

Amended Educational Impact Statement

Co-location of Two Grade Levels of Harlem Success Academy 5 Charter School with P.S. 123 in School Building M123

I. Summary of Proposal

In the 2010-2011 school year, Harlem Success Academy 5 (hereinafter referred to as “HSA 5”), a new charter school that will serve students in grades K-1 in 2010-2011 and, pending renewal of its charter in 2015, serve grades K-8 at scale in 2016-2017, will open and be housed in school building M123 (“M123”), located at 301 West 140 Street, Manhattan, in Community School District 5. It will co-locate with P.S. 123 Mahalia Jackson (05M123, “P.S. 123”), an elementary/middle school currently serving grades PK-7 and phasing-in to serve grades PK-8. In the 2010-2011 school year, P.S. 123 will be fully phased in and will serve grades PK-8. P.S. 123 is currently co-located with Harlem Success Academy 2 in M123. Before the start of the 2010-2011 school year, Harlem Success Academy 2 will re-locate to the M030 building. The re-location of Harlem Success Academy 2 was approved by the Panel for Educational Policy (“PEP”) at the February 24, 2010 meeting. The space made available in M123 by the re-location of Harlem Success Academy 2 will enable P.S. 123 to complete its grade expansion and for two grade levels of HSA 5 to be housed in M123.

The 2008-2009 target utilization rate of M123 was 74%, and its target capacity was 1,006.¹ M123 has the capacity to serve P.S. 123 at full organizational capacity and two grade levels of HSA 5. Before the 2011-2012 school year, the Department of Education (“DOE”) will assess the available space in M123 to determine whether there is sufficient space for HSA 5 to continue to add additional grades in M123. If the DOE determines that there is available space in the building for HSA 5 to continue adding additional grades, the DOE will propose any continued expansion of HSA 5 in M123 in a separate educational impact statement. If sufficient space for HSA 5’s continued phase-in does not exist in the M123 building, alternative siting options for HSA 5’s six remaining grade levels will be explored.

The New York Charter Schools Act enables the creation of charter schools, which are independently run and publicly funded. The Charter Schools Act states that charter schools shall be held to “performance-based” accountability systems and must meet

¹ The target capacity and utilization rate reflects an aspirational goal for a school building, making different assumptions about how classrooms are used. For example, one of the DOE’s goals is for all Kindergarten through third grade classrooms to have twenty or fewer students. That goal is figured into the target capacity for a building that houses a school serving those grade levels. M123’s 2008-2009 historical capacity and utilization rate, which are based on the DOE’s standard methodology for determining the maximum physical capacity of a building, were 1,196 and 62 percent, respectively. The maximum physical capacity of a building reflects the total number of students the building should accommodate.

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measurable student achievement results. The DOE, the New York State Education Department, and the State University of New York hold schools they authorize to a minimum standard of 75% of students achieving proficiency.

This proposal addresses the need to expand access to high quality elementary school options in the Harlem community.

II. Enrollment, Admissions, and School Performance Information for P.S. 123

A. Enrollment

Current Grades Served:	Pre-K-7
Current Enrollment (As of 10/31/2009 ATS Audited Register):	619
Grades Served 2010-2011:	Pre-K-8
Projected 2010-2011 Enrollment:	670-690

B. Admissions

Pre-K admissions are done through the citywide process. K-5 admissions are zoned.

Preference for grade 6 seats is given to students enrolled at P.S. 123 in grade 5. Additional available seats in grades 6-8 are filled through the District 5 Middle School Application Process.

C. School Performance

Progress Report Grades

2007-2008:	B
2008-2009:	A
Math Score (2008-2009):	76.0% of students scored at Level 3 or 4
English Language Arts Score (2008-2009):	59.7% of students scored at Level 3 or 4

Quality Review Scores

2007-2008:	Well Developed
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2008-2009:

No Quality Review conducted as per Division of Accountability and Achievement Resources review cycle criteria.

Accountability Status

Overall Federal Status (2008-2009):

In Good Standing

Overall State Status (2008-2009):

In Good Standing

Status with Differentiated Accountability (2009-2010):

In Good Standing

To access school performance and accountability information for P.S. 123, please visit <http://schools.nyc.gov/SchoolPortals/05/M123/AboutUs/Statistics/default.htm>

Average Attendance (2008-2009):

89.6%

To access copies of the Attendance Reports for P.S. 123, please visit <http://schools.nyc.gov/AboutUs/data/stats/attendance>.

III. Proposed or Potential Use of M123

In the 2010-2011 school year, HSA 5 will open in M123 and be co-located with P.S. 123. HSA 5 will serve grades Kindergarten and grade 1 with an enrollment of approximately 180 students in the M123 building. M123 has sufficient space to house two grade levels of HSA 5 and grades PK-8 of P.S. 123.

Before the 2011-2012 school year, the DOE will assess the available space in M123 to determine whether there is sufficient space for HSA 5 to continue to add additional grades in M123. If the DOE determines that there is available space in the building for HSA 5 to continue adding additional grades, the DOE will propose any continued expansion of HSA 5 in M123 in a separate educational impact statement. If sufficient space for HSA 5's continued phase-in does not exist in the M123 building, alternative siting options for HSA 5's six additional grade levels will be explored.

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**IV. Impact of the Proposed Co-Location on the
Community, Existing Schools and Students**

A. Community Ramifications

The co-location of P.S. 123 and HSA 5 will create approximately 180 Kindergarten and grade 1 seats in District 5 in the 2010-2011 school year.

The eventual full phase-in of HSA 5, pending the reauthorization of its charter in 2015, will add approximately 811 Kindergarten through grade 8 seats in Upper Manhattan.

B. Existing Schools

P.S. 123 will continue its grade expansion to serve grade 8 in 2010-2011. There is sufficient space in the building for P.S. 123 to operate at its full grade scale and for HSA 5 to serve two grade levels. The M123 building has the capacity to serve 1,006 students. The 2010-2011 projected enrollment for P.S. 123, grades PK-8, is 674, and the projected enrollment of HSA 5 is 180 students, for a total projected enrollment of 854 students. Therefore, in the 2010-2011 school year, the M123 building will be operating by approximately 152 seats under capacity. The projected building utilization rate for 2010-2011 is 85%.

M123 has 56 full size rooms and 6 half size rooms² based on the facilities room survey. P.S. 123 currently has 32 sections of students, including 3 Pre-K classes, 25 general education/collaborative team teaching sections and 4 self-contained sections. The school is currently using a total of 37 full size and 4 half size classrooms serving grades PK-7. In 2010-2011, when it reaches its full grade scale, P.S. 123 is projected to have 36 sections of students, including 3 Pre-K classes, 29 general education/collaborative team teaching sections and 4 self contained sections. According to the citywide instructional footprint (the "Footprint"),³ P.S. 123 should be allocated a minimum of 36 full size classrooms, 4 full size cluster rooms and 4 half size resource/administrative rooms for a total of 40 full size rooms and 4 half size rooms. The minimum number of full size classrooms required for HSA 5 to serve students at its projected enrollment of 180 students in 2010-2011 is 12 according to the Footprint. This allocation assumes 9 sections of students being served in 9 full size classrooms, 2 cluster / resource rooms, and 1 administrative room. This is based

² School leaders can use a half size classroom to serve a self-contained special education class or as a resource room to serve special education students who may require Special Education Teacher Support Services (SETSS) or related services such as speech therapy, occupational therapy, etc.

³ The Footprint is a tool used in the analysis and assessment of space usage in DOE buildings. In co-location arrangements, the Footprint should be used as a guideline for making decisions about the allocation of space, while empowering building leaders to make programming decisions that best meet the needs of all students in the building. The Footprint represents a minimum space allocation based on a school's grade levels and number of sections per grade. To access the citywide instructional footprint, please visit the DOE's Web site at http://schools.nyc.gov/NR/rdonlyres/8CF30F41-DE25-4C30-92DE-731949919FC3/65901/NYCDOE_Instructional_Footprint_revisedMay2009_noco.pdf

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on projected enrollment and will be verified with a survey of the building. The four additional full size classrooms and two half size classrooms that exist in the M123 building above the minimum room allocation required by P.S. 123 and HSA 5 will be allocated between the two schools based on the percentage of total students in the building served by each school.

M123 also has the following rooms, which will be shared by both schools: cafeteria, auditorium, gymnasium, and library. These spaces were previously shared with Harlem Success Academy 2.

The co-location of P.S. 123 and HSA 5 will not result in a significant impact on P.S. 123 because the school currently shares space with Harlem Success 2. Harlem Success Academy 2 currently enrolls 362 students and occupies 19 full size classrooms, whereas, 2010-2011, enrollment at HSA 5 will be approximately 180 students and HSA 5 will require a minimum of 12 full size rooms. P.S. 123 will gain a minimum of 3 additional classrooms in the 2010-2011 school year, which will enable the school to complete its PK-8 grade expansion. Even with the increase in enrollment at P.S. 123 after it completes its grade expansion and the siting of HSA 5 in the building, total enrollment in the M123 building will decrease by approximately 127 students next year.

P.S. 123 currently offers the following special programs and extracurricular activities:

- Big Brother/Big Sister Mentoring Program
- Ogilvy One Student Internship Program
- Reed Business Student Internship Newspaper Program
- Carmel Hill's Accelerated Reader Program
- Columbia Presbyterian Mental Health Clinic
- Learning Leaders Volunteer Program
- Music In the Brain Program
- Early Childhood Intervention Lab

The DOE does not anticipate that the co-location of P.S. 123 and HSA 5 will impact P.S. 123's ability to continue offering these programs and activities for its students.

Should the proposal be approved by the PEP, all school leaders will meet with DOE space planners to work out a shared space plan and the allocation of specific rooms. School leaders are responsible for deciding how to utilize the space allocated to the school under the Footprint. They also must work together to develop a plan for the programming of shared spaces in the building. The DOE, however, will provide support to the schools to ensure that the schools use the space efficiently in order to maximize capacity to support student needs and maintain appropriate delivery of special education and related services to students.

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C. Students

Pursuant to New York State Education Law, HSA 5 admits students via lottery. All students eligible for grades Kindergarten and 1 in the fall of 2010 will have the opportunity to apply to HSA 5 for an August 2010 seat through the school's lottery process. The deadline to submit an application to HSA 5's lottery was April 5, 2010 at 5:00 p.m. Applications received after April 5, 2010, will be added to the waitlist. In accordance with State law, District 5 residents will be given priority in the charter school lottery process. The DOE worked with HSA 5 to ensure that the lottery applications make clear that co-location of HSA 5 and P.S. 123 in building M123 is subject to Panel for Educational Policy approval on April 20, 2010.

No P.S. 123 students will be displaced as a result of HSA 5 co-locating with P.S. 123 in M123. Furthermore, P.S. 123 will have sufficient space to complete its PK-8 grade expansion. While the two schools will have to share certain common spaces in the building, there will continue to be sufficient space in M123 to serve all current P.S. 123 students. As noted above, before the start of the 2010-2011 school year, a space plan for the building will be created and school leaders will work with a DOE space planner to determine the programming of the shared spaces. There will continue to be sufficient space in M123 for P.S. 123 to serve all its students, including those requiring special education and other related services.

According to the 2010-2011 enrollment projections, P.S. 123 will continue to serve 4 self contained special education classes. Even though self contained special education classes can be served in half size rooms, P.S. 123 will still have the capacity to serve its special education self contained classes in full size classrooms. Furthermore, school leaders will have an opportunity to draw upon the expertise and guidance of the Chief Achievement Office, which is dedicated to promoting positive educational outcomes for students with disabilities. Given that there is more than adequate space in M123 to serve its self-contained special education population, the DOE does not anticipate this co-location will adversely impact the ability of P.S. 123 to serve students who require special education and related services.

V. Initial Costs and Savings

No initial costs or savings are anticipated as a result of this proposal.

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

A. Personnel

New administrative staff and non-pedagogical positions will be created at HSA 5 over the course of the school's phase-in. HSA 5 is expected to hire additional teachers as each new grade is added.

No impacts on personnel needs at P.S. 123 are anticipated as a result of the siting of HSA 5 in the building.

B. Costs of Instruction

Charter schools receive a share of New York State foundation aid appropriated to the DOE based upon the New York State per pupil allocation (PPA) rate. HSA 5 will continue to receive this funding as it adds new grades.

Siting HSA 5 in M123 will not affect the costs of instruction at P.S. 123.

C. Administration

HSA 5 is expected to hire school supervisors and/or administrative personnel as needed.

No impacts on school supervisor and/or administrator needs at P.S. 123 are anticipated as a result of this proposal. As a school leader, the principal of P.S. 123 will work with the HSA 5 school leader and the DOE's Office of Space Planning in determining the allocation of rooms and the programming of shared spaces in M123.

D. Transportation

The co-location of HSA 5 in M123 will have no effect on transportation services offered to students at P.S. 123. Transportation to students will continue to be provided pursuant to Chancellor's Regulation A-801. To access Chancellor's Regulation A-801, please visit the DOE's Web site at

<http://schools.nyc.gov/RulesPolicies/ChancellorsRegulations>.

E. Other Support Services

The co-location of HSA 5 in M123 will have no effect on other support services offered to students at M123 schools. Other support services will continue to be provided consistent with citywide policy.

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VII. Building Information

A. Building Type, Age and Physical Condition

Building M123 is an elementary school building that was built in 1958. The building received an overall rating of 2.58 out of 5 on the 2008-2009 Building Condition Assessment Survey (“BCAS”). To view the key for BCAS ratings, please visit <http://schools.nyc.gov/Documents/BCAS/BCAS%20Key.pdf>.

To view the 2008-2009 BCAS Report for M123, please visit <http://schools.nyc.gov/community/facilities/BFIS>.

2008-2009 Target utilization rate: 74%

2008-2009 Target capacity: 1006

The utilization and capacity information is from the Enrollment, Capacity and Utilization Report which is the standard by which the DOE measures the maximum capacity of the building compared to the enrollment. To access the Enrollment, Capacity and Utilization Report, please visit <http://schools.nyc.gov/Offices/SCA/Reports/CapPlan>.

B. Fiscal Year 2009 Maintenance Costs

Labor: \$35,071.21

Materials: \$23,537.60

Maintenance and Repair Contracts: \$47,431.95

Service Contracts: \$0.00

Custodial Operations

Materials: \$8,251.74

Custodial Allocation: \$286,085.75

A. Fiscal Year 2009 Energy Costs

Electric: \$112,282.00

Gas: \$1,718.00

Oil: \$65,563.00

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B. Recent and Planned Improvements

There have been no recent improvements to M123. No improvements are planned for the FY 2010-2014 Capital Plan.

C. Special Features

M123 has an auditorium and a cafeteria.