



## **Public Comment Analysis**

Date: February 8, 2012

Topic: The Proposed Phase-out of Manhattan Theatre Lab High School (03M283) in Building M490 Beginning in 2012-2013

Date of Panel Vote: February 9, 2012

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### **Summary of Proposal**

The New York City Department of Education (“DOE”) is proposing to phase out Manhattan Theatre Lab High School (03M283, “Manhattan Theatre Lab”), an existing high school in the Martin Luther King, Jr. Educational Campus (“MLK”), also known as building M490, located at 122 Amsterdam Avenue, within the geographical confines of Community School District 3. It currently serves students in grades nine through twelve. The DOE is proposing to phase out Manhattan Theatre Lab 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, Manhattan Theatre Lab 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 the school closes at the end of the 2014-2015 school year, and current students will be supported as they progress towards graduation while remaining enrolled at Manhattan Theatre Lab. 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 Manhattan Theatre Lab completes phasing out.

Manhattan Theatre Lab is co-located with Manhattan/Hunter Science High School (03M541, “Manhattan/Hunter”), High School for Law, Advocacy and Community Justice (03M492, “Law”), High School of Arts and Technology (03M494, “Arts and Technology”), Urban Assembly School for Media Studies (03M307, “Urban Assembly Media”), and High School for Arts, Imagination and Inquiry (03M299, “Imagination and Inquiry”). All co-located schools serve 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.

All high schools on the MLK campus, including Manhattan Theatre Lab, participate in the Citywide High School Admission Process.

If this proposal is approved, Manhattan Theatre Lab 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 Educational Impact Statement (“EIS”) posted in December 2011, the DOE is proposing to expand an existing school, Special Music School (03M859, “Special Music”), to serve high school grades in the MLK campus beginning in September 2013. The proposal can be found at: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/Feb2012Proposals>. If that proposal is approved, Special Music will grow to full-scale as Manhattan Theatre Lab phases out. Special

Music currently serves kindergarten through eighth grade in building M932 and will add one grade annually until it reaches full scale in the 2016-2017 school year with a grade span of kindergarten through twelve, with grades nine through twelve housed in the MLK campus.

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 Manhattan Theatre Lab is appropriate due to the school's history of poor performance.

Schools are identified for possible phase-out for at least one of 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.<sup>1</sup> 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.<sup>2</sup>

A school's Progress Report and its Quality Review may initially suggest a school should be considered for intervention, but no single criterion leads to a phase-out decision. To identify the appropriate action that will best serve the student community, the DOE reviews school data, consults with superintendents and other experienced educators who have worked closely with the school, and gathers community feedback.

Manhattan Theatre Lab received an overall F grade on its Progress Report in 2010-2011, with F grades on the Student Performance, Student Progress, and School Environment sub-sections.

As a result, the DOE initiated a comprehensive review of Manhattan Theatre Lab, with the goal of determining what intensive supports and interventions would best benefit its students and the Manhattan Theatre Lab 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.

After completing that review, the DOE believes that only the most serious intervention—the gradual phase-out and eventual closure of Manhattan Theatre Lab—will best serve students and the community. Phasing out and closing Manhattan Theatre Lab will allow for new school options to develop in the MLK campus that will provide better options for families.

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

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<sup>1</sup> High Schools with a four year graduation rate that is higher than the Citywide average, which earn a Well Developed or Outstanding rating on the most recent Quality Review, which received an A or B on the 2010-2011 Progress Report or which are receiving a Progress Report for the first time are not considered for phase-out.

<sup>2</sup> For more information about Quality Reviews, please visit the DOE Web site at <http://schools.nyc.gov/Accountability/tools/review>.

A joint public hearing regarding this proposal and the proposal to expand Special Music School and co-locate its high school grades in MLK was held at the MLK campus on January 24, 2012. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 150 members of the public attended the hearing, and 54 people spoke. Present at the meeting were District 3 Community Education Council (“CEC 3”) President Christine Annechino; CEC 3 Representative Noah Gotbaum; CEC 3 Representative Laurie Frey; Citywide Council on High Schools (“CCHS”) Representative Noah Kaufman; Citywide Council on English Language Learners (“CCELL”) President Teresa Arboleda; Colleen Jones, Manhattan Theatre Lab School Leadership Team (“SLT”) Representative; Owen Harkness, Manhattan Theatre Lab SLT Representative; Karen Mitchell, Manhattan Theatre Lab SLT Representative; Katie Banucci-Smith, Principal, Special Music; Jenny Undercofler, Special Music SLT Representative; Kristen Palmieri, Special Music SLT Representative; Deputy Chancellor Kathleen Grimm; High School Superintendent Tamika Matheson; Jenny Sobleman, Chief of Staff in the DOE Division of Family and Community Engagement; and Elizabeth Rose, Director of Manhattan Planning in the DOE Office of Portfolio Management.

Additionally, the following representatives from the co-located schools confirmed that they would participate, but did not sign in at the hearing: Manhattan/Hunter SLT Representative Cynthia Fontanez; Manhattan/Hunter SLT Representative Hilda Salgado; Imagination and Inquiry SLT Representative Andrew Klinge; Law Principal Doreen Conwell; Law SLT Representative Carlos Ruis; Law SLT Representative Gloria Wolfe; Law SLT Representative Joshua Stone; Arts and Technology Principal Anne Geiger; Urban Assembly Media Principal Cordelia Veve.

The following comments and remarks were made at the joint public hearing on January 24, 2012:

1. *Owen Harkness, SLT Member and Special Education Teacher at Manhattan Theatre Lab, asserted that:*
  - a. This is his sixth year teaching. He started teaching in East Harlem at another school that was phased-out and was clearly failing. The staff and leadership didn't seem interested in making a turnaround. Manhattan Theatre Lab is different. This school is not broken beyond repair. In the three and a half years he has been here, the school has phased in a special education program, and he has been proud to see his students graduate and perform.
  - b. He believes the staff can turn the school around under Principal Collins' vision.
  - c. Manhattan Theater Lab is an unscreened school, with no audition needed to take high quality performing arts classes, and it is open to anyone, including students with disabilities.
  - d. There are two particular populations that are important to him, and are benefiting from Principal Collins' vision: Students in self-contained, who are integrated into high quality performing arts, including students who come directly from District 75, and they shine at Manhattan Theatre Lab; the gay, lesbian, transgender, bisexual population, who often face tremendous challenges at home, can attend here and be themselves without fear.
  - e. Manhattan Theatre Lab is a positive and safe space, where all students can be themselves. It would be sad for the city to lose a space like this.
  - f. Manhattan Theatre Lab needs help in raising the achievement level of this diverse population, but does not need to be phased out. He is confident that with the support of the school's new network, committed staff, and amazing student body, Manhattan Theatre Lab can have its students achieving again.
2. *Noah Kaufman, CCHS representative, asserted that:*
  - a. As the parent of children in public school and a parent volunteer, he has observed the school system for 13 years and is opposed to all phase-outs. Mr. Kaufman believes that they are wrong on many levels, and represent a continuation of the DOE program of closing schools instead of supporting them.
  - b. Prior to his appointment to CCHS, he presented comments to DOE requesting that the DOE provide sound planning to accommodate our students and alleviate overcrowding

- c. Last year, at another hearing, DOE representatives were asked how much community opposition the DOE would need to hear in order to change a proposal, and the representatives declined to answer.
  - d. He wishes to support the students who work so hard to get to school, to complete their assignments, and channel their energy into productive endeavors. These students deserve their schools to be built up, not phased out.
  - e. Diane Ravitch writes in *The Death and Life of the Great American School System* that there is no silver bullet to improve educational outcomes, beyond being literate and numerate; we want our children to be prepared for life, to be compassionate, to be responsible citizens, and appreciate art and culture. Manhattan Theatre Lab helps students become all these things, and we should build it up, not phase it out.
3. *Teresa Arboleda, CCELL President, asserted that:*
- a. She is deeply concerned about this proposed phase-out.
  - b. She noted that according to the EIS, Manhattan Theatre Lab has an ELL population of 9%. Special Music only has 1% ELLs.
  - c. Manhattan Theatre Lab hasn't been given an adequate chance to succeed, and these students may not be given opportunities at screened performing arts schools and would have limited options if the school is phased out.
  - d. The EIS says that there are only two unscreened performing arts high schools. What will DOE do to serve these students?
  - e. It could be perceived that Special Music, with low special education and ELL populations, is preferred (not to disparage Special Music).
  - f. Not all students can afford the coaching needed to make the cut in a high stakes audition.
  - g. Manhattan Theatre Lab serves students who choose the school because they love music, dance, and drama. Teens need a reason to come to school, and performing arts is a great motivation for these students. The phase-out of Manhattan Theatre Lab would be great loss.
  - h. Perhaps both Manhattan Theatre Lab and Special Music could be at MLK and work together.
  - i. CCELL asked the DOE to monitor the phase-out process and ensure that the needs of ELL students will be met throughout the closure and replacement process.
4. *Colleen Jones, Manhattan Theatre Lab SLT Member, asserted that:*
- a. All children should be given a chance to attend a performing arts high school even if they cannot afford to go to an audition school.
  - b. Her child had a chance to come to Manhattan Theatre Lab and explore what she loves to do. Dancing gave her the incentive to do well. If I tell her she can't perform if she doesn't do well academically she works hard.
  - c. Manhattan Theatre Lab has gotten grades of B, then C, then F on the last three progress Reports. An F doesn't mean I should close you down. It means I should work with you and figure out what's going on help you move forward. If everyone who got an F couldn't come to school, we wouldn't be here.
  - d. The school coming in is screened. Manhattan Theatre Lab students aren't screened.
5. *Laurie Frey, CEC 3 Representative, asserted that:*
- a. She fell in love with the passion and joy with which students performed earlier, and it made her feel even more determined to speak to the issues that are important in this matter.
  - b. The graduation rate does sound terrible. However, the graduation rate of the class of 2009 was 74% just a couple of years ago, so we know the potential is here.
  - c. She noticed in the school's Comprehensive Education Plan, in 2009-2010, in the entering class of 150 students, 72 were entering as overage students. What does that mean, really? Someone in the Office of Enrollment is matching students to schools and is setting up the program such that the school is getting so many kids with special needs. Are the appropriate supports being put in place? This gives the appearance of undermining the school. Overage enrollment citywide is 4%, so a school of 400 should have 16 overage students, not 72.

- There is nothing wrong with being overage, it takes some people longer to get through high school or college, but the question is not did you fail the test, it's what are the barriers and how to we help you get past them?
- d. She noticed in another report, a grant from the state gives DOE money to close schools in the transformation model, and then that money goes to corporations who come in. Under Title I, a school in good standing can accept students who transfer in from other schools that are not in good standing.
6. *Noah Gotbaum, CEC 3 Representative, asserted that:*
- a. The performance earlier was amazing.
  - b. Not only should this school not be shut down and should be supported, but this whole proceeding is a sham.
  - c. As stated in a letter signed by representatives of the CEC, the Citywide councils, and Manhattan Theatre Lab's Parent Association, certain matters have come to attention that raise concerns about the Progress Report data for Manhattan Theatre Lab. There have been allegations that students' scores have been depressed and undermined in order to lend support for closing the school. We don't want to create sensationalism, but the Office of Special Investigation (OSI) is investigating these allegations, and as such, we are asking the DOE that this closure proposal be withdrawn until the investigation has been completed. If the allegations are borne out, then we hope you'll agree this is not a failing school and this is all illegitimate.
  - d. It is sad but true that the only way the community can be heard is via lawsuits.
  - e. What is the purpose of the public hearing? Is there any level of feedback from this community that will change the course of this proposal and change your mind? Have you ever done so? What is the purpose of hearing the comments? Is it just a sham or is it part of the decision making process?
  - f. Any proposal that has been brought to the PEP has always been approved.
  - g. Instead of listening to our community and parents, teachers and students, we are dictated to by those who don't set foot in these schools, based on test scores that jump around. This school should be lauded. The DOE is failing miserably at serving high-need kids. Only 13% of minority kids are college ready. This school is taking kids who want to be here. A school that had a very rough start that is now heading in the right direction. The school takes all kids and is not screened.
  - h. It is transparent that one year of phony test scores is being used to close the school because you want to put in a screened school. I support Special Music, but it should not be put in at the expense of Manhattan Theatre Lab. What happens to these students when this school gets closed down? Where do they go? What about kids who want the opportunity for performing arts and can't afford the tutoring and coaching needed for screened schools? It has been the choice of hundreds of kids, has solid support of parents, kids, and teachers, and yet, DOE is using one year as an excuse to close it down.
  - i. You talk about choice--is choice only for high-performing students? What about all our kids? Is it just for charters and test-taking kids? The DOE is failing our minority, high needs, and ELL students.
  - j. Which CFN was the school a part of prior to choosing its new network?
7. *Christine Annechino, President of CEC 3, asserted the following:*
- a. The CEC is an elected body representing parents of District 3, from 59th Street to 122nd Street on the West Side of Manhattan. It is my responsibility to hear from the public in terms of your particular experiences in this school.
  - b. I do not believe this is a choice of Special Music versus Manhattan Theatre Lab. I support Special Music, but I believe both of those schools can work together in this building. Do not fall into the trap of schools fighting schools. Both deserve the chance to do well in this building.

- c. We are not talking to the real decision makers at this hearing.
- d. Manhattan Theatre Lab is a great school. Your performance was wonderful, and I wish more members of the community could have seen it. The community supports you, and we are enraged with you.

*Comments supporting the proposal*

8. One student asserted that if the school needs to be phased out, it should be. The student stated that the school focuses on the arts at the expense of academics, and that students are pulled out of class for rehearsals and performances even if they are failing academically. They don't have text books, and couldn't go on their senior trip because of a lack of funds, even though their performances seemed to bring in funds. The student stated that they can go to afterschool programs to learn performing arts. She asserted that if students can't understand the math involved in their contracts, what is the point of being talented performers?

*Comments opposing the proposal*

9. Two commenters noted that they work in the private sector in the field of media and volunteered at Manhattan Theatre Lab through the PENCIL organization. They asserted how committed Principal Collins is to her school and students, and how passionate and talented the students are, and how Manhattan Theatre Lab is a safe place where students can be themselves and feel confident. They also noted that the academics have been improving.
10. Two commenters represented arts organizations (Lincoln Center and the Theater Development Fund) that partner with Manhattan Theatre Lab. They asserted how well the school has done with unscreened students, and that they believe the DOE can find someplace else for Special Music without phasing out Manhattan Theatre Lab. They noted that the students are hard-working, bright, and creative, and that the staff and principal are passionate and dedicated.
11. Two students asserted that the school should not be phased out, but needs new leadership. They stated that the school's leadership focuses on the arts at the expense of academics, and only provides resources and support around the performing arts. The students stated that there is no balance between the arts and academics. They asserted that the school could succeed with a different leader.
12. Several commenters asserted that the DOE should help build up Manhattan Theatre Lab, not close it down, and that although they are struggling academically, they could turn the school around with proper support.
13. Several commenters asserted that the arts program at Manhattan Theatre Lab provides motivation for students who were struggling to come to school and be successful and helps them build confidence.
14. Several commenters noted how talented and eloquent the students at Manhattan Theatre Lab are.
15. Several students noted that they are members of the National Honors Society and have passed all of their Regents exams. They asserted that while some students may not be doing well academically, the whole school shouldn't be judged based on their performance.
16. Several professionals in the arts, including award-winning actors, dancers, and producers, asserted that the quality of the performances at Manhattan Theatre Lab rivals the quality of professional work. They noted the passion, talent, and high level of professionalism that the students bring to their performances. They further noted that students need teachers and schools like Manhattan Theatre Lab to inspire them and give them the opportunities they would not otherwise receive.
17. Several students asserted that they would not have been able to gain admission to the performing arts schools that require auditions, and Manhattan Theatre Lab is an important option for students like them in the future.
18. Several commenters asserted the importance of an arts education in helping students become productive, well-rounded, responsible citizens.

19. Several students noted that Manhattan Theatre Lab has increased their confidence and helped them discover talents and interests they didn't know they had.
20. Several commenters asserted that the data being used by the DOE to support the decision to phase-out the school does not capture the ways that the school transforms students' lives, which cannot be quantified.
21. Several commenters asserted that it requires money and years of training to prepare for auditions at some of the other performing arts high schools. Manhattan Theatre Lab accepts students of all backgrounds, and therefore, students who could not afford training can still attend the school and receive high-quality performing arts instruction.
22. Several commenters noted that the building in which the hearing was taking place was built to honor the memory of Martin Luther King, Jr., who dreamed of justice and equality and that closing Manhattan Theatre Lab dishonors his memory.
23. Several commenters asserted that if Manhattan Theatre Lab is closed, minority students will not have equal access to educational opportunities like it.
24. Several students asserted that Manhattan Theatre Lab is more than just a school. It is a family, and it is like their second home where they can be themselves and pursue their passions.
25. Several students asserted that Principal Collins has supported them in the arts and in academics, and that she is taking steps to turn the school around.
26. Several commenters noted that the school had been struggling when Principal Collins took over, and that she has worked hard to bring it up to what it is now.
27. Several commenters noted the DOE and the Mayor do not engage parents and communities and do not listen to feedback.
28. Several commenters asserted that the DOE is closing Manhattan Theatre Lab in order to give the space to Special Music, which will be an audition school and does not serve a high-need population like Manhattan Theatre Lab and is a public-private partnership.
29. Several commenters noted that they have worked with Principal Collins in other schools and organizations, and that she has always been committed to her students and committed to the arts.
30. Several commenters asserted that the DOE's strategy of closing schools does not work, but it continues to do so anyway.
31. Several commenters encouraged audience members to attend the PEP meeting on February 9<sup>th</sup> to tell the PEP to vote against this proposal.
32. One student asserted that Manhattan Theatre Lab students are positive role models for students across the city who see their performances on YouTube.
33. One teacher at Manhattan Theatre Lab stated that pass rates on Regents exams have risen over the last few years, both for all students and for students with disabilities. The school also now offers Advanced Placement and other rigorous courses, and students now have more opportunities to earn academic scholarships. They will lose those opportunities if we close Manhattan Theatre Lab.
34. One commenter, a member of the CCHS, asserted that he had not had sufficient notification of meetings regarding this proposal, and questioned whether families at Manhattan Theatre Lab had been provided sufficient notification.
35. One commenter noted that the hearing was taking place during the same week as Regents exams, and that the DOE should not have scheduled the hearing this way because students need to be home studying.
36. One student noted that students at Manhattan Theatre Lab are free to express themselves and not be bullied, but the DOE is bullying the school.
37. One commenter asserted that the basement of MLK belongs to Manhattan Theatre Lab, and they should not have to share it.
38. One commenter noted that she was formerly the parent coordinator at Manhattan Theatre Lab until her job was cut because of the budget cuts. She asserted that the budget cuts need to stop in order for our schools to have a chance to succeed.

39. One parent noted that her daughter is a senior at Manhattan Theatre Lab and has been accepted to the University of Virginia, and thanked Principal Collins for helping her achieve this. She asserted that unlike at other schools, Principal Collins knows every student by name.
40. One commenter, from the Council of School Supervisors and Administrators, noted that the DOE says the schools opened under Mayor Bloomberg are better than those that have been phased out, but Manhattan Theatre Lab was opened under this administration. Students have been turned away from new schools and are warehoused in other low performing schools that will be closed too. This is a failing strategy. Phase-out schools are attended by high-need, minority students. The DOE closes schools it didn't fix, and this is an admission of failure by the DOE. The DOE needs to take more responsibility.

The following questions were submitted in writing at the joint public hearing on January 24, 2012:

41. Special Music is only 14% Black and Latino, as compared to 98% at Manhattan Theatre Lab. What is the DOE's plan for these displaced arts students who will not have access to screened programs like Special Music, which is 60% Caucasian?
42. Have the people who want to close this school ever been here and seen how talented the students are?
43. What is the purpose of this hearing if the PEP has never decided not to close a school?
44. What supports has the DOE provided to Manhattan Theatre Lab?
45. Has the DOE considered other alternatives to phase-out, like replacing the administration?

## **II. Summary of Issues Raised in Written and Oral Comments Submitted to the DOE regarding the proposal**

In total, 24 comments were received via email, 2 comments were received through the DOE Website, and 1 comment was received over the phone opposing the proposal. The comments cited the following reasons for that opposition:

46. Progress Reports say nothing about a school.
47. Other schools with lower performance are remaining open.
48. The school's performing arts program is very strong, with many professional artists who visit and work with students, and many opportunities for students to perform in arts community competitions and programs, such as the Poet's Den Theater Shakespeare Monologue Competition and Roundabout Theatre: Glass Menagerie contest. The Manhattan Theatre Lab music program has been asked by the Broadway to the Boroughs organization for the past two years to perform on the same stage with Jennifer Holiday and Stephanie Mills, and has participated in Songs at Lincoln Center for the last three years.
49. Manhattan Theatre Lab provides critical arts programming for students who need it and would not get into screened, audition schools.
50. Manhattan Theatre Lab builds students' self-esteem.
51. Students and faculty are passionate and committed.
52. Students love the school and feel at home at Manhattan Theatre Lab.
53. Students have been admitted to the National Honor Society.
54. Students at the school have discovered talents and interest they would not have discovered anywhere else.
55. The school had a very rough start when it opened, and Principal Collins has done a lot to turn it around.
56. The school is a supportive and welcoming place for students with special needs.
57. Principal Collins is a compassionate and gifted administrator.

58. The serious academic challenges and poor academic progress experienced in the first two years the school's existence continue to blemish the MTL statistics.
59. The current unsatisfactory evaluation is the one and only time the school has been considered a struggling school under the current administration.
60. Manhattan Theatre Lab graduates have gone on to accredited universities such as Howard University, SUNY Purchase, University of the Arts, and University of Maryland in its very short time under the leadership of Principal Collins.
61. Lincoln Center Theater (LCT) has invested countless hours of teaching artists' and administrative time and thousands of dollars in the school in the form of in-class theater residencies and tickets to see shows.
62. Principal Collins and her faculty are thoughtful and hard-working educators who are serious about helping their students to achieve, and their students are bright, creative young people for whom the arts provide a crucial framework and motivation for learning.
63. Given the academic challenges of the population it serves, the faculty and principal of Manhattan Theatre Lab are doing a remarkable job.
64. To open and close a school within less than 10 years seems irresponsible and reflective of poor DOE-level planning and support.

One comment was received via phone supporting the proposal. The comment cited the following reasons for that support:

65. The school is disorganized and chaotic, and no one seems to have any idea what is going on as it pertains to students. As a parent, the commenter is concerned about the quality of education his child is receiving.

The principal of Manhattan Theatre Lab, Evelyn Collins, submitted a report documenting the school's history and making arguments against the phase-out of Manhattan Theatre Lab. While the report is not part of the EIS or public comment process, the DOE has chosen to share Principal Collins's thoughts in the interest of providing the public with additional information. The report stated that:

66. Manhattan Theatre Lab faced many challenges when it opened, but has made great improvement in ways that may not be captured in data.
67. The school did not receive sufficient support from its previous networks.
68. Prior to this year, Manhattan Theatre Lab has not been deemed a "failing school."
69. Students and staff work tirelessly on performing arts and the performing arts programs are aligned to State standards.
70. The school plans to improve performance by bringing in outside educators to work with students after school in preparation for Regents exams, replacing staff members who may have contributed to prior failure, and working closely with the new network.
71. The DOE should provide more supports to Manhattan Theatre Lab and allow it time to improve.

Class Size Matters ("CSM"), submitted written comments objecting to all of the proposed phase-outs and truncations proposed by the DOE.

72. In opposing the DOE's proposal to phase-out and eventually close these schools, the CSM comments cited the following reasons:
  - a. 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;
  - b. The Citywide Instructional Footprint does not include class size standards;
  - c. 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;
  - d. The community members, faculty, and families of schools that have been proposed for phase-out have opposed the proposed phase-outs and truncations;

- e. 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.

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

#### Support for the proposal

Comments 8 and 65 support the proposal and do not require a response.

#### CEC 3

Comment 7a defines the responsibilities and jurisdiction of CEC 3 and does not require a response.

#### Diversity and Admissions

With regard to comments 1c, 3b, 3e, and 41, Special Music will, in fact, use an audition-based method to admit students, which may yield a different students body than that of Manhattan Theatre Lab. While the school will give priority to continuing students, the ninth grade, which will admit 50-60 students each year, will be significantly larger than Special Music’s eighth grade, which enrolls roughly 15 students each year. This means that the majority of the ninth-grade students enrolled at Special Music each year will come from different middle schools.

Any student who would have applied to Manhattan Theatre Lab would have the opportunity to audition for Special Music, regardless of race, ethnicity, economic background, or status as an ELL. Special Music may also attract students who would not have attended Manhattan Theatre Lab, but have attended other audition-based high schools, thereby opening seats at those schools to other students interested in the performing arts. Although there are only two other performing arts high schools in Manhattan with unscreened admissions, those that have auditions use a wide range of criteria to admit students, and as such, many students who would have attended Manhattan Theatre Lab would likely qualify for admissions at some of the audition-based schools, even if they would not necessarily qualify for Special Music. However, it may be the case that some students who would have attended Manhattan Theater Lab will instead attend a non-performing arts high school. It is important to note, however, that the school those students would attend is almost certain to have a graduation rate higher than that of Manhattan Theater Lab.

#### Partnerships

Comments 61 and 48 describe partnerships that Manhattan Theatre Lab has developed. The DOE will seek to continue those partnerships if possible. While the disruption of the partnership with LCT and Manhattan Theatre Lab’s other partners would be regrettable, the existence of the partnership is not enough to offset the poor academic performance of Manhattan Theater Lab.

#### PEP Participation

Comment 31 encourages people to attend the PEP meeting on February 9<sup>th</sup> and does not require a response.

#### Support for Manhattan Theatre Lab

Comments 1a, 1b, 1f, 5a, 6a, 7d, 9, 10, 14, 25, 26, 29, 32, 39, 48, 54, 55, 57, 60, 62, 63, and 66 assert support for the programs, faculty, and/or administration of Manhattan Theatre Lab. As noted in the EIS, the DOE is aware some members of the Manhattan Theater Lab community support the school and believe that its current programs, faculty, and staff should continue. The DOE is also aware that some individual students, teachers, and programs at the school have met with success. However, as described at

length in the EIS, the DOE believes that Manhattan Theater Lab's poor overall academic performance can only be addressed by phasing out the school.

#### Support for Performing Arts Programs

With respect to comments 1c, 3g, 4b, 13, 16, 18, 49, and 69 the DOE agrees that there is value in performing arts programs, particularly for high-need students like those served by Manhattan Theatre Lab. However, the that value cannot come at expense of academic success. Students who do not graduate from any school, including performing arts schools, are at a disadvantage in future, both professionally and academically. In addition, many schools across the city have been successful in both arts programming and academic performance. Thus, despite the value of the performing arts program at Manhattan Theater Lab, the school's poor record of academic performance and student graduation led the DOE to propose this phase out.

#### Replacement of Manhattan Theatre Lab with Special Music

With respect to comments 28 and 37, the proposal to expand Special Music to serve high school students is not contingent upon the proposed phase-out of Manhattan Theatre Lab. If the proposal to phase out Manhattan Theatre Lab is not approved, the DOE would re-assess whether space is available in MLK for Special Music and if necessary, revise the proposal to expand Special Music in a different location.

Comments 3h and 7b note that the proposals to expand Special Music and phase out Manhattan Theatre Lab are not contingent upon each other and that it is possible to support the expansion while opposing the phase-out. The EIS states that the Special Music proposal is not necessarily contingent upon the phase-out proposal. As such, these comments do not require further response.

#### Phase-Outs and Replacements

With respect to comments 2a, 2b, 2d, 2e, 3a, 20, 64, 70, and 71 in a concerted effort to ensure that all students have access to high-quality school programs, the Department of Education 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 set 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 the 2010-11 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 high schools: Received a recommendation on their 2010-11 [JIT review](#) for significant change in organizational structure (type c) or phase out/closure (type d).
- For elementary and middle schools: Received a C or D recommendation on the 2010-11 JIT review.

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

- 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, but are not in consideration.

The most struggling schools are further investigated for more serious interventions that may include phase out/truncation and replacement. The DOE considered 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, we also have conversations with school staff, parents, students, communities, and networks to get a holistic sense of what is happening at the school and what supports or interventions would most likely improve student outcomes. In our early engagement meetings at these schools, we had conversations with constituents about what is working and what isn't before making a decision about the supports or interventions that can best support student outcomes.

For the majority of schools we investigate, we see hope that the school can turnaround, and so we 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, we are left with a set of schools that we know – 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, our analysis and engagement directed us 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 we are compelled to act based on our 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 we make. But it is the right thing to do for the students of New York City.

With respect to comments 30, 40, and 64, this year, the Department is proposing to phase out 7 schools and truncate 3 schools that were opened under this Administration (since 2002). These 10 schools represent less than 3% of the schools opened since 2002.

We count on each of our schools to provide a high-quality education to its students—and we hold all schools of them all to the same high standard. If a school isn't getting the job done for students – whether it was opened recently or not – we are compelled to take serious action to ensure its students don't fall even further behind.

In a June 2010 MDRC, an independent research group, issued a report on NYC's new small schools strategy. MDRC concluded: "it is possible, in a relatively short span of time, to replace a large number

of underperforming public high schools in a poor urban community and, in the process, achieve significant gains in students' academic achievement and attainment. And those gains are seen among a large and diverse group of students — including students who entered the ninth grade far below grade level and male students of color, for whom such gains have been stubbornly elusive.” (MDRC, “Transforming the High School Experience,” June 2010.)

New York City was ahead of the curve in complying with President Obama’s call to close or turnaround the lowest 5% of schools nationwide and provide better options to families. We simply can’t stand by and allow schools to keep failing our kids when we know we can—and we must—do better. New York City’s new schools strategy has helped us to deliver on the core promise we make to NYC families to provide *all* students with an excellent education.

Our new schools are overwhelmingly getting the job done for students, and when they aren’t, and a school is struggling, we follow the same process to phase out and replace that school.

### DOE Supports

With respect to comments 12, 44, and 67, all schools receive support and assistance from their superintendent and [Children First Network](#), a team that delivers operational and instructional support directly to schools. Struggling schools receive supports as part of system-wide efforts to strengthen all schools; and they also receive individualized supports to address their particular challenges. We do everything we can to provide struggling schools with leadership, operational, instructional, and student supports that can help turn a struggling school around.

Struggling schools will have a targeted action plan developed by their network. These plans will identify concrete action steps, benchmarks, and year-end goals aimed at immediately improving student achievement. This plan will outline the specific support the network will provide to the school to address the most urgent areas of need, including:

- Leadership coaching;
- Professional Development on instructional strategies for struggling students;
- Identifying grants aimed at specific needs of the school;
- Introducing new programs;
- Supporting the development of a smaller learning environment; and
- Staff and/or leadership changes.

Indefinitely trying to turn around a school that has struggled for years is not a gamble we are willing to take. We have had enormous success around the City replacing our lowest-performing schools with new schools that do better. We owe it to our families to give them the best possible options, and in some cases that means replacing low-performing schools with new ones.

With respect to comment 6j, Manhattan Theatre Lab joined its current network, CFN 405, this school year. Prior to that the school had been a part of CFN 601, which it joined in 2008. Prior to that, the school was affiliated with the New Visions Partnership Support Organization.

### Investigation

With respect to comment 6c, the DOE cannot comment on ongoing investigations or the accuracy of the commenter’s characterization of the allegations. However, the DOE is generally aware of the allegations described in the comment, and does not believe that they explain the school’s ongoing academic problems. As a result, the DOE has not amended the proposal in response to the allegations.

### High School Options

With respect to comments 3c, 3d, 3f, 4a, 4d, 6h-i, 17, 21, 22, 23, 41, there are currently 23 performing arts high school programs in Manhattan in addition to Manhattan Theatre Lab. Two of these programs are unscreened, like Manhattan Theatre Lab, and the rest have an audition process. However, these programs use a wide variety of criteria to accept students, and the DOE believes that many students who would have applied to Manhattan Theatre Lab would also qualify for admission to other performing arts schools, even if they would not necessarily qualify for Special Music.

Special Music will, in fact, use an audition-based method to admit students, which may yield a different students body than that of Manhattan Theatre Lab. While the school will give priority to continuing students, the ninth grade, which will admit 50-60 students each year, will be significantly larger than Special Music's eighth grade, which enrolls roughly 15 students each year. This means that the majority of the ninth-grade students enrolled at Special Music each year will come from different middle schools.

Any student who would have applied to Manhattan Theatre Lab would have the opportunity to audition for Special Music, regardless of race, ethnicity, economic background, or status as an ELL. Special Music may also attract students who would not have attended Manhattan Theatre Lab, but have attended other audition-based high schools, thereby opening seats at those schools to other students interested in the performing arts. However, it may be the case that some students who would have attended Manhattan Theater Lab will instead attend a non-performing arts high school. It is important to note, however, that the school those students would attend is almost certain to have a graduation rate higher than that of Manhattan Theater Lab.

Further, the DOE is proposing to open three new unscreened high schools in Manhattan for the 2012-2013 school year that we believe will provide better academic support to incoming high school students than Manhattan Theatre Lab is able to provide.

### Administration

With respect to comments 11 and 45, leadership, while very important, is still only one component of a school. The school culture and conditions have not enabled increased student achievement. It is our belief that phasing out this school and bringing in a higher quality school will provide better options for the community and families in the future.

### Process

With respect to comments 2c, 6b, 6d-g, 7c, 27, 30, 42, 46, and 47, consistent with our approach last year and our desire to incorporate school and community input in our decision-making process, in October and November we had conversations with 47 struggling schools (41 district schools and 6 public charter schools) that were eligible for an intensive support plan or intervention. In these conversations we shared information about school performance and talking with the community about their reflections of the school's strengths and weaknesses. This engagement is above and beyond what is mandated by State law.

The goal for these engagement meetings was to begin or renew conversations with schools and their communities about their performance and the resulting actions we may take to improve it. We gathered feedback – to understand what's working, what's not working, and what the community has to say about it – before making a decision about whether the school should be given intensive support or phased out and replaced with a new option that can support student success.

Superintendents met with the school leadership team, staff and parents to explain the Department of Education's thinking on why the school is considered struggling and what particular factors show this to be the case.

We also distributed reports for each school that summarized school performance, school supports, and potential action steps. These summaries were handed out at our feedback meetings and are posted on our website.

Again, all of this happened prior to a decision about whether a school will be proposed for phase out or middle school truncation.

When we announced the Department's recommendation to propose the school for phase out, dedicated teams of educators and engagement specialists spent several days back in these schools meeting with teachers, parents, and students.

With respect to comment 43, in January, Joint Public Hearings were held for all proposals and public feedback was collected at these meetings and through dedicated email and phone numbers. The Department's analysis of public comment will be available on-line prior to the vote by the PEP. Although the PEP has not rejected a proposal to phase out a school, the Department has withdrawn or postponed proposals in response to public comment.

With respect to comment 35, in scheduling joint public hearings the DOE must adhere to legal mandates which dictate when and where a joint public hearing may take place. The DOE works closely with CECs and SLTs to identify the best possible hearing date for all impacted parties. For those unable to participate in the joint public hearing, it is still possible to submit public comment via phone and email up until 24 hours before the PEP vote on a respective proposal. Additionally, transcripts of the joint public hearing are made available on the DOE's website at this link: <http://schools.nyc.gov/community/planning/changes/default.htm>

With respect to comment 34, Manhattan Theatre Lab and all the co-located schools received emails on December 23, 2011 containing the Educational Impact Statements for the proposal to phase-out Manhattan Theatre Lab and the proposal to expand Special Music, parent letters in both English and Spanish, and notices of the Joint Public Hearing in both English and Spanish. Schools were asked to share the EISes with their School Leadership Teams and make them available in their main offices, and to send home the parent letter and notice of Joint Public Hearing with every student. Each school confirmed in writing that these distributions were completed.

#### Performance

With respect to comments 15 and 53, although some students at Manhattan Theatre Lab have been successful, the DOE expects schools to serve all their students well. While the DOE acknowledges that some students at Manhattan Theatre Lab are having a positive academic experience, this is not the case for the majority of the students attending Manhattan Theatre Lab. Therefore, in order to ensure that all students have better educational opportunities, the DOE has proposed to phase out Manhattan Theatre Lab.

With respect to comments 4c, 5b, 33, 58, 59, and 68 although Manhattan Theatre Lab earned a B overall on the 2008-2009 Progress Report, the school's performance has declined since then, and was an F the year before. The school's inability to sustain the improvement made in 2008-2009 supports the DOE's assessment that school would not be able to significantly improve.

#### Overage Students

With respect to comment 5c, Manhattan Theatre Lab admits the vast majority of its students through the Citywide High School Admissions Process, in which students rank up to twelve choices. As such, students enrolled at Manhattan Theatre Lab have been matched to the school because they have selected it on their applications. Additionally, while some students may have entered the school overage, only 65% of first-year students at Manhattan Theatre Lab earned the 10 credits necessary to progress to tenth grade in 2010-2011. This means that many students who entered Manhattan Theatre Lab at the appropriate age remained in the ninth grade the following year, thus becoming overage. If students at Manhattan Theatre Lab earned sufficient credits to progress to the next grade each year, the percent of overage students would be lower.

#### Accountability Measures

With respect to comment 5d, there are various qualitative and quantitative indicators why a school is proposed for phase-out. State standing is, of course, a consideration but other performance indicators at Manhattan Theater Lab have led to the proposal. The EIS discusses the general standards that the DOE uses to identify schools for possible phase-out, as well as the specific performance issues that led the DOE to propose that Manhattan Theater be phased out.

#### Environment

With respect to comments 1d-e, 19, 24, 36, 50, 51, 52, 56, Manhattan Theatre Lab may provide a positive and nurturing environment for some students, but this does not seem to be the case for the entire school population. The school earned an F on the School Environment subsection of the 2010-2011 Progress Report, after earning a D grade in School Environment for each of the prior two years. Responses from parents and teachers on the Learning Environment Survey put Manhattan Theatre Lab in the bottom 25% of high schools Citywide.

#### Budget

With respect to comment 38, budget cuts have not disproportionately impacted schools proposed for phase out. In school year 2010-11, we cut individual school budgets by an average of 4%. We worked hard to be fair to schools, so they all bear an equitable burden. Schools that experienced larger reductions generally had smaller student populations this year compared to last year.

#### Supports for ELLs

With respect to comment 3i, the CFN structure is working to ensure that the academic needs of all students are being met through strengthened instructional practices and programmatic structures. Central works closely with the CFNs that support phase-out schools to monitor services and make sure that student needs are being addressed as the change in enrollment begins and the school is phasing out. All compliance standards and expectations related to ELLs are applicable to schools in the process of phasing out.

#### Class Size

With respect to comments 72 a-e, 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.

#### IV. **Changes Made to the Proposal**

No changes have been made to the proposal in response to public feedback.