



**Notice**  
December 22, 2011

**Dennis M. Walcott**  
*Chancellor*

## **The Proposed Phase-out of Legacy School for Integrated Studies (02M429) in Building M883 Beginning in 2012-2013**

### **I. Description of the subject and purpose of the proposed item under consideration.**

The New York City Department of Education (“DOE”) is proposing to phase out Legacy School for Integrated Studies (02M429, “Legacy”), an existing high school in building M883 located at 34 West 14<sup>th</sup> Street, New York, NY 10011, within the geographical confines of Community School District 2. It currently serves students in grades nine through twelve. The DOE is proposing to phase out Legacy based on its poor performance and the DOE’s assessment that the school lacks the capacity to turn around quickly to better support student needs.

If this proposal is approved, Legacy will no longer admit new ninth-grade students after the conclusion of the 2011-2012 school year. The school will continue to phase out one grade level at a time until it closes following the 2014-15 school year. Current students will be supported as they progress towards graduation while remaining enrolled at Legacy. In cases where students do not complete graduation requirements by June 2015, the DOE will help students and families identify alternative programs or schools that meet students’ needs so that they may continue their education after Legacy completes phasing out.

Legacy is co-located with a District 75 school’s inclusion program, P721M@M883 (75M721, “P721M@M883”), which is one site of a multi-site District 75 school, P721M (75M721, “P721M”) and serves students in grades nine through twelve. A “co-location” means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, and cafeterias.

75M721 is an existing District 75 school that serves a combined total of 213 students in ninth through twelfth grades during the 2011-2012 school year. 75M721 currently has five sites in Manhattan, including P721M@M883. P721M@M883 serves 10 high school-aged students with a range of disabilities. Students are placed in District 75 programs based on their individual needs and recommended special education services. P721M@M883 is a District 75 inclusion program. P721M@M883 is associated with Legacy, meaning that students are enrolled in Legacy general education classes based on their Individualized Education Program (“IEP”) recommendations and receive Special Education Teacher Support Services (“SETSS”). In an inclusion program, a student with special education needs receives services in a general education classroom along with general education students.

Legacy serves 313 students in ninth through twelfth grades. It admits students in ninth and tenth grades through the Citywide High School Admissions Process. Additional information about the High School Admissions Process is described in further detail in the Educational Impact Statement (“EIS”).

If this proposal is approved, Legacy will begin phasing out one grade at a time beginning in September 2012 and complete its phase-out after the 2014-2015 school year. In another EIS, the DOE is proposing to open a new high school, 02M534 (“New School”), in building M883 in September 2012. The proposal can be found at:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/Feb2012Proposals>.

This school will continue growing to full-scale as Legacy phases out. The new school will open in September 2012 with ninth grade, adding one grade annually and reaching full scale in the 2015-2016 school year with a grade span of nine through twelve. If these proposals are approved, beginning in 2012-2013, the P721M@M883 inclusion program currently associated with Legacy would continue to exist with respect to current students as Legacy phases out. P721M@M883 would also be associated with New School as it phases in, so that M883 will continue to host a high school inclusion program.

### *Background on the DOE Decision-Making Process*

The DOE strives to ensure that all students in New York City have access to a high-quality school at every stage of their education. Continuing to allocate space and resources to schools that are unable to significantly improve student performance is neither efficient nor equitable. The DOE has concluded that phasing out Legacy is appropriate due to the school’s history of poor performance.

Schools are identified for possible phase-out for the following three reasons: (1) they received poor grades on their annual Progress Report; (2) they received a poor score on their most recent Quality Review; or (3) they have been identified by the New York State Education Department (“SED”) as Persistently Low Achieving (“PLA”). Specifically, under the DOE’s accountability framework, all schools that receive a grade of D, F, or a third consecutive C grade or lower on their annual Progress Report and all schools that receive a rating of Underdeveloped on the Quality Review are evaluated for intensive support or intervention, including the possibility of phase-out. Progress Reports are released by the DOE each fall, and evaluate schools on a scale of A through F based on Student Progress, Student Performance, and School Environment (which includes attendance and survey feedback from parents, teachers, and sixth- through twelfth-grade students, where applicable). During Quality Reviews, experienced educators visit a school over several days, observing classrooms and talking with students, staff, and families. Schools are rated on a four-point scale, with “Underdeveloped” as the lowest-possible rating and “Well Developed” as the highest.

Legacy earned an overall F grade on its 2010-2011 annual Progress Report, with an F grade on Student Progress and D grades on Student Performance and School Environment. Legacy has a history of poor performance. Over the past five years the school has earned two overall F grades, one overall D grade, and two overall C grades on the Progress Report.

As a result, the DOE initiated a comprehensive review of Legacy, with the goal of determining what intensive supports and interventions would best benefit its students and the Legacy community. During that review, the DOE looked at recent historical performance and demand data from the school, consulted with superintendents and other experienced educators who have worked closely with the school, and gathered community feedback.

The DOE initiated and completed a similar comprehensive review of Legacy during the fall of 2010, after Legacy earned a C on its 2009-2010 Progress Report. Upon completion of the review

in the fall of 2010, the DOE determined that phase-out was not the appropriate action at that time. However, performance at the school continued to decline in the 2010-2011 school year.

This year, after reviewing all the data, including new data from the 2010-2011 school year, the DOE reassessed the ability of Legacy to turn around quickly to support student needs. In light of the fact that performance at Legacy has declined over the past five years, and declined dramatically over the most recent school year, the DOE no longer believes that Legacy has the capacity to improve quickly enough to support current students to graduate and to support new students to progress to graduation. Instead, the DOE believes that only the most serious intervention—the gradual phase-out and eventual closure of Legacy—will address the school’s longstanding performance struggles and allow for new school options to develop in building M883 that will better serve future students and the broader community.

## **II. Information regarding where the full text of the proposed item may be obtained.**

The EIS can be found on the DOE’s Web site:

<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/Feb2012Proposals>.

Copies of the EIS are also available in Legacy’s main office.

## **III. Submission of public comment.**

Written comments can be sent to [D02Proposals@schools.nyc.gov](mailto:D02Proposals@schools.nyc.gov)

Oral comments can be left at 212-374-3466.

## **IV. The name, office, address, email and telephone number of the city district representative, knowledgeable on the item under consideration, from whom information may be obtained concerning the item.**

Name: Elizabeth Rose  
Office: Division of Portfolio Planning  
Address: 52 Chambers Street, New York, NY 10007  
Email: [D02Proposals@schools.nyc.gov](mailto:D02Proposals@schools.nyc.gov)  
Phone: 212-374-3466

## **V. Date, time and place of joint public hearings for this proposal.**

February 1, 2012 at 6:00 p.m.  
Legacy School for Integrated Studies  
34 West 14<sup>th</sup> Street  
New York, NY 10011

Questions about the proposal should be directed as indicated in section IV above.

Speaker sign-up will begin 30 minutes before the hearing and will close 15 minutes after the start.

**VI. Date, time and place of the Panel for Educational Policy meeting at which the Panel will vote on the proposed item.**

February 9, 2012 at 6:00 p.m.

Brooklyn Technical High School  
29 Fort Greene Place  
Brooklyn, NY 11217