |

The current and proposed grade spans over a two-year period for the schools in M123 are as follows:

| Grade Spans | | | |
|-------------|---|---------|--------------------------|
| DBN | School Name | 2011-12 | 2012-13 and future years |
| 05M123 | P.S. 123 Mahalia Jackson | K-8 | K-8 |
| 84M482 | Harlem Success Academy Charter School 5 | K-2 | K-3 |

The current and projected enrollments for the schools in M123 are as follows:

| School Name | 2011-2012 Audited Enrollment | 2012-2013 Projected Enrollment |
|---|------------------------------|--------------------------------|
| P.S. 123 Mahalia Jackson | 675 | 634 - 724 ⁶ |
| Harlem Success Academy Charter School 5 | 250 | 318 - 338 ⁷ |
| Total Building Enrollment | 925 | 952-1,062 |
| Utilization | 97% | 100% - 112% |

The DOE’s pre-kindergarten programs are maintained based on available funding and student enrollment, and the DOE anticipates that the three pre-kindergarten sections currently offered at P.S. 123 will continue to be offered in 2012-2013, subject to continuing funding and demand.

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

The most recent year for which target capacity has been calculated for buildings is 2010-2011. The DOE’s utilization rates for the 2011-2012 school year and beyond are based on the 2010-2011 target capacity, which assumes that the components underlying that target capacity (scheduled use of classrooms, maximum classroom capacity, etc.) remain constant. Thus, utilization rates for the 2011-2012 school year 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 administrative rooms in high schools are not assigned a capacity. Holding enrollment constant, this change would result in a lower utilization rate. Similarly, if a room previously used as a kindergarten classroom is subsequently used as a fifth grade classroom, the building’s target capacity would increase because we expect that a fifth grade class will have

⁶ All projections referenced for 2012-2013 and beyond are based on the 2011-2012 Audited Register and reflect the forward promotion of the current first through fifth grade cohorts.

⁷ All projections referenced for the 2012-2013 school year and beyond reflect the charter school’s authorized enrollment pursuant to its Charter application.

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.

Although a utilization rate in excess of 100% may appear to suggest that a building will be over-utilized or over-crowded in a given year, this rate does not account for the fact that rooms may be programmed for more efficient or different uses than the standard assumptions in the utilization calculation. In District 5, several other buildings currently have utilization rates above 100%, ranging from 101% to 121%.⁸ The schools in these buildings are nonetheless able to successfully serve their students and meet programmatic needs. In addition, charter school enrollment plans frequently contemplate larger class sizes than target capacity, bringing, as here, building utilization over 100% while not impacting the utilization of the space allocated to the traditional public school. The Building Utilization Plan ("BUP") sets forth the baseline number of rooms to be allocated to each school pursuant to the Footprint as well as the total number of rooms in a building to provide a more complete picture of the availability of space in a building. If this proposal is approved, though more total students would occupy M123, each school would continue to receive at least its baseline room allocation pursuant to the DOE's Citywide Instructional Footprint ("Footprint") after the grade expansion is completed. Therefore, the building has adequate capacity to accommodate the additional grade of HSA 5, and P.S. 123.

For more detail on the Footprint and room allocations, see section III.B below and the attached BUP. Please visit the DOE's website to access the Footprint, which guides space allocation and use in City schools http://schools.nyc.gov/NR/rdonlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.pdf

Graham-Windham, a community-based organization located in M123, would continue to provide services to students at P.S. 123. Graham-Windham offers after-school and Saturday programming for students, GED, ESL and computer programming for parents, mental health services, ACS support services for at-risk families, and a College Readiness Preparatory Program.

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

A. Students

Impact on Students Currently Attending Schools in the M123 Building

The proposed grade expansion and indefinite extension of the co-location of HSA 5 in M123 would provide a long-term site for kindergarten through third grades of the school and maintain District 5 students' access to this high-quality option.

The proposed extension of this co-location is not expected to impact current or future instructional programming at P.S. 123.

P.S. 123 serves general education students and students requiring special education services, including students currently enrolled in Integrated Co-Teaching ("ICT") classes, students enrolled in self-contained ("SC") special education classes, and students receiving Special Education Teacher Support Services ("SETSS"). Upon admission, the school works with parents to develop an individualized education program ("IEP") that reflects the resources that the schools can offer as appropriate for the student. Thus, services are tailored to meet the individual needs of the students with disabilities currently enrolled and, as such, may vary from year to year. In addition, students classified as English Language Learner ("ELL")

⁸ 2010-2011 Blue Book.

students receive English as a Second Language (“ESL”) or transitional bilingual services. All students enrolled at P.S. 123 will continue to receive their mandated special education and/or ELL services. As noted above, although P.S. 123 plans to consolidate some of its existing SC sections, special education students currently in SC classes would continue to be served in an environment consistent with their IEPs.

Likewise, all HSA 5 students would continue to receive mandated services in their school. HSA will continue to offer one self-contained special education class and other special education services, as well as services to meet the needs of ELL students in the school as set forth in its charter.

The DOE does not anticipate that this proposal would impact the partnerships of the schools in the M123 building. Similarly, all school organizations in the building would continue to offer extracurricular programs based on student interests, available resources, and staff support for those programs. The proposed co-location would not impact those opportunities. Students would continue to have the opportunity to participate in a variety of extracurricular programs, though the specific programs offered at a given school are always subject to change. That is true for any City student as all schools modify extracurricular offerings annually based on student demand and available resources.

Programs and partnerships offered at P.S. 123 include:⁹

- Early morning and after-school tutoring programs
- Big Brother/Big Sister Mentoring Program
- Ogilvy One student internship program
- Grow Media student internship program
- Carmel Hill’s accelerated reading program
- YMCA extended day program, Grades K - 5
- Community Works Art Program
- Champs Sports Extended Day Program
- Learning Leaders Volunteer Program
- Music In the Brain keyboard program for grades K-2.
- Graham Windham Counseling Program
- Graham Windham Middle School Extended Day Program, Grades 5 - 8
- National Dance Institute
- Creative Arts Mediation Program

Extracurricular activities at P.S. 123 include:¹⁰

- Newspaper Club
- Recycling Committee
- Principal's Honors Club
- Dance Club
- Choir
- Sewing Club

HSA 5 currently does not offer special programs and partnerships outside of the school day.¹¹

⁹ School-reported data.

¹⁰ School-reported data.

¹¹ School-reported data.

Impact on Future Elementary Students in District 5

The DOE is proposing to indefinitely extend the co-location of HSA 5 in the M123 building and expand the school to serve kindergarten through third grades.

All future kindergarten students in Community School District 5 will retain all elementary school options currently available to them, including the opportunity to enter the charter application lottery process to enroll in kindergarten at HSA 5. HSA 5’s charter provides lottery preferences in the following order: (1) returning students, (2) siblings, (3) applicants zoned to attend failing schools¹² and/or applicants who are deemed ELL students who reside in the Community School District (“CSD”) of the location of the charter school (“in-district”), (4) applicants zoned to attend failing schools and/or applicants who are deemed ELL students who do not reside in the CSD of the location of the charter school (“out-of-district”), (5) other applicants who reside in-district, and (6) other applicants who reside out-of-district.

The DOE has been advised that HSA 5 has sought authorization from SUNY to change its lottery to provide preferences for: (1) returning students, (2) siblings of current or accepted students, (3) ELL students (prioritizing in-district ELLs before out-of-district ELLs), and (4) applicants who reside in-district. If this request is approved by SUNY, HSA 5 will set aside a percentage of seats for ELL students that will be relatable to the average ELL percentage at traditional public elementary schools within the City and/or the CSD in which the school is located. With respect to the remaining seats and the wait list, HSA 5 will provide lottery priority to in-district applicants, with any further remaining seats to go to out-of-district applicants.

Currently, there are four other charter schools in the district serving elementary school students as provided in the chart below:

| DBN | School Name | Grade Span 2011-12 | Grade Span at Scale | Admissions Method |
|--------|---|--------------------|---------------------|-------------------|
| 84M284 | Harlem Children’s Zone/Promise Academy Charter School | K-12 | K-12 | Lottery |
| 84M336 | KIPP Infinity School | K-11 | K-12 | Lottery |
| 84M341 | HCZ Promise Academy II Charter School | K-7 | K-12 | Lottery |
| 84M384 | Harlem Success Academy Charter School 2 | K-4 | K-8 ¹³ | Lottery |

Detailed information about charter schools and the charter lottery application process is published annually and is available in print or on the DOE’s website here: http://schools.nyc.gov/NR/rdonlyres/50117A5B-DB95-4231-82CC-16C853A8EE2B/0/CharterSchoolDirectory_English.pdf.

P.S. 123’s elementary grades would continue to be zoned and will continue to admit—in priority order—zoned students, out-of-zone siblings of current students, out-of-district siblings of current students, students zoned for other District 5 schools, and finally, students residing in other districts, in accordance with Chancellor’s Regulation A-101 regarding elementary school admissions.

P.S. 123’s middle grades would continue to admit students through the District 5 Middle School Choice

¹² A “failing school” is defined as a school that received a letter grade of “D” or “F” in the Student Performance section of the DOE’s Progress Report for the preceding academic year.

¹³ Harlem Success Academy 2 is currently chartered to serve students in kindergarten through fifth grades. SCN intends to revise its charter when it is up for renewal in 2013, such that the school will serve students in kindergarten through eighth grades.

Process, where District 5 fifth graders rank in order their middle school preferences on a centralized application and are matched to schools through a computer-based matching process. P.S. 123 is open to District 5 residents and students attending District 5 elementary schools. The school uses a limited unscreened admissions process that gives priority to continuing fifth-grade students and then to students who demonstrate interest by signing in at one or several of the following events: Information Session, School Tour, Open House or Middle School Fair, then to other students and residents of District 5.

There are several other middle schools that are also available to District 5 students and families. Through the District 5 Middle School Choice Processes, students are offered the opportunity to apply to a range of middle schools within their district, and/or schools with borough-wide or Citywide eligibility. Students may also choose to apply to a number of schools that manage their own admissions process. Information about all of these options is printed in each district's Middle School Choice Directory which can be found at <http://schools.nyc.gov/ChoicesEnrollment/Middle/Publications/Manhattan/default.htm>. Please note that this directory is updated yearly.

There are currently 17 total schools serving middle grades in District 5, including four charter schools. These include middle schools, secondary schools serving grades 6-12, and K-8 schools like P.S. 123. In the District 5 Middle School Choice Process, students rank their preferences from among District 5 choice middle schools. These options include:

- unzoned, choice middle schools with a screened application process (admission is based on criteria designated by the school);
- unzoned, choice middle schools with an unscreened or limited unscreened application processes (Note: limited unscreened schools admit students on the same basis as unscreened schools except that they give preference to students who have attended a school information session)

Future students with IEPs who are admitted to P.S. 123 will continue to receive mandated services at P.S. 123. Students with IEPs are admitted to elementary schools in the same manner as their non-disabled peers. The DOE will support elementary schools by reviewing students' IEPs to focus on addressing the needs of students with disabilities by providing individualized service models that ensure students have access to the general education curriculum. Any students with IEPs will continue to receive appropriate services at the elementary school in which they are enrolled. As noted above, although P.S. 123 plans to consolidate some of its existing SC sections, future special education students whose IEPs mandate an SC environment would be served in SC classes.

Future ELL students at P.S. 123 would also continue to receive mandated services. In accordance with DOE policy, ELL students are admitted in the same manner as their non-ELL peers.

The DOE's pre-kindergarten programs are maintained based on available funding and student enrollment, and the DOE anticipates that pre-kindergarten will continue to be offered at P.S. 123 in 2012-2013, subject to continuing funding and demand.

P.S. 123 will also continue to serve over-the-counter students. "Over-the-counter" ("OTC") placement is a term that refers to the method of enrolling students who need a school assignment because they were not part of any admissions process for entry grades and/or were not enrolled in a New York City school at the time school started. These students fall into one of four categories:

- New to the New York City school system;
- Left the New York City school system and have returned;
- Are seeking transfers (based on the guidelines outlined in Chancellor's Regulation A-101); or
- Students who did not participate in the elementary or middle school admissions process for some other reason.

B. Schools

M123 has adequate capacity to accommodate the expansion of HSA 5 and P.S. 123. Collectively, they are projected to enroll an estimated 952-1,062 students in 2012-2013 and the projected utilization for M123 would be approximately 100-112%. As P.S. 123 serves smaller kindergarten cohorts with fewer out-of-zone students, the building enrollment and utilization may decrease further.

The tables below demonstrate the current enrollment of each school in building M123 in 2011-2012 and the projected enrollment in 2012-2013:

Harlem Success Academy Charter School 5

| | Grade KG | Grade 1 | Grade 2 | Grade 3 | Total Enrollment |
|---------------------------------|----------|---------|---------|---------|------------------|
| 2011-12 (audited) ¹⁴ | 63 | 81 | 106 | - | 250 |
| 2012-13 (proj.) | 63-70 | 69 - 75 | 81 - 88 | 105 | 318- 338 |

P.S. 123 Mahalia Jackson

| | PK ¹⁵ | Grade KG | Grade 1 | Grade 2 | Grade 3 | Grade 4 | Grade 5 | Grade 6 | Grade 7 | Grade 8 | Total Enrollment |
|-------------------|------------------|----------|---------|---------|---------|---------|---------|---------|---------|---------|------------------|
| 2011-12 (audited) | 54 | 70 | 87 | 71 | 77 | 59 | 59 | 66 | 71 | 61 | 675 |
| 2012-13 (proj.) | 54 | 65 - 75 | 65 - 75 | 80 - 90 | 65 - 75 | 70 - 80 | 55 - 65 | 55 - 65 | 60 - 70 | 65 - 75 | 634 - 724 |

If this proposal is approved, there will be sufficient space to accommodate HSA 5 and P.S. 123, pursuant to the Citywide Instructional Footprint (the "Footprint"). Please visit the DOE's website to access the Footprint, which guides space allocation and use in City schools:

http://schools.nyc.gov/NR/ronlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.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 room for each general education or Integrated Co-Teaching section and a full-size or half-size room to accommodate each Self Contained special education section served by the school. In addition to these

¹⁴ 2011-2012 audited enrollment as reported in the 2011 Basic Educational Data System Survey from school-reported information.

¹⁵ PK is a program that can be offered both half-day or full-day; The projection figures represent the full day equivalency.

rooms, schools serving grades kindergarten through five receive an allocation of cluster or specialty rooms 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 six through twelve, the Footprint assumes that students move from class to class and that classrooms should be programmed at maximum efficiency. The Footprint does not require that every teacher have his or her own designated classroom. Principals are asked to program their schools efficiently so that classrooms can be used for multiple purposes throughout the course of the school day. The Footprint allocates the number of baseline classrooms for student support services, resource rooms, and administrative space based on the grades a school serves and its enrollment at scale. 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 revised Building Utilization Plan ("BUP") that accompanies this EIS, there is sufficient instructional space in M123 for HSA 5 to continue to be co-located in M123 and expand by one additional grade level. As in other situations where schools are co-located, the schools need to continue sharing large common and specialty rooms in the building, namely the cafeteria, the gymnasium, the auditorium, and the library. Specific decisions regarding the allocation of the shared spaces will continue to be made by the Building Council, consisting of principals from all co-located schools, in conjunction with the DOE's Office of Space Planning. A Shared Space Committee meets a minimum of four times a year and reports back to the Building Council regarding shared space questions. Any unallocated space will continue to be equitably distributed among the schools based on student enrollment.

There is currently one Community-Based Organization ("CBO") housed in M123, Graham-Windham. This proposal is not anticipated to impact that CBO.

In accordance with the 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.

C. Community

The DOE supports parent choice and strives to ensure that all families have access to high-quality schools that meet their children's needs. The proposed expansion and extension of HSA 5's co-location in M123 is intended to meet those goals by ensuring a long-term site for kindergarten through third grades of the school, and allowing current second-grade students to articulate to third grade at their school.

This proposal is not expected to impact the ability of community members and organizations to obtain school building use permits at M123.

IV. Enrollment, Admissions and School Performance Information

HSA 5

Admissions Data

| | |
|--|---|
| Current Admissions | K-2: Charter lottery application |
| Admissions after Grade Expansion and Extension of Co-location | K-3: Charter lottery application |

Enrollment Data

| 84M482 | Grade KG | Grade 1 | Grade 2 | Grade 3 | Total Enrollment |
|------------------------------------|-----------------|----------------|----------------|----------------|-------------------------|
| 2011-12 ¹⁶ (audited) | 63 | 81 | 106 | - | 250 |
| 2012-13 (proj.) | 63 - 70 | 69 - 75 | 81 - 88 | 105 | 318- 338 |

Demographic Data

| | |
|---|-----|
| Percentage of Students Receiving ICT or SC Services¹⁷ | 4% |
| Percentage of Students with Individual Education Programs¹⁸ | 15% |
| Percentage of English Language Learner Students¹⁹ | 10% |
| Percentage of Students Eligible for Free or Reduced Lunch²⁰ | 83% |

¹⁶ 2011-2012 audited enrollment as reported in the 2011 Basic Educational Data System Survey from school-reported information.

¹⁷ Students Receiving ICT and SC services as percentage of total students from school-reported information.

¹⁸ Students with Individualized Education Program as percentage of total students from school-reported information.

¹⁹ English Language Learner students as percentage of total students from school-reported information.

²⁰ Percentage of Students Eligible for Free or Reduced Lunch as reported in the 2011 Basic Education Data System Survey.

School Performance Data

HSA 5 opened in 2009-2010 and currently serves kindergarten through second grades. Therefore, performance data is not yet available for the school.

P.S. 123

Admissions Data

| | |
|--|---|
| Current Admissions | <p>Pre-kindergarten: Standard Universal Pre-K Admissions Process K-5: Zoned 6-8: District 5 Middle School Choice Process</p> |
| Admissions after Extension of Co-location | <p>Pre-kindergarten: Standard Universal Pre-K Admissions Process K-5: Zoned 6-8: District 5 Middle School Choice Process</p> |

Enrollment Data

| 05M123 | PK ²¹ | Grade KG | Grade 1 | Grade 2 | Grade 3 | Grade 4 | Grade 5 | Grade 6 | Grade 7 | Grade 8 | Total Enrollment |
|-------------------|------------------|----------|---------|---------|---------|---------|---------|---------|---------|---------|------------------|
| 2011-12 (audited) | 54 | 70 | 87 | 71 | 77 | 59 | 59 | 66 | 71 | 61 | 675 |
| 2012-13 (proj.) | 54 | 65 - 75 | 65 - 75 | 80 - 90 | 65 - 75 | 70 - 80 | 55 - 65 | 55 - 65 | 60 - 70 | 65 - 75 | 634 - 724 |

Demographic Data

| | |
|---|-----|
| Percentage of Students Receiving ICT or SC Services²² | 9% |
| Percentage of Students with Individual Education Programs²³ | 14% |
| Percentage of English Language Learner Students²⁴ | 24% |
| Percentage of Students Eligible for Free or Reduced Lunch²⁵ | 87% |

²¹ PK is a program that can be offered both half-day or full-day; The projection figures represent the full day equivalency.

²² Students Receiving ICT and SC services as percentage of total students from the 2011-2012 Audited Register.

²³ Students with Individualized Education Program as percentage of total students from the 2011-2012 Audited Register.

²⁴ English Language Learner students as percentage of total students from the 2011-2012 Audited Register.

²⁵ Percentage of Students Eligible for Free or Reduced Lunch from School Allocation Memorandum No. 8, FY12, July 5, 2011.

School Performance Data

| P.S. 123 Mahalia Jackson ²⁶ | 2008-2009 | 2009-2010 ²⁷ | 2010-2011 |
|---|-----------|-------------------------|-----------|
| School Performance and Progress | | | |
| Overall Progress Report Grade | A | C | D |
| Quality Review Score | N/A | N/A | N/A |
| Performance Data | | | |
| English Language Arts % Proficient (Levels 3 and 4) | 60% | 25% | 24% |
| Math % Proficient (Levels 3 and 4) | 76% | 28% | 25% |
| Other Key Performance Indicators | | | |
| Attendance Rate | 90.9% | 89.8% | 87.9% |

| | |
|--|------------------|
| 2010-2011 State Accountability Status | In Good Standing |
|--|------------------|

V. Initial Costs and Savings

In accordance with the 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 in excess of five thousand dollars 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. The DOE has been informed by Success Academies that it may seek permission for certain capital improvements or facilities upgrades; any such capital improvements or facilities upgrades in excess of five thousand dollars would be subject to the New York State Charter School Act of 1998 (as amended).

The DOE is not expected to incur any additional charges resulting from the expansion of the charter school. Although the Division of School Facilities may provide available furniture on a case by case basis, the DOE does not generally provide furniture to charter schools occupying DOE space. Additionally, the cost of voice and data lines are wholly covered by the charter organization.

²⁶ Source: Progress Report.

²⁷ 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.

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

A. Personnel Needs

The proposed grade expansion and co-location extension is not expected to change the number of personnel positions assigned P.S. 123 nor is it expected to significantly alter the duties of current staff at the aforementioned school.

New administrative staff and non-pedagogical positions may be created at HSA 5 over the course of the school's grade expansion. HSA 5 is expected to hire additional teachers as the new grade is added and as the total number of sections increases as the school expands.

B. Cost of Instruction

This proposal should not impact the operating budget or costs of instruction at P.S. 123. 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 entitlement based on the grade level of the student. FSF entitlements are subject to annual variation, but for 2011-2012, the base per-pupil allocation for elementary schools is \$4,085.30. In addition, FSF awards supplemental entitlements on a per-pupil basis for students who have additional needs and therefore cost more to educate. For example, during the 2011-2012 school year, elementary schools receive an additional \$1,633.71 per pupil for each ELL student they enrolled. At the elementary level, supplemental funds are awarded for each student who is an ELL student, 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 ELL student, who requires special education services, or who is performing below grade level upon enrollment. In the case of students who fall into more than one of these categories, schools are awarded supplemental funding to meet all of those needs.

FSF covers basic instructional expenses and FSF funds may, at the school's discretion, be used to hire staff, purchase supplies and materials, or implement instructional programs. As the total number of students enrolled grows, the overall budget 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. 123 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. The school is currently eligible for Title I funding. Assuming that the school continues to meet Title I criteria, the size of its Title I funding award would grow or shrink as the school population grows or shrinks.

While schools do receive supplemental support for special education students through FSF, 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 IEPs. P.S. 123 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 FY12 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, and is based on a formula used for all traditional public school districts. The formula divides the district's Approved Operating Expenditures by Total Allowable Pupil Units. 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.

The expansion and extension of HSA 5's co-location in M123 will not affect the costs of instruction at HSA 5 or P.S. 123

C. Administration

No change in school supervisory or administrator positions at P.S. 123 is expected as a result of this proposal.

HSA 5 may hire school supervisors and/or administrator personnel on an as needed basis throughout the course of the school's expansion.

D. Transportation

There will be no change to existing transportation practices at HSA 5 or P.S. 123 due to this proposal.

Transportation will continue to be provided according to Chancellor's Regulation A-801: <http://schools.nyc.gov/NR/rdonlyres/21A1B11A-886B-4F74-9546-E875EE82A14C/40303/A801.pdf>. HSA 5 does not provide transportation services.

E. Other Support Services

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

VII. Building Information

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| Building | M123 | |
| Type of Building | K-8 | |
| Year Built | 1959 | |
| Overall BCAS rating | 2.65 | |
| 2010-2011 Target Building Utilization | 94% | |
| 2010-2011 Target Building Capacity | 952 | |
| FY 2011 Maintenance Costs | Labor | \$81,968 |
| | Materials | \$89,968 |
| | Maintenance and repair contracts | \$188,940 |
| | Service contracts | \$0 |
| | Custodial operations costs—Materials | \$8,252 |
| | Custodial operations costs—Custodial Allocation | \$275,175 |
| FY 2011 Energy Costs | Electric | \$133,425 |
| | Gas | \$2,253 |
| | Oil | \$103,718 |
| Projects completed during the current or prior school year | FY10 RESO A Science Lab Upgrade | |
| Projects proposed in the capital plan | No projects identified | |
| Accessibility of the building | Building is not functionally programmatically accessible | |
| Building attributes | Auditorium, Cafeteria, Computer room, Gymnasium, Library & Nurse's Office | |