

**Building Partnerships:  
Community Voices in Planning and Developing  
New York City School Facilities**

**New York University Institute for Education and Social Policy  
&  
Pratt Institute Center for Community and Environmental Development**

**April 2005**

**About the Institute for Education and Social Policy (IESP)**

The Institute for Education and Social Policy of New York University's Steinhardt School of Education was formed in 1995 to improve public education so that all students, particularly in low-income neighborhoods and communities of color, obtain a just and equitable education, and can participate effectively in a democratic society. Our research, policy studies, evaluations and strategic assistance inform policy makers, educators, parents, youth and community groups in their efforts to improve public schooling.

**About the Pratt Institute Center for Community and Environmental Development (PICCED)**

PICCED is the oldest university-based advocacy planning organization in the United States. We work for social, economic, and environmental justice by empowering communities to envision and realize their own futures. We make the professional skills of planners, architects, policy analysts, and development professionals available to community organizations working to uproot poverty and achieve sustainable community development in and around New York City.

## **Acknowledgments**

We are grateful to the New York City Department of Education, School Construction Authority, elected officials, community organizations, parents and other individuals involved in the planning, development and construction of public school facilities who shared their time and insights with us.

*Community Voices in Planning and Developing New York City School Facilities* was made possible by the generous support of the Rockefeller Foundation. We thank Fred Frelow, Associate Director, who initiated the idea of the study and provided ongoing support and feedback.

Connie Chung, an independent consultant, interviewed more than 130 community organizations and played a strong role in developing our analysis of community engagement. Deinya Phenix, the data specialist at the Institute for Education and Social Policy, helped to analyze New York City public school capacity and enrollment data. Paula Crespo, Planner at the Pratt Institute Center for Community and Environmental Development, prepared maps showing the locations of the community-based organizations we surveyed.

Finally, our research would not be possible without the good spirited support of colleagues in both of our organizations, particularly Norm Fruchter, Director of the Institute for Education and Social Policy, Brad Lander, Director of the Pratt Center for Community and Environmental Development, and Geraldine Pompey, IESP Fiscal Administrator.

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## **I. Executive Summary**

In spring 2003, the Rockefeller Foundation asked New York University's Institute for Education and Social Policy (IESP) and the Pratt Institute Center for Community and Environmental Development (PICCED) to conduct a study of community engagement in school facilities issues in New York City. Our task was to understand how parents, students, local residents and community organizations are currently involved in the planning and development of school facilities, and to identify ways their participation might be expanded. Sweeping changes in the governance and organization of New York City's public school system, the system-wide focus on transforming large failing high schools into new small schools, and the potential infusion of significant additional resources for facilities resulting from the resolution of the Campaign for Fiscal Equity lawsuit, made this a critical moment to undertake such a study.

The facilities challenges faced by all large urban school systems are intensified in New York City by the system's immense size, by the age and poor condition of many of its 1200 buildings, by increases in the school-age population, and by the cost and complexity of developing facilities in a densely built and highly competitive real estate market. Given these daunting challenges, the system's process for facilities development and management has nevertheless been the subject of repeated cycles of criticism, study, and reform. From the establishment of the School Construction Authority in 1988, through to and including the restructuring of the entire school system under Mayor Michael Bloomberg in 2003, successive reforms have increased both the centralization of school facilities planning and construction and the isolation of those functions from other aspects of school operation.

In the current system, teaching and learning, operations, facilities, and family and community support functions are carried out through separate and parallel chains of command. Local superintendents, who may previously have played important roles in developing facilities priorities, identifying sites, and cultivating relationships with community stakeholders to locate school sites or build political support for more facilities resources, have been supplanted by Regional Superintendents, who are no longer directly involved in such operational issues.

Exacerbating the isolation of school facilities decisions and development is their separation from the rest of New York City's physical and economic planning and development. The City's organization reflects this separation at the highest levels; while housing, city planning, and

economic development functions are relatively well integrated under the offices of the Deputy Mayor for Rebuilding and Development, schools are overseen by the Deputy Mayor for Policy, along with other “soft” services used primarily by low- and moderate-income New Yorkers. The planning and development of public school buildings thus takes place not only without a formal mechanism to involve local educators and community constituencies with the greatest stake, but also without a connection to New York City’s overall strategic planning for capital investment in physical development.

### Engaging Communities vs. Informing Parents

*Communities* for our purposes are the physical and social contexts in which schools operate – the neighborhoods in which school buildings are located, and the milieu in which students and their families interact with other local stakeholders, including residents, businesses and religious and civic institutions. *Community engagement* in this paper means collective efforts undertaken by parents, youth and other community stakeholders, through organizations they create and control by substantial representation on organizational boards, or through other participatory decision-making processes. These organizations may exist to address school facilities problems as part of improving the overall performance of local schools. They may also exist to address community concerns beyond education, and may therefore frame the issues of school facilities in the broader context of local revitalization and development.

Parents and other community members often use such organizations to address community issues—such as school facilities—that require resources and expertise they would be unable to deploy as individuals. Organized parents are far more able than parents acting as individuals to assess information, develop strategies, and take effective actions, particularly in the absence of formal channels of communication with decision-makers inside the school system.

In the two years since the Bloomberg administration assumed control over the school system, its Department of Education (DoE), formerly the citywide Board of Education, has invested significant resources in supporting parents as individual *customers* of the school system. These efforts include the establishment of parent coordinators in each school, and of new parent support offices in regional offices. These reforms, however, have not included any systematic effort to involve parents, students, teachers, or communities in *decisions* about school facilities priorities or development. Indeed, facilities decisions, along with other important public school

decisions, have consistently been made centrally, and outreach efforts have focused largely on communicating those decisions to parents and communities.

Though their effectiveness was highly inconsistent, community school boards provided a potential public space in which parents and other community members could assert and debate their views on facilities issues. As the powers of community school boards diminished through the late 1990s, culminating in their elimination under the 2003 restructuring, avenues for community participation in facilities priority-setting and creation have been severely eroded. In the absence of formal mechanisms for public engagement, community organizations have addressed the most pressing school facilities concerns of their constituents with a range of more or less successful tactics and interventions. Without a framework for recognizing communities as valued partners, the school system's response to such community initiatives has been inconsistent, and has depended largely on the vision and receptivity of individuals in leadership positions within the system.

When it has occurred, community engagement on facilities issues has been driven largely by DoE priorities. Where community-identified needs are congruent with the Department of Education's interest and capacity, groups have found the DoE to be a willing partner. For example, the Department of Education has recently taken steps to involve community organizations in identifying, acquiring and developing sites for leasing, particularly in the Bronx, where severe overcrowding has reached crisis proportions. Yet this interest in community involvement is not universal; community members in other parts of the city report a lack of information and opportunities for involvement at all stages of school facilities development.

Our research suggests that the absence of structures for community engagement on facilities issues has contributed to a heightened atmosphere of distrust. Community groups believe the DoE is reflexively secretive and bureaucratic, while DoE leadership fears organized intervention by parents or other community stakeholders concerning school facilities as a return to the politicization that paralyzed the former Board of Education. Yet, as we argue, organized community engagement can potentially promote equity and transparency in the long-term capital planning process, and ensure that individual school facilities are designed, delivered, and operated to create the greatest possible benefits to the students—and communities—they are intended to serve.

Though the potential infusion of more than \$9 billion in school facilities funds resulting from the CFE decision is desperately needed, it will not solve the system's problems in delivering quality facilities to the students who need them most. Doing so will require the active engagement of community partners who can assist in the development of new and innovative solutions to the city's facilities crisis, and support the creation of more effective instructional programs.

Community organizations can help identify potential sites; they can mobilize constituents to create the political will for reform; they can bring new resources to bear on facilities construction; and because they often work from a broader community-building mission, they can help design or transform school buildings into community facilities for a variety of community purposes, in addition to schooling. A framework and mechanisms for community engagement in school facilities planning and development processes can potentially help the DoE to identify and enlist such existing community capacity in addressing the city's enormous and complex facilities problems.

Scaling up community engagement in the city's school facilities planning and development processes requires the following actions by the City Council and the Department of Education.

The City Council should:

1. Expand its role as a point of entry into the capital planning process by requiring the DoE/SCA to provide the data upon which the capital plan will be based at an earlier point in the capital planning process. Council members and staff, particularly education committee staff, can then analyze that information, and make it available to parents, community boards, and community organizations;
2. Require the DoE / SCA to provide timely public notice regarding the initiation of an investigation of a site in their districts, and to work with community members to engage community constituencies in a consensus-building process that will allow school projects to move forward, and;
3. Fund the development of a school facilities intermediary that can assist community organizations in accessing the technical expertise to initiate and carry out school facilities-related projects. Such an intermediary could also provide a platform for advocacy by

community groups with the DoE regarding the need for expanded community participation as well as for a clearly defined institutional route for such participation to occur.

The DoE should:

1. Increase transparency in the provision and dissemination of the data and priorities that drive the development and implementation of the capital plan so that every aspect of the plan is clear, understandable and available to all interested communities;
2. Work with community organizations to facilitate engagement in school facilities planning and development in low-income and immigrant communities where participation is likely to be more difficult, and ensure accountability by the DoE and participating groups;
3. Recognize the need for innovative solutions to facilities problems at every level and support those solutions initiated by communities through the creation of a new Office for Innovation that reports to the Deputy Chancellor for Finance and Administration; and
4. Establish a program that institutionalizes nonprofit development of school facilities, with protocols that are efficient, fiscally prudent, and support the participation of qualified community organizations in building and leasing school facilities.

## II. Research Process and Methodology

Our research involved four data-collection strategies:

- Interviews with education officials, elected officials, members of the financial community, and parent and community groups involved in the capital planning process and the current institutional process for school facilities development;
- A review of documents related to capital planning and school development processes in New York City;
- Documentation of successful community engagement in the school facilities planning and development process; and
- Surveys of community organizations in the five boroughs of New York City about their experience with, interest in, and capacity for participating in public school facilities planning and development, as well as their perception of obstacles to this participation.

Our data was collected between November 2003 and June 2004, during a period of time in which the New York City school system was undergoing rapid change. Several of the community organizations and Department of Education staff interviewed were known to the authors because of the prior involvement of the NYU Institute for Education and Social Policy (IESP) and Pratt Institute Center for Community and Environmental Development (PICCED) in the School Construction Working Group, as well as through PICCED's role in providing technical assistance to community development organizations.

### 1. Interviews about the Current Institutional Process for School Facilities Development

Between November 2003 and June 2004, we conducted 20 interviews with:

- Former Board of Education staff;
- Current Department of Education and School Construction Authority staff;
- Education reform advocates;
- City political leaders, and;
- Leaders of financial institutions and real estate and construction firms.

Our interviews focused on defining the DoE's process for developing the capital plan and building and repairing school facilities; identifying the institutional players involved at each stage of the process; and understanding how and under what circumstances community stakeholders have been involved. We also asked interviewees about city and state-level opportunities for, and obstacles to, expanding community engagement in school facilities planning and development, as well as how the most recent structural reforms addressed historical problems in the city's school construction process.

## 2. Review of Documents about New York City School Facilities Planning and Development Processes

We examined a series of reports by public education advocates critiquing the capital planning and school construction processes in New York City. In addition, we reviewed documents by the Department of Education and the School Construction Authority describing their processes and we analyzed some of the data used to determine school need and capital projects.

## 3. Documentation of Successful Community Engagement in School Facilities

We identified and interviewed representatives of eight community organizations that have been able to influence the capital planning or school development processes. Case studies of their experiences are used to demonstrate how community organizations can successfully address and resolve school facility issues in New York City.

## 4. The Potential for Community Engagement in School Facilities in New York City

To identify community organizations with interest in or capacity to work on participation in school facilities planning and development, we reviewed the membership and grantee lists of community building and community development intermediaries, in addition to books and articles on community and economic development in New York City.<sup>1</sup> We also conducted an Internet search for groups with a history of involvement in community revitalization and

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<sup>1</sup> Intermediary sources included the Local Initiatives Support Corporation, Enterprise Foundation, Neighborhood Reinvestment Corporation, the New York State Division of Housing and Community Renewal and past Union Square Award winners for the Fund for the City of New York.

development, staff and funding stability, and experience with projects of a scale comparable to schools.

Between November 2003 and January 2004, we conducted a phone survey of representatives of 130 community, social service, housing and neighborhood organizations. The half-hour phone survey protocol was designed to elicit information about each group's experience working with New York City public schools at the local and district level; the group's interest in participating in public school facilities planning and development; its envisioned role(s) and perceptions of current obstacles to participation; and, the group's capacity to carry out this work. This information was used to create a typology of the kinds of involvement in which community organizations have experience, interest, and capacity.

### **III. Context: Limited Community Engagement in School Facilities Planning and Development**

In grappling with school facilities issues, New York City's parents, school administrators, and political leaders face challenges inherent in the school system's unparalleled scale, complexity, and history:

- The system is immense; it serves over one million students, in 1,200 school buildings. Each of the three five-year capital plans produced since 1990 has entailed budgets between \$5 and \$12 billion dollars, for facility projects ranging from the construction of new buildings to the replacement of aging roofs, boilers, and windows.
- The building inventory is old; many buildings were built before 1900, and relatively fewer facilities have been developed since 1980. Though the old structures were generally well built, it is difficult to upgrade their systems or adapt them for changing instructional programs.
- The City's real estate market has always been among the most competitive in the country – and the areas that have seen the greatest population increases, such as Queens, Northern Manhattan and the Bronx, are also those where vacant land is scarce and there is fierce competition for buildings, making it difficult and expensive to identify, assemble and purchase sites for schools.
- Since the 1970s, facility needs have consistently and significantly exceeded available resources, leaving the system unable to expand school building capacity to keep pace with population growth, or to fund the level of maintenance and capital improvements needed to keep existing facilities in a state of good repair (Hevesi, 1998).

In the face of these challenges, the system's process for facilities planning and development has historically performed poorly. Like most urban school districts, New York City's public school system has tended to treat facilities creation, maintenance and improvement as an administrative matter in which accountability is largely internally defined (Baum, 2003). Successive reforms have focused on restructuring management to achieve greater top-down accountability. The trend has been toward greater centralization, greater isolation of facilities planning and development from other functions, and more rigidly structured processes. While these reforms have had some

success in rationalizing the system and reducing corruption, they have made decision-making less transparent and open to input from students, parents, educators, and communities.

### Evolution of Responsibility for School Facility Planning and Development, 1988-2002

Prior to the elimination of the Board of Education (BoE) and the formation of the Department of Education (DoE) in 2002, responsibilities for planning and building schools were divided between the BoE's Division of School Facilities (DSF), and the School Construction Authority (SCA), a New York State public authority. State law established the SCA in 1988, in response to widespread delays and corruption in the Board of Education's school construction processes (Kontorovich, 1998; Sullivan, 1999). The aim was to remove the Board of Education from direct involvement in the design and construction of school buildings. The 1988 law also required the Chancellor to develop an educational facilities capital plan every five years, to submit this plan to a public review process, and to have the plan finalized and approved by the Mayor and City Council.

From 1988 until 2002, the Division of School Facilities (DSF) was responsible for developing the BoE's capital plan, identifying sites for new schools, overseeing routine maintenance and minor repair projects, and developing new school space through leasing from private landlords.<sup>2</sup>

The SCA was responsible for implementing the capital plan; designing and building new school buildings; and managing major renovation projects in existing schools. SCA acted as the BoE's agent in contracting with outside firms to provide design services (or in some cases, in designing buildings in-house), and in bidding, negotiating, and administering construction contracts.

Responsibilities for building maintenance and repair, for assessing building conditions as a part of the five-year capital planning cycle, and for capital improvement projects to existing schools, were divided between DSF and the SCA.

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<sup>2</sup> Beginning in the early 1990s, DSF staff negotiated a growing number of commercial and industrial building leases, in which landlords were paid for the extensive improvements needed to convert their buildings to schools. The leasing program was deliberately conceived as a stopgap solution, so that school space could be built more quickly and cheaply, although to a lower standard, than new buildings designed, constructed and owned by the BoE / SCA. The DSF-run leasing program produced approximately 30,000 seats in 10 years, but many of these were in poor-quality facilities, and space costs ranged widely, from \$10,000 to over \$30,000 per classroom seat. The exposure of contracting improprieties on a number of leasing projects in the mid-1990s led DSF to revamp the program to include the due diligence protocols widely accepted in other public and private sector leasing transactions (Calderone, 1996).

The SCA was plagued by lengthy delays in project delivery, high costs, and a widespread unwillingness by construction contractors to bid and participate in SCA projects (Kontorovich, 1998). Though SCA worked with DSF, it reported to a three-member board appointed by the Mayor, Governor and the New York City Chancellor of Public Schools, and was not responsible to the BoE. Thus, no one was politically accountable for ensuring the SCA's effectiveness. A 1994 investigation led by New York State Senator Roy Goodman found problems with the majority of SCA renovation and new construction projects, insufficient accountability, ineffective management and contracting policies, and poor communications procedures (Goodman, 1994.) Subsequent reports by the Levy Commission in 1995, the State Comptroller in 1997, and by the Lehrer Commission in 2002 reached similar conclusions about the overall ineffectiveness of the SCA (Levy, 1995; McCall, 1997; Lehrer, 2002.)

The complex and seemingly arbitrary division of authority between the SCA and the BoE/DSF also created significant challenges to schools and school district staff, parent groups, and advocates seeking to become involved with, or even to understand, the processes of planning, budgeting, designing, and building school facilities. The fragmentation of roles and unclear lines of accountability meant that priorities were seldom clear, plans were subject to frequent changes, and design and construction quality standards varied greatly between leased/converted buildings and new school buildings.

### Community Engagement in School Facility Issues

As problems in the planning and delivery of school facilities multiplied, the formal mechanisms through which communities could gather information, provide input, or exercise oversight were eroding. A former BoE official reflected, "Communities that had political clout got more done in this dysfunctional system through connections in the City Council or in the Mayor's office. Projects took on a life through advocacy action."

For most of the past three decades, local community school boards served as the primary route for community engagement in school facilities. Created by state law in 1969, community school boards were composed of parents of public school students and local residents, elected to three-year terms. Boards were responsible for setting instructional, budgetary and operational policy for their community school districts, and for hiring and firing district superintendents. They were also required to hold monthly public meetings in which local constituents could air a wide range

of issues including facilities concerns. In some cases, community school boards took action on facilities issues. For example, in response to increasing overcrowding in District 15 in Brooklyn, in 1990 its community school board launched a campaign to build a new elementary school in Sunset Park, the overcrowded southern part of the district. School board members successfully worked with local politicians, neighborhood organizations and faith-based institutions, including the local Catholic diocese, to pressure the BoE to allocate money for the school in the 1990-1994 capital plan.

Successive governance reforms, beginning in the mid-1990s and continuing through 2002, reduced the power of and eventually eliminated these boards. In 1996, legislature limited community school board authority to conducting annual assessments of superintendents, convening quarterly public meetings on district performance, and holding hearings on school siting and zoning. In 2002, the legislature replaced the local boards with advisory district education councils, known as Community Education Councils or CECs, elected by parent association officers in each school.

During this period, widely acknowledged problems with both the SCA and BoE/DSF led to advocacy at the city level, calling for improvements in school facilities planning, design and development. (Connell, 1998; Fager, 1998; Katz, 1998c, 1998d; Kontorovich, 1998; Sullivan, 1999). In addition, between 1996 and 2000, parent and community organizations in the northwest Bronx, upper Manhattan, and Cypress Hills, Brooklyn led protests and issued reports calling attention to delays and the lack of oversight on school construction (Katz, 1998a, 1998b; Moss, 1997; Rosenzweig, 1996). A number of community organizations proposed school facilities projects in which they would act as, or contract with, developers and lease the facilities they constructed to the Board of Education.

In 1998, the School Construction Working Group, a citywide coalition of school reform advocates, parent groups, community development organizations, lenders, and funders, formulated a detailed proposal for the development of leased school facilities by nonprofit developers (CHPC, 1998). The School Construction Working Group spent several years in discussions with the Division of School Facilities about program parameters and eventually developed a model lease agreement. These negotiations were abandoned in 2000 when school system leadership changed.

In FY 2000, the New York City Council made a one-time appropriation of \$150 million to a Council Speaker's Initiative Fund, intended to jump-start the construction of schools by private developers through non-profit leases. However, no program for implementation was put in place. In 2001, each borough's City Council delegation allocated its \$30 million share of the unspent funds from the Speaker's Initiative Fund to individual projects.

### School Facilities After 2002

In June 2002, new state legislation authorized the restructuring of the New York City school system, replacing the Board of Education with a new Department of Education (DoE) under the control of Mayor Michael Bloomberg. The Bloomberg administration has emphasized a corporate leadership style of top-down decision-making grounded in private sector management principles. In January 2003, the administration introduced a new management structure to separate instructional and leadership functions from what it considered operational and administrative support functions, such as building operations and facilities planning.<sup>3</sup> The functions of the former Division of School Facilities were consolidated into the School Construction Authority, whose president now reports to the DoE's Deputy Chancellor for Finance and Administration. The DoE has rationalized the facilities planning process, basing priorities on a data-derived analysis of needs, and on core instructional objectives defined by the Chancellor.

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<sup>3</sup> NYC DoE, *Children First: A New Agenda for Public Education in New York City*, [www.nycenet.edu](http://www.nycenet.edu)

#### **IV. Transparency and Participation in the Capital Planning Process**

Since 1988, New York State law has required the New York City Public Schools Chancellor to prepare a 5-year comprehensive capital plan for the use of billions of public dollars for school facilities construction and repair.<sup>4</sup> The capital plan must specify proposed funding sources and new capacity projects and repairs to take place during the five-year period. It must also assign priorities to facility projects, including the year in which each project's design and construction will be initiated and completed.

The preparation of the 2005 – 2009 capital plan began with a needs assessment carried out by the DoE during the summer of 2003. The assessment was based on a ten-year demographic projection for New York City; a utilization report comparing facility capacity with actual enrollment in all New York City public schools; and a building condition assessment survey. The needs assessment also considered requests from some regional superintendents<sup>5</sup> and an unknown number of surveys of regional superintendents and, in some cases, principals, concerning their capital repair needs. Finally, according to the DoE, data on planned housing construction was also taken into consideration. Once the DoE established its facilities needs, it aligned these needs with instructional goals of the administration's school reform agenda.

Because the Chancellor now reports to the Mayor, the most recent capital plan's priorities reflect the Mayor's objectives. On November 1, 2003, the Mayor and Chancellor jointly announced the 427-page 2005-2009 plan, making its information available to the public for the first time.

##### The Public Review and Approval Process

State law requires public review of the five-year plans through hearings convened by the thirty-two community school boards and formal approval by the Board of Education. Although community school boards were officially abolished in 2002, they remained in place until their replacements, the community education councils were formally established in July 2004. Thus, the most recent capital plan was submitted to the 32 local community school boards in November 2003. Twenty-one of the 32 boards held hearings.

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<sup>4</sup> New York State Education Law, The New York City School Construction Authority Act. 1988.

<sup>5</sup> The 2003 restructuring of the DoE included the creation of 10 instructional regions within the New York City School System.

In Community School District 6 in Upper Manhattan and Community School District 19 in Cypress Hills, Brooklyn, community groups used local school board meetings to critique the DoE's needs assessment methodology. Both cases also involved the leverage of City Council representatives, who worked with their constituents to gather further information on the plan, and to identify flaws that shortchanged their districts, which ultimately resulted in changes to the capital plan.(Hays, 2003).

In addition, two of New York City's 59 Community Boards held hearings during this period. Borough presidents also held borough-wide hearings, and additional briefings were convened by City Council representatives, and other elected officials.

After the community review period, some revisions were made to the capital plan. Since the Mayor and Chancellor had jointly announced the plan, the DoE submission of its revised 2005-2009 plan to the Panel for Education Policy (PEP) in February 2004 was largely pro-forma.<sup>6</sup> The PEP approved the plan at its regular February 2004 meeting, and submitted it for review by the City Council.

### The Role of City Council

As a counterbalance to the Mayor's new authority, the 2002 legislation gave the New York City Council, a body of 51 representatives from the city's five boroughs, an expanded role in the review of the capital plan as part of its deliberations on the Mayor's Executive Budget. Although the State legislature intended this new process to make capital planning both transparent and accountable, our interviews suggest widespread confusion about the Council's role and authority in shaping the capital plan, and little public awareness of the school facilities planning process. The Council held public hearings for two days in mid-March 2004. These hearings were lightly attended, both by Council representatives and by the public.

Subsequent to the hearings, the Council negotiated outstanding items—such as fund allocation, timing and work specifications, and the overall financing strategy—with the DoE both through

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<sup>6</sup> Previous capital plans required approval by the Board of Education, before being submitted to the Mayor for inclusion in the Mayor's executive budget, and it was in this phase of the public review process that battles between the Mayor and the Chancellor were often fought.

private meetings and a second round of hearings.<sup>7</sup> On June 22, 2004, the Council approved the \$13.1 billion education capital budget plan as part of the Mayor's \$47 billion Executive Budget. Two days later, the City Council executed a Memorandum of Understanding with the Mayor requiring annual amendments to the capital plan be approved by the City Council, and that there be a semi-annual review of capital spending in all five boroughs.

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<sup>7</sup> In 2003, the City Council enacted Local Law 24, which requires the SCA to report on the status of every school project quarterly. During the hearings, City Council cited the SCA's poor compliance with the law and asked for better, more detailed reports in addition to details on the capital plan.

## **V. A Typology of Community Engagement in School Facilities Planning and Development**

The capital planning process potentially offers an important public space for community involvement in the system-wide review of facilities priorities and resource allocation. Though the complexity of the process is a challenge to effective community engagement, the examples of District 6 and Cypress Hills (District 19) illustrate a strategy that other communities could emulate. In both cases, community protest motivated City Council representatives to commit staff time and political capital to the process. The 2004 experience shows both the difficulties communities face in shaping the plan, given a largely symbolic public review process, as well as the leverage they can potentially wield.

The *implementation* of each adopted capital plan plays out over its five-year term, however, and here the channels for community involvement are much less clear. There is currently no mechanism for community engagement in implementation beyond the law's requirement that CECs hold local hearings on school sites—and even this process is centrally driven, with little communication with, or engagement of, local stakeholders.

For example, in CSD 6, subsequent to the 2005 - 2009 capital plan's passage, the SCA contacted the district's CEC in October 2004 to request a hearing on a proposed site for an early childhood center. Though the SCA had been in contact with the site's owner for almost a year, it had not previously informed the CEC, City Council representative, or Community Board, of its interest in acquiring the site or its negotiations with the owner. The night before the scheduled hearing, SCA notified the Community Board that the site would be used for a k-8 school, rather than the proposed early childhood center. Amidst widespread confusion at the hearing, the owner of the site announced her intention to develop affordable housing on the lot. A month later, a second hearing was held in the neighborhood regarding a parking garage and carwash. SCA's proposal to demolish both structures and erect a school sparked opposition from residents, who protested the loss of valued business and parking in a heavily congested neighborhood.

An important contribution community organizations can bring to the implementation of school facility projects is their ability to focus on local needs and priorities. In the course of each capital plan, thousands of projects move forward. While each project may be one budget line among hundreds to the SCA officials who oversee it, that project's realization is a matter of pressing

concern to the students and communities for whose benefit it is being developed. Communities often care intensely about which school sites are identified and acquired; how program-wide lines for leasing and repairs are allocated to individual projects; and how the projects themselves – new construction, leases, modernizations – get designed and built. An effective and efficient mechanism for community engagement could ensure that the siting and design of school buildings reflects the needs, experience, and aspirations of those who will use them. And it could enable those buildings to deliver maximum return to both schools and communities.

Yet to far too many within the DoE and the SCA, community involvement connotes politicization, favoritism, circumvention of established priorities, and the obstruction of school projects. Battles with local interests opposed to the siting of new schools were the instances most commonly and vividly associated with community by DoE and SCA officials interviewed. Officials recalled, for example, how in 2000, middle-class and retired residents in Maspeth, Queens protested at a City Council hearing against a proposed 900-seat elementary school. Although the district was suffering from increasing crowding, these residents claimed that a school would add more traffic to an already crowded intersection, and they endorsed a developer's proposal to build a Staples office supply store on the proposed school site. Nevertheless, the City Council's Land Use Committee supported using the site for the school, and the land was ultimately taken by eminent domain.

Sitings of new high schools can be even more controversial. In May 2004, a new high school in Hillcrest, Queens was the target of strong community opposition. Residents held a rally at the proposed site to express their concerns about increased traffic and congestion problems, as well as declining property values, if the school were built. Proponents of the school stressed the problem of crowding in the district and enlisted the support of the Queens Borough President. As of summer 2004, the situation had not been resolved.

Clearly, protests such as those against the construction of new schools in Queens contribute to the DoE and SCA's perception that community involvement is largely disruptive of systems and processes for school development, and adds to their resistance to establishing formal mechanisms for community involvement. But we believe the DoE and SCA's negative experiences are fed by the lack of structural mechanisms for constructive community participation, and that the DoE and SCA would be better served by building relationships with a

range of local stakeholders than by attempting to insulate their agencies from community involvement. Because hearings on sitings are the only phase of facilities implementation in which communities are invited to comment, and because these hearings are convened in the absence of a prior consensus-building process, it is not surprising that they have erupted into heated battles. Engaging community stakeholders proactively could help sway school opponents or counteract their political influence.

The following section of the report examines the ways in which community organizations have involved themselves in facilities implementation issues, specifically in the siting, design, and construction of school projects – and how the school system has responded to their efforts. These roles range from advocacy and organizing to partnering with the DoE on development of new school space.

### Advocacy Relationships

In the mid 1990s, as the power of community school boards diminished, community organizations began to act independently to engage the system on pressing local facilities issues, particularly over the lengthy delays in, and poor quality of, school projects under construction. Absent any formal structure through which to participate in priority setting within the system, communities evolved a number of distinct roles:

- Advocating for the reallocation of resources within the capital plan;
- Securing resources for school facilities;
- Identifying sites for schools, and;
- Intervening in the planning and design process.

Below we discuss each of the four roles separately, although they often overlap.

#### *1. Advocating for the reallocation of resources within the capital plan*

Community stakeholders in CSD 6 and 19 directly challenged the allocation of resources within the draft 2005 - 2009 capital plan by identifying flaws in the demographic and school capacity analyses upon which the plan was based. The examples of CHAFE and NWBCCC demonstrate ways that parent groups and community organizations in low-income communities have

historically won amendments to adopted capital plans by forcing the DoE to recognize the severity of their need (Sugarman, 1997).

More affluent neighborhoods have also taken advantage of this route, often with more immediate results. In 1992, the residents of Battery Park City and Tribeca, mainly advantaged middle- and upper-income parents with professional backgrounds and political connections, conducted a neighborhood survey, analyzed enrollment and housing data, and successfully negotiated with the BoE, City officials and developers to build a new school. (See case study, PS/IS 89).

### *2. Securing resources for school facilities*

Parent groups and community organizations have invested significant energy in advocating for school finance reforms that would increase the overall resources for citywide school facilities construction and repairs. The Association of Community Organizations for Reform Now (ACORN), Cypress Hills Advocates for Education (CHAFE), the Northwest Bronx Community and Clergy Coalition (NWBCCC), and others were core members of the statewide Alliance for Quality Education that lobbied state officials for more funding for facilities construction. Members of the School Construction Working Group, particularly Cypress Hills Local Development Corporation (CHLDC) and NWBCCC, lobbied the New York State Education Department to promulgate regulations to allow New York City to access federal school construction tax credits known as Qualified Zone Academy Bonds (CHPC, 1988.)

Community organizations have also won funding for particular school projects from sources outside the DoE's capital plan funds. Cypress Hills Local Development Corporation and the El Puente Academy each secured millions of dollars for new schools through special City Council appropriations. (See case study, CHLDC). Other organizations, such as Beginning with Children, have obtained private funds for school construction. In 1992, a partnership between the Beginning with Children Foundation and the multi-national pharmaceutical corporation, Pfizer, Inc. transformed a former corporate Pfizer office building in Brooklyn into an innovatively designed new elementary school.

### *3. Identifying sites for schools*

As New York's real estate market has become more competitive, the DoE and SCA have come to view parents and community organizations as playing a potentially useful role in finding sites

for schools, particularly in the dense and rapidly growing areas where buildable land is extremely scarce, and the social and economic costs of condemning buildings and assembling large plots of land may be unacceptable. In the New Vision's New Century High School initiative, the DoE actively sought the help of community partners in finding high school sites, particularly in the Bronx.

Community organizations engaged in community revitalization or developments believe they have a better understanding of local real estate markets than the SCA. In overcrowded neighborhoods, these organizations have advocated for the adaptive re-use of existing buildings. The NWBCCC, for example, worked with Fordham Bedford Housing Corporation, a local community development corporation, to identify potential school sites. Using city-planning data, Fordham Bedford mapped out local commercial properties, which NWBCCC members visited to assess their potential suitability for a school. Today, three leased schools are located on these sites, and the NWBCCC's proposal to site four schools on the periphery of the vacant Kingsbridge Armory is actively under consideration. (See case study, NWBCCC.)

#### *4. Intervening in the planning and design process*

In a number of instances, parents, youth and community organizations have sought to influence the DoE and SCA's planning and design process for a specific school. As our case studies illustrate, DoE's response to such advocacy has varied. Battery Park and Tribeca parents were easily able to access school officials and provide input into the planning and design of their community's school. Youth and organizers in Bushwick had a very different experience when they tried to intervene in the high school redesign efforts currently underway. In 2003, Make the Road by Walking, which sponsored one of the four new schools created in the phase-out of Bushwick High School, became aware of problems in the use of space during the summer before the new schools opened. Youth members of Make the Road worked with architects to survey the building, and identified necessary short-, mid- and long-term improvements. But although they presented their proposals to all levels of the system, their ideas elicited no response. (See our case study on Make the Road by Walking.)

Community groups in the Bronx and Brooklyn expressed interest in participating in the physical school design process, particularly in cases in which the DoE is reconfiguring large high

schools.<sup>8</sup> Making sure that the reconfigured schools serve all their students, and that conflicts arising from problems with sharing school space are, if not avoided, at least promptly identified and resolved, seems a useful role for parents and community organizations. The DoE's unwillingness to involve community organizations in this work may stem from a reluctance to raise expectations in a climate of fiscal austerity. But the school system's recent division of operational and instructional functions also exacerbates the disjuncture between community interest and DoE response. Because community groups have been viewed as programmatic, rather than operational, partners in the development of the new small high schools, they have tended to work with instructional and student, family and community support staff within the DoE, rather than with the budget and operational staff who plan and carry out facilities decisions.

### Contractual Relationships

#### *1. Community organizations as developers of school facilities*

During the 1990s, as local school facilities conditions worsened and frustration with the School Construction Authority mounted, community organizations began to generate facilities projects in which they entered into new types of relationships with DoE on facilities creation. The Association of Community Organizations for Reform Now (ACORN), East Brooklyn Congregations, South Bronx Churches, and a handful of others, worked closely with private developers to create new facilities to house small schools the organizations had helped to initiate. Most recently, South Bronx Churches (SBC) and the DoE announced plans to develop the Mott Haven high school complex, which would house three small high schools, including SBC's new Bronx Leadership Academy II.<sup>9</sup>

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<sup>8</sup> In almost all cases, new small schools are housed in the same buildings as the schools they will replace, and the latter are being phased out, one grade at a time. Although some minor enhancements, such as painting and signage, have been added, high school restructurings to date have gone forward with no major capital improvements. In schools in which overcrowding already existed, restructuring has exacerbated it; students and staff in the new schools have struggled to establish identities for their institutions. Shared entrances, stairways, and bathrooms have become arenas of conflict between the older students of the supposedly failed schools and the entering ninth-graders of the new schools. In response, New Visions successfully lobbied the Bronx City Council delegation to allocate \$22 million in FY 2004 to retrofit large campuses. The DoE allocated \$350 million to support "partnership schools," which include small schools and charter schools. It also announced plans to supplement the \$350 million funding with an additional \$18 million for recently restructured high schools in other boroughs prior to the inception of the 2004-2009 capital plan.

<sup>9</sup> Department of Education (12/02/04) "*Mayor Michael R. Bloomberg and Schools Chancellor Joel I. Klein Announce New Secondary School Campus in Bronx: \$129 Million DOE High School Project includes Construction of Four Schools at Mott Haven Railroad Site to Serve 2,000 Students.*" Press Release, available on-line, 12/08/04

Community development organizations also initiated such projects, seeking to leverage their housing development expertise to acquire and renovate buildings for lease to the BoE for schools they helped to create. Through the School Construction Working Group, educators and parent groups joined with non-profit development organizations to advocate for the implementation of a non-profit leasing program to make it possible for experienced non-profit community developers to address local facilities needs.<sup>10</sup> Until recently, only two community development corporations had succeeded in moving non-profit development and leasing projects forward. The Thurgood Marshall Academy, developed by Abyssinian Development Corporation, opened its doors in February 2004. In May 2002, the Cypress Hills Community School acquired the site it first proposed to develop in 1999; construction is expected to begin in 2005.

The conversion and leasing of existing buildings into schools can potentially bring multiple benefits to schools. Such facilities can benefit students and staff by providing physical environments that support each institution's instructional approach. They also serve parents and communities by preserving rather than destroying the neighborhood's physical and social fabric, and by serving as anchors for revitalization. Non-profit community developers often bring years of successful experience in developing and managing housing and other types of community facilities, an ability to raise and blend financing from public and private sources, and a history of accountability to their communities.

Community developers also bring experience with participatory planning techniques that, when integrated into the school design process, can result in facilities that better match a school's instructional vision and goals. The Abyssinian Development Corporation (ADC), for example, held weekly meetings to get input on the design of its new school facility from students and teachers, parents and neighborhood residents. The organization then hired the architect who had designed the Stuyvesant High School in Manhattan to actualize this vision. The new 750-seat school is located on the premises of an old jazz club; three stories were built on top of the

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<sup>10</sup> The proposal for a non-profit leasing program, advanced in 1999 by the School Construction Working Group, (SCWG), presents a model that would allow community organizations to develop school facilities efficiently and meet quality and cost parameters established by the DoE. The non-profit leasing model proposed by SCWG set out a series of steps for evaluating the feasibility and cost-effectiveness of community-initiated projects, and established a framework within which community organizations and DoE/SCA would share the costs and risks inherent in advancing a development project through the phases of design, acquisition, and construction. The framework included safeguards to insure both the quality of the projects and the integrity of the process.

original three-story structure. The facility has internet-ready wireless classrooms, a 20,000-book library, career and college counseling centers, a health care facility, six new science labs, a greenhouse, art and music studios and a large gym. Each floor includes a glass-enclosed classroom with comfortable chairs so that teachers and students have an informal setting to meet with each other. The ground floor of the building is leased to the International House of Pancakes, whose rent payments will offset some of the operating cost of the building.

The SCA's Capital Construction program has traditionally acquired sites for creating new schools exclusively through new building construction. Conversion of existing buildings generally took place only through the for-profit leasing program with inconsistent standards of quality, and with private landlords taking responsibility for most of the renovation work. The SCA's historical reliance on assembling and clearing large sites, and applying standardized designs, made it difficult to take advantage of building conversion and leasing opportunities, even when they are ideally located. Working with community organizations experienced in building conversion and rehabilitation, as SCA has begun to do, potentially allows the SCA to experiment with new development approaches that might ultimately expand its own design repertoire.

## *2. Building consensus on school siting*

Another contractual role that community groups might potentially play is that of honest broker in building consensus on school siting. Through their involvement in identifying sites for schools, community groups have demonstrated the capacity to mediate competing interests on new school facilities creation. The NWBCCC, for example, met with local residents, parents, businesses, clergy and local school officials to build consensus on the need to site schools on the Kingsbridge Armory location, and to oppose a proposal by the Giuliani administration to turn over the building, and a \$30 million public subsidy, to a shopping mall developer. Indeed, community groups surveyed in our research expressed considerable interest in facilitating local discussions on the siting of new schools, and, where necessary, in helping to overcome local opposition to new schools or in brokering an agreement with an owner.

To date, we know of no instance in which the DoE or SCA has sought out a local group's help in this area. School sites are generally secured either by speed and stealth under the leasing

program, or are acquired by the slower, more expensive, and politically costly route of condemnation. The go-it-alone approach to school siting deprives the SCA of potential allies, and deprives communities of the opportunity to integrate school facilities into comprehensive plans for local development.

The DoE's degree of isolation and suspicion of external criticism in the implementation of facilities projects is far from universal among city agencies. The Department of Parks and Recreation and the New York City Economic Development Corporation (EDC) routinely consult with community organizations in seeking sites for new parks and other facilities, and have used these organizations' help in resolving conflicts between local interests. For example, the New York City Department of Parks and Recreation worked extensively with local groups in the South Bronx to identify and develop sites for new parkland, including the Bronx River Greenway. Community organizations helped to overcome resistance by some local businesses. In Sunset Park, Brooklyn, the EDC worked with local organizations to gain acceptance for the siting of a facility that will process recyclable materials from the entire city, heading off what might otherwise have been a long and rancorous campaign to derail the project.

## **VI: Scaling Up Community Engagement in School Facilities Planning and Development**

Though New York City has a great many community organizations, only a small number are currently involved in either advocacy or contractual roles in school facilities planning and development. The 130 New York City community organizations we surveyed were clear about their own limits, which included being over-extended, and lacking both staff time and funds to risk in exploring potential projects. Community organizations fund their work through a mix of grant funds and contract revenues, which limits much of their work to specific programs and tasks. Discretionary funding that enables community organizations to explore new areas of work are scarce and hard-won, and community organizations are reluctant to commit such resources to a multi-year effort (whether for advocacy on school facilities, or for pursuing school projects of their own) when there is little prospect of achieving success.

Not surprisingly, the DoE's willingness to respond to community advocacy on school facilities has depended on the congruence between community demand, interest or capacity and DoE-identified need, and the amount of political leverage groups are able to bring to bear. But the recent openness among DoE officials to developing contractual relationships with non-profit community developers suggests an important shift may be occurring in how the DoE conceptualizes the role of community organizations in facilities development. Community groups and DoE officials both reported an increase in facilities related partnerships unfolding during the 2004-05 school year, and several groups observed a new level of responsiveness among DoE staff to local concerns.

Despite these promising developments, our research suggests that DoE has yet to make the kinds of cultural shifts necessary to scale up isolated stories of involvement and partnership into a comprehensive development strategy. For example, SCA has not established guidelines to assist community groups in initiating facilities projects, nor has it taken steps to address the considerable financial risks to non-profit developers associated with undertaking school facilities projects. Instead, the SCA has continued to negotiate projects on an individual basis, treating each new facility as a one-of-a-kind model.

Like most institutions, the DoE is far from monolithic; while the Office of New Small Schools has made extensive efforts at community involvement, the Strategic Planning Division of the

SCA initially operated in relative secrecy. Not surprisingly, several groups believed that the DoE both withholds information and sends conflicting messages. One group reported:

DoE staff came out and met with us. We felt comfortable talking with them. However in a subsequent meeting [with a different set of DoE representatives], it became apparent that the DoE was not being clear about anything. Things they were discussing were different from what the other group of DoE staff had previously discussed with us. They approved a contract with us, although it was our understanding that the contract had already been approved.

Community groups commonly argued that the slowness of the bureaucracy makes it frustrating to work effectively with the DoE. For example, though CHLDC won an unprecedented commitment of \$20 million from the City Council in 2001, its project was jeopardized by the BoE's delays in releasing the \$2 million it need to acquire the site. The DoE's centralized school facilities delivery process was described by several organizations as being rigid and inflexible in its criteria for assessing the suitability of new sites, in its protocols for construction contract procurement, and in the physical details of the design of new schools.

Community groups that attempted to develop and lease school space identified the lack of a clearly defined and flexible protocol for financial collaboration as a major obstacle to expanding this work. Organizations that initiated school development projects have done so at significant financial risk. ADC and CHLDC each invested hundreds of thousands of dollars of their own staff time, and the services of architects, engineers, environmental specialists, attorneys, and other professionals. They identified and secured control of sites, exercised due diligence, built community and political support, and rose substantial funding from sources outside the capital plan.

Lacking capital of their own, community organizations typically rely on loans from banks and intermediaries, who look to a project's future income to secure their interest. To date, the DoE has not been willing to negotiate lease terms that will meet lender requirements, essentially barring community groups from initiating school development projects. The lack of a pool of funds to support upfront predevelopment costs such as feasibility studies and environmental testing is also a critical problem. The DoE's unwillingness to define a process to share the

financial risks of predevelopment work means that its doors are effectively open to private landlords, but closed to the majority of non-profit community development organizations.

The experience of community organizations in affordable housing development offers a potentially useful example of what might be accomplished were the Department of Education to embrace a comprehensive non-profit development strategy. Community development corporations (CDCs) and other community groups developed tens of thousands of units of new and rehabilitated housing in New York City over the past two decades. CDCs were successful in bringing housing production to scale during the 1980s and 90s partly because of their ability to standardize designs, create efficient delivery mechanisms, and keep costs down. Their efforts led to new partnerships with the Department of Housing Preservation and Development (HPD) that resulted in funding streams and clearly defined pathways for non-profit development of housing.

This work was led through a combination of audacious non-profit leadership, and philanthropic investments in the creation of affordable housing creation intermediaries. The Enterprise Foundation and the Local Initiatives Success Corporation were both created to assist groups in accessing both technical expertise and financial resources necessary to initiate housing development projects. Over time, these entities came to serve useful roles to city agencies by identifying and linking development capacity to HPD projects that agency staff could not have done on their own.

## **VII: Creating an Open and Innovative School Facilities Planning and Development Process**

We believe the vision and tenacity of community stakeholders have added value to New York City's facilities planning and delivery processes in a number of ways – often in the face of the DoE / SCA's stiff resistance. Community organizations have identified alternative sources of financing for school facilities. Parents and youth have helped to identify new sites for schools in densely populated neighborhoods with little available land. In a few neighborhoods, community organizations and parent groups have either pressured the Department of Education to deliver the facilities they needed, or begun this development on their own. Several partners involved in the New Vision's New Century High School initiative have also moved to help address facilities problems.

The City Council's role in the most recent capital planning process suggests that communities can wield influence over the capital plan through their local elected representatives, and that some communities and council members are figuring out how the technical and political processes interact. Given City Council term limits, the overwhelming complexity of the budget, and the advantage any administration will always have in writing the first draft, community groups have a potentially important role as long-term repositories of expertise about the capital planning process.

Department of Education (and former BoE) officials involved in school facilities development justify their reluctance to respond to parents and community organizations on two grounds. First, officials believe open discussion of school projects will provoke controversy (most notably, the opposition to the construction of new schools), delaying and potentially derailing projects. Second, DoE officials argue the need to maintain fairness, both by conducting an objective and data-driven process and by insulating themselves from political influence. Responding to communities who manage to organize in order to make their voices heard is viewed as unfair to those who do not do so.

Yet the present planning process is inherently unfair; its documents and points of entry are understandable to parents who are—or have ready access to—lawyers, politicians, and other professionals, but are not easily understood by a majority of parents in any New York City district. Those parents who provided input during the 2003-04 process were assisted either by

elected officials, or by community groups with expertise and access of their own. The lack of a clear process for community engagement in school facilities development makes the system unfairly favor those already in the know. Responding to parents in affluent communities, who may themselves be attorneys, architects and bankers and are vocal and well-connected, is indeed unfair to families in low-income communities who do not have personal access to decision-makers and who have not developed ways to make their voices heard.

#### The need for an open process

The DoE has rightly understood that its allocation of resources requires not only the analysis of data, but also the weighing of values, and that it therefore entails a special responsibility to consider fairness and equity. In fact, the DoE took a major positive step toward fairness when it dedicated 17 percent of the plan's resources to improving facilities of low performing schools. Clearly, this is a value decision, not a decision based on scientific method. While some constituents might argue that this allocation of facilities resources to low-performing schools is lavish given other needs across the city, others could justifiably complain that it does not begin to satisfy the current need, which past policies have both ignored and exacerbated.

Complicating considerations of fairness is the increased crowding in a number of high performing schools as a result of school choice (resulting from No Child Left Behind as well as other parental decisions), and new DoE policies that reassign students to prevent overcrowding at new small schools. Some high-performing schools threatened by rising student enrollments and growing class sizes might rightfully assert urgent facilities needs.

The decision to allocate a percentage of the facilities budget to low-performing schools is further complicated by the balance the DoE has struck—another value decision—between the allocation of capital funds for new buildings to alleviate school overcrowding, and spending to upgrade and repair older facilities in less crowded districts. (The 2005-2009 capital plan allocates money equally across these two areas.) It is a truism that student discipline problems magnify, and learning becomes increasingly difficult, in crowded schools. But learning is also impaired when students occupy facilities whose bathrooms do not function, and that do not have libraries, gyms, playgrounds, science labs, or technological capacity.

Given these realities, it is clear that there is no scientific value-free formula for the fair distribution of resources. This is particularly so when the need for capital resources has exceeded available capital funding for as long as it has in New York City, and when such a high percentage of students are in schools that are either crowded or in need of repair.<sup>11</sup> With such high need, any distribution decision will likely provoke challenges on both procedural and ethical grounds.

We argue that a fair distribution of capital resources can only be realized through a fair system of access to capital resource decision-making. This means that, rather than structuring its capital planning, design and development processes to be impervious to public influence, the DoE / SCA should aim for processes that promote the maximum level of engagement by the most diverse constituencies possible—a process as easily entered into by poor immigrant communities as by middle- and upper- income communities.

#### The need for innovation

The school system's current administrative structure and streamlined school facilities delivery process was created to produce greater efficiencies in school operations and management. What it has achieved, however, is a more centralized and insular system of delivery with no clear point of entry for local partners.

The severity of the city's facilities needs and the necessity of adapting current facilities to the particular instructional goals of the new small schools opening across the city are critical challenges. Yet the very lack of community engagement exacerbates the DoE's facilities problems. Without community partners, the DoE/SCA have no local allies to help them in finding sites or in overcoming local opposition. They also have no capacity to engage local stakeholders in discussions about how best to match school designs with programmatic needs, or how to make creative use of smaller tracts of land. Though the school system has begun to work with community groups in the Bronx, there is no evidence that this innovative work is being institutionalized within the SCA.

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<sup>11</sup> 32% of New York City Schools are operating over 100% capacity, according to the Department of Education's *Annual School Reports*. The *New York Times* estimates that the City's school system needs 66,000 additional seats (Herszenhorn, 2004b.)

We argue that New York City's school facilities problems are so large and complex that the DoE/SCA needs to enlist local communities in solving them. The infusion of new money from the Campaign for Fiscal Equity decision will not solve the system's problems in delivering quality facilities to the students who need them most. Innovation is essential, and communities are a vital source of ideas and political will.

### Towards an Open and Innovative School Planning and Development Process

Scaling up community engagement across all New York City's social and economic groups will entail serious changes in the DoE's processes and procedures far beyond the shifts currently underway. While the involvement of community partners in locating sites for New Vision's New Century High Schools is a hopeful step forwards, the following actions by the City Council and DoE are critical to obtaining useful and widespread participation in the school facilities process.

#### The City Council

When the state Legislature created the Department of Education as a mayoral agency, it also gave the City Council the same powers of oversight that it exercises over other agencies. We recommend the City Council act on this authority to:

1. *Expand its role as a point of entry into the capital planning process.*

The Council should use this power to require that the DoE and the SCA provide the data upon which the capital plan is based – demographic projections, building conditions assessments, and building utilization surveys, and the assessment of each district's facility needs – at a much earlier point in the process than is now the case, but no later than early fall of each capital planning year.<sup>12</sup> Council education committee staff could then review the background data and needs assessments, and make them available in an understandable form, to Community Education Councils, Community Boards, and interested community organizations. The Council could also require the DoE and SCA to appear at local hearings (which might be held by District Education Councils, Community Boards, or individual council members) prior to the release of the draft capital plan, and to present its projected facility needs for each district, and explain the method by which it arrived at its projections.

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<sup>12</sup> Presently, this data is made available on November 1, when the entire draft plan is unveiled. Data, projections, and priorities must all be digested and debated during a compressed timeframe that takes place during the winter holidays when both school and other community matters are competing for parents' attention.

2. Facilitate greater public awareness of and information about all phases of school facility project implementation.

The Council could also use its authority to provide a route for parents, youth and community organizations to provide input into site selection and acquisition at a much earlier stage in the process, and to require the SCA to inform local stakeholders about its efforts to site new schools. As the example of CSD 6 demonstrates, the first notification that communities receive regarding site selection occurs at a late stage in the process when negotiations are already underway between the SCA and site owners. This approach deprives communities of the chance to integrate planning for school facilities into local planning and land use discussions. It also deprives the SCA of the opportunity to build local support that could overcome opposition to school projects.

We recommend that the Council require the SCA representatives to provide timely public notice regarding the initiation of an investigation of a site in their districts, and to present locally relevant elements of the capital plan in a local forum as early as possible in the development of each plan.

3. Fund the development of a school facilities intermediary. We recommend that the City Council provide funds to assist community organizations in accessing the technical expertise to initiate and carry out school facilities-related projects. Such an intermediary could also provide a platform for advocacy by community groups with the DoE regarding the need for expanded community participation as well as for a clearly defined institutional route for such participation to occur.

### Department of Education

Community organizations and DoE facilities' officials have traditionally inhabited two parallel universes, each with its own language, concerns and values. Expanding community engagement in school facilities planning and development will require bringing these separate worlds together, as a DoE official suggests, over the "functional imperative" of addressing the city's desperate facilities needs. We recommend that the DoE:

- Increase transparency in the provision and dissemination of the data and priorities that drive the development and implementation of the capital plan so that every aspect of the plan is clear, understandable and available to all interested communities;
- Work with community organizations to facilitate engagement in low-income and immigrant communities where participation is likely to be more difficult, and ensure accountability by the DoE and participating groups;
- Recognize the need for innovative solutions to facilities problems at every level and support those solutions initiated by communities through the creation of a new Office for Innovation that reports to the Deputy Chancellor for Administration and Finance; and
- Establish a program that institutionalizes nonprofit development of school facilities, with protocols that are efficient, fiscally prudent, and support the participation of qualified community organizations in building and leasing school facilities.

Below we describe each of our recommendations more fully.

1. *Increase transparency in the data and priorities driving the development and implementation of the capital plan.*

The present five-year capital planning process has made far more information available – to parents, advocates, city council members, and others – than was the case for previous plans. Indeed, the sheer amount of data, and the form of its presentation, is itself a challenge to anyone seeking understanding. Although the completeness of the data now provided is a positive development, how these data are formatted is critical to achieving transparency. In this respect, the work done by City Council representative Robert Jackson and his staff to compare the DoE’s analysis of school capacity and utilization to the experiences of children in District 6 is a helpful model for translating data into understandable information. A model might also be drawn from the variety of data presentations developed by CHAFE and other community groups to educate their constituencies about local school facilities needs.

We believe that increasing transparency in data and priorities requires, at minimum, that the DoE:

- Make facilities data, priorities and progress reports available in multiple languages and understandable formats. Vetting draft presentations through a committee of community organizations, advocates and city council staff may prove helpful in ensuring that what DoE produces can be readily understood by outside audiences. One helpful model is the Data Consortium, a voluntary body representing education research and advocacy groups, which helped to design the formats of the DoE's *Annual School Reports*.
- Develop and publicize an overview of the capital planning process, specifying important dates and points for intervention, and identifying who is responsible for facilities decisions in the district, region, and central administration. The Independent Budget Office and the Citizen's Budget Commission have both created documents explaining the executive budget process that may provide a useful model.
- Publicize and disseminate the DoE's annual assessment of progress in completing the capital plan. The DoE could, for example, create and distribute a district facilities update to parents and community organizations, and post a full district-by-district assessment on its website.

2. *Work with community organizations to facilitate engagement in low-income and immigrant communities.*

Community organizations have provided the information, professional expertise and resources necessary for parents in low income and immigrant communities to advocate effectively for their school facilities needs. Without such crucial support, public school parents in these neighborhoods are far less likely to participate in the facilities process, or even be aware of the opportunities for involvement. This dynamic is not unique to school facilities: DoE outreach to parents regarding high school registration and choice was similarly limited in its effectiveness (Herszenhorn, 2004).

Systemic approaches to fostering community engagement in low income and immigrant communities require the creation of local structures for informing, engaging and mobilizing parents and young people to make their views known. We believe that the DoE's efforts to communicate information widely, through Public Service Announcements on subways and special inserts in citywide and neighborhood press, for example, are more likely to be

effective when they are partnered with concerted efforts by community organizations to connect DoE opportunities for participation with community perceptions of need.

Despite the vital role community groups might play as a mechanism for broader community engagement, few organizations are presently involved in this work. Those that are working to engage constituencies in facilities and other education issues believe their involvement is made more difficult by the DoE's unwillingness to value and commit resources in support of their efforts.

Community organizations would be more likely to fill this role if the DoE were to:

- Make training available for community organizations who want to participate more fully in capital planning or in identifying facilities problems in their neighborhoods and helping to resolve them;
- Specify a policy and administrative framework for community engagement that clarifies potential roles for community organizations, parents and youth, and establishes parameters and entry points for their participation in facilities creation. The typology presented in this paper may be a useful beginning point for such a framework;
- Set and enforce clear expectations for performance by community organizations and by the DoE. Organizations proposing to facilitate local design processes, for example, would have to demonstrate that the discussion would indeed be open to all stakeholders, and that its facilitation was competent and fair, and;
- Make funding available, or join in advocating for funding, to support community organizations that show interest in and capacity to involve their constituencies in facilities decisions (from collaborative planning on school design to locating new sites, or advocating for additional resources).

3. *Create a new Office for Innovation within the DoE responsible for supporting innovative approaches to school facilities planning and development.*

Given the vast differences in culture between the DoE and community organizations, as well as the many process concerns community groups raised with us, building and sustaining collaboration will take a concerted effort to achieve. Within the current DoE/SCA structure,

however, there is no office or entity responsible for either initiating or ensuring the success of these relationships.

Moreover, though the examples profiled in this report demonstrate the range of roles community groups could play, they also represent the heroic struggles of a few visionary organizations, rather than the result of a systemic approach to encouraging innovation. We urge DoE to recognize the need for innovative facilities solutions and support those solutions initiated by communities. DoE should create a high-level unit whose job is to develop and implement new approaches, such as those in our typology, in partnership with community organizations. The new unit's job would be to solve problems with each approach, integrate their implementation with the capital plan, and disseminate lessons learned within the DoE/SCA.

4. *Establish protocols that institutionalize models for nonprofit development of school facilities, and set clear expectations and criteria for community organizations proposing to build and lease school facilities.*

Though there are few examples of successful non-profit development and leasing relationships with the DoE, the difficulty of finding sites in overcrowded New York City neighborhoods underscores the importance of this strategy. The ability to build small facilities to flexible but high quality standards are strengths of small community-based developers. The development of such facilities offers significant benefits not only to the SCA, but also to the community and the children served by the school.

The expansion of this strategy requires a more sweeping shift in how the DoE and SCA think about how school buildings are designed, owned and operated than has been demonstrated to date. A critical step is the development of a protocol that affirms the value of direct community participation in developing and leasing school facilities, and establishes clear expectations and criteria for school facilities, as well as for community organizations as developers.

This protocol should delineate specific steps for community organizations to convince the DoE of community need and support for the project, as well as of its technical and financial capacity to carry out the work. It should also specify whom, within the DoE, community

groups with possible projects, should approach, and it should define both an appropriate time range in which groups would receive a response, as well as the parameters guiding the DoE's decisions. For example, a community group proposing to develop a school facility would need to demonstrate that the proposed project meets identified standards for quality and cost-effectiveness, and that no individual associated with the group stands to profit from the transaction. The non-profit leasing protocol drafted by the SCWG with the former BoE / DSF laid useful groundwork on which a program could be built.

Expanding non-profit development of school facilities also requires a high level of technical capacity and accountability on the part of community organizations seeking to take on the role of owner/developer, and the creation of the programmatic and financial structures to institutionalize the approach. Mayoral control of the school system creates the possibility for the transfer of ideas and knowledge from other fields to school facilities development that can build capacity both within the DoE and community groups to undertake non-profit school development projects. Department of Housing Preservation (HPD) programs, financing tools, and financial incentives that facilitate housing development by community-based non-profit developers potentially offer useful models and important professional expertise for the development of a non-profit leasing program.<sup>13</sup>

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<sup>13</sup> Previti, Denise and Michael H. Schill, *State of NYC's Housing and Neighborhoods 2003*. Furman Center for Real Estate and Urban Policy, New York University. pp. 362-380.

## **VIII. Conclusion**

Far from obstructing or compromising school facility projects, we argue that engaging communities adds value at every level, from citywide capital planning, to the design of individual buildings.

The reality that New York City school system's facilities needs will, in every case, exceed available resources is not sufficient justification for obscuring the process by which needs are quantified and prioritized, or for excluding communities from school facilities decisions. As we have noted, the DoE and SCA now make decisions that reconcile competing values. How much funding should be used to reduce overcrowding, versus to upgrade low-performing schools? When is it better to create space quickly and cheaply through leasing, rather than taking the additional time to build new buildings at a higher cost per seat?

That such decisions are difficult does not mean that they should be made secretly, in isolation from their intended beneficiaries. We argue that achieving transparency and participation in school facilities planning and development is not politicization. It is democracy.

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## **Case Studies of Community Engagement**

## **Abyssinian Development Corporation: The Thurgood Marshall Academy for Learning and Social Change**

In 1993, the Abyssinian Development Corporation (ADC) and New Visions for Public Schools worked with the Board of Education (BoE) to create the Thurgood Marshall Academy for Learning and Social Change, a small public school funded in part by a grant from the Annenberg Foundation. After sharing space for nine years, it moved into its own building in 2004. The new facility was the first school building created in Harlem in 50 years.

Founded in 1989, ADC is a non-profit community development corporation “dedicated to building the human, social, and physical capital in Harlem.”<sup>14</sup> Reverend Dr. Calvin O. Butts III of Abyssinian Baptist Church founded the organization. ADC has 70 employees and a budget of nearly \$7 million.

In the early 1990s, Harlem faced high unemployment, poor social services and a lack of affordable housing. Poor performance of local public schools, combined with overcrowded facilities, prompted parents to send their children to schools outside the district. ADC had been working in affordable housing and community development for several years, and education was a logical extension of their efforts to stabilize and revitalize the neighborhood. In 1991, backed by a large grant from the Annenberg Foundation, New Visions for Public Schools, then the Fund for NYC Public Schools, sought proposals to develop alternative small public schools.<sup>15</sup> ADC’s Thurgood Marshall Academy was one of 22 proposals selected from thousands of entries for funding. New Visions provided resources and technical assistance to Abyssinian and served as a liaison to the BoE on school development issues.

Two years later, Thurgood Marshall Academy began as a 6 – 8 grade public school with 100 students and five teachers. It was initially located at the top of an aging school building in Community School District 5. Thurgood Marshall occupied the 5<sup>th</sup> floor of a 5-story walkup that already housed three middle school programs. Because there was no elevator, deliveries rarely made it up to the 5<sup>th</sup> floor and Thurgood Marshall often went without supplies. The telephones

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<sup>14</sup> ADC website. [www.adcorp.org](http://www.adcorp.org).

<sup>15</sup> LISC New York City, *Neighborhood Notes*, Summer/Fall 2001, pg. 4.

often did not work, and the building overall was in poor condition. The close quarters and the constant fight over space strained the relationship between the four schools.

When school enrollment grew in size, Thurgood Marshall was given the 4<sup>th</sup> floor of the school building. By 1996, the school served 350 students but was under-performing academically. New Visions threatened to close the program, citing a lack of focus and leadership within the school. Though ADC initiated the school, it was not run directly by ADC staff. But when school performance began to decline, Rev. Butts intervened in the school to hire Dr. Sandye Johnson as the school's new principal. Dr. Johnson was one of the original founders of the school, professor at City College and former teacher. She determined that finding a new facility was a key component in improving educational outcomes. ADC thus began a campaign for a new school.

Rev. Butts, known for his activism and political relationships with the City administration initiated conversations on behalf of the school with the BoE, School Construction Authority (SCA), Division of School Facilities (DSF) and other city agencies. During this time, Mayor Guiliani was under pressure from the African-American community to support more economic development and school initiatives in minority neighborhoods. Rev. Butts' support for the mayor during his first term helped ADC gain the City's support for a new school building.

DSF offered ADC an opportunity to lease space; however, when they could not find suitable space in the district, ADC began to focus on building a school facility. In 1998, ADC formed a committee to examine possible sites in the neighborhood and create a development plan. Of three potential sites, the old Small's Paradise jazz club, which closed in the 1970's, became the preferred location. The owners, who were still paying taxes and paying for maintenance of the building, wanted the club to be used for a community purpose and liked the idea of a school.

By 1999, ADC had completed a feasibility study and hired a development consultant to move the project forward. Abyssinian planned to create a 750-seat school with retail space on the ground floor. ADC approached funders of their housing initiatives for start-up funding and raised \$100,000 for initial strategy development and project feasibility.

ADC hired a respected development firm and the architect who had designed the Stuyvesant High School in Manhattan to create the school design. The BoE refused to support what they saw as an extravagant school design and did not provide any predevelopment funds for the project. Without BoE financial support, ADC negotiated with the developers, architects and lawyers to pay a small portion over the duration of the project, with a large balloon payment at the end. The building owners, who were pleased to see the building used for a community purpose, continued to pay taxes and maintain the building until the project was completed.

ADC continued talks with the BoE and DSF, and DSF, acknowledging the work ADC had completed thus far, agreed to work with ADC on a draft resolution for the project for Board of Education approval. The draft resolution, approved in May 2000 stated that ADC would build and own the facility and lease it to the BoE. It specified a 30-year lease agreement between the BoE and the ADC would be adopted in June 2001. Lease payments would equal the total amount of debt service and operating costs of the building (less ADC's contribution). For legal purposes, ADC created a separate holding company to own the school. To fund their portion, which was estimated to be \$1 million, ADC borrowed money from local development banks and commercial banks, using two of their own buildings as collateral.

Despite the need for a new facility, there was opposition both within the Abyssinian Baptist Church and in the larger community. Many residents worried that the conversion of a historical landmark into a school would accelerate the gentrification of Harlem and further the dissolution of Harlem's cultural heritage. Others worried about damage to neighboring properties due to construction on the building. One resident won an injunction against the ADC to temporarily halt construction.

However, local politicians with whom ADC had close relationships supported the development and helped publicize the new school's positive role in revitalizing Harlem. ADC held weekly meetings at its school to get input on the school's design from students and teachers, parents and neighborhood residents. Rev. Butts included the project in sermons to keep the neighborhood informed of the progress.

The school opened in February 2004 at a cost of \$38 million. Three stories were built on top of the existing three-story structure. The facility provides space for 750 students, grades 7 –12. The school has internet-ready wireless classrooms, a 20,000-book library, career and college counseling centers, free health care, six new science labs plus a greenhouse, art and music studios and a large gym. The ground floor is leased to an International House of Pancakes, whose rent payments will offset some of the operating cost of the building.

### **ACORN: Community Organizing for Community Schools**

ACORN, the Association of Community Organization for Reform Now, is a membership organization focused on organizing low-income people for economic justice. In 1988, ACORN created a Schools Office to coordinate education campaigns arising from ACORN neighborhood organizing such as better lunch programs, new school playgrounds, and asbestos removal. Over the years, ACORN members have developed autonomous public schools and waged citywide campaigns to improve access to rigorous curricula, gifted and talented programs, and to win resources to end school overcrowding, repair facilities, and implement new curricula, mentor teachers, and other reforms in low performing schools. These issues led ACORN to develop two elementary and four high schools in Brooklyn and the Bronx over the past decade.

The first elementary school was in Far Rockaway, Brooklyn. Parents worked with education experts and the then-Board of Education (BoE) to design the school's instructional program and hire teachers. The Rockaway New School opened in September 1991 as a K-6 elementary school housed in PS 183. Overtime, the relationship with PS 183 became strained and the school found itself "fighting the system" to remain autonomous. Parents decided to terminate the Rockaway School and the children became students of PS 183.

The second school ACORN started was PS 245 in Flatbush, Brooklyn. In 1992, schools in Flatbush were so crowded the DoE "froze" school registers in what came to be known as the frozen zone. New children were not allowed to enroll in local schools; even kindergarten students were bused to other locations across the borough. ACORN members pressured the local community school board who oversaw schools in the frozen district and lobbied the central BoE to find and lease space for a new neighborhood school. When parents identified a site, the BoE agreed to support the creation of PS 245 and provided funds to renovate the building in 1993.

Though ACORN's early efforts were concentrated on elementary and middle schools, it also began to look at alternative high school programs and small high school creation. In 1993, ACORN lobbied the BoE to create a partnership to develop new high schools. When the BoE

did not respond, ACORN held a 1500-member rally at which the BoE committed to open four new ACORN schools.

In 1994, ACORN partnered with the Center for Collaborative Education, the Center for Educational Innovation, and New Visions for Public Schools to form the New York Networks for School Renewal (NYNSR). The Annenberg Challenge, a \$25 million investment, funded NYNSR for five years, to create small schools, recruit quality teachers and principals, and provide leadership support and professional development. Though NYNSR schools function as district schools, they are governed by the Department of Education.<sup>16</sup>

The ACORN Community High School (ACHS), the first of the four ACORN-sponsored small schools, opened in 1996 in Crown Heights, Brooklyn. The first neighborhood with available space – Crown Heights – became the first to get a school. Parents found an old shoe factory and enlisted a private developer, who bought the building with his own funds. ACORN faced two options to get schools built: the building could be developed by the School Construction Authority (SCA), which was likely to be time-consuming and potentially run over budget, or a developer could renovate and lease the property to the BoE, which ACORN preferred. The BoE passed a lease resolution to approve the new school program and facility and then signed a 15-year lease with the developer. Though the developer had to comply with SCA standards and regulations, ACORN members consulted with SCA architects on the design. ACORN helped develop the mission, plan the school and hire staff.

The ACORN High School for Social Justice (SOJO) opened in 1997 to serve students in the Bushwick area of Brooklyn. During the first seven years, the 500-student school operated from two locations, both outside of its catchment area. In February 2004, it moved to a permanent home on the Bushwick/Bedford Stuyvesant border. The same developer of ACHS built this school, using the leasing model previously developed with the BoE. The developer negotiated the financing and pooled investors to fund the project. As in the previous project, the developer

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<sup>16</sup> Research for Action and Cross City Campaign for Urban School Reform, “Strong Neighborhoods, Strong Schools: The Indicators Project on Education Organizing”, March 2002.

had to obtain approval from the SCA on the materials and design of the school building. The DoE assumed responsibility for maintenance but not for major structural repairs.

ACORN's third high school, Bread and Roses Integrated Arts High School in Washington Heights, Manhattan opened in 1997. ACORN members, along with teachers, lobbied the BoE for space in an existing building, which already housed three smaller middle school programs.

ACORN members are currently asking that the ACORN Schools Office of New York develop a fourth school in the Bronx. However, ACORN is shying away from initiating another new school, preferring to strengthen the schools they are running. "We have to institutionalize what we started and stabilize relationships, however, at any point we can draw upon the earlier commitment," said one ACORN member.

## **Battery Park City and Tribeca Parents Campaign for a New School**

PS/IS 89 is located at the base of Tribeca Bridge Tower, in Battery Park City on West Street between Warren and Chambers streets. Tribeca Bridge Tower is a multi use facility with high-end residential units and retail space. The school was a joint effort of Tribeca and Battery Park City parents, the Board of Education and the Battery Park City Authority.

### *Early Stages*

In 1988, Battery Park City was a new community, planned, developed and owned by the Battery Park City Authority (BPCA).<sup>17</sup> Located on the west side of the West Side Highway, it provided upscale rental housing to middle and upper income families, many of whom worked in the financial district. No school was built in the complex because BPCA assumed that most parents would send their children to private school and those who did not would send their younger children to PS 234, a 600-seat school in Tribeca a few blocks north on the east side of the West Side Highway. The neighborhood is located within the boundaries of Community School District (CSD) 2.

In 1989, the principal of PS 234 approached two Tribeca parents who were both active in the school's parent teacher association (PTA), to discuss the growing demand from local parents to enroll their children in the schools. The school was operating at capacity and the principal worried that it would soon be unable to accommodate school age children in the neighborhood. The parents formed a school committee within the PTA to examine possibilities of obtaining a new school in the area. To assess the local demand for school seats, the committee visited neighboring preschools to find out where parents intended to send their children. Most parents planned to send their children to PS 234. Armed with this data, the committee met with the Community School Board 2, the superintendent of CSD 2, and local elected officials to discuss the need for additional elementary school seats in the area. Their efforts received a lot of coverage in local papers that helped to gain attention from city and state officials.

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<sup>17</sup> BPCA is a public benefit corporation created by the New York State Legislature in 1968 to develop Battery Park City as a new residential and commercial community. The project area is owned by BPCA.

But in 1989, the city was in a recession and the city's education capital plan was under-funded; most of the money for schools was allocated to address egregious problems at existing school facilities. Since the capital plan had not addressed overcrowding in Queens, Washington Heights, and Brooklyn, parents worried that asking the BoE for a school in Tribeca/Battery Park in anticipation of overcrowding "would look silly." While there was evidence of a steady rise in school-age children from Battery Park City, District 2 as a whole was underutilized, which meant that overcrowding could be addressed by bussing children to other district schools. But Battery Park parents wanted their children close to home and so, spurred by the worry of future overcrowding, they decided to fight for a new school. Because PS 234 was a model school for the city, the CSB pledged support with the caveat that parents would have to make the noise. The committee also enlisted the help of anti-development groups (who were at odds with the BPCA over growing development) and school advocates.

### *Building Support for a School*

In 1991, the school committee that had been started by Tribeca parents expanded to include Battery Park City parents and residents. There were approximately 12 active committee members, six from Tribeca and six from Battery Park City, though the Battery Park parents eventually broke off from the committee to act on their own. Of the initial group, ten were women - most mothers of preschool age children - and two were men who did not have children in public schools.

As predicted, by the 1991-1992 school year a third of the students attending PS 234 were from Battery Park City, and parents' concerns for overcrowding had real ground. A new superintendent of District 2 had been appointed and parents approached him to discuss the need for a new school. The superintendent was not receptive to their demands initially but under pressure from parents he continued to meet with them and eventually endorsed their efforts. A parent recalls that he supported and guided the process. He also advocated on behalf of the parents, helping to get them onto the Community School Board's agenda.

Though, they were gaining political support locally, Battery Park parents still had to demonstrate the urgency of their need to the central BoE that ultimately decided on school facility priorities.

Battery Park parents organized a door-to-door survey asking residents if they had or intended to have kids, and if they did, where they would go to school. The survey also asked about the effect of school quality and school conditions on residents decision to stay or leave Battery Park City. Parents recruited neighborhood associations and block captains to assist in administering the survey. It took them three to four months to canvas the entire neighborhood. Responses to the survey indicated that parents indeed intended to send their children to public school. Parents jointly presented a presentation showing the impact of the increasing population of school-age children in Battery Park City on local schools to the Board of Education.

Parents framed their demand for a new school as both a moral and an economic issue. They were frustrated by the Battery Park Authority's assumption that because most of the parents were middle- and upper- income residents, they would not send their children to public school. The Authority had included no schools in the design: instead it designated 34 percent of the plan to parks where children might want to play. Parents argued that families would not move into the area and many would leave if school overcrowding were not resolved.

All committee members were individuals with significant professional experience and connections. They were confident not only in their ability to advocate for their needs, but in their absolute right to have a school. As one committee member said, "Battery Park City has the highest median income in the city. We are getting a school." Members had high levels of education and years of experience: stay-at-home moms had previously been lawyers, landscape artists, and architects and one held a doctorate in education. Therefore, because of their professional lives, they had direct access to district people. Phone calls were always returned. One parent was an elected Community School Board member and was instrumental in organizing a Save Our Schools campaign through her staff role in the citywide community organization, ACORN. She met regularly with the New York City School Chancellor, who would listen and strategize with her on how to get a school in Battery Park. In addition, because Battery Park City had its own governing body, BPCA, parents had another avenue through which to voice their concerns.

During the 1992-93 school year, parents met with their elected officials and members of the Authority's governing board, and held parent forums to publicize their efforts and involve parents in their campaign. The former director of the Division of School Facilities regularly attended many of these meetings. Though the head of the Battery Park City Authority did not attend, he sent a representative who became sympathetic to the committee's concerns and advised them on how best to approach the Authority. Parents also spoke at several public meetings, including Board of Education hearings on the 1994-1999 five-year capital plan. Parents argued that BCPA had underestimated the number of families that would live in the area. Fully built, Battery Park City anticipated 21,000 families but by 1993, there were already 7,000 families living there, many of whom planned to send their children to PS 234.

In 1994, the committee staged a letter writing campaign to win his support. Though the Chancellor was initially dismissive, the head of DSF met with members of the school committee and found several reasons to support parent's demands for a school in Battery Park City: the original plans for Battery Park City created in the 1960's included appropriations for a school; State law required BPCA to provide facilities if need exceeded existing services; and West Street was too dangerous an intersection for children to cross to reach schools in lower Manhattan. By 1995, the DSF joined parents in putting pressure on the Authority to build the school and met, on behalf of the parents, with the Battery Park City Authority to discuss the development of a new school facility, which the Board of Education subsequently approved.

#### *Financing PS/IS 89*

But the roadblocks continued even after the school was approved. Parents and BPCA clashed over whether the school facility should be located within a residential building or a built stand-alone school. The Authority ultimately decided that the school would be part of a new residential building.

Financing for the school also became an issue. Because the school was not originally part of the BoE capital plan, money needed to be allocated. BPCA planned to issue bonds to fund the apartment building portion. The parent committee pushed to include the school in the Authority's bond issuance, but BPCA wanted the BoE to use their own funds to pay for the

school because, in their view, adding a school to the bond issuance would complicate the process.

Parents then sought capital funds to pay for the school. The City Comptroller refused to approve capital for the school because the need in Queens and other boroughs was greater. So, the parents lobbied with a BoE member to designate funds allocated for Educational Construction Fund projects to pay a private developer to build the school.<sup>18</sup>

The BoE signed a lease with the Battery Park City Authority to rent the school facility for \$1 a year for 90 years. Though the school was located in Battery Park, the DSF was responsible for designing and maintaining the school. The committee met independently with DSF to guarantee that the school's design would meet their needs. The original plan called for an 850-seat school, but parents proposed two adjoining schools: a smaller elementary school facility for 550 students, and a 300-seat middle school. The community also wanted the school to be designated as a gifted and talented school, rather than a zoned school, due to its small size and continued pressure by the parents, the school was deemed a gifted and talented school.

The school opened in 2000. The parents used political connections, data and lobbying to build support for their project and eventually, forced the BoE, the city and Authority to support their efforts.

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<sup>18</sup> The New York City Educational Construction Fund is a public benefit corporation established in 1967 by the New York State Legislature to provide funds for combined occupancy structures including school facilities in New York City. Rarely used, the Fund serves as an additional financing and development vehicle for the New York City Department of Education.

## **Community School District 6: Using Data to Show Overcrowding**

City Council District 7 in Upper Manhattan is a long swatch of land that includes parts of Community School Districts 5 (Harlem) and 6 (Washington Heights and Inwood). Councilman Robert Jackson, who represents the district, formerly led Community School Board 6 while his children attended schools in the area. As a councilman, he has paid particular attention to the facility needs of this overcrowded district. At the end of the 2002-03 school year, CSD 6 was operating at 106% capacity, a slight decrease from 112% capacity in 2001.<sup>19</sup>

In 1992, Councilman Jackson founded the Campaign for Fiscal Equity (CFE) to challenge inequitable and inadequate funding of New York City schools. The CFE sued the State of New York arguing the current system of funding is unconstitutional and fails to provide a sound basic education. In January 2001, the State Supreme court ruled in favor of CFE and ordered the State to reform its funding system. After the Appellate Court overturned the decision, CFE filed a series of appeals, and in June 2003, the New York Court of Appeals ordered the State to implement major education funding and accountability.

When the Chancellor's draft of the 2004-2009 capital plan was initially released in November 2003, it did not include new schools for the district (there was one school for the district, carried over from the previous plan). DoE asserted that building capacity and utilization in the capital plan and the Grier Partnership's assertion that the number of school age children in the district would decline. In January 2004, Community School District 6 held a well-attended public hearing by community members and public officials. Community residents questioned the accuracy of DoE data and protested its decision not to provide new schools to the district.

Perplexed by the discrepancy between DoE data and parent experiences, after the hearing Councilman Jackson's office began their own analysis of district need and examined the capital capacity and utilization report used by the DoE and School Construction Authority (SCA) to create the capital plan. During the first several years of the twenty-first century, resident births in CSD 6 declined by 30% but the number of school age children increased by 2,890. These

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<sup>19</sup> Institute for Education and Social Policy analysis. Source: New York City DoE Division of Assessment and Accountability Annual School Report, 2002-2003.

facts contradicted the DoE's enrollment projections, developed by the Grier Partnership, of a ten-year population and school enrollment decrease. The Grier Partnership report had not considered the influx of young people with families from other parts of the city, as well as the rise in immigrant families moving into the neighborhood. Their projections primarily use residential birthrates, taken from the US Census, anticipating that a child will enroll in the school district in which he is born. However, the birthrates used are citywide and do not consider different ethnic groups within races (i.e., the different birth rates of Dominicans, Mexicans, and Puerto Ricans). They also do not include mobility factors or international (documented or undocumented) immigration. Therefore, many trends that affect school enrollment are ignored.

The district prepared a worksheet for New York City Council staff to analyze and recalculate building capacity and utilization in their own districts. The worksheet provides guidelines for calculating building capacity and enrollment projections, and uses new housing starts, housing units to enrollment ratios, and DoE policy requirements (i.e., the elimination of transportable classrooms) to determine the impact of DoE's capital allocations on district utilization and capacity rates.

In January 2004, Jackson convened meetings in CSD 6 to show DoE staff the errors in their capacity and utilization calculations and convince them of the need to allocate more schools to the district. He also invited the Panel of Education Policy (PEP), the Office of the Public Advocate, Manhattan Borough President's office, NY State Senate and NY City Council members to tour CSD 6 schools. During these tours, it became clear that not only were the schools overcrowded, but they were also plagued by other facility problems. For example, PS 8, a new school was forcing administrators to use a bathroom, closet, and administrative and personnel space for classrooms. Because the school lacked storage space, stacks of books were stored in hallways blocking the passageway.

A day before the Panel for Education Policy's vote on the capital plan on February 9, 2004, Jackson convened a second meeting with the DoE, PEP members and parent activists. During the meeting, council staff again presented their utilization data and enrollment projections and asked the DoE and SCA representatives to tour a random sample of schools. Though PEP

members agreed that DoE facilities data for District 6 needed reworking, they endorsed the Chancellor's capital plan. In response, Jackson sent the DoE a copy of *No Room to Learn*, produced by the Office of the Public Advocate, along with an analysis of how capacity at PS 8 and other schools in the district has been made to "grow" over the years. In 1999, for example, capacity at PS 8 was 547, in 2002 it was 694, and in 2004, it was 785.

In mid-March, DoE and SCA representatives toured PS 8 once again with Councilman Jackson's staff. As they walked through the school, beginning on the 4<sup>th</sup> floor, DoE representatives counted the rooms in use for general instruction (known as "capacity"). Jackson's staff argued that counting rooms currently in use, rather than counting only the rooms intended to be used as classrooms, over-represented the capacity in a building. In other words, it was taking the worst-case scenario for the building and presenting it as if it were the ideal. Counting L-shape closets and offices converted into classrooms as actual classroom space distorted capacity numbers for the building because these spaces were not intended for classrooms and were not suitable for long-term classroom space.

During the tour, DoE staff acknowledged that space configured in this way did not meet the standards for classroom instruction and could not count as part of capacity. But they argued that PS 8 was an anomaly. Jackson's staff disagreed, arguing that this was happening in schools across the system. "It is a historic manipulation of capacity figures. We wanted [them] to tell the truth."

In April, the SCA cancelled other tours of CSD 6 schools and promised to reassess the district's capacity figures. Later that month, SCA informed Councilman Jackson that, despite the crowding in PS 8, it would exclude from capacity only two rooms whose dimensions were unsuitable for classroom use. SCA also announced that two new schools and existing high school renovation would be added to the capital plan. These two schools will provide 1,741 seats of the 8,820 seats Jackson believes are necessary. Though they are scheduled to be built in the last year of the capital plan, the DoE has said it will begin sooner if CSD 6 locates sites.

### **Cypress Hills Advocates For Education (CHAFE)**

Beginning in the early 1990's, parents and education advocates have lobbied for more seats and higher quality school facilities in Cypress Hills. (See the Cypress Hill Community School sidebar.) With help from the Cypress Hills Local Development Corporation (CHLDC), community members and parents formed the Cypress Hills Advocates for Education (CHAFE) in 1998 to organize parents and youth to fight to end local school overcrowding. CHAFE has an active membership of 60 local residents and parents and is staffed by a full-time organizer from CHLDC.

In the summer of 2003, as the DoE developed the 2005-09 capital plan, CHAFE met with City Council Education Committee Chair Eva Moskowitz to present the problem of continued school overcrowding in Cypress Hills. Eva Moskowitz agreed to support CHAFE's campaign by contacting Kathleen Grimm, Deputy of Finance and Administration at the Department of Education (DoE), to discuss the need for more schools in Cypress Hills.

On the first day of classes in September 2003, CHAFE staged a demonstration to protest local school overcrowding and to demand a new school facility. They had a protest at PS 65 in a symbolic gesture; PS 65 was built in 1889 to hold 266 students and now serves 660 without a gym, auditorium or public announcement system. Parents and local called on Chancellor Klein to build a new facility in the north side of the district and submitted a petition with over 1,000 signatures from local residents who supported this demand.<sup>20</sup> DoE did not respond to CHAFE's request.

In October 2003, at the urging of CHAFE, Eva Moskowitz convened a meeting with Kathleen Grimm, Deputy Chancellor of Finance and Administration, Bill Goldstein, President of the School Construction Authority, and members of CHAFE to discuss overcrowding in Cypress Hills. DoE asserted that because schools in the southern end of the district were under-utilized, Cypress Hills overcrowding could be resolved through zoning and busing, and therefore, was not a capital planning priority. Moreover, officials said, the anticipated new facility for the Cypress Hills Community School would resolve any remaining overcrowding problems.

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<sup>20</sup> Wang, Beverly. "Seeing Red Over Crowded PS," *Daily News*, September 9, 2003.

Thus, when the DoE released its 2005-2009 education capital plan in November 2003, it did not include new schools for Cypress Hills. Anticipating this outcome, CHAFE had spent the fall studying the capital planning process, with assistance from the Institute for Education and Social Policy (IESP) and the Pratt Institute Center for Community and Environmental Development (PICCED), and developing a strategy to force the DoE to reconsider. CHAFE had also met with their City Council representative, Erik Martin Dilan to obtain his support. Councilman Dilan promised not to approve the plan if it failed to include a provision to relieve crowding in Cypress Hills and he convened a town hall meeting to discuss the issue with area residents.

By December 2003, having won the support of key council members, CHAFE members began to analyze the newly released DoE enrollment projections and school utilization and capacity data. They also collected and examined data on projected new public housing from the New York City Housing and Preservation Department. Their analysis showed an overall need of XX seats for Cypress Hills: the district would need 714 seats to resolve school crowding, 197 seats to reduce class sizes to 20, and at least 304 seats to provide sufficient universal pre-kindergarten seats. Because the DoE had not considered new housing units slated for the area, it had vastly understated enrollment projections. Working with the IESP in January 2004, CHAFE presented its data to Councilman Dilan, Kathleen Grimm and Bill Goldstein. This presentation, and upfront work with strategic members of the City Council, ultimately succeeded in convincing the DoE of the need to create new seats in Cypress Hills.

DoE's revised plan, sent to the Panel for Education Policy in February 2004, contained a new school in District 19, separate and in addition to the Cypress Hills Community School. Several weeks later, Mayor Bloomberg visited the Cypress Hills neighborhood to announce the new school. During the March 2004 City Council hearings regarding the capital plan, parents from CHAFE testified to urge the City Council to approve the plan, despite its flaws.

Since the capital plan's passage, CHAFE has shifted its focus to work with the SCA to identify and select a school site. Though the SCA has final say in location and design, CHAFE leaders expect to be fully involved. Fresh from their victory, they returned to Councilman Dilan to elicit

his endorsement of their participation in every stage of the project. Councilman Dilan has written a letter to the SCA support, CHAFE's involvement in the school planning, design and construction process.

### **CHLDC: A School Grows in Brooklyn**

The Cypress Hills Community School, PS 89, a dual language (Spanish-English) alternative school in East New York, Brooklyn, was founded in 1997 by parents in partnership with the Cypress Hills Local Development Corporation (CHLDC) and New Visions for Public Schools. Parents have fought for space for the school since its inception; they hope to begin construction on its permanent home in 2005.

#### *Rebounding in a River of Marble*

Until the 1980's, Cypress Hills was a weathered white working class neighborhood known best for the 18 cemeteries that "ring it in a river of marble."<sup>21</sup> At that time, the area experienced a cycle of redlining, white flight, a rapid influx of Latinos and African-Americans, and the exodus of businesses from its commercial strip along Fulton Street.

The Cypress Hills Local Development Corporation (CHLDC), a not-for-profit community development organization, began in 1983 by working with area merchants to revitalize Fulton Street. CHLDC is a resident governed organization, and during the past twenty years, has grown from a staff of 1 to 150, of whom the vast majority are parents and community residents. Serving 8,000 residents each year, CHLDC has built \$13 million in affordable housing, opened and helped run after-school programs, trained neighborhood women to run day care centers from their homes, and won a federal contract to help residents operate a Head Start preschool. A 1998 story in a national newsmagazine described the CHLDC as having parlayed "modest resources into tangible progress against a broad range of problems."<sup>22</sup>

#### *Protesting school overcrowding*

Though economic and housing initiatives revived the area during the 1990s, the district's school programs and facilities continued to deteriorate. At the same time, schools in Cypress Hills became increasingly overcrowded. While some schools in the southern part of Community School District 19 were under-utilized, schools in the districts' northern section, including Cypress Hills, were operating far over capacity, with students often bused to other locations as

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<sup>21</sup> Brownstein, Ronald. "An idea grows in Brooklyn", *US News and World Report*, July 27, 1998.

<sup>22</sup> Ibid.

much as 45 minutes away. Parents concerned about overcrowded classrooms, dangerous buildings, and the lack of basic resources, such as computers, science labs and play space, organized to confront the Board of Education and the School Construction Authority about school overcrowding.

In May 1995, Cypress Hill residents and parents formed the Let's Build IS 171 Committee to pressure the SCA into creating a new building for the overcrowded middle school that shared space with PS 7. After lengthy delays and ongoing parent protests, the Board of Education built a new school for PS 7, and renovated the existing school building for middle school, IS 171. But PS 7 soon became crowded and community residents realized another school facility was needed. In 1996, CHLDC, parents and teachers obtained start up funding from New Visions for Public Schools to create the Cypress Hills Community School. The school's dual-language learning approach, as well as its governance, reflects CHLDC's vision of parent and resident leadership. Two co-directors, a parent and a BoE administrator, head the school. Parents are engaged in all aspects of the school, from shaping curricular materials and instructional strategies to helping select teachers and leading activities in the school.

The Cypress Hills Community School (CHCS) opened in fall 1997 in temporary space at PS 248. The school began with students in kindergarten through 3<sup>rd</sup> grade, and planned to add one grade level each year until it was a K-8 school. After a full year at PS 248, the school moved to IS 302 where there was slightly more space available, and where CHLDC already operated a Beacon program.<sup>23</sup> CHCS existed in five classrooms and two modular units behind the school. Students had limited access to IS 302's library, cafeteria, auditorium, and common space. As CHCS grew, crowding led to tension between the two schools.

The BoE repeatedly rejected requests to build permanent space for CHCS, arguing that other districts were more crowded than CSD 19, and that CSD 19 thus had low priority for scarce facility resources. From 1998 through 2001, parents, students, and teachers of Cypress Hills continued their advocacy campaign and were continually rebuffed by the BoE. Simultaneously,

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<sup>23</sup> Beacons are school-based centers that offer resources and support to students and families in New York City. The program makes school buildings available for student and community use after school, on weekends, and during the summer.

they began exploring ways that they could take action on their own to identify and acquire a site for the school.

Parents talked to their elected officials about building a home for the school. CHLDC joined the newly formed School Construction Working Group (SCWG), which was advocating for the development of school space by nonprofit organizations. CHLDC also engaged Brooklyn Legal Services and the Pratt Institute Center for Community and Environmental Development (PICCED) to research alternatives for building the school that could be funded from sources outside of the BoE capital plan.

During 1998 and 1999, CHCS parents and their consultants evaluated every site available in the neighborhood, finally identifying a centrally located 52,000 square foot, three-story warehouse. CHLDC obtained a \$50,000 grant from the Local Initiatives Support Corporation that enabled it to enter into a contract to purchase the building, securing control of the site while the CHLDC completed environmental testing and architectural feasibility studies. From 1998 to 2001, the entire team, which included attorneys, real estate specialists, environmental engineers, and architects, as well as CHLDC's own development staff, worked at its members' own financial risk, providing over \$300,000 in services to assess the suitability of the site, prepare preliminary plans and cost estimates, and win the support of elected officials, before CHCS was able to secure a written agreement with the BoE.

### *Securing Funds for the School*

As the development team worked to shape the project, CHLDC and parents created a space committee of 20 parents who reached out to every political decision-maker. During the next two years, parents met with BoE staff, testified before City Council, met with their Congressional representatives, and held demonstrations at the BoE to illuminate the problem of overcrowding.

In October 1999, 50 parents and students pitched tents in a vacant lot adjacent to IS 302 to protest the BoE's failure to provide money for a new school in the 2000-2004 capital plan.<sup>24</sup> In Spring 2001, parents and students stood in cardboard boxes outside of City Hall to dramatize

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<sup>24</sup> Katz, Nancy L. "Parents Pitch for School", *The Daily News*, April 8, 1999, pg. 6.

CHCS' plight as a model school suffering from homelessness. They invited the Deputy Chancellor, BoE members, and other city officials, to visit the school and meet parents and students. Parents also visited BoE headquarters at 110 Livingston Street, and presented the Chancellor with an Easter basket filled with letters from concerned parents and residents.

In 2001, with help from the Brooklyn Legal Services and SCWG, CHLDC examined funding options outside of the BoE capital plan. They built on the SCWG's nonprofit leasing model, under which a lease from the BoE would amortize debt taken on by a nonprofit developer to build school space. CHLDC explored low- and no-interest financing options including 501 c 3 bonds and Qualified Zone Academy Bonds<sup>25</sup> as ways to lower the total cost of the project. In conjunction with SCWG and the Association of the Bar of the City of New York's Education Committee, whose members had public finance backgrounds; CHLDC successfully lobbied New York State to promulgate regulations for the use of QZABs. Anticipating resistance from the SCA, CHLDC convened a meeting with the SCA to show how other states used QZABs and why the bonds would be advantageous, and identified corporate entities interested in purchasing the bonds. After prolonged negotiations, however, the DSF designated its share of New York State's QZAB funding for system-wide technology upgrades, a decision which enraged parents and residents of Cypress Hills.

CHLDC renewed their search for alternative funding sources that would not rely on BoE support. In early 2001, CHLDC learned that \$150 million allocated by the City Council to a "Speaker's Initiative Fund"<sup>26</sup> remained unspent, and would be allocated by each borough's council delegation to individual projects. CHLDC and parents met with every member of the Brooklyn borough council, presented their plans for the school, and sought their commitment to fund the project. They were persuasive – the New York City budget approved by the Council in

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<sup>25</sup> Federal legislation in 19xx authorized school districts to issue Qualified Zone Academy Bonds (QZABs), and offered federal tax credits to the bond holding institutions in lieu of interest payments on the bonds. Each state was left to issue its own regulations governing the use of QZABs – by 2000, New York State had not yet done so, failing to tap the \$30 million allocated to the State in each year of the program.

<sup>26</sup> Council Speaker Peter Vallone earmarked \$150 million for the construction of public schools by the Schoolhouse Foundation, a newly formed nonprofit that planned to partner with private builders. But Schoolhouse was unable to move its projects forward, and as the 2001 fiscal year drew to a close, council members agreed to divide the pool equally among the five boroughs, and to allow each borough's delegation to allocate its \$30 million share as it saw fit.

June 2001 included \$20 million from the Speakers Initiative for the Cypress Hills Community School.

### *Dispensing the Funds*

Though the budget committed the City to funding the construction of CHCS, the funds had to be disbursed through a public agency, rather than going directly to CHLDC. Because of its history of difficulty in working with the SCA and BoE, as well as extensive turnover in leadership within both entities, CHLDC was wary of relying on the SCA to manage the project, and sought an alternative fiscal conduit. It examined several organizations, such as the Economic Development Corporation (EDC) and the Dormitory Authority of the State of New York. But faced with regulatory obstacles to an entity other than the SCA handling school construction funds, CHLDC ultimately accepted that the SCA would receive and disburse the City Council funds.

On Wednesday, December 12, 2001, the BoE authorized an agreement that committed \$20 million to a lease that would enable the acquisition and construction of CHCS. CHLDC created a separate 501 c 3 entity, the Cypress Hills Community School Development Corporation (CHCSDC), to develop, own and lease the building to the now-Department of Education (DoE).

But leadership and organizational changes at the SCA and DoE subsequently delayed the design and development process by three more years. Though the \$20 million funding commitment to the project was never in question, CHCSDC nearly lost control of the site in Spring 2002, when it was unable to draw down the \$2 million it needed to honor its agreement with the seller. The actual lease terms are still being negotiated as of 2004, and will give Cypress Hills far less control over the building than parents had once envisioned. CHCSDC will lease the building to the DoE for 99 years; DoE's rights to terminate the lease, or to replace CHCS with another school, have been the subject of difficult negotiations. The school's design has been subject to extensive review by the SCA, which has frequently altered its position on how closely CHCS must follow system-wide design standards, rather than reflecting the vision of Cypress Hills staff and parents. Delays have escalated the projects' cost, and reconciling the final price with the original budget may be a further challenge.

Cypress Hills Community School hopes to take the next step on its long journey when it starts construction in Spring 2005. After almost a decade of advocacy by parents and work by the development team, the school hopes to open the doors of its permanent home in early 2007.

## **Make the Road by Walking and a New Century High School**

### *The History of Small Schools*

Small schools have attracted increasing support among education scholars and advocates, over the past two decades. Students in densely populated urban areas often have no alternative to large zoned comprehensive high schools, many of which are crowded, unsafe, and lack resources such as laboratories or adequate auditorium space. Small schools proponents believe smaller learning environments facilitate more effective instructional programs in which teachers and students are able to develop positive relationships that support student success. Research shows that small schools generally have lower drop out rates, higher rates of attendance and are more likely to be successful in educating minority and poor students.<sup>27</sup>

Large-scale philanthropic efforts over the past decade have expanded the number of small schools in New York City. In 1994, the Annenberg Foundation made a \$35 million grant to New York Networks for School Renewal (NYNSR) to create 100 small schools. NYNSR brought together four New York City organizations - ACORN (The New York Association of Community Organizations for Reform Now), the Center for Collaborative Education, the Center for Education Innovation-Public Education Association, and New Visions for Public Schools - in a partnership with the New York City Board of Education (BoE) to develop the small schools, recruit qualified teachers and principals, and provide leadership and professional development at the schools. The grant supported NYNSR's work from 1994 -1999.

The New Century High Schools Initiative (NCHS), which began in 2001 with \$100 million funding from Gates, the Carnegie Corporation of New York, and the Open Society Institute, provided substantial grants to school districts, school reform organizations, and individual schools to create new small high schools, and where possible, to restructure existing large high school programs into campuses of four to six small schools. The first seventeen New Century High Schools opened in September 2002 in the Bronx and across the City. A year later, a number of schools opened in Brooklyn. In 2003, New Visions received an additional four-year grant of \$29 million from the Gates Foundation, to support the planning and creation of another

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<sup>27</sup> Stiefel, L. et al. "High School Size: Effects on Budgets and Performance in New York City, Educational Evaluation and Policy Analysis, Spring 2000. Vol. 22, No. 1, pp. 27-39.

thirty new small high schools. Each New Century High School is created through a partnership between educators and community organizations that are supposed to work together on every aspect of the school's design and operation. The DoE reports that, so far, roughly 40 community partners have played critical roles in designing the foci of schools and in providing expanded opportunities for teachers and students.<sup>28</sup> By September 2003, there were 41 new small high schools operating in the five boroughs, each with a grant of up to \$400,000 over four years to cover implementation and start-up expenses.

### *Implications for Facilities*

Because many new schools were to exist inside large high schools, an initial assumption of the DoE was that facilities funds were not crucial to meet needs of smaller programs. New programs were placed in existing high school campuses, middle school campuses or other available space (i.e., former district office space converted to classrooms. But facility problems arose from the start. The majority of campuses were already overcrowded and because many students take longer than four years to graduate, phasing in small schools one year at a time resulted in a net gain for already crowded facilities. While a DoE representative noted that, "schools are a state of mind, and do not need lavish facilities to be places of learning," difficulties in sharing common space challenged the operation of many new schools, and some community partners expressed concern about the viability of their schools if space issues remain unaddressed. By 2003, during the third year of the first round of NCHS schools, space had become a huge problem.

In response, New Visions successfully lobbied the Bronx City Council delegation to allocate \$22 million in FY 2004 to retrofit large campuses. The DoE allocated \$350 million to support "partnership schools," which include small schools and charter schools. It also announced plans

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<sup>28</sup> The schools are developed through partnerships between DoE and social service providers, community based organizations, museum and arts organizations, hospitals and universities and non-profit education organizations, including New Vision for Public Schools, the Asia Society, the College Board, the Institute for Student Achievement, the City University of New York, the Center for Youth Development and Youth Education, the International Partnerships Schools, Expeditionary Learning Outward Bound, Replications, and the National Council of La Raza.

to supplement the \$350 million funding with an additional \$18 million for recently restructured high schools in other boroughs prior to the inception of the 2004-2009 capital plan.<sup>29</sup>

### *Struggle for Youth Voice in Bushwick High School*

Though community partners were involved in designing new school programs (and in the Bronx, in finding potential school sites), they have played minimal roles in facilities even when they actively sought to help. Bushwick High School, on Irving Avenue in Brooklyn, is a large zoned school serving approximately 1,700 students.<sup>30</sup> City press described Bushwick High as “a sprawling, out of control high school that had been deemed a failure.”<sup>31</sup> Of the 855 freshmen that entered Bushwick High in 1998-1999, only 142 students reached 11<sup>th</sup> grade by the 2000-2001 school year. In 2001 only 24 percent of enrolled students graduated after four years, less than half of the citywide average (51 percent).<sup>32</sup>

In 2001, youth members of Make the Road by Walking (MRBW), a nonprofit, membership-led organization in Bushwick, decided to investigate the causes of the high levels of truancy in the neighborhood by surveying high school students. They found that low student moral and an alienating school environment contributed to high truancy rates among their peers. In 2002, MRBW initiated the Bushwick Student Union (BSU), and later the Community Coalition for Bushwick High School (CCBHS) to address problems at the school.

Shortly after BSU was formed, MRBW learned from Bushwick High Schools teachers that the city planned to phase-out Bushwick High. The DoE proposed to open four new small high schools on BHS campus as part of the New Century High Schools Initiative, and planned to issue a request for small school proposals. MRBW had learned this informally. The district had no intention of sharing the plan with the affected parents, students, and teachers; instead, the superintendent rebuffed the group’s questions about the overall vision, goals, and timeline. Though the DoE welcomed community partners in helping to design new schools it was not

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<sup>29</sup> New York City Department of Education. *Children First Ten-Year Needs Assessment and Proposed 2005-2009 Five-Year Capital Plan*. February 2004 Revision, p. 21.

<sup>30</sup> As of the 2002-2003 school year. <http://www.nycenet.edu/daa/SchoolReports/03asr/373480.pdf>

<sup>31</sup> Elizabeth Hayes, “High schools shrinking to fit,” *New York Daily News*, November 2, 2003.

<sup>32</sup> Community Coalition for Bushwick High School, “Ask Us! Towards a Bushwick Community Vision for High School Education.”

willing to consider community participation in helping to shape the overall initiative. There was no official mechanism for MRBW to share its concerns about the lack of community outreach and involvement.

In the fall of 2002, CCBHS began an outreach effort to engage local residents in a discussion about high school reform in their community. They held focus groups with parents, teachers and students and surveyed 184 Bushwick students regarding their high school experience. The survey identified the lack of materials, poor classroom furniture, insufficient classroom space, overcrowded hallway and dirty bathrooms as critical problems. Moreover, their data revealed that many student concerns focused on the lack of quality instruction for high school students and the desire to have students attend schools close to home. Parents were particularly concerned that the new reforms yield a net gain in local high school seats not a net loss. Shortly after the report's release, a group of teachers invited MRBW to work with them to develop a school for Bushwick. (Many high school students were leaving the neighborhood to attend high school elsewhere.) The survey and group responses also identified strategies for how to make the new school initiative work with increased community participation in the new school initiative. In November, CCBHS released a report specifying its priorities for high school reform in Bushwick. CCBHS and the Bushwick Student Union held press conferences to press the DoE to improve NCHS implementation in Bushwick to:

- Provide immediate official notification to all parents and students of Bushwick High School, and all parents in “feeder” intermediate schools about possible changes in high school education;
- Create and make public a reasonable timeline<sup>33</sup> for high school reform in Bushwick which permits broad-based and meaningful community education and participation;

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<sup>33</sup> The timeline for starting a New Century High School is one year. After a short pre-planning period, School Planning Teams, including teachers, administrators, members of community organizations, students, and parents write a concept paper due in October. Concept papers are 5-8-page documents that present the team's idea for a new school. Successful teams are awarded a planning grant to continue their work and construct a proposal using principals of existing NCHS schools as resource. The teams also attend workshops to help them develop their ideas into a formal proposal to be submitted in January to their Regional Superintendent. Proposals are reviewed, selected, and sent to the Chancellor for final approval in March. Once the school is approved, the Office of New Schools works with the SCA, New Visions, and community partners to locate and acquire new sites, and hire and select school staff.

- Include parents, students, teachers, and community organizations in the decision-making process about what schools are ultimately placed in the neighborhood;
- Ensure that proposed small schools that meet the needs of Bushwick area students will ultimately be placed in the neighborhood;
- Ensure that for the next four years all ninth graders residing in Bushwick who wish to attend high school in Bushwick can find placement, and;
- Create a special team of parents, students, teachers, district representatives and others to create a proposal for what should be done to improve the existing Bushwick High School.

Though DoE officials met repeatedly with MRBW and CCBHS representatives, DoE did little to address community concerns. In April 2003, the DoE announced the three schools they selected for Bushwick High—the Harbor School, the Bushwick School for Social Justice, and the Academy for Urban Planning. MRBW partnered with NCHS to create the Bushwick School for Social Justice; it helped in the design of the school, operated much of the school’s youth programming, and for the first year, assisted in the hiring of the school administrator and staff.

However, the opportunity to effect change in educational options in Bushwick was soon clouded by the reality that there would not be enough seats for every student in Bushwick High, a fact which the DoE continued to deny right until the school responded in September. Indeed, throughout the Spring 2003, CCBHS advocated for the creation of a community advisory board to ensure local engagement in the initiative and for an assurance from the DoE that sufficient space would be created so that all Bushwick area 9<sup>th</sup> graders would have the option of attending high school in Bushwick.

By summer, BSU decided to take transition planning into their own hands. DoE had refused repeated calls for the creation of a community advisory group to provide public input into and scrutiny of the transition planning at the high school. Bushwick Student Union members, with technical support from Pratt Institute Center for Community and Environmental Development (PICCED), began to develop their own facilities transition plan for the high school. They toured the school building, discussed youth ideas and categorized repairs into short-term facility improvements and long term renovations the youth believed would help the transition from a

large school to four small schools. As the summer drew to a close, they presented their ideas to the DoE, regional and school staff for how to re-configure the schools. (The high school principal was invited but did not come.) DoE staff applauded the youth for their ideas, but by the start of the school year, however, those ideas were sidelined. “Principals were told where there would be space, and what space the schools were expected to share.” The building consisted of 5 floors and a newer 3-floor annex. BSSJ received half of the third floor in the main building, and Urban Planning the other. The Harbor school received the entire third floor of the annex. They would all have to share all other common space.

Sharing common space gradually began to create conflict in and among schools. “The lunchroom was particularly problematic because it was so large and many of the 9<sup>th</sup> graders in the smaller schools did not feel comfortable.” (A smaller cafeteria was built, but only for the new students at the Harbor School.) Because there was only one entrance to the school, traffic among students was still high. Schools also had yet to develop their own identity, in part, because very little money had gone to retrofitting the space that schools were in. “The only money put into restructuring,” one member of MRBW recalls, “was to fix the loud speaker so that students in the smaller rooms would not hear the announcements for Bushwick High, and for the separate cafeteria. There were plans to expand the library with New Century money, but nothing has come of that.”

By winter 2003, Make the Road by Walking, the Bushwick Student Union and “Bathroom Justice” (a group of BSSJ youth) met with New Visions to ask for their help in convincing DoE to listen to their facility ideas. They learned that New Visions had hired architect consultants who had helped DoE to develop facilities sharing plans for each of the high schools under redesign. The plan specified classrooms each new high school would grow into. It was very detailed and thorough but had included no youth voice. When youth pressed New Visions on the need for youth involvement, New Visions directed them to speak with the principal: in other words, they would not work directly with the youth.

Since then MRBW has fought to find a way into facilities transition planning for its youth members. MRBW helped form a youth coalition to press for reform at a citywide level. In a

recent meeting with DoE, MRBW was told that transition plans would be made available to parents, youth and community once the DoE completed its review to assess which information was suitable for public dissemination.

## **NWBCCC Parents Demand Creative Solutions**

The Northwest Bronx Clergy and Community Coalition (NWBCCC) was founded to address housing in urban decline. Beginning in 1995, NWBCCC took on the issue of school overcrowding, and organized protests, hearings, and meetings to pressure the DoE to create more schools in the Bronx. In the course of its ten-year campaign, NWBCCC has to date won capital plan amendments for 6 new schools, as well as repairs and upgrades to many existing buildings. NWBCCC members also helped create city and state coalitions for school funding and construction reform, and are now advocating for construction of schools on the site of the massive Kingsbridge Armory, as a demonstration of how strategic school development can potentially bring broad community benefits.

### *The Seed of Education Organizing*

NWBCCC initial organizing confronted the School Construction Authority on the delays and poor quality of construction of PS 15 and PS 20. Public School 15 in University Heights opened half-complete after a number of construction delays, with unfinished floors and exposed ventilation ducts. Public School 20, in Bedford Park, opened three years late, yet the school still had holes in the walls, unfinished classrooms, broken drinking fountains and water faucets, and an unfinished fence around the school and grounds.

Northwest Bronx parents conducted walkthroughs of the buildings and completed complaint sheets that itemized critical repairs. In 1997, an election year, NWBCCC brought local and city politicians, parents and the press on tours of overcrowded and poorly constructed facilities. NWBCCC staged rallies, marched with key elected officials, and held press conferences at overcrowded schools in the Bronx and at SCA headquarters in Long Island City. Events were imaginatively staged to maximize their impact. In one demonstration, parents and students set up a classroom on the sidewalk in front of Bear Sterns & Co., the Wall Street investment firm where an SCA board member was a managing partner. After the SCA president toured the schools, repair deadlines were set, and PS 15 and PS 20 were completed.

### *Forging an Alliance with the District*

District 10 was the most crowded district in the city, and administrators were keenly aware of the limitations of inadequate facilities for effective teaching and learning. By working with District 10 leadership, NWBCCC parents hoped to gain access to more information about facilities. But as NWBCCC researched the planning and school construction process in New York City, they learned that the district superintendent had limited power to resolve facilities problems.

NWBCCC's organizing gave District 10 leverage and political backing to pressure the SCA into repairing a number of schools' facilities. Schools received annexes, major repairs, and/or upgrades through amendments to the 1995-1999 capital plan. NWBCCC also worked with the Fordham Bedford Housing Corporation (FBHC) to locate 3 sites in the neighborhood. District 10 staff found 3 additional sites, and then worked with the Division of School Facilities to negotiate leases for schools.

### *The Kingsbridge Armory*

Still, the completion of the 1995-1999 capital plan left District 10 with a shortfall of approximately 8000 classroom seats. The northwest Bronx is heavily built up, and densely populated, with very little land available for new construction. The DSF informed parents that, even with funding available in the capital plan, the lack of available sites made it difficult to build new schools. In 1996, the NWBCCC began to advocate for locating three or four schools in the Kingsbridge Armory. Described as "the largest abandoned building in New York," the Armory occupies four city blocks at West Kingsbridge Road and Jerome Avenue. At nearly 500,000 square feet, it is said to be the largest armory in the world. Built between 1913 and 1917, the armory housed the National Guard's field artillery unit until 1994. A shelter for homeless women occupied a small part of the building until it was closed by New York City in 2000.

The District 10 superintendent had previously proposed using the Armory site for schools, but the building was in such poor condition that SCA believed renovations would be prohibitively expensive. But district officials shared NWBCCC's conviction that the shortage of buildable

sites demanded consideration of all available options, and supported the NWBCCC's effort to reopen discussions about locating schools in the Armory.

To build local support for the idea among parents, residents and political leadership, NWBCCC analyzed Board of Education data and statistical information District 10 staff had gathered, and collected parent testimonials about school facilities conditions and why schools should be located inside the Armory. With grants from the Local Initiatives Support Corporation and the Booth Ferris Foundation totaling \$50,000, NWBCCC hired the Pratt Institute Center for Community and Environmental Development (PICCED) to do a feasibility study and architectural plan for the armory's redevelopment. PICCED surveyed parents, community residents, and businesses on their vision of the armory, and developed a presentation that used 3-dimensional, animated graphics to show how the huge building could house schools, along with other compatible uses desired by the community. The proposal conceived of the schools as an "anchor tenant" in a multi-use complex that would be built by a private developer. The developer would build the school space to the SCA's specifications, and finance the remaining uses privately.

NWBCCC held rallies outside the Armory that drew extensive media coverage. One major city paper published the NWBCCC's floor plans for the converted Armory. The *Norwood News*, a local periodical, also advocated for the Kingsbridge Armory to be used for schools. At the same time, NWBCCC built political influence through its involvement in other citywide education advocacy groups – helping to found the Alliance for Quality Education and the School Construction Working Group, and collaborating with the New York Bar Association, New York City Partnership, Chamber of Commerce and the United Federation of Teachers to hold a forum calling for State action on facilities reform.

Through its organizing to improve school facilities, the NWBCCC came to believe that the causes of extreme overcrowding, poorly constructed facilities, cost overruns, and the failure to carry out necessary repairs, were systemic in nature. The SCA reported to the Mayor, Chancellor and Governor, which made it difficult for parents to hold the SCA accountable. Bureaucratic regulations and inertia constricted the SCA's ability to think creatively in finding solutions to

facility problems. The NWBCCC's success in partnering with Fordham Bedford to find facility sites where school officials had not, suggested that a more innovative and diversified delivery system was necessary to build on the local knowledge and expertise in creating facilities in densely populated areas.

Though few public officials initially supported the Armory schools proposal, the NWBCCC succeeded in forcing the city to spend the funds earmarked for repairs to the Armory, to stem the ongoing deterioration of the building. In 1993, Bronx City Council delegates had agreed to appropriate \$30 million to replace the roof, in exchange for a promise from the Mayor not to station a police academy in the Armory. Members of NWBCCC disrupted a town hall meeting in February 2000 to focus Giuliani's attention on the Armory school project and demand that the roof be repaired. Ultimately, the \$30 million in City Council money was used to replace the roof and carry out other work to stabilize the building; these repairs were completed in 2003.

#### *Locating Schools on the Armory Site*

Despite NWBCCC's work to save the Armory, the mayor and some Bronx politicians opposed locating schools on the Armory site, stating that it was unsafe and because it lacked windows was not suitable for children. The Mayor proposed turning the Armory into an entertainment and sports complex, which would include retail and community center.<sup>34</sup>

During the 2001 mayoral election, NWBCCC lobbied mayoral candidates to include the Armory project as part of their platform. NWBCCC convinced the Bronx Borough President, who favored economic development uses for the building, to include schools and community space in his proposal. Faced with intense pressure from parents and community residents, and detailed design and feasibility plans, politicians began to seriously consider locating schools either inside the Armory, or on the periphery, along with community and retail space.

The EDC was unwilling to seriously discuss the NWBCCC proposal without a developer who could attest to the project's feasibility. The EDC had contracted with a developer to transform

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<sup>34</sup> Archives of the Mayor's Press Office. *Mayor Giuliani Announces Plan for Entertainment Center and Sports Complex at Kingsbridge Armory in the Bronx*. January 20, 2000.

the space into a retail, entertainment and sports complex. Though NWBCCC raised many questions about the viability of EDC's own approach, EDC maintained that building schools in the armory would be more costly and less efficient than finding space outside the armory or building from scratch.<sup>35</sup>

In 2002, with the help of PICCED and a grant from The Rockefeller Foundation, NWBCCC reached out to the Richman Group. One of the Richman Group's principals had a prior relationship with NWBCCC through its housing organizing, and he volunteered to assess the financial feasibility of the Armory project. Once the feasibility study was complete, the Richman Group offered to develop the Armory project. The Richman Group then approached the new Mayor, Michael Bloomberg, to gain the city's support. Despite growing support for the project among local elected officials, parents, community residents, and even DoE staff, the new Mayor, and the EDC continued to oppose using the armory for schools, citing safety and environmental concerns.

Responding to these concerns, The Richman Group, NWBCCC and PICCED developed a new proposal to place schools *outside of* the Armory's main building, on land that is currently occupied by the New York State Division of Military and Naval Affairs. In this plan, the Armory itself would be renovated into recreational, community, and commercial space.

### *The Fight for the Armory Continues*

During the next two years, NWBCCC continued to meet with key members of the SCA, Bronx Borough President, the Bronx City Council Delegation, and the Department of Education. At a November 2003 public meeting held by the Bronx Borough President on the future of Armory, many community residents expressed hope that the site's future would include schools. But the EDC and SCA resisted the NWBCCC's new proposal, and continued to hold fast to their previous positions that the Armory structure was not suitable for housing schools, and the cost of renovating the building made the project too expensive to consider. The SCA appeared unwilling to consider a model in which a private entity would deliver completed school space, and in

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<sup>35</sup> Moss, Jordan, "City, Local Group Disagree on Viability of Schools in Armory," *Norwood News*, March 2000, Vol.13 No.6.

which the SCA maintain control over the design of the schools, but would pay only for the space it needed.

In June 2004, the City Council held a special hearing on the redevelopment of the Kingsbridge Armory. Parents and community residents again testified on the importance of creating new schools and more recreational options in the neighborhood. NWBCCC presented data on current facilities conditions, future enrollment projections, and detailed plans for the Armory. The EDC outlined a proposal and bidding process for developing the property, which they hoped would also include the development of retail and commercial space. In a statement delivered to the City Council, DoE and SCA officials declared their interest in considering developing schools on the Armory property, pending discussions with its current tenant, the Division of Military and Naval Affairs. The statement affirmed SCA's plan to build eight new schools containing 4,000 new seats in the Northwest Bronx and publicly acknowledged interest in working with the City Council and NWBCCC to facilitate the transfer of the property from the Division of Military and Naval Affairs to the City.

*Eight years* after it first proposed building schools in the Armory, the NWBCCC finally appears to have persuaded the SCA to seriously consider doing so. The cohort of children who were enrolled in the neighborhood's overcrowded elementary schools are now entering similarly overcrowded high schools. While students and parents can take heart that the SCA has finally recognized both the urgency of the area's need, and the feasibility of NWBCCC's solution, they are mindful that they will need to continue to press the administration, the DoE, and the SCA, to move forward.