

## **EDUCATIONAL IMPACT STATEMENT: The Proposed Co-location of a New Public Charter School, Success Academy Bed-Stuy 2<sup>1</sup> (84KTBD) with Existing School P.S. 59 (14K059) in Building K059 beginning in 2012-2013.**

### **I. Summary of Proposal**

The New York City Department of Education (“DOE”) is proposing to site Success Academy Bed-Stuy 2 (84KTBD), a new public charter school that will serve students in Kindergarten through fourth grade, in Building K059 (“K059”), located at 211 Throop Avenue, Brooklyn, NY, 11206, in Community School District 14 beginning in 2012-2013. Success Academy Bed-Stuy 2 would be co-located in K059 with an existing DOE zoned elementary school serving grades Kindergarten through five, P.S. 59 William Floyd (“P.S. 59”), which also offers 2 sections of full day pre-Kindergarten. 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.

Success Academy Bed-Stuy 2 is a new public charter school designed to serve students in grades Kindergarten through eight. Success Charter Network<sup>2</sup>, a Charter Management Organization (“CMO”) that operates nine public charter schools in New York City, has been approved by its charter authorizer, the State University of New York (SUNY) Charter Schools Institute, to open three new public charter schools in Brooklyn, including this one, for the 2012-2013 school year. The Success Network strives to provide rigorous and well-rounded instruction in communities throughout New York City. Each of the four Success Charter Network elementary schools that received a Progress Report for the 2010-2011 school year received an overall grade of A.<sup>3</sup>

If this proposal is approved, Success Academy Bed-Stuy 2 will serve students in Kindergarten and first grade in K059 when it first opens in 2012-2013 and would subsequently add one grade per year until it serves students in Kindergarten through fourth grade in 2015-2016 and will increase enrollment for two years after that until it reaches a total enrollment of 420-440 students in 2017-2018. Although Success Academy Bed-Stuy 2 has been approved by its authorizer to serve students in K-8, Success Academy Bed-Stuy 2 will only serve students in grades K-4 in Building K059.

K059 has been identified as an under-utilized building.<sup>4</sup> In 2010-2011, K059 had a target capacity to serve 825 students, but P.S. 59, the only school located within the building, only enrolled a total of 434 students.<sup>5</sup> Thus, the target building utilization was 53%, which demonstrates that there is still available space in the

<sup>1</sup> Brooklyn Success Academy Charter School 2 is the current legal name of the school, but the school is referred to herein as “Success Academy Bed-Stuy 2.” The school is currently undergoing a formal name change process, and the new name of the school will be Success Academy Charter School - Bed-Stuy 2, subject to approval.

<sup>2</sup> Success Charter Network is currently undergoing a formal name change process. The new name of Success Charter Network will be Success Academy Charter Schools, subject to finalization.

<sup>3</sup> Source: Progress Report

<sup>4</sup> The preliminary 2011-2012 Under-Utilized Space Memorandum and List was published on the DOE’s website on October 4, 2011. It can be accessed at <http://schools.nyc.gov/community/planning/default.htm>.

<sup>5</sup> Source: 2010 audited register

building.<sup>6</sup> In 2017-18, building K059 would serve a total of 746-826 students,<sup>7</sup> which yields an estimated building utilization rate of up to 100%.

Along with this proposed co-location, the DOE is also projecting a moderate decline in P.S. 59’s projected enrollment going forward. This enrollment reduction is primarily driven by two factors: first, P.S. 59 has experienced a steady decline in enrollment. In the three years since the 2008-2009 school year, P.S. 59’s Kindergarten enrollment has decreased by 25%. This trend has contributed to K059’s status as an under-utilized building. Second, P.S. 59, a zoned elementary school, serves a significant percentage of students who do not reside within its zone – approximately 40% of its current student enrollment is composed of out-of-zone students. Going forward, P.S. 59 will enroll an incoming Kindergarten class of 40-50 students, which is reflective of its historical enrollment trends and demand. This represents a moderate decline of 3 to 13 students per year, and P.S. 59 will serve incoming Kindergarten cohorts in two sections, as opposed to the three sections it has enrolled in recent years.

Once P.S. 59 has fully phased in this projected Kindergarten enrollment figure across grades K-5, the net total enrollment figure would not be significantly different than what would have naturally occurred if P.S. 59’s current enrollment trends continued. Given P.S. 59 is a zoned school, students residing within that zone have a right to attend P.S. 59 and will be prioritized for the projected Kindergarten classes of 40-50 students.

The DOE believes in Success Charter Network’s record of success and supports the permanent placement of a Success charter school in District 14 in order to continue providing educational opportunities for students and families.

## II. Proposed or Potential Use of Building

K059 has the capacity to serve 825 students, but in 2010-2011, the building only served 434 students, yielding a target utilization rate of just 53%. In the 2011-2012 school year, P.S. 59 is projected to enroll 420 students, yielding a utilization rate of 51%.

Over the next five years, the proposed grade spans for the schools in the building are as follows:

| DBN    | School Name                | 2011-12 | 2012-13 | 2013-14 | 2014-15 | 2015-16 |
|--------|----------------------------|---------|---------|---------|---------|---------|
| 14K059 | P.S. 059 William Floyd     | K-5     | K-5     | K-5     | K-5     | K-5     |
| 84KTBD | Success Academy Bed-Stuy 2 | N/A     | K-1     | K-2     | K-3     | K-4     |

In 2012-2013, Success Academy Bed-Stuy 2 will open in the building and will serve Kindergarten through first grade students. As discussed above, P.S. 59 will only enroll two sections of Kindergarten, instead of three sections, beginning in the 2012-2013 school year. Combined, Success Academy Bed-Stuy 2 and P.S. 59 will serve 556-646 students in the 2012-2013 school year, yielding a utilization rate of 78%.

<sup>6</sup> The utilization rate reported here may differ from that published in the 2010-2011 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 31st, 2010. 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 does 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.

<sup>7</sup> Estimate includes projected enrollment at P.S. 59 and Success Academy Bed-Stuy 2.

Enrollment at both schools over the next six years is described in the table below:

| School Name                | 2010-2011 Audited Register | 2011-2012 Projected Enrollment | 2012-2013 Projected Enrollment | 2013-2014 Projected Enrollment | 2014-2015 Projected Enrollment | 2015-2016 Projected Enrollment | 2016-2017 Projected Enrollment | 2017-2018 Projected Enrollment |
|----------------------------|----------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| P.S. 059 William Floyd     | 434                        | 420                            | 396 - 456                      | 376 - 436                      | 346 - 406                      | 331 - 391                      | 326-386                        | 326-386                        |
| Success Academy Bed-Stuy 2 | NA                         | NA                             | 160 - 190                      | 240 - 250                      | 330 - 380                      | 380 - 400                      | 400-420                        | 420-440                        |
| Total Building Enrollment  | 434                        | 420                            | 556 - 646                      | 616 - 686                      | 676 - 786                      | 711 - 791                      | 726-806                        | 746-826                        |
| <b>Utilization</b>         | 53%                        | 51%                            | 78%                            | 83%                            | 95%                            | 96%                            | 98%                            | 100%                           |

After P.S. 59 phases in its projected Kindergarten enrollment of two sections per grade across grades K-5 and once Success Academy Bed-Stuy 2 has reached total enrollment of approximately 420-440 students in 2017-2018, there will be approximately 746-826 total students served in the building across both organizations, yielding a target building utilization rate of up to 100%. Therefore, the building has adequate capacity to accommodate the co-location of Success Academy Bed-Stuy 2 and P.S. 59 after its enrollment reduction takes effect.

As described in more detail in the Enrollment, Capacity, Utilization Report, 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 goals for classroom capacities (which are aspirational targets 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. As described earlier in this EIS, the DOE’s projected 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, goal classroom capacity, etc.) remain constant. Thus, projected utilization rates for 2011-2012 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 goal 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.

Despite the 100% projected building utilization rate in 2017-2018, 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, as described above. In addition, charter school enrollment plans frequently contemplate larger class sizes than target capacity, bringing, as here, building utilization to 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 rooms in a building to provide a more complete picture of the availability of space in a building.

Success Academy Bed-Stuy 2 has been approved by its authorizer to open a K-8 grade public charter school in District 14, but the DOE has informed Success Charter Network that building K059 can only accommodate the school's Kindergarten through fourth grade. The DOE will consider all long-term options to accommodate the anticipated growth of Success Academy Bed-Stuy 2, which may include requesting that Success Academy Bed-Stuy 2 revise its enrollment plan, and/or re-siting some of its grades in a different location. Any proposal to re-site or co-locate Success Academy Bed-Stuy 2 in another building would be proposed in another educational impact statement subject to a vote by the Panel for Educational Policy.

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

#### **A. Students**

If this proposal is approved, Success Academy Bed-Stuy 2 would open in building K059 in 2012-2013 to serve 160-190 students in Kindergarten and first grade. Success Academy Bed-Stuy 2 would add one grade each year and enroll up to 440 students in 2017-2018, serving students in Kindergarten through fourth grade. Success Academy Bed-Stuy 2 will provide a preference to District 14 students in its charter school lottery application process. This proposed co-location is not expected to impact instructional programming, or the admissions process at P.S. 59 in building K059.

#### *Impact on Students Currently Attending P.S. 59*

P.S. 59 is a zoned elementary school serving Kindergarten through fifth grade students that also offers 2 sections of pre-Kindergarten. 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. 59 in 2012-2013, subject to continuing funding and demand.

P.S. 59 offers Integrated Co-Teaching ("ICT") classes, Self-Contained classes ("SC"), and Special Education Teacher Support Services ("SETSS"). The existing ICT, SC, and SETSS classes would continue to be provided and current and future students with disabilities will continue to receive mandated services in accordance with their Individualized Education Plans ("IEPs"). In addition, students classified as English Language Learners ("ELLs") are enrolled at the school and receive English as a Second Language ("ESL") services. All current and future ELL students will continue to receive ESL services if this proposal is approved.

In recent years, enrollment has declined at P.S. 59. In 2006-2007, P.S. 59 enrolled 504 students, but in the 2010-2011 school year, the school only enrolled 434 students, a decline of approximately 14 percent. In fact, between 2008-2009 and 2010-2011, the number of students enrolled in P.S. 59's Kindergarten class –

a leading indicator of future demand – decreased by 25%. Additionally, P.S. 59, a zoned elementary school, serves a significant percentage of students who do not reside within its zone – approximately 40% of its current student enrollment is composed of out-of-zone students. Some of these out-of-zone students are students with disabilities who are referred to P.S. 59 by the Office of Special Education (“OSE”). In the future, OSE anticipates that these students will be served by schools within their own zone that must accommodate a student’s disability.

Thus, going forward, P.S. 59 will enroll an incoming Kindergarten class of 40-50 students, which is reflective of its historical enrollment trends and local demand. This represents a moderate decline of 3 to 13 students per year, and P.S. 59 will serve incoming Kindergarten cohorts in two sections, as opposed to the three sections it has enrolled in recent years.

### *Impact on Partnerships at P.S. 59*

P.S. 59 partners with Thompkin’s Tenants, City Harvest, Mommy’s & Daddy’s, Children of Promise, and Children’s Choice Family Services. The DOE does not anticipate that this proposal would impact these partnerships at P.S. 59 in the K059 building.

### *Impact on Future Elementary School Students in District 14*

The proposed co-location of Success Academy Bed-Stuy 2 in K059 is not expected to impact the admissions process at P.S. 59. P.S. 59 is a zoned elementary school. Eligibility for admission to a zoned elementary school is determined by a student’s home address. For more information about school zoning, please visit the the DOE’s School Search Function at <http://schools.nyc.gov/default.htm>. P.S. 59 would continue to admit all students residing in the P.S. 59 zone, which includes students who enroll through an over-the-counter (“OTC”) placement. 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.

The DOE anticipates that there will be sufficient seats to accommodate students who seek to enroll OTC at their zone school. 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.

In the future, if there is an increase in student enrollment at P.S. 59 resulting from demand greater than current projections or an increase in the number of families residing in the zoned area, the Chancellor reserves the right to revise the building utilization plan in accordance with New York State Education Law Section 2853(3)(a-3)(4) or re-locate Success Academy Bed-Stuy 2 to an alternate location geographically proximate to K059.

### *Impact of Success Academy Bed-Stuy 2’s Co-location in K059 on Future Elementary School Students in District 14*

The co-location of Success Academy Bed-Stuy 2 in K059 will provide District 14 elementary school students with an additional elementary school option. Beginning in 2012-2013, Success Academy Bed-Stuy 2 would admit Kindergarten and first-grade students via lottery, with a preference for District 14 residents.<sup>8</sup>

If this proposal to open and co-locate Success Academy Bed-Stuy 2 is approved, all current and future Kindergarten students in District 14 will have the opportunity to enter the charter application lottery process to enroll in Kindergarten and first grade in August 2012. Success Academy Bed-Stuy 2's charter provides lottery preferences in the following order: (1) returning students<sup>9</sup>, (2) siblings, (3) applicants zoned to attend failing schools and/or applicants who are deemed English Language Learners (ELLs) who reside in the Community School District (CSD) of location of the charter school, (4) applicants zoned to attend failing schools and/or applicants who are deemed English Language Learners (ELLs) who do not reside in the CSD of location of the charter school, (5) other applicants who reside within the CSD of location of the charter school, and (6) other applicants who reside outside of the CSD of location of the charter school.

Success Academy Bed-Stuy 2 is currently seeking authorization to change its lottery to provide lottery preferences for: (1) returning students<sup>10</sup>, (2) siblings of current or accepted students, (3) ELLs, and (4) applicants who reside within the CSD. If approved, Success Academy Bed-Stuy 2 will set aside a certain percentage of seats in the first lottery pull for ELL students that is comparable to the average ELL percentage at traditional public elementary schools within the City.

Besides Success Academy Bed-Stuy 2, there are also several existing public charter schools in District 14 that provide a preference for District 14 students through the charter lottery application process. Those schools are listed below:

| School Name (DBN)                               | Address               | Current Grades Served | Grades Served at Scale | Projected Enrollment <sup>11</sup> | Admissions Criteria | Extracurricular Activities  |
|---|-----------------------|-----------------------|------------------------|------------------------------------|---------------------|---|
| Beginning with Children Charter School (84K703) | 11 Bartlett Street    | K-8                   | K-8                    | 441                                | Lottery             | Extended day, chess, band, READ, student government, debate team, soccer, volleyball, basketball and softball |
| Brooklyn Charter School (84K701)                | 545 Willoughby Avenue | K-5                   | K-5                    | 254                                | Lottery             | Music, art, dance, karate and mad science   |

<sup>8</sup> The Directory of New York City Charter Schools can be found at the following link: [http://schools.nyc.gov/NR/rdonlyres/50117A5B-DB95-4231-82CC-16C853A8EE2B/0/CharterSchoolDirectory\\_English.pdf](http://schools.nyc.gov/NR/rdonlyres/50117A5B-DB95-4231-82CC-16C853A8EE2B/0/CharterSchoolDirectory_English.pdf).

<sup>9</sup> Returning student preference would not apply in 2012-2013.

<sup>10</sup> Returning student preference would not apply in 2012-2013.

<sup>11</sup> Enrollment figures presented here reflect 2011-2012 budget register projections.

|  |                    |     |      |     |         |  |
|--|--------------------|-----|------|-----|---------|--|
| Brooklyn Success Academy Charter School (84K367) | 70 Tompkins Avenue | K-1 | K-8  | 190 | Lottery | Extended year calendar, extended day, sports, art, and chess |
| The Ethical Community Charter School (84K734)    | 700 Park Avenue    | K-3 | K-12 | 200 | Lottery | Extended year, extended day, after-school                    |

The chart above also includes (where available at the time of EIS creation) details about specialized academic programs planned for these charter schools. These details may not be comprehensive. 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/community/planning/charters/For+Parents>.

**B. Schools**

The proposed siting and co-location of Success Academy Bed-Stuy 2 would create an additional elementary school option in District 14. Each of the four Success Charter Network elementary schools that received a Progress Report for the 2010-2011 school year received an overall grade of A.<sup>12</sup> The DOE believes in Success Charter Network’s record of success and supports the permanent placement of a Success charter school in District 14 in order to continue providing educational opportunities for students and families.

P.S. 59 is projected to enroll 420<sup>13</sup> students in 2011-2012, and the school is projected to admit about 13%<sup>14</sup> of those students as new kindergartners this fall. When enrollment at P.S. 59 is decreased by approximately 3-13 Kindergarten students beginning in 2012-2013, the school will only admit approximately 40-50 students into its Kindergarten class. Even with this moderate enrollment reduction, new Kindergartners will continue to make up approximately 13% of the P.S. 59 student population. As this smaller Kindergarten cohort phases in across grades K-5, it will result in a decrease in section count across the grades to two sections, as opposed to the three sections which P.S. 59 has historically enrolled.

Success Academy Bed-Stuy 2 will phase in as a K-4 elementary school in 2015-2016, and will increase enrollment through 2017-2018. In 2017-2018, after Success Academy Bed-Stuy 2 reaches total enrollment of 420-440 and P.S. 59 phases in its projected Kindergarten enrollment of two sections per grade across grades K-5, K059 would have adequate capacity to accommodate both schools, at which point the two schools collectively are projected to enroll 746-826 students, yielding a projected building utilization rate of approximately 100%.

The estimated enrollment for Success Academy Bed-Stuy 2 and P.S. 59 over a seven year period are shown in the below tables.

<sup>12</sup> Source: Progress Report

<sup>13</sup> Enrollment figures presented here reflect 2011-12 budget register projections.

<sup>14</sup> Enrollment figures presented here reflect 2011-12 budget register projections.

Success Academy Bed-Stuy 2’s estimated enrollment over a period of seven years:

|                 | Grade Kindergarten | Grade 1 | Grade 2 | Grade 3 | Grade 4 | Total Enrollment |
|-----------------|--------------------|---------|---------|---------|---------|------------------|
| 2011-12 (proj.) | N/A                | N/A     | N/A     | N/A     | N/A     | N/A              |
| 2012-13 (proj.) | 80-90              | 80-100  | -       | -       | -       | 160-190          |
| 2013-14 (proj.) | 60                 | 90      | 90-100  | -       | -       | 240-250          |
| 2014-15 (proj.) | 60-80              | 90-100  | 90-100  | 90-100  | -       | 330-380          |
| 2015-16 (proj.) | 60                 | 80-85   | 80-85   | 80-85   | 80-85   | 380-400          |
| 2016-17 (proj.) | 60                 | 85-90   | 85-90   | 85-90   | 85-90   | 400-420          |
| 2017-18 (proj.) | 60-80              | 90      | 90      | 90      | 90      | 420-440          |

P.S. 59’s estimated enrollment over a period of seven years:

|                 | Pre-Kindergarten <sup>15</sup> | Grade Kindergarten | Grade 1 | Grade 2 | Grade 3 | Grade 4 | Grade 5 | Total Enrollment |
|-----------------|--------------------------------|--------------------|---------|---------|---------|---------|---------|------------------|
| 2011-12 (proj.) | 36                             | 53                 | 59      | 68      | 83      | 74      | 47      | 420              |
| 2012-13 (proj.) | 36                             | 40 - 50            | 50-60   | 55-65   | 65-75   | 80-90   | 70-80   | 396 - 456        |
| 2013-14 (proj.) | 36                             | 40 - 50            | 50-60   | 50-60   | 55-65   | 65-75   | 80-90   | 376 - 436        |
| 2014-15 (proj.) | 36                             | 40 - 50            | 50-60   | 50-60   | 50-60   | 55-65   | 65-75   | 346 - 406        |
| 2015-16 (proj.) | 36                             | 40 - 50            | 50-60   | 50-60   | 50-60   | 50-60   | 55-65   | 331 - 391        |
| 2016-17 (proj.) | 36                             | 40 - 50            | 50-60   | 50-60   | 50-60   | 50-60   | 50-60   | 326-386          |
| 2017-18 (proj.) | 36                             | 40 - 50            | 50-60   | 50-60   | 50-60   | 50-60   | 50-60   | 326-386          |

If this proposal is approved, there will be sufficient space to accommodate P.S. 59 and Success Academy Bed-Stuy 2, 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/community/planning/default.htm>.

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.

<sup>15</sup> Pre - Kindergarten is considered a program and is therefore not included in this chart as a grade served, but Pre-kindergarten enrollment is included in enrollment data throughout this document. Pre-kindergarten projection figures represent their full-day equivalency and assume maximum enrollment.

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 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, resources 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 Building Utilization Plan ("BUP") that accompanies this EIS, there will be sufficient instructional space in K059 for Success Academy Bed-Stuy 2 and P.S. 59.

### **C. Community**

The DOE supports parent choice and strives to ensure that all families have access to educational options that meet their children's needs. The proposed opening and co-location of Success Academy Bed-Stuy 2 is intended to meet those goals by providing an additional elementary school option for students in District 14. The Success Charter Network strives to provide rigorous and well-rounded instruction in historically underserved communities. Each of the four Success Charter Network elementary schools that received a Progress Report for the 2010-2011 school year, received an overall grade of A.<sup>16</sup> Existing Success Charter Network schools also offer an extended year calendar, extended day, and extracurricular activities such as sports, art, and chess as part of the regular school day.

As discussed earlier, P.S. 59 will enroll an incoming Kindergarten class of 40-50 students, which is reflective of its historical enrollment trends and local demand. This represents a moderate decline of 3 to 13 students per year, and P.S. 59 will serve incoming Kindergarten cohorts in two sections, as opposed to the three sections it has enrolled in recent years. Because P.S. 59's current out-of-zone enrollment spans a significant number of other zoned elementary schools, and since there is not a significant number of students who are zoned for any one particular school, the DOE anticipates that this slight reduction in seats at P.S. 59 will be easily absorbed by the out-of-zone students' zoned schools.

The K059 building is currently underutilized. This means that the space in the building is not being used as efficiently as possible and could be used to create new educational opportunities for District 14 families. By 2017-2018, when Success Academy Bed-Stuy 2 serves three sections per grade of Kindergarten through fourth grade and P.S. 59's enrollment reduction has been fully implemented, the DOE projects the building will have approximately a 100% utilization rate. This means that by 2017-2018, K059 would enroll more students and the space would be more efficiently utilized than was the case during the 2010-2011 school year.

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<sup>16</sup> Source: Progress Report

As discussed earlier, students in District 14 may also apply to attend several charter schools that are in the process of phasing in to the district and that provide a preference to District 14 students through the charter school lottery application process. Detailed information about charter schools will also be published annually and will be available in print or on the DOE website here: <http://schools.nyc.gov/community/planning/charters/For+Parents/default.htm>.

A list of these charter schools is provided below:

| School Name (DBN)                                | Address               | Current Grades Served | Grades Served at Scale | Projected Enrollment <sup>17</sup> | Admissions Criteria | Extracurricular Activities  |
|--|-----------------------|-----------------------|------------------------|------------------------------------|---------------------|---|
| Beginning with Children Charter School (84K703)  | 11 Bartlett Street    | K-8                   | K-8                    | 441                                | Lottery             | Extended day, chess, band, READ, student government, debate team, soccer, volleyball, basketball and softball |
| Brooklyn Charter School (84K701)                 | 545 Willoughby Avenue | K-5                   | K-5                    | 254                                | Lottery             | Music, art, dance, karate and mad science   |
| Brooklyn Success Academy Charter School (84K367) | 70 Tompkins Avenue    | K-1                   | K-8                    | 190                                | Lottery             | Extended year calendar, extended day, sports, art, and chess  |
| The Ethical Community Charter School (84K734)    | 700 Park Avenue       | K-3                   | K-12                   | 200                                | Lottery             | Extended year, extended day, after-school   |

This proposal is not expected to impact the ability of community members and organizations to obtain school building use permits at K059. This proposal is not expected to impact the site accessibility of the K059 building.

<sup>17</sup> Enrollment figures presented here reflect 2011-12 budget register projections.

## IV. Enrollment, Admissions and School Performance Information

### P.S. 59

#### Admissions Data

|                           |  |
|---------------------------|--|
| <b>Current Admissions</b> | <p><b>Pre-kindergarten:</b><br/>Standard Universal Pre-K Admissions Process</p> <p><b>Grades K-5<sup>18</sup>:</b> P.S. 59 is a zoned elementary school.</p> |
|---------------------------|--|

#### Enrollment Data

|  |         |
|--|---------|
| <b>Audited (2010-11) Grades Served</b>               | K-5     |
| <b>Audited (2010-11 Enrollment<sup>19</sup>)</b>     | 434     |
| <b>Projected (2011-2012) Grades Served</b>           | K-5     |
| <b>Projected (2011-2012) Enrollment<sup>20</sup></b> | 420     |
| <b>Projected Grades Served in 2012-2013</b>          | K-5     |
| <b>Projected 2012-2013 Enrollment</b>                | 396-456 |
| <b>Projected Grades Served in 2013-2014</b>          | K-5     |
| <b>Projected 2013-2014 Enrollment</b>                | 376-436 |
| <b>Projected Grades Served in 2014-2015</b>          | K-5     |
| <b>Projected 2014-2015 Enrollment</b>                | 346-406 |
| <b>Projected Grades Served in 2015-2016</b>          | K-5     |
| <b>Projected 2015-2016 Enrollment</b>                | 331-391 |
| <b>Projected Grades Served in 2016-2017</b>          | K-5     |
| <b>Projected 2016-2017 Enrollment</b>                | 326-386 |
| <b>Projected Grades Served in 2017-2018</b>          | K-5     |
| <b>Projected 2017-2018 Enrollment</b>                | 326-386 |

<sup>18</sup> Pre - Kindergarten is considered a program and is therefore not included in this chart as a grade served, but Pre-kindergarten enrollment is included in enrollment data throughout this document. Pre-kindergarten projection figures represent their full-day equivalency and assume maximum enrollment.

<sup>19</sup> 2010-11 audited enrollment

<sup>20</sup> Total projection is consistent with budget register projections for 2011-2012.

**Demographic Data**

|   |     |
|---|-----|
| Percentage of Students Receiving ICT or SC Services <sup>21</sup>       | 9%  |
| Percentage of Students with Individual Education Plans <sup>22</sup>    | 15% |
| Percentage of English Language Learner Students <sup>23</sup>           | 7%  |
| Percentage of Students Eligible for Free or Reduced Lunch <sup>24</sup> | 98% |

**School Performance Data**

| P.S. 59  | 2008-2009 | 2009-2010       | 2010-2011 <sup>25</sup> |
|--|-----------|-----------------|-------------------------|
| <b>School Performance and Progress</b>               |           |                 |                         |
| Overall Progress Report Grade                        | A         | C               | C                       |
| Performance Grade                                    | B         | F               | D                       |
| Progress Grade                                       | B         | F               | B                       |
| Environment Grade                                    | A         | C               | C                       |
| Quality Review Score                                 | -         | - <sup>26</sup> | D                       |
| <b>Performance Data<sup>27</sup></b>                 |           |                 |                         |
| English Language Arts % Proficient (Levels 3 and 4)  | 57%       | 13%             | 23%                     |
| Math % Proficient (Levels 3 and 4)                   | 81%       | 28%             | 25%                     |
| <b>Other Key Performance Indicators<sup>28</sup></b> |           |                 |                         |
| Attendance Rate                                      | 91%       | 91%             | 91%                     |

|  |                  |
|--|------------------|
| <b>2010-2011 State Accountability Status</b> | In Good Standing |
|--|------------------|

<sup>21</sup> Students Receiving ICT and SC services as percentage of total students from the 2010 Audited Register.  
<sup>22</sup> Students with Individual Education Plan as percentage of total students from the 2010 Audited Register.  
<sup>23</sup> English Language Learner students as percentage of total students from the 2010 Audited Register.  
<sup>24</sup> Percentage of Students Eligible for Free or Reduced Lunch from School Allocation Memorandum No. 8, FY12, July 5, 2011.  
<sup>25</sup> 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’ scale scores on the tests remained largely unchanged relative to the prior year.  
<sup>26</sup> Not all schools receive a Quality Review every year.  
<sup>27</sup> Source: Progress Report.  
<sup>28</sup> Source: Progress Report.

**Success Academy Bed-Stuy 2**

**Admissions Data**

|                             |  |
|-----------------------------|--|
| <b>Projected Admissions</b> | <b>Grades K-4:</b> Charter Lottery Application |
|-----------------------------|--|

**Enrollment Data**

|   |         |
|---|---------|
| <b>Current (2011-2012) Grades Served</b>    | NA      |
| <b>Current (2011-2012) Enrollment</b>       | NA      |
| <b>Projected Grades Served in 2012-2013</b> | K-1     |
| <b>Projected 2012-2013 Enrollment</b>       | 160-190 |
| <b>Projected Grades Served in 2013-2014</b> | K-2     |
| <b>Projected 2013-2014 Enrollment</b>       | 240-250 |
| <b>Projected Grades Served in 2014-2015</b> | K-3     |
| <b>Projected 2014-2015 Enrollment</b>       | 330-380 |
| <b>Projected Grades Served in 2015-2016</b> | K-4     |
| <b>Projected 2015-2016 Enrollment</b>       | 380-400 |
| <b>Projected Grades Served in 2016-2017</b> | K-4     |
| <b>Projected 2016-2017 Enrollment</b>       | 400-420 |
| <b>Projected Grades Served in 2017-2018</b> | K-4     |
| <b>Projected 2017-2018 Enrollment</b>       | 420-440 |

**Demographic Data**

|  |  |
|--|--|
| <b>Percentage of Students Receiving CTT or SC Services</b>       | Success Academy Bed-Stuy 2 does not yet enroll students. Therefore, there is no demographic data for the school. |
| <b>Percentage of Students with an Individual Education Plan</b>  |  |
| <b>Percentage of English Language Learner Students</b>           |  |
| <b>Percentage of Students Eligible for Free or Reduced Lunch</b> |  |

**School Performance Data**

Success Academy Bed-Stuy 2 does not yet enroll students. Therefore, there is no school performance data for the school.

## V. Initial Costs and Savings

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. The DOE has been informed by Success Academy that it may seek permission for certain capital improvements or facilities upgrades, but these capital improvements or facilities upgrades would be subject to the New York State Charter School Act of 1998.

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

### A. Personnel Needs

Some administrative staff, teachers, and non-pedagogical positions at P.S. 59 would be excessed over the course of the enrollment decline at P.S. 59. This process will take place gradually as student enrollment declines with each successive graduating class and is aligned with what would occur naturally due to current enrollment trends at P.S. 59. With fewer students, the school's staffing needs will naturally be reduced.

New administrative staff and non-pedagogical positions will be created at Success Academy Bed-Stuy 2 over the course of the school's phase-in. Success Academy Bed-Stuy 2 is expected to hire additional teachers as each new grade is added and as the total number of sections increases as the school phases in.

### B. Cost of Instruction

Most funding in school budgets is allocated on a per-pupil basis. The basic operating budget for P.S. 59 is determined by the same Fair Student Funding (FSF) per capita entitlement used at all other New York City District public schools. Each student receives a per-pupil allocation based on the grade level of the student. FSF allocations are subject to variation, but for 2011-2012, the base per-pupil entitlement 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 are entitled to 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, 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, 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.

As a result of this proposal, the total number of students enrolled at P.S. 59 is expected to decline slightly, meaning that the school may need fewer teachers and fewer supplies to meet the needs of its smaller student population. If the overall school enrollment grows again in the future, the overall budget will increase accordingly. In any case, funding will be provided in accordance with enrollment levels, allowing the school to meet the instructional needs of its student population. This is how funding is awarded to all schools throughout the City, with budgets naturally increasing or decreasing as enrollment fluctuates from year to year.

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. 59 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. This school is currently eligible for Title I funding. Assuming that the schools continue to meet Title I criteria, the size of its 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 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. All school organizations located in the K059 building 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 FY11 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. 59 may be excessed 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.

Success Academy Bed-Stuy 2 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 will be no change to existing transportation practices at all existing schools located in the K059 building due to this proposal.

Transportation would continue to be provided according to Chancellor’s Regulation A-801: <http://schools.nyc.gov/NR/ronlyres/21A1B11A-886B-4F74-9546-E875EE82A14C/40303/A801.pdf>.

**E. Other Support Services**

The provision of certain support services is described above. Other support services will continue to be provided consistent with Citywide policy.

**VII. Building Information**

|   |   |                                      |
|---|---|--------------------------------------|
| <b>Building</b>   |   | K059                                 |
| <b>Type of Building</b>   |   | Elementary                           |
| <b>Year Built</b>   |   | 1955                                 |
| <b>Overall BCAS rating</b>  |   | 2.56                                 |
| <b>2010-2011 Target Building Utilization</b>                      |   | 53%                                  |
| <b>2010-2011 Target Building Capacity</b>                         |   | 825                                  |
| <b>FY 2011 Maintenance Costs</b>                                  | <b>Labor</b>  | \$40,676                             |
|   | <b>Materials</b>  | \$25,923                             |
|   | <b>Maintenance and repair contracts</b>                     | \$18,832                             |
|   | <b>Service contracts</b>                                    | \$0                                  |
|   | <b>Custodial operations costs—<br/>Materials</b>            | \$6,713                              |
|   | <b>Custodial operations costs—<br/>Custodial Allocation</b> | \$244,585                            |
| <b>FY 2011 Energy Costs</b>                                       | <b>FY2011 Electric</b>                                      | \$90,254                             |
|   | <b>FY2011 Gas</b>   | \$433                                |
|   | <b>FY2010 Oil</b>   | \$106,110                            |
| <b>Projects completed during the current or prior school year</b> |   | N/A                                  |
| <b>Projects proposed in the capital plan</b>                      |   | n/a                                  |
| <b>Accessibility of the building</b>                              |   | Building not functionally accessible |

|                            |  |
|----------------------------|--|
| <b>Building attributes</b> | Cafeteria, Computer room, Gymnasium, Library |
|----------------------------|--|