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Despite Overcrowding, School Siting Process Stalls New Buildings By Megan Conn

Naila Rosario wasn't happy when she found out where her son was learning at his Sunset Park elementary school.

"My son had to take math enrichment classes in the hallway," Rosario said. "The teachers didn't have a lounge, so they met with kids in the hallways."

The school wasn't built to hold as many students as it enrolled, but none of the other nearby schools had room for them either. Rosario decided to join the local Community Education Council, or CEC, to push for new schools, but quickly found the problem was much bigger than Sunset Park.

More than half of the city's 1.1 million students attend an overutilized school, or one where the number of students enrolled exceeds the official capacity. Large class sizes have been linked to lower test scores and higher teacher turnover, and the worst overcrowding in the city is found in elementary schools. With more students than space, schools hold the first lunch period as early as 10:30 am and have no rooms for art, music, or enrichment.

But to build more schools, the city would first have to find places to put them. With few large lots left and development at a record high, the SCA has struggled to identify sites to build on. Policy recommendations released by city council have gone largely ignored. The SCA has long contracted with commercial real estate brokers to help look for space, but parents say they're the ones finding most new school sites. The result is a system that produces very different results in different neighborhoods, leaving many areas overcrowded for twenty years or more.

THE SCA

Even as Rosario and other Sunset Park parents were starting to talk about the need for more schools, the city council's Land Use committee also noticed something wasn't adding up. It was reviewing plenty of applications for new charter schools, private schools, even pre-K programs, but hardly any for new K-12 public schools. The members asked the council staff to investigate why more public schools weren't being built, given that more than half of the city's 1.1 million students attend an overcrowded school.

The responsibility for identifying and acquiring sites for new schools, as well as building and maintaining school buildings, lies not with the Department of Education but with the lesser-known School Construction Authority, or SCA. The agency was created by the state legislature in 1988 as a public benefit corporation, meaning it operates similarly to a government agency but has wider latitude to develop large capital projects.

Last year, the council released a 60-page report called Planning to Learn that outlined 28 suggestions in five categories, the first of which is aimed at streamlining and expediting the process of building new schools.

“There are many districts where the funding is in the Department of Education Capital Plan but no school seats are sited, which demonstrates a failure to build seats even when we have the resources,” the report reads. “We need to do better.”

THE TASK FORCE

In the wake of the Planning to Learn report, Council Members passed a law requiring the formation of a School Siting Task Force to re-examine a database of nearly 30,000 properties over 20,000 square feet to see if any could be used for schools. But after an initial meeting with the SCA in January 2019, task force members heard no follow up for months.

“Like with lots of task forces, the [mayoral] administration didn’t take it seriously,” said one task force member, who did not want to be named. “They say yes to it so it’s not a fight, but it’s just to check a box.”

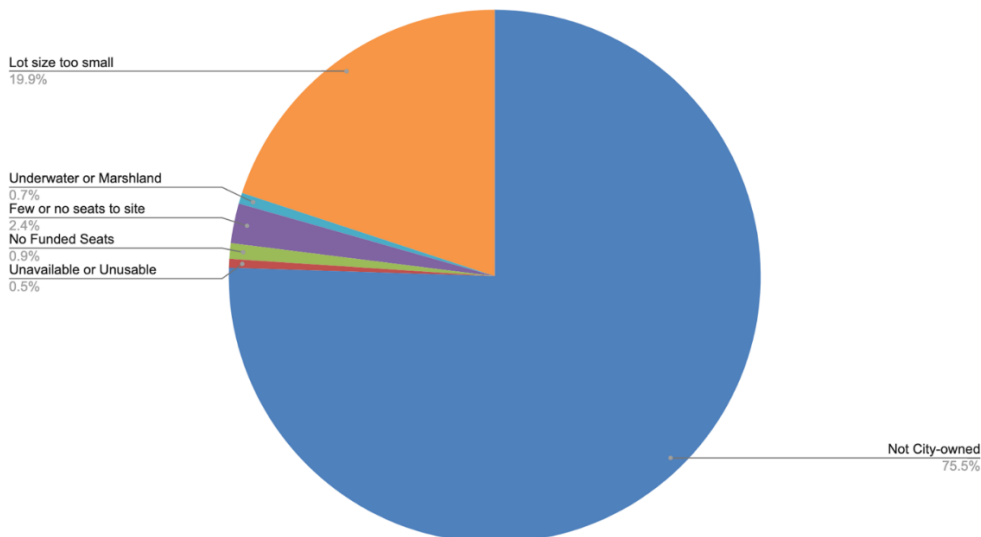
After months of silence – and with just few weeks before the July deadline to complete their work – task force members received an email with a one-and-a-half-page draft report written by SCA staffers. The report stated that only two of the tens of thousands of sites might be suitable for a new school.

“It was the shortest report of a task force ever in history,” said Leonie Haimson, who leads the nonprofit Class Size Matters. “It seems completely inadequate given the length of time they had, and it obviously doesn’t do the job. The task force was just a complete and utter failure.”

Shino Tanikawa, the parent representative to the task force, was unable to attend the second and final meeting of the task force because it was scheduled on short notice.

“There was no process. I mean, the process was just city agencies doing whatever they're doing, and I was not party to that process,” she said. Tanikawa doesn’t believe the task force will result in more schools being sited.

School Siting Task Force -- Site Disqualifications by Reason



Of the 29,180 sites reviewed, more than 75 percent were automatically eliminated because they aren't already owned by the city; the SCA has said they will reexamine these sites later, but they have not provided a time frame. Of the 7,110 remaining, 82 percent were eliminated because, at less than 20,000 square feet, they are considered too small.

However, in the last few years, the SCA has constructed several new schools on sites smaller than their official preference. In Sunset Park, Brooklyn, local parents and representatives have convinced the agency to turn a derelict police precinct into an elementary school; that lot measures just 12,500 square feet, according to the zoning certificate.

THE BROKERS

The SCA says that it uses a variety of sources to search for potential school sites, including informal relationships with developers as well as formal contracts with four commercial real estate brokers listed on the agency's website. But parents and elected officials across the city have concerns that the current system is not producing new school sites fast enough. "Our problem has been finding space," said Council Member Andrew Cohen, who represents the long-overcrowded District 10 in the Bronx. "The SCA claims to have an aggressive program with brokers to identify locations, but their track record is not good."

According to their contracts with the SCA, brokers are only paid when the agency closes a deal on one of the sites they've recommended. While the SCA has touted this as evidence that the brokers are incentivized to find workable sites, others familiar with the process disagree.

"We felt it was the opposite – then they won't look for sites because they know it's difficult and not worth the energy of finding a site if it doesn't work out," said the task force member.

Others see a potential conflict of interest between the commercial brokers' work for the city and their relationships with for-profit developers and property owners.

"I always felt it was kind of odd – they don't get paid unless they make the sale, and a school is not as lucrative to develop as an apartment building," said Marvin Shelton, who led District 10's CEC for over a dozen years before stepping down in July.

Several years ago, parents in Sunset Park were upset to learn that the commercial broker for Brooklyn was not cold-calling property owners about sites before they were listed on the market, a common practice in the commercial real estate market because the first caller often has the advantage on a desirable site.

"That's crazy, anybody in the real estate market knows you need to do cold calls," said Naila Rosario. "We weren't surprised that they weren't efficient once we found out what they do."

The SCA expects its brokers to "use all standard services offered in the commercial world," including cold calls, but it doesn't track their outreach activities because the brokers aren't paid for it, according to Gayle Mandaro, the SCA's senior director of real estate services.

Mandaro also said the agency it is “agnostic” to the source of new potential school sites and doesn’t keep data on how many of the sites it purchases came from its commercial brokers.

According to parents and local leaders, they’re the ones doing the work of finding school sites.

“I have no faith in whoever the broker is because in District 2 because they haven’t produced any sites,” said Shino Tanikawa. “It’s literally people walking down the street looking for potential properties, that’s how we got schools sites and buildings – not the broker, not the SCA, not the DOE – it was parents.”

THE NORTHWEST BRONX

The SCA has been unable to alleviate overcrowding in District 10 in the northwest Bronx, where schools have been overcrowded for a generation. The working-class neighborhoods of Norwood, Bedford Park, and Kingsbridge Heights have long been home to young, growing families, many of them first and second-generation immigrants. Currently, eleven of fourteen elementary schools are overcrowded, and building new school space is the number one priority in the local Community Board’s 2020 Statement of Needs. But opportunity after opportunity has slipped by.

In June 2017, the Archdiocese of New York closed two Catholic elementary schools, St. Ann and Visitation, and they were deconsecrated so they could be put to nonreligious uses. At the same time, District 10 was looking for a space to open its first dedicated special education school. But the SCA did not pursue either of the shuttered schools, even at the urging of local parents. Instead, they opted to open the special education school in eight empty classrooms on the Clinton DeWitt campus, making it the fourth independent school located on that site.

Last summer, St. Ann’s school was bought by the adjacent Montefiore Medical Center for \$14 million. They plan to use it in part for parking. The archdiocese says it has no immediate plans for the Visitation property. Across the Bronx, at least a dozen other Catholic elementary schools have closed in the last 10 years.

In Riverdale, the SCA actually lost school space in a co-op building when its lease ran out and it wouldn’t match the rate offered by a private daycare center. That meant the main PS 24 building, already overcrowded, had to accommodate nearly 150 more students the next fall.

“According to the presidents of co-op board, the counter-offer the SCA gave them was something like two-thirds of market value, because at the time the SCA used a borough-wide average price per square foot,” said Shelton, who was the CEC president at the time. “If the market rate per foot is \$36 and you’re offering \$25, you’re not going to get that place.”

Mandaro at the SCA said that the agency does not currently have a borough-wide limit on bids.

“We appraise the property just like everybody else,” she said. “It’s a deal-by-deal situation in an ever-changing, ever evolving market.”

Still, there are signs that school development is not on track. The February 2019 Capital Plan included funding for 572 new seats in the Riverdale subdistrict, but the recently released 2020-

2024 Capital Plan indicates there are no new funded seats in the subdistrict – for the first time since 2008. Meanwhile, more than 2,000 seats are needed and funded in the Kingsbridge-Norwood-Bedford Park subdistrict, but none of them are completed or in progress.

Myrna Calderon, a local community board member who noticed overcrowding when her son was in grade school more than a decade ago, has seen little improvement since then.

“Nothing has changed,” she said. “We got some schools, but they built new housing and didn’t account for the influx of new families with children. We keep piling children in buildings without resources.”

SUNSET PARK

Nearly 20 miles to the south, Sunset Park has much in common with the Northwest Bronx: it’s home to many immigrant families and its population is younger than the rest of the city. But unlike the Bronx, it’s found some success in getting the city to build more schools – there are five currently under construction in District 15. The difference, according to parents and the local council member, is that they mounted an organized campaign to sway the SCA.

Sunset Park had a history of successful advocacy; residents first began organizing more than 20 years ago to push for the neighborhood’s first local high school, which opened in 2009. Volunteer members of the community board’s Site Selection committee have searched out potential school sites and submitted a list to the SCA every one or two years.

“All of us – the Superintendent, Community Board, Community Education Council – any time we would see something for sale or a lot open, we would notify SCA right away,” said Rosario, then a member of the CEC. “We compiled lists that we would regularly send to SCA.”

About five years ago, local parent Javier Salamanca helped start a new wave of advocacy focused on District 15 elementary and middle schools, hoping to improve things before his son, then just a baby, entered school.

“We were told there was not enough money, but then we found that the SCA had \$20 million they’d been sitting on for our district,” said Salamanca. “The community board had a whole list of locations they’d been giving to SCA, but they rejected each of them and wouldn’t specify in writing why.”

Informal meetings with other parents eventually evolved into the Make Space for Quality Schools in Sunset Park campaign, which organized marches the led from one suggested school site to another. The group published a zine about the issue of overcrowding in English, Spanish, and Mandarin, and got local nonprofits to sign a letter emphasizing the urgency of the issue. They also gathered over 2,000 signatures demanding that the city address overcrowding and submitted them to the Chancellor. Acting on a tip, in 2016 they brought parents to crash the annual meeting of the SCA’s Board of Trustees with hand-lettered signs in three languages.

They also had support from the office of local council member Carlos Menchaca, who had unseated the incumbent council member in Sunset Park in 2013. When he was elected, 24 of

District 15's elementary and middle schools exceeded capacity, leaving 3,912 students enrolled in schools that officially had no room for them. Menchaca's office joined in the efforts by organizing site visits and recruiting SCA representatives to attend the tours.

After visiting, the SCA agreed to reconsider four sites it had previously ruled out, and ultimately decided that two could in fact be used for schools. Menchaca also used eminent domain, a power reserved for the local council member, to acquire two sites. The agency also acquired St. Agatha school, which closed the same year as St. Ann and Visitation in the Bronx. The new P.S. 896 opened in fall 2018 and has room for more than 150 children, although it is not yet fully enrolled.

Mandaró at the SCA acknowledges that the agency will reevaluate sites under certain circumstances.

"In the SCA, no deal ever dies permanently," she said. "Even though we may reject something in the first blush, something may happen in the area which makes us make a second look."

Despite the progress, city data shows Sunset Park schools still lacked proper space for 1,789 students in 2019.

"We have a great deal of need beyond what is already been addressed," said Jeremy Laufer, district manager of the local community board.

THE OPTIONS

City hall insiders blame the lack of progress on a constellation of political factors. The council has limited power to regulate the SCA, a state agency. The DOE is focused on supporting new diversity and integration plans. And the Mayor's office has been focused on rolling out the universal pre-K program – which has only exacerbated overcrowding.

While the coordinated efforts in Sunset Park appear to have reaped rewards, some critics point out that not every community has the same resources.

"It shouldn't matter if the council member is spending all this time getting the SCA to come walk around the district or getting people to meetings, because it disadvantages communities where their council member is not as savvy or engaged," said the anonymous task force member. "It was so crazy to us that to get a school sited you had to wheel and deal to get the SCA to come out – I don't know why they're so reliant on political pressure to do their job."

Local representatives and advocates have pointed to a few changes that could improve the agency's ability to find and secure sites. The Planning to Learn report by city council suggests that instead of relying on its staff and brokers to bring new sites to them, the SCA issue requests for proposals to developers, who could then submit proposals to develop available sites. It also advocates greater use of eminent domain in the most overcrowded districts.

Community members and leaders also expressed a desire for more transparency in the school siting process and a greater voice for local residents.

“I want more open community meetings and more engagement -- and I say this coming from a neighborhood that has created its own dynamics and relationship with the SCA,” said Council Member Menchaca of Sunset Park. “I’m really saying it for the benefit of other neighborhoods who have yet to see all of those things come together.”