

### **Public Comment Analysis**

**Date:** November 24, 2014

**Topic:** The Proposed Re-siting of Beacon High School (03M479) to New Building M912 and Co-Location with P.S. 35 (75M035) Beginning in the 2015-2016 School Year

**Date of Panel Vote:** November 25, 2014

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### **Summary of Proposal**

The New York City Department of Education (“DOE”) is proposing to re-site Beacon to new building M912 and to co-locate Beacon with P.S. 35,<sup>1</sup> a new site of an existing District 75 school,<sup>2</sup> P035M@M912 in building M912, beginning in the 2015-2016 school year. M912 is located at 521 West 43<sup>rd</sup> Street, New York, NY, 10036, within the geographical confines of Community School District 2 (“District 2”). Beacon is an existing district high school that currently serves students in grades nine through twelve in building M837, located at 227-243 West 61<sup>st</sup> Street, New York, NY 10023, within the geographical confines of Community School District 3 (“District 3”). A “re-siting” means that students will attend classes in a building different from the building in which they currently attend classes. A “co-location” means that two or more school organizations are located in the same building and may share common spaces such as the auditorium, gymnasium, library and cafeteria.

If this proposal is approved, Beacon will be re-sited to new building M912 beginning in the 2015-2016 school year where it will serve students in grades nine through twelve and will be co-located with P035M@M912. Beacon will no longer serve students in M837 after the conclusion of the 2014-2015 school year, and will serve all its students in M912 beginning in the 2015-2016 school year and beyond.

Building M912 is a new building currently under construction by the School Construction Authority (“SCA”). Construction is anticipated to be completed by September 2015. Beacon’s re-siting to M912 and its co-location with P035M@M912 are contingent upon the completion of this new building.

Once complete, building M912 will have an estimated capacity of 1,487 students. In 2015-2016 in M912, Beacon is projected to serve 1,290-1,330 students in grades nine through twelve and P035M@M912 is projected to serve 16-24 students in grades nine through twelve. This will yield a combined total enrollment of 1,306-1,354 students and an estimated building utilization rate of 88%-91%. Beginning in

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<sup>1</sup> P.S. 35 (75M035) also serves students at the following sites in Manhattan: (1) Building M035, located at 317 West 52<sup>nd</sup> Street, New York, NY 10019; and (2) Building MANJ, located at 462 1<sup>st</sup> Avenue, New York NY, 10016. Building M035 and Building MANJ are located in Community School District 2. This proposal will have no impact on the other locations of P.S. 35 (75M035).

<sup>2</sup> District 75 provides citywide educational, vocational, and behavior support programs for students who are on the autism spectrum, have significant cognitive delays, or are severely emotionally challenged, sensory impaired and/or multiply disabled. District 75 provides services to students in a variety of settings, including elementary, middle, and high schools, students’ homes, hospitals and agencies. These programs are located at more than 310 sites in the Bronx, Brooklyn, Manhattan, Queens, Staten Island and Syosset, New York. Please visit the DOE Web site for additional information about District 75 programs at: <http://schools.nyc.gov/Offices/District75/default.htm>.

the 2016-2017 school year, Beacon is anticipated to increase its enrollment every year through the 2019-2020 school year. Beginning in 2016-2017, P035M@M912's enrollment is anticipated to increase its enrollment every year through the 2018-2019 school year. In 2019-2020, once Beacon and P035M@M912 reach stable enrollment, the DOE projects building M912 will serve approximately 1,444-1,516 students, yielding a projected building utilization rate of 97%-102%. While Beacon and P035M@M912's anticipated utilization rate may exceed 100% in M912, if this proposal is approved, Beacon and P035M@M912 will receive their baseline allocations and possibly some excess space in M912 pursuant to the Citywide Instructional Footprint (the "Footprint") during and after Beacon's re-siting and co-location with P035M@M912. 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 more efficient or different uses than the standard assumptions in the utilization calculation. The DOE believes there is sufficient space to accommodate both Beacon and P035M@M912 in building M912 throughout the phase-in of both schools.

If approved, this proposed re-siting could require students enrolled at Beacon in the 2014-2015 school year to travel a greater distance from home to attend school in a different school building in the 2015-2016 school year and beyond, as M837 and M912 are located approximately 1 mile apart. However, the DOE believes that the re-siting will not create significant travel hardships, since both buildings are located close to central public transportation hubs and Beacon is open to students Citywide. The Beacon community has had notice of plans to re-site the school since the DOE began construction on M912 in July 2012.

The details of this proposal have been released in an Educational Impact Statement ("EIS") which can be accessed here: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2014-2015/November2014SchoolProposals>

Copies of the EIS are also available in the main offices of Beacon and all sites of P.S. 35.

### **Summary of Comments Received at the Joint Public Hearing**

A joint public hearing regarding this proposal was held at building M837 on November 17, 2014. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 28 members of the public attended the hearing, and 10 people spoke. Present at the meeting were Fred Walsh, Manhattan High School Superintendent and facilitator for the hearing; Ruth Lacey, Beacon High School principal and School Leadership Team ("SLT") member; Marta Barnett, P.S. 35 principal and SLT member; Beth Cirone, member of Community Education Council 2 ("CEC 2"); Joe Fiordaliso, president of Community Education Council 3 ("CEC 3"); Noah Gotbaum, member of CEC 3; and Kia Higgins and Adrien Siegfried of the DOE's Office of District Planning.

Below is a summary of the comments received:

1. Ruth Lacey, Principal of Beacon High School, asserted the following:
  - a. She is hopeful that construction of the new school will be completed on time but is unsure that it will be.
  - b. Beacon High School cannot and will not move until the new building is completed. The building is not complete until they get the "C of O". This has to occur, because there are 1,300 students. If there are any delays, there will be significant problems.

- c. As a condition of this proposal, the project timeline should be reviewed in April and May of 2015 to determine the status of completion.
    - d. Both principals, who have worked collaboratively throughout the process, do not feel that the schools will be “co-located,” but rather will serve as one school accommodating students with different needs.
  2. Beth Cirone, member of CEC 2, asserted the following:
    - a. She looks forward to the relocation of the school.
    - b. It is great to have a new citywide option in District 2, and a larger school is needed to serve all children.
    - c. Although the CEC did not vote on this proposal, she believes that this is a win for everyone.
    - d. This proposal will open up space in District 3 for another school.
    - e. In her six years of experience on the CEC, she was involved in the opening of many schools and re-zonings. In general, the SCA has met tight deadlines every time. Concerned parties should meet with the SCA, but should not be alarmed or spread panic regarding the building completion timeline.
  3. Joe Fiordaliso, President of CEC 3, asserted the following:
    - a. This is a win-win proposal, and as a citywide high school, the new school will still be open to District 3 applicants.
  4. Noah Gotbaum, member of CEC 3, asserted the following:
    - a. The proposal is a win-win for District 3, and the CEC is strongly behind this proposal.
    - b. The DOE listened to parents and educators regarding building the new building and turning the existing facility into a school serving grades six through twelve is heartwarming.
    - c. CEC 3 is working on setting up a meeting with the SCA to discuss the status of building completion.
  5. Multiple commenters indicated their excitement for the new building.
  6. One commenter asked when the new building would be completed.
  7. Multiple commenters expressed concern regarding the construction timeline for the new building, particularly the date when school starts start versus when the building will actually be completed.
  8. Multiple commenters suggested that realistic and timely information should be provided to parents regarding the construction timeline.
  9. One commenter asked why Beacon’s current facility has a 150% building utilization rate.
  10. Multiple commenters expressed concern regarding the accuracy of information initially presented by the SCA regarding the building construction timeline.
  11. Multiple commenters requested another briefing with the SCA regarding the building timeline.
  12. One commenter, a parent of a Beacon student, asked about the high school’s programming and layout in the new building.

**The DOE received a number of comments which do not directly relate to the proposal. Those comments are summarized below.**

13. Joe Fiordaliso, President of CEC 3, also asserted the following:
  - a. CEC 3, Community Board 7, elected officials and community leaders have been working to establish a school in the current building. That school will serve grades six through twelve, will be open to all District 3 students, and will have a dynamic new leader. The student body will be representative of District’s diversity. West End Secondary School

- (“West End”) will have an academically-rigorous curriculum and provide more middle school options for District 3 students.
- b. West End is on track to open next fall. The DOE and the SCA is working with community leaders to ensure that all schools will be where they need to be.
  - c. CEC 3 unanimously passed a resolution to establish West End. The CEC pledges its support to effectuate a smooth transition and opening in a successful and seamless fashion.
14. One commenter, a parent of a P.S. 87 student, expressed concern regarding the opening of West End, suggesting that P.S. 87 parents would lose confidence and not rank West End highly if they believed Beacon would not be completed on time.
15. Written testimony from Manhattan Borough President, Gale Brewer, asserted the following:
- a. Without clear indications that the new building will be finished, the project to construct West End should not be undertaken.

#### **Summary of Issues Raised in Written and/or Oral Comments to the DOE**

16. An email from a commenter who missed the joint public hearing, but seemed to be under the impression that she missed the Panel for Educational Policy (“PEP”) vote, asked whether the re-siting proposal had been approved, asking specifically whether Beacon would be moving to 521 West 43<sup>rd</sup> Street, New York, NY 10036.
17. Written testimony from Manhattan Borough President, Gale Brewer, also asserted the following:
- a. Beacon is one of the best high schools in New York City.
  - b. Since its inception, Beacon has worked to integrate arts and technology into its curriculum.
  - c. The proposed move must not disrupt the high-level functioning of the school and should be postponed if administrators and faculty are not able to move the school in time to establish the school and provide orientation for all students.
  - d. She advocated for a mid-summer move as opposed to a September 1<sup>st</sup> move for Beacon.
  - e. She is concerned with the lengthy time for construction, particularly the construction of the interior staircase, installation of windows, and installation of heat.
  - f. The SCA and DOE should provide regular updates regarding the status of construction to Beacon’s principal, the CEC 3 representative, and local elected officials. A tour of the new facility is also requested.
  - g. The SCA and DOE must work to maintain the success of schools like Beacon.
  - h. She expressed thanks for the DOE’s assurances and willingness to accommodate the school.

#### **Analysis of Issues Raised, Significant Alternatives Proposed and Changes Made to the Proposal**

Comments 1d, 2, 3a, 4a-b, 5, and 17h are in favor of the proposal and do not require a response.

With respect to comments 1a-c, 7, 10, and 17c-e, which express concern regarding the construction timeline for the building M912 and the timeline for receiving the Certificate of Occupancy (“C of O”), which certifies the legal occupancy and use of a building, the DOE verified with the SCA that building construction is currently on track for completion in September 2015. In response to comment 10 specifically, the DOE has no reason to believe that SCA has supplied inaccurate information regarding the expected completion date.

Similarly, comment 6 asks about the building completion date. Building M912 is scheduled for completion by September 2015.

Comments 4c, 8, 11, and 17f relate to future communication between the SCA and interested parties. The DOE is committed to maintaining effective communication with SCA and transparency regarding the completion of building M912. Moreover, the DOE verified with the SCA that building construction is currently on track for completion in September 2015. The DOE is eager to work with the SCA to ensure the future success for Beacon and P.S. 35.

Comment 9 asks about the building utilization rate for Beacon's current building, M837.

Building M837 currently has a building utilization rate of 156%. Although a utilization rate in excess of 100% may suggest that a building is over-utilized or over-crowded in a given year, this rate does not account for the fact that rooms may be programmed for more efficient or different uses than the standard assumptions in the utilization calculation. Nevertheless, the proposed re-siting of Beacon to new building M912 seeks to provide Beacon with additional capacity to meet enrollment and programmatic needs.

Comment 12 refers to Beacon's academic programming for the 2015-2016 school year, as well as the layout of the building M912. Information regarding the configuration of programming within the new space is not currently available. However, school administrators will orient families with programming in the new facility prior to the start of the 2015-2016 school year. Both Beacon and P.S. 35 will receive their footprint space allocations, and possibly some excess space—and the M912 building offers specialized features such a black box theater, gymnasium, and library—so the DOE expects that both schools in M912 will have excellent programmatic opportunities in M912.

Comments 13a-c, 14, and 15a relate to the potential opening of West End Secondary School in building M837, the current facility of Beacon. These comments do not relate directly to the proposed re-siting and, therefore, do not require a response.

Comment 16 relates to whether this proposed re-siting has been approved. No decision has yet been made regarding this proposal, but the Panel for Educational Policy will vote on this proposal on November 25, 2014. If this proposal is approved, Beacon will move to the M912 building, which will be located at 521 West 43rd Street, New York, NY 10036.

Comments 17a-b and 17g relate to the academic quality of Beacon High School. The DOE commends the Beacon community on its hard work and successes.

### **Changes Made to the Proposal**

No changes have been made to this proposal.