EDUCATIONAL IMPACT STATEMENT: The Proposed Co-Location of a New School, P.S. 521 (18K521), and a New Charter School, Explore Charter School, with P.S. 114 Ryder Elementary (19K114) in Building K114

I. Summary of Proposal

The New York City Department of Education ("DOE") is proposing to site a new zoned elementary school, P.S. 521 (18K521, "P.S. 521"), and a new charter elementary school, Explore Charter School ("Explore") at 1077 Remsen Avenue, Brooklyn, NY 11236, in Community School District 18, in Building K114 ("K114"). If this proposal is approved, P.S. 521 and Explore would be co-located with an existing elementary school, P.S. 114 Ryder Elementary (18K114, "P.S. 114"). P.S. 114 is an existing zoned elementary school that currently serves kindergarten through fifth grade, and offers 1 section of full day Pre-kindergarten program. P.S. 521 would be a new DOE zoned elementary school that would serve kindergarten through fifth grade when it achieves "full-scale." Explore Charter School would be a new charter school that would serve kindergarten through fifth grade when it achieves "full-scale" in the K114 building.[1] 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.

In a separate Educational Impact Statement ("EIS") published on December 17, 2010, the DOE proposed to gradually phase out and eventually close P.S. 114 because of its poor performance and inability to turn around quickly to better support student needs.[2] On January 12, 2011, the DOE posted a revised EIS that modified the phase-out enrollment plan for P.S. 114.

PS. 114 is a zoned elementary school. If the revised proposal to phase-out P.S. 114 is approved, P.S. 114 would no longer admit kindergarten students or serve grades one, two, or three after the conclusion of the 2010-2011 school year. It would also no longer offer a pre-kindergarten program after the conclusion of the 2010-2011 school year. Current students in grades three and four will continue to be served by P.S. 114 as they progress toward completion of elementary school. In the 2011-2012 school year, P.S. 114 would serve students in grades four and five. In 2012-2013, P.S. 114 would only serve students in grade five. P.S. 114 would close after June 2013.[3] All students in grade five would participate in the District 18 Middle School Choice process consistent with current practice, to enroll in either their zoned middle school or a district choice school.

In 2011-2012, P.S. 521 would open in K114 as a new zoned elementary school that would serve the same zone as P.S. 114. In 2011-2012, P.S. 521 would serve 85-100 students in kindergarten, 85-100 students in first grade, 85-100 students in second grade, and 125-145 students in third grade.[4] In the 2012-2013 school year, P.S. 521 would grow to serve 125-145 fourth grade students. Once P.S. 521 completes phasing in at

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[1] Explore is authorized by its charter to serve kindergarten through sixth grades, and the DOE anticipates that Explore will apply for a grade expansion to serve kindergarten through eighth grades. In this proposal, Explore will reach full scale in the K114 when it serves fifth grade. The DOE recognizes there is not sufficient space in the K114 building for Explore to serve middle school grades. The DOE is considering all long-term options to accommodate the anticipated growth of Explore. This may include requesting Explore to revise its enrollment plan and/or leaving the elementary grade levels in K114 and placing other grades in a different location.

[2] http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb12011Proposals

[3] As described in the revised EIS concerning the proposed phase out and closure of P.S. 114, students who do not meet promotional requirements during the phase-out plan will continue to have access to appropriate courses to support their progress toward promotion.

[4] Estimate based on projected kindergarten through five enrollment at P.S. 114, with the current kindergarten class size (November 1, 2010 unaudited register), used to project the size of future incoming kindergarten classes.

the end of the 2013-2014 school year, it would serve approximately 550-645 students in kindergarten through fifth grade. Pending continued funding availability, P.S. 521 would offer a pre-kindergarten program beginning in 2011-2012.

In 2011-2012, Explore would open in K114 and would serve approximately 56 students in kindergarten, 56 students in grade one, 56 students in grade two, and 56 students in grade three, admitted through the charter lottery application process with a preference for District 18 students. In 2012-2013, Explore will expand to serve approximately 56 additional students in fourth grade. In 2013-2014, Explore will serve approximately 336 students in kindergarten through fifth grades. [5]

In addition, Explore is working with its authorizer State University of New York State ("SUNY") to revise its charter license in order to further provide a priority preference for District 18 students who are currently residing in a zone where a school is phasing out or where phase out has been proposed in an EIS issued by the DOE.[6] This year, P.S. 114 is the only school that is scheduled to phase out in the District, and therefore if Explore's proposal to revise its charter is accepted by SUNY, students zoned to P.S. 114 would receive priority preference in the 2011-2012 charter lottery application process. However, in the future, all District 18 students who are residing in a zone where a school is phasing out or proposed to phase out may receive priority preference as well.

Current kindergarten, first-grade and second-grade students at P.S. 114 would be guaranteed a seat at the new zoned elementary school, P.S. 521, which would open in K114 in September of 2011. In addition, Explore, the new charter school, would admit incoming kindergarten, first-grade, second-grade and third-grade students through the charter lottery application process this spring.

The building in which P.S. 114 is located, K114, has the capacity to serve 986 students. In 2009-2010, the most recent year for which audited enrollment data is available, the building only served 844 students, yielding a utilization rate of just 86%. [7] P.S. 521 and Explore would be "co-located" with P.S. 114 as P.S. 114 phases out. In 2013-2014, once P.S. 521 has completed phasing in, Explore serves kindergarten through fifth grades, and P.S. 114 has completed its phase-out, there will be approximately 905-1,000[8] total students served in the building, yielding a target building utilization of 101%.[9] For a more detailed discussion regarding a utilization rate in excess of 100% please see the discussion in Section II.

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

[6] In order to enact this preference, Explore will have to revise its current charter license with SUNY and the revisions must be voted upon by the authorizer before the preference may be enacted. If Explore's proposal to revise its current charter license is not approved by SUNY, the DOE will re-examine this co-location proposal and may revise as appropriate.

[7] The utilization rate reported here may differ from that published in the 2009-2010 Enrollment Capacity Utilization Report (the "Blue Book") because the Blue Book enrollment includes Long Term Absences ("LTAs"), students who have been absent continuously for 30 days or more as of October 31, 2009. The building capacity figures quoted here are consistent with the Blue Book. However, the building enrollment figures referenced throughout this EIS and used in the calculation of utilization rates only include the number of students estimated to be regularly attending the school, and thus do not include LTAs. This methodology is consistent with the manner in which the DOE conducts planning and calculates space allocations and funding for all schools. In determining the space allocation for co-located schools, the Office of Space Planning will conduct a detailed site survey and space analysis of the building to assess the amount of space available in the building.

[8] Includes one section of pre-kindergarten.

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

Background on the DOE's Decision-Making Process

The DOE strives to ensure that all students in New York City have access to a high-quality school at every stage of their education. Continuing to allocate space and resources to schools that are unable to significantly improve student performance is neither efficient nor equitable. As detailed in the Educational Impact Statement posted on December 17, 2010, the DOE has concluded that phasing out P.S. 114 is appropriate due to the school's history of poor performance. [10] This proposal was revised and the revision was posted on January 12, 2011. In determining the most optimal way to distribute space to high quality schools, the DOE is proposing to co-locate two new elementary schools in the K114 building to provide what the DOE believes are high quality elementary school options that will serve the families of District 18.

Not including P.S. 114, there are currently 10 district elementary schools serving kindergarten through fifth grade and 2 schools serving kindergarten through eighth grade located in District 18. Of those, one school received an A on its Progress Report grade for 2009-2010. Five of these schools received B grades and the remaining six schools received C grades.

The Explore Charter Schools Network ("Explore Schools") is a growing Charter Management Organization ("CMO") that seeks to provide students with the academic skills and critical-thinking abilities necessary to graduate from high school and succeed in college. Explore Schools seeks to provide students in under-served communities with access to high-quality public education and provides value-added support to schools in the network. Explore Schools Network currently manages 2 charter schools in Brooklyn: Explore Charter School (84K704, 15 Snyder Avenue in District 17) which was opened in 2002 and currently serves approximately 476 kindergarten through eighth grade students and Empower Charter School (84K742, 801 Park Place in District 17), which was opened in 2009[11] and currently serves approximately 223 kindergarten through third grade students. Empower Charter School does not have performance data available.[12] Explore Charter School earned an overall B grade on the 2009-2010 Progress Report, with an A on the Environment sub-section, and B on the Student Progress sub-section.

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

II. Proposed or Potential Use of Building

The building in which P.S. 114 is located, K114, has the capacity to serve 986 students. In 2009-2010—the most recent year for which audited enrollment data is available—the building served 844 students, yielding a target utilization rate of 86%. For the 2010-2011 school year, P.S. 114 served a total of 736 students in kindergarten through fifth grade, as well as one full-day pre-kindergarten program of 18 students, yielding a projected utilization of 76%. There is also a community-based organization ("CBO"), the Kings County Mental Health Clinic ("mental health clinic"), housed in the K114 building, providing mental health clinic services to the community. There will be no impact on this CBO as a result of the proposed phase-out of P.S. 114 and the co-location of the two new schools in the building.

P.S. 521 and Explore would be co-located with P.S. 114 as P.S. 114 phases out and as the other schools phase in. Once P.S. 521 and Explore have completed their expansions and P.S. 114 has completed its phase-out, there will be approximately 905-1,000 total students served in the building by both P.S. 521 and

[10] http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals
[11] November 1, 2001 unaudited register
[12] In 2009-2010, Empower served kindergarten through second grades, which are not testing grades. Therefore Empower does not have 2009-2010 performance data or a Progress Report score.

Explore, yielding a building utilization rate 101%[13]. Over the next three years, the proposed grade spans for the schools in the building are as follows:

School Year	2010-11	2011-12	2012-13	2013-14
P.S. 114	K-5	4, 5	5	N/A
P.S. 521	N/A	K, 1, 2, 3	K, 1, 2, 3, 4	K, 1, 2, 3, 4, 5
Explore Charter School	N/A	K, 1, 2, 3	K, 1, 2, 3, 4	K, 1, 2, 3, 4, 5

During the 2011-2012 school year, P.S. 114 would serve students in fourth and fifth grades and would no longer offer a pre-kindergarten program. In 2012-2013, P.S. 114 would serve students fifth grade only. The school would close after June 2013.

P.S. 521 would open in K114 in 2011-2012 and would serve kindergarten through third grade students with an enrollment of approximately 380-445 students. Pending funding availability, P.S. 521 would also offer a pre-kindergarten program beginning in 2011-2012. P.S. 521 would serve approximately 550-645 kindergarten through fifth-grade students when it completes its expansion in 2013-2014.

Explore would also open in K114 in the 2011-2012 school year and would serve kindergarten through third-grade students with an enrollment of approximately 224 students. Explore would serve approximately 336 kindergarten through fifth grade students in 2013-2014.[14]

Once P.S. 521 and Explore complete their expansions and P.S. 114 has completed its phase out, there will be approximately 905-1,000 students served in the building, yielding a building utilization rate of 101%.[15] As described in more detail in the Enrollment, Capacity, Utilization Report, which is available at http://source.nycsca.org/pdf/capitalplan/2009-10/BB_2009_2010.pdf, a building's target utilization rate is calculated by dividing its official audited enrollment by its target capacity. A building's target capacity factors in the scheduled use of individual rooms as reported by principals during an annual facilities survey, the DOE's internal class size targets (which are lower than the UFT contractual class sizes), and the efficiency with which classrooms are programmed (i.e., the frequency with which classes are scheduled in a given classroom).

The most recent year for which target capacity has been calculated for buildings is 2009-2010. As described earlier in this EIS, the DOE's projected utilization rates for the 2010-2011 school year and beyond are based on the 2009-2010 target capacity, which assumes that the components underlying that target capacity (scheduled use of classrooms, aspirational class size targets, programming efficiency, etc.) remain constant. Thus, projected utilization rates for 2010-2011 and beyond provide only an approximation of a building's usage because each of the factors underlying target capacity may be adjusted by principals from year to year to better accommodate students' needs. For example, changing the use of a room from an administrative room to a homeroom at the high school level will increase a building's target capacity. 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 fifth grade has a higher target classroom capacity than kindergarten.

[13] Includes one section of pre-kindergarten.

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

[15] Includes one section of pre-kindergarten.

Although a utilization rate in excess of 100% may 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 different uses or more efficiently. In addition, charter school enrollment plans are frequently based on larger class sizes than target capacity, contributing to building utilizations above 100%. Section III.B. sets forth the baseline number of rooms to be allocated to each school pursuant to the Footprint[16] as well as the total number rooms in a building to provide a more complete picture of the availability of space in a building. Further, enrollment in schools can have small variations from one year to another due to factors that cannot be anticipated, like a small increase in the number of students that need to repeat ninth grade in a high school or the number of kindergarten-aged children living in a school zone being higher one year compared to another.

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

A. Students

Impact on Students Currently Attending School in the K114 building

The proposal to phase out and close P.S. 114 and its impact on current P.S. 114 students is outlined in a separate EIS, which was posted on December 17, 2010. Please visit the DOE's website to view that Educational Impact Statement: http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals. The DOE revised this proposal on January 12, 2011. Please visit the DOE's website to view the revised Educational Impact Statement: http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals.

P.S. 114 currently serves approximately 736 students in kindergarten through fifth grade and offers one full section of pre-kindergarten with 18 seats.[17] In 2011-2012, current P.S. 114 students enrolled in kindergarten, first, and second grade would enroll in the new DOE zoned elementary school, P.S. 521 or may apply through the charter lottery process to attend Explore.

As discussed in greater detail on the following page, Explore will give preference to students located in District 18. In addition, Explore is working with its authorizer, SUNY, to revise its charter license in order to further provide a priority preference for District 18 students who are currently residing in a zone where a school is phasing out or where phase out has been proposed in an EIS issued by the DOE. This year, P.S. 114 is the only school that is scheduled to phase out in the District, and therefore if Explore's proposal to revise its charter is accepted by SUNY, students zoned to P.S. 114 would receive priority preference in the 2011-2012 charter lottery application process. However, in the future all District 18 students who are residing in a zone where a school is phasing out or proposed to phase out may receive priority preference as well.

Students currently enrolled in fourth and fifth grades at P.S. 114 would complete elementary school at P.S. 114 while the phase-out is implemented. Current fifth grade students have participated in the District 18 Middle School Choice process and will enroll in sixth grade at a "choice" middle school or his or her zoned middle school, consistent with current practice. In 2012-2013, P.S. 114 would only serve students in fifth grade. P.S. 114 would close at the end of June 2013.

The proposed co-location of Explore and P.S. 521 is not expected to impact current instructional programming or extracurricular programs offered at P.S. 114.

[16] Please visit the New York City Department of Education website to access the Instructional Footprint, which guides space allocation and use in City schools: http://schools.nyc.gov/NR/rdonlyres/8CF30F41-DE25-4C30-92DE-731949919FC3/87633/NYCDOE_Instructional_Footprint_Final9210TNT.pdf)

[17] November 1 2001 unaudited register.

- P.S. 114 currently provides fourth and fifth graders with the District 18 Astral program, which provides an enriched curriculum expanding the learning experience in the form of challenging activities designed for critical and creative thought. The Astral program is not part of the Citywide Gifted and Talented program or testing process, no longer enrolls students into its entry grade, and has been in the process of phasing out and will continue to do so independent of this proposal. Gifted and Talented programs are sited or opened based on demand from students who qualify by scoring in the 90th percentile or above on the Citywide Gifted and Talented tests.[18] The possibility of siting a new Gifted and Talented program at P.S. 521 will be determined at a later time.
- P.S. 114 does not currently offer student athletics or other extracurricular program options

P.S. 114 currently offers Collaborative Team Teaching ("CTT") classes, Self-Contained classes ("SC"), and Special Education Teacher Support Services ("SETTS"). The existing CTT, SC and SETTS classes would continue to be provided, and students with disabilities will likewise continue to receive mandated services in accordance with their Individualized Education Plans ("IEPs"). Similarly, when P.S. 521completes its expansion, any students with IEPs will continue to receive mandated services as the school phases out and as the new elementary schools phases in.

In accordance with DOE policy, English Language Learners ("ELLs") are admitted to elementary schools in the same manner as their peers who are not ELL. Current ELLs at P.S. 114 would continue to receive mandated services even as the school phases out. Likewise, when P.S. 521 completes its expansion, any students requiring ELL services will continue to receive mandated services.

A more detailed description of the potential impact that the phase-out of P.S.114 would have on students is outlined in a separate EIS, posted on December 17, 2010. The DOE has recently revised the phase-out EIS for P.S. 114 which was posted on January 12, 2011. Please visit the DOE's website to access that Educational Impact Statement: http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb12011Proposals.

Impact on Future Elementary School Students

P.S. 114 is a zoned elementary school. A zoned elementary school is determined by a student's home address. For more information about school zoning, please visit the DOE website's School Search function at http://schools.nyc.gov/schoolsearch. P.S. 521 would become the new zoned elementary school serving students who reside in the K114 zone, and any student residing in that zone, including students who enroll through an over-the-counter ("OTC") placement, would be entitled to a seat at P.S. 521.

Over-the-counter placement is a term that refers to the method of enrolling students who need a school assignment because they were not part of any admissions process for entry grades and/or were not enrolled in a NYC school at the time school started. These students fall into one of three categories:

- New to the New York City school system; or
- Left the New York City school system and have returned; or
- Are seeking transfers (based on the guidelines outlined in Chancellor's Regulation A-101).[19]

When a student arrives for an over-the-counter placement, his or her elementary school assignment is determined by his or her home address and which schools have available seats, and where applicable,

[18] Gifted and Talented tests currently in use are the OLSAT and Bracken School Readiness tests and are subject to change.
[19] Per Chancellor's Regulation A-101, students have the "right to return" to their prior school following discharge within one calendar year of discharge, subject to available seats. Therefore, it is possible that non-zoned students arriving for an OTC placement may be granted admission to a zoned school.

transfer guidelines. Students may simply report to their zoned elementary school at the start of the year.

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

During the phase-out, if a new student moves into the K114 zone area, he or she will attend school at either P.S.114 or at P.S. 521 depending on which school offers the appropriate grade level, as shown in the below table.

School Year	2010-11	2011-12	2012-13	2013-14
P.S. 114	K-5	4, 5	5	N/A
P.S. 521	N/A	K, 1, 2, 3	K, 1, 2, 3, 4	K, 1, 2, 3, 4, 5

In addition, the opening and co-location of Explore in K114 will provide District 18 elementary students with an additional high quality elementary school choice option. If the proposal to phase out and close P.S. 114 is approved, as well as the proposal to co-locate Explore in K114, all kindergarten students residing in District 18 will have the opportunity to participate in the charter application lottery to enter kindergarten at Explore in September 2011. Explore is in the process of seeking approval from its charter authorizer, SUNY, to amend its charter license agreement to give priority preference in the order listed below: [20]

1. District 18 students/families who:[21]
    - Currently reside in a zone where a school is phasing out or being proposed to phase out in an EIS issued by the DOE
    - Currently attend a school that is phasing out or where phase out has been proposed in an EIS issued by the DOE
2. Citywide student/families who:
    - Currently reside in a zone where a school is phasing out or proposed to phase out
    - Currently attend a school that is phasing out or being proposed to phase out in an EIS issued by the DOE
3. District 18 students/families

Since P.S.114 is the only school in District 18 that is being proposed to phase out and close, this means that current and future students residing in the P.S. 114 zone would be eligible for priority preference 1 as stated above.

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

Additionally, there are several charter schools that are also available to District 18 students and families. These charter schools give preference to District 18 students in their respective lotteries. The following is a

[20] The preferences listed in this order remain contingent on SUNY's approval of Explore's proposal to revise its charter, and must be voted on by the charter authorizer because the preferences may be enacted.

[21] In order to enact this preference, Explore will have to revise its current charter license with SUNY and the revisions must be voted upon by the authorizer before the preference may be enacted. If Explore's proposal to revise its current charter license is not approved by SUNY, the DOE will re-examine this co-location proposal and may revise as appropriate.

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

Impact on Future Pre-kindergarten Students

Beginning in 2011-2012, P.S. 114 would no longer offer a pre-kindergarten program. Pending funding availability, the new school, P.S. 521, would offer a pre-kindergarten program beginning in 2011-2012.[22] The enrollment policy for Pre-kindergarten admissions would remain the same. Younger siblings of zoned students already enrolled in P.S. 114 or the new school, P.S. 521, would get first preference into pre-kindergarten admissions. Siblings from outside the zone would receive second preference.

B. Schools

P.S. 114 currently enrolls 736 kindergarten through fifth grade students in 2010-2011, of which 97 students are in kindergarten.[23]

The overall plan for Building K114 includes the phase-out of P.S. 114 and the phase-in of P.S. 521 and Explore. When those two schools complete their phase-in and achieve “full scale” in the 2013-2014 school year, they are projected to collectively enroll 885-980 kindergarten through fifth grade students, plus one section of pre-kindergarten, for a total of 905-1,000 students. At that point, P.S. 114 will have completed its phase-out, and the projected building utilization will be 101 %. The building will be able to accommodate the two schools by using space more efficiently as described in the attached Building Utilization Plan.

As noted previously, Explore is authorized by its charter to serve kindergarten through sixth grades, and the DOE anticipates that Explore will apply for a grade expansion to serve kindergarten through eighth grades. In this proposal, Explore will reach full scale in the K114 when it serves fifth grade. The DOE recognizes there is not sufficient space in the K114 building for Explore to serve middle school grades. The DOE is considering all long-term options to accommodate the anticipated growth of Explore. This may include requesting Explore to revise its enrollment plan and/or leaving the elementary grade levels in K114 and placing other grades in a different location.

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

[22] Pre-kindergarten funding allocations will be determined prior to the start of the 2011-2012 school year.
[23] Unaudited register November 1, 2010 excludes pre-kindergarten

The projected K-5 enrollments for all of the schools over a period of three years are shown in the tables below.[24]

P.S. 114 Estimated Enrollment over 4 years

	Grade K	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Total
2010-11 (current)[25]	97	92	135	122	144	146	754
2011-12	-	-	-		110-130	130-150	240-280
2012-13	-	-	-	-		110-130	110-130
2013-14	-	-	-	-	-	-	0

P.S. 521 Estimated Enrollment over 3 years

	Grade K	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Total
2010-11 (current)	-	-	-	-	-	-	-
2011-12	85-100	85-100	85-100	125-145	-	-	380-445
2012-13	85-100	85-100	85-100	85-100	125-145	-	465-545
2013-14	85-100	85-100	85-100	85-100	85-100	125-145	550-645

Explore's estimated enrollment, over a period of 3 years

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

If this proposal is approved, there would be sufficient space to serve P.S. 114, P.S. 521, and Explore pursuant to the Citywide Instructional Footprint (the "Footprint") throughout the period while P.S. 114 phases out and while P.S. 521 and Explore gradually phase in. 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/8CF30F41-DE25-4C30-92DE-731949919FC3/87633/NYCDOE_Instructional_Footprint_Final9210TNT.pdf.

The Footprint sets forth the baseline number of rooms that should be allocated to a school based on the grade levels served by the school and number of classes per grade. For existing schools, the Footprint is applied to the current number of classes and class size a school has programmed and is confirmed by a walk-through of the building by the Borough Director of Space Planning and the school's principal. For elementary schools serving grades kindergarten through five (and for all pre-kindergarten programs), the Footprint assumes that classes are self-contained. Therefore, the Footprint allocates one full-size classroom

[24] The projected enrollment ranges throughout this document have been rounded to the nearest multiple of five.
[25] November 1, 2010 unaudited register

for each general education or CTT section and a full-size or half-size classroom to accommodate each SC special education section served by the school. In addition to these rooms, schools serving grades K-5 receive an allocation of cluster or specialty classrooms proportionate to the number of students enrolled. These spaces can be used at the principal's discretion for purposes such as art and/or music instruction, among other things.

For grades 6-12, the Footprint assumes that students move from class to class and that classrooms should be programmed at maximum efficiency. The Footprint allocates one full-size classroom for each general education or Collaborative Team Teaching section and a full-size or half-size classroom to accommodate each Self-Contained special education section served by the school. The Footprint does not require that every teacher have his or her own designated classroom. Principals are asked to program their schools efficiently so that classrooms can be used for multiple purposes throughout the course of the school day.
All schools receive a baseline of the approximate equivalent of 2 full-size classrooms[26] for administrative services, student support services and resource rooms. Additional resource rooms and administrative rooms are allocated based on grade level and enrollment scale of each school. Any space remaining beyond the baseline shall be allocated equitably among the co-located schools. In determining an equitable allocation, the DOE may consider factors such as the relative enrollments of the co-located schools, the instructional and programmatic needs of the co-located schools, and the physical location of the excess space within the building.

As described in more detail in the attached Building Utilization Plan that accompanies this EIS, there will be sufficient instructional space in K114 for P.S. 521 and Explore to grow to scale. As in other situations where schools are co-located, the schools would need to share large common and specialty rooms in the building, namely the cafeteria, the two gymnasiums, and the library. Specific decisions regarding the allocation of the shared spaces will be made by the Building Council, consisting of principals from all co-located schools, in conjunction with the DOE Office of Space Planning. A Shared Space Committee will also meet a minimum of 4 times a year and report back to the Building Council regarding shared space questions. Any unallocated space would be equitably distributed among the schools based on student enrollment.

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

C. Community

P.S. 114 has struggled with low performance despite the DOE's considerable support. As a result, there is a need to provide better options for families in the community. Under this proposal, the K114 building will remain open, but will offer new educational options that better support the learning needs of future students in District 18 who are zoned to P.S. 114 by providing a new DOE zoned elementary school and a high quality charter school option in the K114 building. The proposed co-location of P.S 521 and Explore in K114 is intended to increase the number of high-quality elementary schools in District 18.

The DOE is proposing to open a new elementary school in K114, P.S. 521, which would serve the needs of the community. P.S. 521 will be a new DOE zoned elementary school and will create approximately 550-645 kindergarten through fifth-grade seats in the zone. In addition, Explore will be a new charter school

[26] Due to the configuration of the various DOE buildings across New York City, schools may be given the equivalent of 2 full size classrooms for student support services resource rooms, which could be equal to 1 full size classroom and 2 half size classrooms or 0 full size classrooms and 4 half size classrooms, etc.

that will give preference to residents of District 18 in its charter lottery admission process and will create approximately 336 kindergarten through fifth-grade seats in the district. P.S. 521 and Explore will create a combined total of approximately 885-980 kindergarten through fifth grade seats. As a result, the DOE anticipates that the seats lost in the K114 building by the phase out of P.S. 114 would be recovered through the phase-in of P.S. 521 and Explore in building K114.

The Explore Charter Schools Network ("Explore Schools") is a growing Charter Management Organization ("CMO") that seeks to provide students with the academic skills and critical-thinking abilities necessary to graduate from high school and succeed in college. Explore Schools seeks to provide students in under-served communities with access to high-quality public education and provides value-added support to schools in the network.

Explore is working with its authorizer SUNY to revise its charter license in order to further provide a priority preference for District 18 students who are currently residing in a zone where a school is phasing out or where phase out has been proposed in an EIS issued by the DOE. This year, P.S. 114 is the only school that is scheduled to phase out in the District and therefore if Explore's proposal to revise its charter is accepted by SUNY, students zoned to P.S. 114 would receive priority preference in the 2011-2012 charter lottery application process. However, in the future all District 18 students who are residing in a zone where a school is phasing out or proposed to phase out may receive priority preference as well.

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

In 2009-2010, K114 had a utilization rate of 86%. When P.S. 521 and Explore complete their expansions in 2013-2014, both schools would enroll a combined total of 905-1000 students in the building, yielding a 101% utilization rate.[27] This means that by 2013-2014, K114 would enroll more students, and the space would be more effectively utilized than was the case during the 2009-2010 school year. For a more detailed discussion regarding a utilization rate in excess of 100% please see the discussion in Section II.
In the future, if there is an increase in student enrollment resulting from demand above current projections for the new zoned elementary school or an increase in the number of families residing in the zone area, the Chancellor reserves the right to relocate Explore to an alternate location geographically proximate to K114. The Chancellor shall certify in writing that in his/her judgment the need of the school system requires the re-acquisition of the charter school space for DOE use.

[27] Estimate includes one section of pre-kindergarten.

As discussed earlier, there are 2 charter schools in District 18 that are in the process of phasing in to serve kindergarten through twelfth grade, and one charter school that is phasing to serve fifth grade through twelfth grade. These schools are listed in the below table.

School Name (DBN)	Address	Current Grades Served	Grades Served at Full Scale	Enrollment in 2010-2011	Admissions	Special Programs or Activities
Brooklyn Ascend Charter School (84K652)	205 Rockaway Parkway	K-3	K-12	428	kindergarten lottery	Extended day
Brownsville Ascend Charter School (84K737)	205 Rockaway Parkway	K-2	K-12	249	kindergarten-Second Grade Lottery	Saturday school, after-school tutoring, summer school for eligible students, extended day
Kings Collegiate Charter School (84K608)	1084 Lenox Road	5-8	5-12	269	Fifth Grade Lottery	Basketball, soccer, yoga, art, dance, after-school, extended day, extended year

The chart above also includes (where available at the time of EIS creation) details about programs or activities planned for these charter schools. In some cases, schools offer programs comparable to those currently offered at P.S. 114. Detailed information about charter schools will also be published annually and would be available in print or on the DOE website here: http://schools.nyc.gov/NR/rdonlyres/50117A5B-DB95-4231-82CC-16C853A8EE2B/0/CharterSchoolDirectory_English.pdf.

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

IV. Enrollment, Admissions and School Performance Information

P.S. 114

Admissions Data

Current Admissions	**Pre-kindergarten**: Standard Universal Pre-K Admissions Process **Grades K-5**: Zoned

Enrollment Data

Current Grades Served	K–5
2010-2011 Enrollment[28]	736
Grades Served during Phase-out in 2011-2012	4, 5

[28] Unaudited register data November 1, 2010, excludes pre-kindergarten.

Projected 2011-2012 Enrollment	240-280
Grades Served during Phase-out in 2012-2013	5
Projected 2012-2013 Enrollment	110-130
Grades Served during Phase-out in 2013-2014	NA
Projected 2013-2014 Enrollment	0

Demographic Data

Percentage of Students Receiving CTT or SC Services[29]	5%
Percentage of Students with an Individual Education Plan[30]	9%
Percentage of English Language Learner Students[31]	9%
Percentage of Students Eligible for Free or Reduced Lunch[32]	84%

School Performance Data

P.S. 114 Ryder Elementary	2007-2008	2008-2009	2009-2010[33]
School Performance and Progress			
Overall Progress Report Grade	B	B	D
Quality Review Score	UPF[34]	U	- [35]
Performance Data[36]			
English Language Arts % Proficient (Levels 3 and 4)	57%	64%	35%
Math % Proficient (Levels 3 and 4)	82%	82%	34%
Other Key Performance Indicators[37]			
Attendance Rate	93%	93%	93%
2010-2011 State Accountability Status	In Good Standing		

[29] Students Receiving CTT and SC services as percentage of total students from the 2009-2010 Audited Register.
[30] Students with Individual Education Plans as percentage of total students from the 2009-2010 Audited Register.
[31] English Language Learner students as percentage of total students from the 2009-2010 Audited Register.
[32] Percentage of Students Eligible for Free or Reduced Lunch from School Allocation Memorandum No. 9, FY11, June 30, 2010.
[33] 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.
[34] Underdeveloped with proficient features.
[35] Not all schools receive a Quality Review every year
[36] Source: Progress Report
[37] Source: Progress Report

P.S. 521

Anticipated Admissions Data

Anticipated Admissions	**Pre-kindergarten:**[38] Standard Universal Pre-kindergarten Admissions Process **Grades K-5:** Zoned

Enrollment Data

Current Grades Served	N/A
2010-2011 Enrollment:	N/A
Grades Served during Phase-out in 2011-2012	K, 1, 2, 3
Projected 2011-2012 Enrollment	380-445
Grades Served during Phase-out in 2012-2013	K, 1, 2, 3, 4
Projected 2012-2013 Enrollment:	465-545
Grades Served in 2013-20145	K, 1, 2, 3, 4, 5
Projected 2013-2014Enrollment :	550-645

Demographic Data

P.S. 521 has not opened. Therefore there is no demographic data.

School Performance Data

P.S. 521 has not opened. Therefore there is no school performance data.

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

Explore Excel Charter School

Anticipated Admissions Data

Anticipated Admissions	**Grades K-5:** Charter Lottery Application

Enrollment Data

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

V. Initial Costs and Savings

Once the phase-out is fully implemented, The DOE will cease to allocate or repurpose all funds currently allocated to P.S. 114.

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

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

A. Personnel Needs

A more detailed description of the potential impact that the phase-out of P.S. 114's elementary school grades would have on P.S. 114 pedagogical, administrative, and non-pedagogical personnel is outlined in the revised and separate EIS posted on January 12, 2011. Please visit the DOE's website to access that Educational Impact Statement: http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals.

All administrative staff, teachers, and non-pedagogical positions at P.S. 114 would be excessed over the course of the phase-out. This process will take place gradually as student enrollment declines with each successive graduating class. With fewer students, the school's staffing needs will naturally be reduced.

It is also important to understand that the students who would otherwise have enrolled in P.S. 114 may now be enrolled in the new DOE school phasing in on the campus and other new schools opening borough-wide, and those schools might need to hire additional staff. New staff positions would also be created due to the phase-in of new or replacement schools Citywide. Consequently, this proposal would not necessarily result in an overall loss of teaching positions within the Citywide system.

New schools follow the hiring process consistent with the procedures set forth in the collective bargaining agreement between the DOE and UFT. New schools hiring that have an impact on a school that is closing or phasing out, shall be required to hire up to 50% of the most senior qualified staff from the closing or phasing out school, if sufficient number of staff apply, until the impacted school is closed.
Also, Explore would need to hire additional teachers as the total number of students enrolled in the school increases. The precise number of positions needed for the 2011-2012 school year would be determined by the charter school management. Those decisions would be made at the school based on need and budgetary considerations.

B. Cost of Instruction

A more detailed description regarding the potential impact that the phase-out of P.S. 114 would have on cost of instruction at P.S. 114 is outlined in the revised and separate EIS that was posted on January, 2011: http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb32011Proposals

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

FSF covers basic instructional expenses and FSF funds may, at the school's discretion, be used to hire staff, purchase supplies and materials, or implement instructional programs. As the total number of students enrolled grows, the overall budget will increase accordingly, allowing the school to meet the instructional needs of its larger student population. Similarly, if the total number of students enrolled falls, the budget shrinks accordingly, as the school will need fewer supplies and potentially a smaller staff.

As with all other schools Citywide, P.S. 114 may receive additional "categorical" funding based on student characteristics and needs. For example, federal Title I funding is awarded to schools based on the proportion of low-income students they enroll. All three of these schools are currently eligible for Title I funding. Assuming that the schools continue to meet Title I criteria, the size of their respective Title I funding awards would grow or shrink as the school population grows or shrinks.

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

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

This proposal also should not impact the budget or operating costs for Explore. 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.

Administration

All school supervisor and/or administrator positions assigned to P.S. 114 will eventually be excessed when the school is closed. Some positions will likely be excessed as the school gradually phases out, as administrative needs will decrease as the school serves an increasingly smaller student population. Again, all excessing will take place in accordance with existing labor contracts.

P.S. 521 and Explore are expected to hire school supervisors and/or administrator personnel on an as needed basis throughout the course of the school's phase-in.

C. Transportation

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

Transportation will be provided according to Chancellor's Regulation A-801: http://schools.nyc.gov/NR/rdonlyres/21A1B11A-886B-4F74-9546-E875EE82A14C/40303/A801.pdf.

D. Other Support Services

The provision of certain support services is described above. Other support services would be provided consistent with Citywide policy as P.S. 521 and Explore phase in.

VII. Building Information

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