



Public Comment Analysis

Date: February 8, 2012

Topic: The Proposed Phase-out of Satellite Three Middle School (13K103)
Beginning in 2012-2013

Date of Panel Vote: February 9, 2012

Summary of Proposal

The New York City Department of Education (“DOE”) is proposing to phase-out and close Satellite Three Middle School (13K103, “Satellite Three”), an existing middle school located at 170 Gates Avenue, Brooklyn, NY 11238, in Community School District 13, in Building K056 (“K056”) because of its low performance and its inability to turn around quickly to better support student needs. Satellite Three currently serves students in sixth through eighth grades and admits students through the District 13 Middle School Choice Process. If this phase-out proposal is approved, Satellite Three would no longer admit sixth grade students after the conclusion of the 2011-2012 school year. One grade would then be phased out in each subsequent year. Satellite Three will close after June 2014. Current students will continue to be served and supported by Satellite Three as they progress toward completion of middle school. Current eighth grade students will be supported through the Citywide High School Admissions Process (“High School Admissions Process”) as they select a high school.

Satellite Three is currently “co-located” in building K056 with the following schools: 75K369, a District 75 inclusion program (75K369, “P369K@I103 Satellite Three”); 75K369, a District 75 Program (75K369, “P369K@P056”); and P.S. 056 Lewis H. Latimer (13K056, “P.S. 56”). P369K@I103 Satellite Three is a D75 inclusion program for students in grades kindergarten through five; its students are enrolled in Satellite Three’s general education classes, and depending on their individual needs receive Special Education Teacher Support Services (“SETSS”). P.S. 56 is an existing zoned elementary school that serves students in Kindergarten through fifth grade; P.S. 56 also offers a pre-kindergarten program. P369K@P056 is a D75 inclusion program for students in grades kindergarten through five; its students are enrolled in P.S. 56’s general education classes, and depending on their individual needs receive SETSS.

The DOE does not anticipate that the proposed phase-out and eventual closure of Satellite Three will impact admissions, current or future student enrollment, or instructional programming or extracurricular program offerings at P369K@P056K or P.S. 56.

In a separate Educational Impact Statement (“EIS”) posted in December 2011, the DOE has also

proposed to co-locate a new middle school, M.S. 351 (13K351, “M.S. 351”), which would serve students in sixth through eighth grade when it reaches full scale in K056 in 2014-2015. This new middle school would admit sixth grade students through the District 13 Middle School Choice Process with a limited unscreened selection method. If the proposal to phase out Satellite Three and the proposal to open M.S. 351 are both approved, P369K@I103 Satellite Three’s inclusion program currently associated with Satellite Three would continue to exist as Satellite Three phases out and would be associated with M.S. 351 as it phases in, so that the inclusion program will continue to be provided in K056.

If the proposal to co-locate M.S. 351 in K056 is approved, it would provide a new middle school option for District 13 families and replace the seats lost by the proposed phase out of Satellite Three. M.S. 351 would be co-located in K056 with Satellite Three, P369K@I103 Satellite Three, P369K@P056, and P.S. 56 as Satellite Three phases out and M.S. 351 phase in.

The DOE does not anticipate that this proposal will affect the admissions processes, academic programs, extracurricular activities, or partnerships currently offered at P369K@I103 Satellite Three, P369K@P056, and P.S. 56. Students with disabilities and English Language Learners (“ELLs”) will all receive mandated services.

The details of this proposal have been released in an Educational Impact Statement (“EIS”) which can be accessed here: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/Feb2012Proposals>.

Copies of the EIS are also available in P.S. 56’s, Satellite Three’s, P369K@P056’s, and P369K@I103 Satellite Three’s main offices.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at building K056 on January 19, 2012. Members of the School Leadership Team (“SLT”) from every school organization in the K056 building were invited to participate. At that hearing, interested parties had an opportunity to provide input on the proposal. While representatives from the Citywide Council for Special Education, P369K@P056K, and P369K@I103 Satellite Three were invited, not all chose to participate in the hearing. Approximately 220 people members of the public attended the hearing and 27 people spoke. Present at the meeting were: Deputy Chancellor Kathleen Grimm; Community Education Council (“CEC”) 13 President Ben Green; SLT Representative from P.S. 56, Arlette Williams; District 13 Community Superintendent Barbara Freeman; SLT Representatives from Satellite Three, Eric Nicholson and Zaher Idriss.

The following comments and remarks were made at the joint public hearing:

1. Ben Green, President of CEC 13:
 - a. Expressed support for the fact that the DOE is moving forward with a district middle school as the replacement option for Satellite Three, should the school be approved for phase-out.

- b. He contended that high principal turnover rate is the main reason for Satellite Three's poor performance and status as a failing school.
2. Satellite Three SLT Representative, Zaher Idriss, expressed his opposition to the proposed phase-out of Satellite Three:
 - a. How can the DOE say that the decision to phase out a school will benefit children, while delivering such a demoralizing message that Satellite Three is among the worst middle schools in the city?
 - b. The most recent class of 8th grade students graduated with a 100% passing rate in Algebra, and Satellite Three has never been on the states Persistently Low Achieving ("PLA") list. How then is Satellite Three not serving its students and helping students get accepted into the best schools in the city?
 - c. Satellite Three is not being given sufficient time to turn around; there have been three principals during a 10 month period. Why doesn't the DOE want to give the school a chance to succeed?
 - d. How will bringing in a new middle school, which has yet to develop a vision or theme, help District 13 students?
3. P.S. 56 SLT Representative, Arlette Williams, expressed her opposition to the proposed phase-out of Satellite Three, and noted that a co-location of another school in the building would be detrimental to the campus climate at K056.
4. CEC 13 Representative, Khem Irby, expressed her opposition to the proposed phase out:
 - a. The DOE says there are better educational options in District 13, what are they?
 - b. The DOE asked Satellite Three to give a proposal on school turnaround during an early engagement meeting. What was this turnaround model? Why wasn't Satellite Three's turnaround model accepted?
 - c. How many years does it take a school to fail?
 - d. There is no transparency in the resources that DOE provided to Satellite Three.
5. CEC 13 Representative, David Goldstein, expressed opposition to the proposed phase-out:
 - a. Mr. Goldstein cited the multiple leadership changes over the past year.
 - b. Mr. Goldstein expressed his support for Principal Thompson, and asked why the DOE would close a school that has positive leadership.
 - c. The DOE claims that they supported Satellite Three, but the school has no math books.
6. A Representative from Council Member Albert Vann's Office read a joint statement signed by Senator Velmanette Montgomery, Assembly Member Hakeem Jeffries, and Council Member Vann. The letter cites that:
 - a. Satellite Three has strong community support and parent leadership, and the DOE alone does not believe in this school.
 - b. The DOE has failed to provide adequate supports to Satellite Three, and has cut more than a quarter of million dollars from its budget over the past three years, yet Satellite Three has always been considered proficient by State Quality Reviews.

- c. When the longtime principal left in April 2010, the school suffered greatly and performance declined.
 - d. Under the current leadership, Satellite Three maintains the ability to return to its path of improving performance towards high academic achievement.
7. Multiple Commenters expressed the sentiment that the DOE is giving up on Satellite Three.
 8. Two commenters expressed anger and confusion at why the DOE is proposing to phase-out Satellite Three.
 9. Two Commenters asked what performance metrics go into the decision making process behind the proposed phase-out of Satellite Three.
 10. One Commenter cited Satellite Three's past performance history, and the fact that Satellite Three has been persistent in receiving a B as their overall progress report scores; the school has only received one D.
 11. Multiple commenters expressed a lack of supports provided to Satellite Three over the years.

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

12. The DOE received a letter from Brooklyn Borough President Marty Markowitz that expressed the following:
 - a. What are the school specific support that were provided to Satellite Three?
 - b. There are three elementary schools closing within walking distance of Satellite Three, which leaves no local middle school options for the surrounding elementary schools.
 - c. The school was without a Pupil Accounting Secretary for a year, and despite the DOE rule that all troubled schools get an 'attendance team,' Satellite Three did not receive one.
13. The DOE received a letter from Congressman Edolphus Towns that stated the following:
 - a. Satellite Three, like many schools across the city, suffered a drastic decrease in proficiency levels when the State raised the bar in 2009-2010 school year.
 - b. However, it was not until April 2010—when the longtime principal left the school—that the school's performance metrics changed.
 - c. The school has strong community support and a Principal/administration that has demonstrated commitment to turning the school around; the DOE should continue to support the school rather than close it.

The DOE received a comment at the Joint Public Hearing which did not directly relate to the Proposal

14. CEC 13 Representative, Khem Irby, spoke of the DOE's support for charter schools that are failing, and raised the grade expansion and proposed co-location of Community Roots Charter School in K287 after the school received an F rating on its 2009-2010 overall Progress Report.
15. Class Size Matters ("CSM"), submitted written comments objecting to all of the proposed phase-outs and truncations proposed by the DOE. In opposing the DOE's proposal to phase-out and eventually close these schools, the CSM comments cited

the following reasons: (1) none of the Educational Impact Statements for the proposals include discussion of how the proposed phase-outs or, where applicable, the co-locations would affect class size; (2) the Citywide Instructional Footprint does not include class size standards; (3) the Educational Impact Statements use utilization figures from the DOE's Blue Book, which does not take into account the need to reduce class sizes in schools Citywide; (4) the community members, faculty, and families of schools that have been proposed for phase-out have opposed the proposed phase-outs and truncations; (5) the schools that have been proposed for phase-out and/or truncation have high concentrations of "at-risk" students, as defined as English Language Learner students, students with disabilities, and economically disadvantaged students.

16.

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

- Comment 1(a) expresses support for the proposed replacement school, M.S. 351, based on the fact that the DOE is proposing a district option as replacement.
- Comment 14 does not directly relate to the proposal and does not require a response.
- Comments 2(a), 5(b), 7, and 13(c) concern the perception that the DOE is giving up on Satellite Three by proposing a phase-out.

To ensure that as many students as possible have access to the best possible education, under this Administration New York City has replaced 117 of our lowest-performing schools with better options and opened 535 new schools: 396 districts schools and 139 public charter schools. As a result, we have created more high-quality choices for families. Graduation rates at new schools are higher than the schools they replaced. Here are a few examples:

- *Manhattan:* The new schools located on the Seward Park Campus in lower Manhattan had a graduation rate of 70.2% in 2010, compared to Seward Park High School's graduation rate in 2002 of 36.4% (Seward Park HS phased out in 2006).
- *Manhattan:* The new schools located on the Park West Campus in Manhattan had a graduation rate of 70.4% in 2010, compared to Park West High School's graduation rate in 2002 of 31.0% (Park West HS phased out in 2006).
- *Brooklyn:* In 2010, the schools on the Van Arsdale campus in Brooklyn had a graduation rate of 82.9%—nearly 40 points higher than the former Harry Van Arsdale High School's graduation rate of only 44.9% in 2002.
- *Brooklyn:* The Erasmus Hall Campus graduated only 40.7% of student in 2002. The new schools on the Erasmus campus are getting tremendous results, graduating 75.8% of students in 2010.

Nine years ago when the Mayor set his goal of achieving a system of great schools, the DOE knew that reaching this goal would require bold action on the part of all of the DOE.

The DOE counts on each of its schools to provide a high-quality education to its students—and it holds all of them to the same high standard. If a school is not getting the job done for students, the DOE is compelled to take serious action to ensure its students do not fall even further behind.

While the DOE recognizes that this decision is incredibly emotional for those most affected, it cannot stand by and allow schools to keep failing our kids when it knows it can—and it must—do better. Deciding to phase out a school is the toughest decision the Department makes. But it is the right thing to do for current and future students. Based on Satellite Three’s inability to turn around, despite supports offered, the DOE believes that phasing out and closing Satellite Three is the right decision. In fact, rather than giving up on students, the DOE is creating new options for students.

- Comments 1(b), 2(b), 2(c), 5(a), 6(a,b,c,d), 7, 8, 9, 10, and 13(a, b) concern Satellite Three’s performance history, and why this would warrant a proposed phase-out of the school; and Comment 4(c) contends that the school put forth a viable plan to turn around school performance.

While the DOE acknowledges that Satellite Three’s staff remain committed to supporting the school and current students, Satellite Three has struggled to improve and its performance during the last few years confirms the DOE’s assessment that the school lacks the capacity to turn around quickly to better support student needs.

Satellite Three has steadily declined in performance over the last few years. Satellite Three earned an overall D grade on its 2010-2011 Progress Report. On the 2009-2010 Progress Report, Satellite Three earned a C grade, and on the 2008-2009 Progress Report, Satellite Three earned a B grade. While Satellite Three earned a B in 2008-2009, 84% of elementary/middle schools Citywide received an A (97% received an A or B) on the 2008-09 Progress Report. Satellite Three’s 2008-09 Progress Report overall score was in the bottom 7% Citywide. Similarly, while Satellite Three earned a B on its overall Progress Report in the 2007-2008 school year, this ranked Satellite Three in the bottom 1% of all middle schools in District 13 and the bottom 32% of all middle schools citywide.

The DOE acknowledges that in 2010, the New York State Education Department adjusted the “cut scores” on annual mathematics and English Language Arts exams, raising the score required for students to achieve proficiency on the exam. As a result, the percentage of students achieving proficiency fell significantly at schools statewide, including most New York City schools. While the percentage of students achieving proficiency declined, on average, New York City’s students’ scale scores on the tests remained largely unchanged relative to the prior year. Regardless, low student performance at Satellite Three has been a persistent trend.

In 2010-2011, a majority of Satellite Three students remained below grade level in English and Math. In 2010-2011, only 19% of students were performing on grade level in English – putting the school in the bottom 26% of middle schools Citywide in terms of English proficiency. Only 34% of students were performing on grade level in Math – putting the school in the bottom 29% of middle schools Citywide in terms of Math proficiency.

English proficiency has declined steadily over the last few years. In 2008-2009, 59% of students were performing on grade level in English. In 2009-2010, only 27% of students of students were performing on grade level in English.

The similar trend of overall decline applies to Math proficiency as well—in 2008-2009, 67% of students of students were performing on grade level in Math. In 2009-2010, 31% of students were performing on grade level in Math. As noted above, Math proficiency remained at a similarly low level in 2010-2011.

In 2010-2011, Satellite Three was not adequately helping students to make progress as demonstrated by the fact that Satellite Three was in the bottom 9% of middle schools Citywide in terms of learning growth in English and the bottom 23% in terms of learning growth in Math. Learning growth measures annual student growth on State English Language Arts (“ELA”) and Math tests relative to similar students. Thus, if these results persist, Satellite Three students will fall further behind their peers in other schools.

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

The DOE recognizes that Satellite Three is a valued member of the District 13 community, and is supported by many. After completing that review though, the DOE believes that only the most serious intervention—the gradual phase-out and eventual closure of Satellite Three —will best serve students and the community. Phasing out and closing Satellite Three will allow for new school options to develop in K056 that are intended to provide better options for families.

- Comment 3 is concerned with the effect the co-location of a new middle school will have on K056.

With respect to comment 3, there are currently hundreds of schools in buildings across the City that are co-located. In all cases, the Instructional Footprint is applied to all schools in the building to ensure equitable allocation of classroom, resource and administrative space.

While the DOE acknowledges and commends the co-located schools in K056 for their positive relationship, the DOE does not anticipate that the proposed phase-out and eventual closure of Satellite Three will impact admissions, current or future student enrollment, or instructional programming at P369K@I103, P369K@P056K or P.S. 56. As described previously, P369K@I103 has an inclusion program in K056, which serves sixth through eighth grade students with a range of disabilities who attend Satellite Three's general education classes and, depending on their individual needs, receive SETSS. If the proposal to phase out Satellite Three and the proposal to open M.S. 351 are both approved, P369K@I103's inclusion program currently associated with Satellite Three would continue to exist as Satellite Three phases out and would be associated with the new middle school as it phases in, so that the inclusion program will continue to be provided in K056.

Additionally, K056, has the capacity to serve 883 students. In 2010-2011—the most recent year for which audited enrollment data is available—the building served only 590 total students yielding a target utilization rate of just 67%. In 2011-2012, the building served 552 total students, yielding a target utilization rate of 63%. This is one indicator that the building is “underutilized” and has extra space to accommodate additional students. In 2014-2015, once Satellite Three has phased out and M.S. 351 has phased in, there would be approximately 489-595 total students served in the building. The projected utilization for K056 at that point is approximately 55-67%. Therefore, the DOE believes there is sufficient space in K056 to accommodate P.S. 56, P369K@I103, P369K@P056K, M.S. 351 during the course of its proposed phase in, and Satellite Three during the course of its proposed phase out.

- Comments 1(a), 1(b), 2(c), 4(d), 5(c), 7, 11, and 12(a) concern the supports that were provided to Satellite Three.

While the DOE recognizes that Satellite Three staff members have worked hard to improve the school, the school has not turned around. Over the previous years, the DOE has offered numerous supports to Satellite Three, including:

Leadership Support:

- Extensive leadership training and mentoring for the principal and assistant principals to help them set clear goals for the school while developing the school's Comprehensive Education Plan and Language Allocation Plan.
- Coaching and training of leadership on implementation of plans in support of Citywide instructional initiatives and teacher effectiveness.
- Training and supporting leadership in developing and improving diagnostic, mid-year, and end-of-year assessments as a way to measure student achievement and improve teacher practice.

Instructional Support:

- Supporting and training teachers in creating curriculum maps, strategies aimed at addressing various students' entry points into content, and other instructional tools to raise teacher practice and improve student achievement.
- Training teachers in assessment design and the creation of rigorous tasks and rubrics aligned to Citywide instructional initiatives.
- Professional development opportunities for teachers on literacy instruction and the development of best practices within the English Language Arts curriculum, including lesson models, questioning strategies, and lesson planning.
- Professional development opportunities for teachers on numeracy and the development of best practices within the math curriculum.
- Working with teacher teams to deepen practice around English Language Learner student instruction and support.
- Coaching teachers on the use of periodic assessments as an instructional tool, as a way to combine classroom-friendly assessments, instructional resources, and reporting.

Operational Support:

- Advising school staff on budgeting, human resources, teacher recruitment, and building management.

Student Support:

- Training the School Based Support Team in comprehensive guidance programs and evidence-based counseling strategies targeted at developing and improving the capacity for social and emotional supports at the school level.
- Developing meaningful and comprehensive relationships with community organizations in order to offer sports and language classes to students.

While the DOE acknowledges that the school underwent changes in the leadership, Satellite Three was provided the aforementioned comprehensive, school specific supports by the DOE. Despite the availability of these supports, it is apparent that Satellite Three has failed to develop the proper infrastructure to meet the needs of its students and families.

- Comments 4(c) and 9 concern the criteria for identifying struggling schools:

There is no exact timeframe by which the DOE makes decision on whether a school is in need of serious intervention. In a concerted effort to ensure that all students have access to high-quality school programs, the DOE annually reviews the performance of all schools citywide. This process identifies schools that are having the most trouble serving their students.

First the DOE compiles a preliminary list of schools that meet one or more of the following criteria:

- Received a grade of D, F, or a third consecutive C or worse on its most recent Progress Report; and/or
- Received a rating of Underdeveloped on the most recent Quality Review; and/or
- Was identified as Persistently Lowest Achieving (PLA) by the State Education Department; and/or
- For elementary schools, middle school, and high schools: received a recommendation on its most recent Joint Intervention Team (“JIT”)¹ review for significant change in organizational structure or phase out/closure.

Next, the DOE applies additional criteria to determine which schools are most in need of support or intervention. The DOE removes from consideration schools that meet any of the following criteria:

- High Schools that have a higher graduation rate than the city average. The city average for 2010-11 is 65.1%; and/or
- Elementary and middle schools that have a higher English Language Arts and Math average proficiency than their district average or the city average (whichever is lower). The city average for 2010-11 is 50.6% proficient; and/or
- Schools that received an A or B on the 2010-11 Progress Report; and/or
- Schools that earned a Well Developed or Outstanding score on the most recent Quality Review; and/or
- Schools receiving a Progress Report for the first time in 2010-11.

Schools that are removed from consideration for the most intensive support or intervention will receive differentiated support from their CFN team.

The remaining schools, representing the schools struggling the most, are further investigated for more serious interventions that may include phase out/truncation and replacement. The DOE considers a few key data points:

- Student performance trends over time;
- Demand/enrollment trends over time;
- Interventions already underway (e.g. SIG model);
- Talent data;
- School culture / environment;
- District needs / priorities; and
- School safety data.

In addition to understanding the data, the DOE also has discussions with school staff, parents, students, communities, and networks to get a holistic sense of what is happening

¹ A JIT review is an SED mandated intervention designed to assess a school’s educational program, using multiple measures of quantitative and qualitative information, and to make recommendations.

at the school and what supports or interventions would most likely improve student outcomes. In the DOE's early engagement meetings at these schools, it had conversations with constituents about what is working and what is not before making a decision about the supports or interventions that can best support student outcomes.

For the majority of schools the DOE investigate, it sees hope that the school can turnaround, and so it may replace the principal, change staff, invest in new programs or mentor teachers, and sometimes reconfigure grades to help the school change trajectory. But, in some cases, the DOE is left with a set of schools that it knows – based on quantitative and qualitative data – do not have the ability to improve quickly, and a decision is made to propose to gradually phase out the school and give future students a better opportunity.

At the end of this multistep process, the DOE's analysis and engagement directed it to a set of schools that quantitative and qualitative indicators show do not have the capacity to significantly improve. Deciding what course of action can best support the students and community of a struggling school is not easy, but the DOE is compelled to act based on its commitment to ensuring that every student has access to high-quality school.

No single factor determines whether a school will phase out or not. Deciding to phase out a school is the toughest decision the DOE makes. But it is the right thing to do for the students of New York City.

- Comment 12(c) concerns the Pupil Accounting Secretary.

The DOE notes that there is currently a Pupil Accounting Secretary employed by Satellite Three.

- Comments 2(d), 4(a) and 12 (b) inquires about the other high quality middle school options in District 13.

The DOE acknowledges that District 13 suffers from quality middle school options. Of the 14 schools in District 13 serving middle school grades, 11 received a 2010-2011 Progress Report. Of the 11 schools that received a Progress Report, only five schools received an A or a B on their 2010-2011 overall Progress Report. Those five schools are as follows: Dr. Susan S. McKinney Secondary School of the Arts (13K265), Satellite East Middle School (13K301), Satellite West Middle School (13K313), Urban Assembly Institute of Math and Science for Young Women (13K527), and Urban Assembly Academy of Arts and Letters (13K492).

Phasing-out and closing Satellite Three will allow for new school options to develop in K056 that are intended to provide better options for families. If approved, M.S. 351 will begin serving sixth grade students in the 2012-2013 school year, and will provide an additional middle school option for families in District 13. Students may apply for a sixth grade seat through the District 13 Middle School Choice process, via a limited unscreened selection method.

The DOE has to take action to ensure that students in this community do not fall further behind their peers. It believes that the opening of a new school will better serve future students.

- Comment 15 concerns class size.

Class size is primarily determined by how principals choose to program students at their school within their budget. Thus, no particular proposal, in and of itself, necessarily impacts class size. The Citywide instructional footprint relies upon the current programming at a school (number of sections) to determine the baseline footprint allocation. Decisions to co-locate schools are not based solely on the utilization figures in the Blue Book. The DOE also considers the total number of classrooms in the building and the number of sections currently programmed at all schools in the building or projected to be programmed to determine the availability of excess space and the baseline footprint for each school.

The DOE acknowledges that there some members of the schools' communities that are opposed to the proposal, and/or prioritize smaller class sizes. However, given the schools' longstanding performance struggles, we believe that phasing out certain schools and/or creating new educational options by co-locating new schools will best serve the families in these communities.

With respect to CSM's comments regarding the particular types of students who attend phase-out schools, it should be noted that schools progress report grades are based in part on a comparison of the school with peer schools serving similar populations of students. Poor performance report grades thus indicate that a school is not serving its students well, both objectively and by comparison to other schools serving similar students. Moreover, the new schools proposed to open are anticipated to serve student populations similar to the phasing out school.

Changes Made to the Proposal

No changes have been made to this proposal.