



**Dennis M. Walcott**  
*Chancellor*

### **Public Comment Analysis**

Date: April 25, 2012

Topic: The Proposed Closure of J.H.S 22 Jordan L. Mott (09X022) and Opening and Co-Location of a New Middle School (09X571) with Bronx Writing Academy (09X323) in Building X022 Beginning in 2012-2013

Date of Panel Vote: April 26, 2012

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### **Summary of Proposal**

On February 27, 2012, the New York City Department of Education (“DOE”) issued an Educational Impact Statement (“EIS”) describing a proposal to close J.H.S. 22 Jordan L. Mott (09X022, “J.H.S. 22”), an existing district middle school in building X022 (“X022”), located at 270 East 167 Street, Bronx, NY, 10456, in Community School District 9. It currently serves students in grades six through eight. The DOE is proposing to immediately replace J.H.S. 22 with New School (09X571, “New School”), a new district middle school serving students in grades six through eight, in building X022.

On March 29, 2012, the EIS was amended to correct the bilingual programming offerings at J.H.S. 22, to omit references to the Speech and Language Clinic that was incorrectly noted as being located in the building, to correct typographical errors, and to update the EIS to reflect developments concerning another DOE proposal.

If this proposal is approved, J.H.S. 22 will close at the conclusion of the 2011-2012 school year. All current students who have not completed eighth grade before the start of the 2012-2013 school year will be guaranteed seats and automatically enrolled in New School.

J.H.S. 22 is co-located with Bronx Writing Academy (09X323, “Bronx Writing Academy”), an existing district middle school that currently serves students in grades six through eight. 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.

Both J.H.S. 22 and Bronx Writing Academy admit students through the Middle School Choice Process, with priority to students residing in each school’s respective zone and then to students and residents of Districts 9 and 10.

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. By closing J.H.S. 22 and replacing it with New School, the DOE is

seeking to expeditiously improve educational quality in the X022 building. If this proposal is approved, New School will develop rigorous, school-specific competencies to measure and screen prospective staff – including J.H.S. 22 staff who apply to work at New School. Based on these criteria, and in accordance with the staffing requirements in Article 18-D of the DOE’s existing contract with the United Federation of Teachers (“UFT”), New School will put in place a process aimed at hiring the best possible staff, thus immediately improving teacher quality and, by extension, improving the quality of learning. New School plans to develop new programs and school supports that are intended to improve student outcomes. Doing this important work to improve the quality of teaching and learning in the school, DOE also will maximize New School’s chance of receiving up to \$900,000 each year in supplemental federal funding under the federal School Improvement Grant (“SIG”) program for the remainder of the SIG grant. New School will build on the strongest elements of J.H.S. 22 and incorporate new elements, including new talent, designed to better meet student needs. Thus, the immediate closure and replacement of J.H.S. 22 with New School should give students access to a higher-quality educational option while they continue to attend school in the same building.

The details of this proposal have been released in an EIS which can be accessed here:  
<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/April2012Proposals.htm>.

Copies of the EIS are also available in the main offices of J.H.S 22 and Bronx Writing Academy.

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

A joint public hearing regarding this proposal was held at school building X022 on April 3, 2012. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 81 members of the public attended the hearing, and 14 people spoke. Present at the meeting were Deputy Chancellors Shael Palakow-Suransky and Jesse Mojica, Community Education Council (“CEC”) 9 Representatives Marilyn Espada and Nora Mercado; Assembly Member Vanessa Gibson; Bronx Borough President Representative and Bronx PEP Appointee Wilfredo Pagan; Helen Jacobs from State Ruben Senator Diaz’s office; Assembly Member Eric Stephenson; Linda Rosenbury, J.H.S. 22’s principal and SLT representative; and Kamar Samuels, Bronx Writing Academy’s principal and SLT representative.

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

- 1.) Many commenters noted their objection to the closure of J.H.S. 22.
  - a. One speaker asked what the DOE has been doing to prevent closure of J.H.S. 22.
  - b. Assembly Member Gibson said that the move from Transformation to Turnaround has caused a negative impact at the school.
- 2.) Several commenters noted that Turnaround destabilizes communities to their detriment. One commenter likened the closure of a school to disassembling a family.
- 3.) Many speakers urged the DOE to allow the school to remain in the Transformation model.
  - a. Some speakers noted that the Transformation model was a long-term improvement plan and therefore that the move to Turnaround from Transformation in this timeframe puts unrealistic demands on the school.
  - b. One speaker, a special education teacher at J.H.S. 22, said that the school’s SIG money allowed her to break her ICT class into four small groups, which is leading to improvement among her students and in other classes where teachers have done the same.
- 4.) A speaker said that it is unwise and counterproductive to dismantle initiatives without a review of the data since implementation.

- 5.) Assembly Member Gibson said that J.H.S. 22 also received \$300,000 of additional Title 1 funding which allowed for initial improvement work, but that it is too early to determine whether the Title 1 money will improve results.
- 6.) Many commenters noted that there is no evidence that Turnaround will succeed.
  - a. Assembly Member Gibson asked at what point the DOE will evaluate the Turnaround strategy in the future to make decisions about whether this model is working.
  - b. One commenter asked how the DOE could guarantee that the change would be productive.
- 7.) Many commenters questioned the decision-making process by which the DOE decided to move J.H.S. 22 to the Turnaround model.
  - a. Many speakers said that the proposed closure is being sought without care or consideration.
  - b. One commenter noted that the DOE has not made a sufficient case for its decision to pursue the Turnaround model.
  - c. A speaker said that people are frustrated by the joint public hearings because they feel the DOE has already made decisions about the fate of schools.
- 8.) Assembly Member Gibson thanked the parents for attending the hearing and said how important it is that they participate in their children's education. Another speaker said that parents and students must be active opponents to school closures.
- 9.) One commenter said that the school has always been on the list of potential school closures because of its status as a Persistently Lowest Achieving ("PLA") school. Another speaker said that the Turnaround EIS is a disappointment because it paints a picture of what everyone already knows about the school's performance data.
- 10.) A speaker said there was an agreement between Chancellor Walcott and the UFT to place J.H.S. 22 and other schools into the SIG-funded Transformation or Restart models. The DOE and the UFT were involved in the process of deciding on teacher evaluations but the DOE walked away from the discussions. The DOE is closing J.H.S. 22 because no agreement was reached; however, an agreement has since been reached. J.H.S. 22 is being held hostage by a political game. Seven schools came off of the list for Turnaround. This shows that the decision to close J.H.S. 22 is political. Another speaker said that the Turnaround model is a way for the DOE to avoid negotiations with the union.
- 11.) A speaker noted that as a result of Turnaround, 50% of teachers would be new at New School and many teachers would be excessed. Another speaker questioned whether removing teachers is an educationally sound decision.
- 12.) Several commenters noted that the DOE wants to close schools so the Mayor can create a legacy. Assembly Member Stephenson said that he is disturbed by the Mayor's actions related to Turnaround because he feels the Mayor is unwilling to negotiate, but hopes that the Mayor will revisit Turnaround decisions.
- 13.) Several commenters said that the principal is doing a good job and a parent praised J.H.S. 22 for helping her child learn English in six months.
- 14.) A few commenters noted that the Turnaround process is expensive and that the resources would be better used to help the existing school succeed. One speaker said that there are human and fiscal costs to Turnaround: the human cost is that 1800 teachers will lose their jobs and the fiscal cost is that the teachers in the Absent Teacher Reserve ("ATR") will cost the city \$180 million per year.
- 15.) Assembly Member Gibson said that she helps determine the New York State budget and the DOE and the Mayor should be held accountable for helping New York City school students succeed.

- 16.) Some commenters noted that in a few years there will be additional space available in the X022 building, and Assembly Member Gibson and others asked about what will happen to this underutilized space.
  - a. Several commenters said the DOE should consider students before making a decision about using this space.
  - b. One commenter said that more schools should not be put into the building.
- 17.) Some commenters had general questions and concerns about co-locations: one commenter asked how co-locations improve student learning, while another stated that co-locations can cause adverse effects, particularly where elementary, middle and high school students are mixed.
- 18.) Assembly Member Gibson and other speakers said that New School would lose extracurricular activities currently offered at J.H.S. 22, including the marching band, which is one-of-a-kind in District 9 and provides the community with an important creative outlet.
- 19.) Multiple commenters questioned the impact of the proposal on Bronx Writing Academy as a co-located school.
  - a. One commenter asked about the impact on special populations (English language learners (“ELLs”) and special education students) at Bronx Writing Academy.
  - b. One commenter said that Bronx Writing Academy currently struggles for space, even though the DOE says the building is underutilized, and questioned the impact of the co-location on the school’s space allocation.

The following questions, comments, and remarks were made at the Joint Public Hearing and are not related to the proposal:

- 20.) One speaker noted that the DOE sees students as dollar signs.
- 21.) One commenter said that taxpayers pay money to educate children but the results are not improving.
- 22.) Assembly Member Gibson said that students in the DOE are being failed and that prisons in upstate New York are waiting for students from city schools. This is unacceptable. She said that New York City public students deserve to be invested in so they can become productive members of society.

### **Summary of Comments Received at other public meetings**

An information session was hosted by the Bronx Borough President at the Morris Educational Campus on March 15, 2012. The DOE attended that meeting to provide information to community members and answer questions.

The following questions, comments, and remarks were made at the information session:

- 23.) One commenter asked about the requirements for leadership change pursuant to the Turnaround model.
- 24.) One commenter asked about SIG funding in relation to Educational Partner Organizations (“EPOs”).
- 25.) One commenter asked about the procedure for new schools to select the Children First Networks that will support them.

The following questions, comments, and remarks were made at the information session and are not related to the proposal:

- 26.) Since there are no EPOs in who gets the equivalent money given to EPOs in Restart, and who agreed to keep on the EPOs for these schools?

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

The DOE received one written comment and no oral comments through the dedicated Web site and phone line for this proposal.

- 27.) Assembly Member Catherine Nolan wrote a letter stating her opposition to the closing of J.H.S. 22.
- a.) She said that J.H.S. 22 was put into the Transformation model until January 2012, when the DOE and the UFT were unable to reach an agreement on teacher evaluations, and she is concerned about the effect a sudden change of course and closure will have on the students at J.H.S. 22.
  - b.) She opined that parents will be hesitant to send their children to the school that takes J.H.S. 22's place.
  - c.) She stated that the Transformation model was intended to be a three-year plan, and the decision to abruptly pursue a different course after five months is bad public policy and the school will struggle to recover from this change.
  - d.) She believes that the school should continue in the Transformation model.
- 28.) One commenter asked if there will be delays in the implementation of the Common Core Learning Standards as a result of these proposals.
- 29.) One commenter asked about the DOE's engagement process for proposing to close the existing school and open a new school, and what part students, parents, and the community have in the process.
- 30.) One commenter stated that all of the closure/replacement proposals will result in the shuffling of teachers from one school to the other.
- 31.) One commenter asked about which schools have implemented the 18-D process successfully, how this was done, and how the success was measured.
- 32.) One commenter asked about what evidence the DOE has that this approach works, and whether a short-term measuring tool can be part of the model.
- 33.) One commenter asked what supports are being offered to schools being closed and replaced.
- 34.) One commenter asked what measures will be used to evaluate the progress of the new schools, apart from progress reports and quality reviews. The commenter also asked about what evaluations the DOE has done to assess progress made under previous interventions (i.e., Transformation and Restart).
- 35.) One commenter asked about the timeline for the implementation of the new model.
- 36.) One commenter asked about the supports that Children First Networks and other entities have provided to the schools that are in PLA.
- 37.) One commenter asked about how summer school will be implemented.
- 38.) One commenter asked about how quickly new replacement schools will receive progress report grades, what short-term benchmarks are built into the Turnaround plan, and whether performance goals are built into the Turnaround plan.
- 39.) One commenter asked about the impact of the new schools and implementing the closure/replacement approach.
- 40.) One commenter asked about who makes up the planning team for each school.
- 41.) One commenter asked if the state mandates a Joint Intervention Team ("JIT") review for every school that is Restructuring, Year 1; Restructuring, Advanced; and PLA.

- 42.) One commenter asked if a JIT review was done for each of the 25 high schools on the Turnaround list before the earlier intervention model (Transformation or Restart) was selected and before the Turnaround model was selected.
- 43.) One commenter asked if the JIT reports are available to the public
- 44.) One commenter asked if the proposed new school will receive over-the-counter, ELL, and over-age under-credited students.
- 45.) One commenter asked if rising ninth-grade students can opt out of a Turnaround school.
- 46.) One commenter asked about the \$58 million designated to New York City schools as SIG funding. Does this figure represent what was suspended as of January 3, 2012, or does it date back further?
- 47.) One commenter asked if a school goes into Turnaround, does it automatically get funding or is there a competitive process that takes place afterwards? The commenter also asked about how much funding each school would receive.
- 48.) The DOE received a petition opposing the proposals to close and replace schools, which was signed by approximately 1,300 people, on the following grounds:
  - a. The DOE should not close schools and instead support them, including providing proven programs and curricula, professional development, health services for students, and additional student time for tutoring and enrichment.
  - b. End the policy of sending large concentrations of high needs students to schools then targeted for closure.
  - c. End the policy of co-locating charter schools in buildings with struggling district schools or district schools assigned large numbers of high needs students.
  - d. Create a new chancellor's district to support struggling schools and schools with large populations of high needs students, such as the one in place before the current administration.

The DOE received two written comments that were not relevant to the proposal.

- 49.) One commenter asked about the supports that Children First Networks and other entities have provided to the schools that are in SINI status or have declining progress report grades.
- 50.) One commenter asked if the DOE will have to repay the funding spent on the contracts for Restart schools.

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

At the joint public hearing on March 29, 2012, Deputy Chancellor Shael Polakow-Suransky responded directly to some questions posed by the audience and also responded more generally to some of the concerns he heard.

- Deputy Chancellor Polakow-Suransky said that he heard concerns about instability at the school as a result of the proposal. He said that all change comes with risks.
- He told the audience that school staffing decisions will be made by a school-based committee led by the principal and designees of the UFT and Chancellor. He said there were questions about how many teachers would be fired. He said that all teachers at J.H.S. 22 are entitled to apply to work at the new school and all applications will be reviewed; at least 50% of J.H.S. 22 teachers will be rehired. Negotiations between the City and the UFT are continuing and Deputy Chancellor Polakow-Suransky expressed his hope that the two sides will reach an agreement. He stressed that if an agreement is reached, this will not impact the proposal.

- He also said that many feel concern about why the school cannot remain in the Transformation model. He said that the hard work being done as part of the Transformation model will become part of the new school proposal. The work of Transformation will not be wasted but will be integrated into the new school.
- He responded to the question about why the closure affects teachers but not the leader by saying that the DOE is impressed by Linda Rosenbury, J.H.S. 22's principal but that some other school leaders may not return at the new school.
- The Deputy Chancellor said that the DOE always looks at quantitative and qualitative data before making its decisions. The budget for New York City school has gone from \$13 billion to \$20 billion over the past 10 years. The increased budget has meant raises for teachers. Additionally, more teachers have been hired into the system. City graduation rates are improving which means that thousands of kids are graduating.
- The Deputy Chancellor said that parents and the community need to be engaged in their children's education.
- In the past, 95% of schools that were closed and reopened have been successful. The reforms the DOE pursues mean better options for kids.
- In terms of when Turnaround will be evaluated for its effectiveness, these decisions would be made after two years at a minimum.

Comments 1, 6(b), 9, 39 express general concerns and objections to the school closure/replacement strategy, the impact of the new schools and J.H.S. 22's move to the Turnaround model.

As comment 9 recognizes, the school has struggled with its performance for several years. In a concerted effort to ensure that all students have access to high-quality schools, the DOE annually reviews the performance of all schools Citywide. Schools designated as PLA by the State Education Department ("SED") receive special attention during this review. Specifically, for PLA schools, the DOE looks at whether one of the federally-approved intervention models can adequately address the school's needs or whether another intervention is more appropriate.

Turnaround is one of four federally-approved school improvement models used to address the needs of PLA schools. Federal regulations call for Turnaround schools to use locally-adopted competencies to measure the effectiveness of staff who can work within the Turnaround environment to meet the needs of students. Under the federal Turnaround model, schools screen all existing staff and rehire no more than 50%, subject to possible school-specific flexibility at schools that have already taken steps to improve teacher quality as part of existing improvement efforts. The Turnaround model provides a mechanism to quickly improve teacher quality in a school. It also calls for the implementation of programmatic supports, reforms, and strategies to substantially improve student achievement outcomes and increase high school graduation rates.

The DOE is proposing to close and replace J.H.S. 22 on the belief that doing will provide a better educational option to current and future students, which is expected to prompt student improvement more rapidly and with more certainty than previous interventions and supports, which have not led to adequate gains. New School will preserve the elements of J.H.S. 22 that have led to improvement, while giving New School the wherewithal to build upon this foundation to accelerate the pace of change. By closing J.H.S. 22 and replacing it with New School, the DOE is seeking to quickly create a high-quality school environment that children need to prepare for success in college, work, and life. Schools that have historically undergone

this process have track records of shifting the culture of the school further toward one that sets high expectations that support student learning and achievement.

For more specific information regarding the anticipated impact of a proposal, please refer to the EIS.

In addition to the reasons outlined above, in response to comment 6(b), the DOE believes that the EIS lays out specific plans for ensuring that New School will be a productive change for students, parents, and teachers, including by providing, subject to available resources:

- Additional emphasis on literacy and writing.
- Two adults present in each classroom.
- Partnerships with universities.
- Increased attention to health and wellness programs, including free breakfasts and physical activities.
- Expansion of the academy model.
- Continuation of sports, arts and band.
- Continuation of the Innovation Zone, with addition of new digital portfolios for students.

Comments 1(a) and 36 ask about what supports were given to PLA schools, and J.H.S. 22 specifically, in the past.

According to the EIS, for the past several years, the DOE has sought to support J.H.S. 22 in order to ensure that it has been equipped to provide a quality education for its students.

Leadership Support:

- Provided leadership training for the principal and school leadership to help J.H.S. 22 set clear goals for the school and design and implement plans to improve schoolwide operations.
- Coordinated professional development for school leaders to implement strategies to improve instruction, including workshops targeted at math and educating middle school students.

Instructional Support:

- Trained school leadership and teachers in practices to improve teacher effectiveness, including classroom best practices and methods of assessment.
- Coached teachers in implementing Common Core Learning Standards through workshops, professional development, and curriculum planning.

Operational Support:

- Trained teachers and staff in data management systems targeted at promoting student achievement.

Student Support:

- Coached counselors and staff 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.
- Engaged parents and community members in projects to support students' learning of 21st Century skills, including the Youth Create Media Project to develop leadership and self-expression skills and the CinemaMath Project, which encourages exploration of video resources aligned to Common Core math standards.

All PLA schools have been supported by their Children First Networks.

Even with these supports, however, the DOE has determined that J.H.S. 22 does not have the capacity to quickly improve student achievement. Rather, the DOE believes that the most expeditious way to improve the educational program for the students currently attending J.H.S. 22 is to close the school and replace it with New School next year. This will allow the DOE to put in place a process to screen and hire the best possible staff for New School, giving all non-graduating students currently attending J.H.S. 22 access to an improved faculty.

Comments 1(b), 2, and 27(a) relate to the social and emotional impact of a potential school closing on the school. The DOE recognizes that closing a school is a difficult experience for students, staff, and community members. In addition, the DOE understands the important role that schools play in their communities and knows that schools throughout the city are not just educational institutions, but rich and tight-knit communities. The DOE expects that New School will be fully engaged with the community and will continue to play a vital role as an anchor for the community.

If this proposal is approved, New School will receive supports to ensure a smooth transition including, but not limited to:

- Helping the school provide students with options that support their advancement and fully prepare students for their next transition point.
- Working with school staff to foster a positive culture.
- Supporting school leadership in efficiently and strategically allocating resources to ensure a consistent and coherent school environment focused on student outcomes.

Additionally, it is important to note that decisions around the future of a school in no way reflect upon the students who attend the school, as it is the DOE, not the students, that is responsible for the quality of a school. Whenever the DOE moves forward with a proposal to close a school, it is because students deserve a better option.

Comment 3, 3(a), 27(c), and 27(d) relate to why the DOE is switching the school's SIG model when the model was supposed to be a long-term strategy and contend that moving the school from Transformation to Turnaround puts unrealistic expectations on the school.

In Spring 2011, the DOE applied to SED to place J.H.S. 22 into the Transformation model. SED approved the application, conditioned upon the DOE and UFT agreeing by January 1, 2012 to implement a new teacher evaluation system. Unfortunately, the DOE and UFT were unable to reach an agreement on the elements of a new teacher evaluation system by the January 1, 2012 deadline. In the wake of not coming to terms with UFT on a teacher evaluation system, the DOE reassessed the viability of the Transformation and Restart models in a number of schools, including J.H.S. 22. The DOE determined that a more pervasive intervention was needed to achieve the kinds of student outcomes that are acceptable for current and future students. Closing J.H.S. 22 and creating a new school to replace it was the only way to implement the needed reforms. Consequently, the DOE submitted applications to SED to implement the Turnaround model in a number of PLA schools, including J.H.S. 22, as a way to hopefully restore SIG funds that will support the New School.

When the DOE placed J.H.S. 22 in the Transformation model, it hoped that it would be able to quickly reach an agreement with the UFT regarding a comprehensive teacher evaluation system.

Unfortunately, that proved impossible. As a result, schools in the Transformation and Restart models were forced to enter another school year without the ability to evaluate and, if necessary, replace their staffs in a way that would best support student outcomes. Even though the DOE and UFT have recently moved closer to an agreement on evaluations, as of this date, there is still no agreement in place. This creates the strong possibility that these schools will enter yet another school year with limited ability to remove ineffective teachers. Moreover, even if the DOE and UFT do reach an agreement on evaluations, it will likely take at least two years for poor performing teachers to be removed from the classroom. Given the overall downturn in J.H.S. 22's performance, the DOE has concluded it cannot wait that long to implement the staff changes necessary to improve student outcomes. Further, the DOE believes that the school will be able to make positive change more quickly in the Turnaround model, and that these expectations are not unrealistic for the school.

Comment 3(b) is an anecdote about how a J.H.S. 22 teacher used SIG funding to be more flexible in her special education classroom. The DOE commends the work of this teacher and believes that moving the school to the Turnaround model will allow for the school to preserve positive elements, such as innovating programming for special populations.

Comments 4 and 34 are about use of data and measurements used in decision-making about the school.

The DOE used several years' worth of data sets in making the determination to propose closing J.H.S. 22 and immediately replacing it with New School. As evidenced by the school's data, some progress is being made at J.H.S. 22, and the DOE acknowledges those results and commends the school for its hard work. Still, student achievement is not as strong as it needs to be. The closure of J.H.S. 22 and opening of a New School will preserve the elements of J.H.S. 22 that have led to its recent gains, while giving the New School the ability to accelerate the pace of change.

All SIG schools have had their progress evaluated under previous interventions. For the first cohort of SIG schools, identified in the 2009-2010 school year, the DOE used the progress report grades and quality review scores through the spring of 2011 to evaluate the progress of these schools. For the second cohort of SIG schools, identified in the 2010-2011 school year, the DOE made qualitative assessments about the schools through visits to the school by Children First Networks, superintendents, other DOE senior staff, and representatives from SED.

Comment 34 also asks about the measures, in addition to progress reports and quality reviews, that will be used to evaluate new schools. The Division of Portfolio Planning will work with the Children First Networks that support each school to monitor each school's improvement plans and progress under these plans. Please refer to the answer to Comments 6(a) and 38 below for additional information about how progress will be measured.

Comment 5 relates to J.H.S. 22's Title I funding and the impact these funds have had on the school. In May 2011, following the review of the 54 schools designated as PLA during the 2010-2011 school year, in 10 PLA schools, the DOE wanted to collect additional information to determine the most appropriate intervention, and thus these schools were not assigned a SIG model. Instead, the DOE provided \$300,000 in Title I funding to each of these schools, including J.H.S. 22, to support them to begin some initial improvement work and plan for more intensive intervention in subsequent years. Consistent with this approach, the DOE has made a more recent assessment and believes that the more intensive intervention of closure and replacement of J.H.S. 22 will lead to improved results.

Comment 6(a) and 38 ask about how the Turnaround model and the measurement of New Schools' student outcomes will be evaluated. J.H.S. 22 will receive its last Progress Report in fall 2012 reflecting its performance in the 2011-2012 school year; this Progress Report will not include a grade. Under current policy, new schools in their first year receive Progress Reports with no grade, and accordingly, the new replacement school would receive an ungraded 2012-2013 Progress Report. The Progress Report methodology is reevaluated each year and this policy is subject to change.

Regarding goals, performance benchmarks are included in the SIG application for each of these schools. For example:

- Reducing the percentage of students in the All Students subgroup who are performing below the Proficient level (Levels 1 and 2) on NYSED English Language Arts and Math assessments by 10% or more from the previous year

The Division of Portfolio Planning will work with the Children First Networks that support each school to monitor each school's improvement plans and progress in these plans. These include visits to the school to monitor and support their progress towards meeting the performance benchmarks above.

Comment 7(a) and 7(b) contend that the proposed closure of J.H.S. 22 is being sought without care or consideration, and that the DOE has not made a sufficient case for its implementation. After SED informed the DOE that the Transformation and Restart models were no longer available to New York City schools and that the funding had been suspended, the DOE began to look at alternative approaches to ensure that the support and funding started under Transformation and Restart could continue and be strengthened. Furthermore, the continuing lack of a new teacher evaluation system led the DOE to further evaluate its available options to improve teacher quality.

After this further consideration, the DOE concluded that a number of PLA schools, including J.H.S. 22, should be closed and replaced with new schools. By closing J.H.S. 22 and opening a new school, the DOE will (1) align the DOE's intervention strategy with the school's most recent performance data and the DOE's most recent assessment of the steps which must be taken to improve performance at the school and (2) be able to immediately increase the quality of teachers serving students currently attending J.H.S. 22.

J.H.S. 22's most recent Progress Report was released at the end of October 2011, after the DOE's decision to implement the Transformation model at the school. That decision was predicated on some positive trends in student progress between 2008-2009 and 2009-2010 which led the DOE to determine that the Transformation model, which along with Restart is a relatively less intensive intervention, was the best fit for the school. However, J.H.S. 22's metrics did not sufficiently improve during the 2010-2011 school year and, based on this most recent data, the DOE believes that students at J.H.S. 22 would be better served by implementation of a more intensive intervention. This is because the data shows that the school was struggling even more than the DOE had thought at the time it chose the Transformation for the school. The DOE also received feedback from members of the New York State Board of Regents that the pace of change in some Transformation and Restart schools was not quick enough to meet the challenges faced by the school. Thus, the DOE decided to propose that J.H.S. 22 be closed and replaced with a new school that would incorporate the strongest elements of J.H.S. 22, while also allowing new staff to be put in place who can accelerate the pace of improvement.

Thus, the decision to close and replace J.H.S. resulted from a careful and considered decision and the DOE feels there is good reason to implement this proposal.

Comments 7(c) and 29 ask about the engagement process and what part students, parents, and the community play in the process. Last Spring, the DOE held meetings to begin or continue conversations with PLA schools and their communities about the schools' performance and possible improvement strategies. In January 2012, after taking into account a number of factors, the DOE decided to implement different, more intensive interventions at some PLA schools. At that time, superintendents and Children First Network staff met with school communities to talk about the DOE's proposal to close and replace J.H.S. 22.

The DOE issued proposals to close and replace a number of PLA schools between February 27 and March 5, 2012, consistent with applicable New York State law and Chancellor's Regulations. The proposal for J.H.S. 22 was posted on February 27, 2012. The proposal was amended on March 29, 2012. The DOE solicited feedback from parents through the Joint Public Hearings, which for J.H.S. 22 was held on April 3, 2012, as well as through voicemail and email. That feedback is incorporated throughout this document.

The DOE also attended several meetings hosted by elected officials throughout the City. For example, the DOE attended a parent forum in the Bronx, held at Morris Educational Campus on March 15, 2012, which many community members attended. Feedback received at this forum is also incorporated throughout this document.

The DOE has considered all of this community feedback in deciding whether to continue with this proposal; indeed, the DOE withdrew several similar proposals based on continued review of community feedback and consideration of other factors. This document summarizing the community feedback is presented to the PEP to help inform its decision about the proposal.

While the DOE understands that some parents disagree with the proposal, the DOE believes it is the right decision for students.

Comment 8 relates to parental involvement in their children's education. The DOE encourages all parents to be involved in their children's schools. By implementing the Turnaround model, New School may be eligible for SIG funding that could be spent on family and community engagement and partnerships to increase involvement.

Comments 10, 12, and 15 emphasize the importance of helping students succeed and state that the closure and replacement strategy is a political strategy, rather than one aimed at improving student achievement. As explained above, the DOE believes that closing J.H.S. 22 and replacing it with New School will provide a better educational option to current and future students, which is expected to prompt student improvement more rapidly and with more certainty than previous interventions and supports, which have not led to adequate gains. Thus, this proposal is squarely aimed at improving student achievement. Further, to the extent that this proposal may help secure SIG funding for DOE students, this is an educational aim, not a political one, as these resources support student success. However, even if the DOE does not receive SIG funding as a result of this proposal, the DOE believes New School will be better positioned to promote student achievement than is J.H.S. 22, in light of J.H.S. 22's inability to improve rapidly. The Mayor is supportive of these proposals because he believes them to be in the best interests of New York City students and will help students to succeed.

Comment 11 relates to concerns about the future of the J.H.S. 22 teaching staff. As stated earlier, the Turnaround model provides a mechanism to quickly improve teacher quality in a school. It also calls for the implementation of programmatic supports, reforms, and strategies to substantially improve student achievement outcomes. For this reason, the DOE believes that Turnaround is educationally sound and in the best interests of student achievement.

As described in the EIS, if this proposal is approved, all teachers, administrative, and non-pedagogical staff at J.H.S. 22 will be excessed at the end of the 2011-2012 school year. Pursuant to Article 18-D of the DOE's collective bargaining agreement with the UFT, when a new school is created to replace a school that is being phased out or closed, the principal of the new school must develop and implement rigorous, school-based competencies to for hiring teaching staff. Then, a Personnel Committee is created to measure and screen the teaching applicants for the new school using these criteria. The Personnel Committee consists of the following five representatives: the school principal, two designees of the UFT President, and two designees of the Chancellor.

The teachers at J.H.S. 22 have the right to apply and be considered for positions at New School. Per Article 18-D, if sufficient numbers of J.H.S. 22 staff apply, at least 50% of New School's pedagogical positions shall be selected by the Personnel Committee from among the appropriately licensed, most senior applicants from the closing school, who meet the new school's qualifications. The Personnel Committee has discretion to determine whether a candidate meets the school's qualifications. Thus, if this proposal is approved, New School's Personnel Committee will go through a process to hire the best possible staff to support New School's students. The Personnel Committee will consider each candidate's teaching abilities and ability to contribute to a rigorous new school culture where every child is expected to succeed.

The Personnel Committee should strive to seek consensus in its hiring decisions; however, if consensus cannot be reached, decisions are made by majority vote. The school-based Personnel Committee will decide what evidence will determine whether an applicant is qualified to teach at the new school. Some examples of evidence that have been historically used are student assessment results, samples of student work, teacher portfolios containing instructional units of study and lesson plans, or videos of teacher instruction.

If this proposal results in a turnover of staff in excess of 50%, New School will become eligible for SIG funding pursuant to the Turnaround model, while also preserving eligibility under the existing SIG model if a final agreement is reached on teacher evaluations. Federal guidelines suggest that teachers hired during the initial implementation of a SIG model may counts towards the 50% requirement of the Turnaround model. The DOE is awaiting guidance from SED as to whether SED will permit recently hired teachers to count towards the staff turnover requirement.

Comment 13 praises the school leader and teachers at the school.

The DOE believes Principal Linda Rosenbury of J.H.S. 22 is a strong school leader and this is why she is proposed to be the principal of New School.

The DOE acknowledges and commends the students, staff, leadership, and partners of J.H.S. 22 for their hard work, dedication, and passion for the school. Still, student achievement is not as strong as it needs to be, and the rate of improvement is too slow. The closure of J.H.S. 22 and opening of a New School will preserve the elements of J.H.S. 22 that have led to its recent gains, while giving New School the ability to accelerate the pace of change.

Comment 14 relates to the contention that the DOE's Turnaround proposals to close and immediately replace schools throughout the City would impose a strain on personnel and resources, including significant financial costs, and further suggests that those resources would be better used to help J.H.S. 22 succeed.

The comment estimated that the Turnaround proposals will cost the City \$180 million as a result of supporting excessed teachers in the ATR. However, this cost estimate hinges upon several faulty assumptions. For example, it assumes that 50% of the staffs in the 33 school originally proposed for Turnaround will be replaced. However, the DOE has since withdrawn several proposals. Further, new schools will be hiring no fewer than 50% of qualified staff, but may in fact hire back more. Finally, it is possible that some members of the teaching staffs at the schools proposed for closure and replacement who do not apply or are not rehired at the new schools may choose to retire or leave the system to find jobs in other districts or paths. Therefore, these staff members will not end up in the ATR. Regardless, the DOE believes that this decision will dramatically and rapidly improve outcomes for the current students in the schools proposed for closure and replacement, and as a result the additional costs associated with the proposals are more than balanced by the benefits.

The DOE believes that the most expeditious way to improve the educational program for the students currently attending J.H.S. 22 is to close the school and replace it with New School next year, rather than implementing the plans for a new instructional model, new strategic partnerships, new flexible scheduling, and new programs to engage parents in the existing school. This will allow the DOE to put in place a process to screen and hire the best possible staff for New School, giving all students currently attending J.H.S. 22 access to an improved faculty.

Comments 16(a) and 16(b) express concern about potential future co-locations in X022. Roughly half of DOE schools share space in a building. Because of co-locations, limited facilities can be used more efficiently while simultaneously creating additional high-quality options for New York City families. Thus, contrary to comment 16(a), the DOE believes co-locations are in the interests of students.

As stated in the EIS, Building X022 already has excess space, and the DOE anticipates that building X022 will have more excess space once New School's enrollment reduction has been completed. Any DOE proposal to site additional school organizations into this space would be described in a separate EIS and be subject to PEP approval.

The DOE does not expect that this proposal—the closure of the existing school and replacement with New School—will have an impact on space allocation in the building. Decisions regarding shared space in school buildings will continue to be made by the Building Council in consultation with the Office of School Facilities.

Comment 17 questions whether co-locations are good for students and opposes mixing school grades within one building. The DOE believes firmly that the ability to create new school options is good for students; co-locations enable the siting of these schools. Co-locations typically fill under-utilized space or replace schools approved for phase-out or closure, and as such they represent the most efficient use of space—a limited resource in New York City—for the benefit of students. Moreover, it bears noting that a building's capacity remains the same regardless of whether the students are served in one school or multiple smaller schools within the building; X022 has a capacity of 1,489 students.

With respect to siting different school levels in the same building, the DOE first notes that there are not any proposals to site a new school of any level in building X022. Prior to siting a new school, whether middle school level or otherwise, the DOE would engage in the same public review process as is currently underway regarding this proposal to close and replace J.H.S. 22.

That said, there are many buildings Citywide with multiple grade levels served in the same building, where the schools are functioning and co-existing successfully. In fact, 246 of the 328 buildings which will serve more than one school in 2012-2013 will serve schools of different grade levels.

Comment 18 relates to extracurricular activities at J.H.S. 22.

As stated in the EIS, J.H.S. 22 offers several sports and after-school extra-curricular activities and clubs. If this proposal is approved, New School is expected to offer the same extra-curricular activities and clubs. As with all schools citywide, it is difficult to predict precisely how changes might be implemented as decisions will rest with school administrators and will be made based on student interests and available resources. That is true for any City students as all schools modify extracurricular offerings annually based on student demand and available resources. Even though New School will be reducing overall enrollment, when it reaches stable enrollment in 2014-2015, it will still enroll 390-420 students. This is a sufficient size to continue offering a wide array of sports and after-school activities and clubs.

There was specific concern expressed that the school's marching band would be eliminated. Deputy Chancellor Palakow-Suransky started at the hearing that New School will continue to have the marching band.

Comments 19(a) and 19(b) refer to the impact of New School on Bronx Writing Academy, specifically with respect to special populations and space allocations in building X022.

According to the EIS, Bronx Writing Academy is serving 470 students in 2011-2012, and the DOE projects that the enrollment of this school will remain approximately the same

Bronx Writing Academy will continue to serve all special education and ELL students. Middle school students with Individualized Education Programs ("IEPs") are admitted and placed in the same manner as general education students. Schools provide services according to the IEPs of all students with disabilities, while ensuring that such students have access to the general education environment to the greatest extent possible consistent with their needs. Therefore, placement for students with IEPs and ELLs is the same as for general education students.

This proposal is not expected to impact academic or extracurricular program offerings at Bronx Writing Academy. Programs will continue based on student interests, available resources, and staff support for those programs. The proposed closure of J.H.S. 22 and proposed opening of New School will not impact the enrollment or admissions at Bronx Writing Academy.

Bronx Writing Academy already has established relationships with several partners, including some whose work is directly connected to the mission and theme of the school. The DOE anticipates that those partnerships will be unaffected by closure of J.H.S. 22 and co-location of New School.

If this proposal is approved and once J.H.S. 22 is closed and New School is opened, there will be approximately 1,050-1,110 students served in X022 in 2012-2013, yielding a projected utilization rate of

71-75%. In 2014-2015, when New School has reached stable enrollment, there would be approximately 845-905 students served in X022, yielding a projected utilization rate of 57-61%.

Therefore, the building has adequate capacity to accommodate New School and Bronx Writing Academy after the closure of J.H.S. 22. Bronx Writing Academy is not expected to lose any space as a result of this proposal; New School simply replaces J.H.S. 22 in the building and, moreover, will serve fewer students.

The DOE notes that it does not believe that Bronx Writing Academy is struggling for space, as comment 19(b) contends; the building has a utilization rate of just 75% in 2011-2012. Moreover, Bronx Writing Academy has the appropriate number of rooms it needs according to the Citywide Instructional Footprint (the “Footprint”). (Please visit the New York City Department of Education website to access the Footprint, which guides space allocation and use in City schools: <http://schools.nyc.gov/community/planning/default.htm>.) The Footprint sets forth the baseline number of rooms that should be allocated to a school based on the grade levels served by the school and number of classes per grade. For existing schools, the Footprint is applied to the current number of sections per grade, assuming class size will remain constant. The DOE reiterates that Bronx Writing Academy will maintain this allocation of rooms if this proposal is approved.

Any DOE proposal to site additional school organizations into excess space in the building would be described in a separate EIS and be subject to PEP approval.

Comment 23 asks about requirements for leadership change under the federal Turnaround model. In this model, if a principal has been in his or her role fewer than three years, then the principal may become the principal of the proposed new school, subject to a waiver by SED. If the individual has served as principal at the school for over three years at the time of the school’s initial implementation of a SIG model, then the Turnaround model requires that he or she must be replaced.

The DOE believes that, based on the work Principal Rosenbury has begun to improve J.H.S. 22, she is the best leader for New School. As part of the Turnaround application that the DOE is submitting for SIG funding, the DOE will request SED to waive the Turnaround requirement for replacing the leader. However, this waiver is solely for SIG application purposes and does not affect the DOE’s decision about who is the right leader for the school. Leadership decisions are made by the DOE alone. The DOE believes that Principal Rosenbury is the right leader for New School regardless of whether SED ultimately approves our application for Turnaround.

Comment 24 asks about EPOs. Though it is strictly required as part of Restart, Education Law 211-e allows for EPOs to work with any PLA school, under any SIG model. The decision whether or not to partner a new school with an EPO will be made on a case by case basis by the DOE.

Comment 25 asks about how new schools select Children First Networks. During the spring, new schools and Children First Networks have opportunities to learn about one another, after which new schools are asked to request Children First Networks (this occurs during at the same time as any requests from existing schools to change Children First Networks). Final decisions about school and Children First Network matches are expected in May.

Comment 27(b) states that the labeling of the school as PLA and this proposal itself will cause the school’s enrollment to decrease, as parents will not want to send their children to the school. The DOE acknowledges that schools labeled PLA by the state have an additional obstacle for recruiting students. However, the DOE anticipates that replacing the PLA-

designated school with New School, with its new elements aimed at rapidly improving student achievement, will actually be helpful in increasing student interest.

Comment 28 asks about delays in implementation of Common Core Learning Standards (“Common Core”) as a result of these proposals. This proposal will not delay the implementation of the Common Core into curriculum and classroom instruction. Moreover, the DOE believes that by closing and replacing J.H.S. 22, the Common Core will be implemented in a more thoughtful and substantial way. In particular, as part of this process, the new school has the opportunity to determine where there were instructional gaps in J.H.S. 22’s curriculum, and to develop a plan to support teachers in implementing the Common Core effectively in the new school.

Comment 30 suggests these plans will result in teachers moving between PLA schools. The guiding principle of this work is to effectively match teacher capacity to the needs of the students in a specific school along with making structural changes to the new school that will enhance the its ability to best serve our students. This means that the new replacement schools will only hire those teachers they believe will be effective and well-matched to their new missions.

The schools will accomplish this through the staffing process set forth in Article 18-D of the DOE’s existing contract with the UFT, which will allow a Personnel Committee to determine the best staff for the new school. The school-based Personnel Committee will evaluate applicants’ qualifications. The Personnel Committee should strive to seek consensus in its hiring decisions; however, if consensus cannot be reached, decisions are made by majority vote.

In this way, the DOE believes that only those teachers who will be most qualified will be hired by the new schools. As stated in the EIS, current teachers from J.H.S. 22 who are not hired at New School will remain in excess.

Barring system-wide layoffs, excessed teachers will be eligible to apply for other City positions, and any teachers who do not find a permanent position will be placed in the ATR pool, meaning that they will continue to earn their salary while serving as substitute teachers in other City schools. This will not count as a cost or savings to New School, but could increase overall ATR costs to the DOE.

Comments 31 and 32 ask about past implementation of the 18-D process, and specifically which schools have done this successfully, how, and what measurements of success were used. As described above, the hiring process for new schools that are replacing a closing/phasing out school is implemented according to Article 18-D of the existing contract between the DOE and the UFT.

All teachers from the current school are eligible to apply for positions at the new school.

Since 2002, the DOE has opened approximately 200 new high schools as replacements for high schools that have been phased out or closed. Each of these new schools has hired its teachers through the 18-D process. As a group, these new schools have outperformed the schools they have replaced.

Below are a few examples:

- The new schools located on the Springfield Gardens Campus in Queens had a graduation rate of 68.0% in 2010, compared to Springfield Gardens High School’s graduation rate of 41.3% in 2002.
- The new schools located on the Evander Childs Campus in the Bronx had a graduation rate of 69.1% in 2010, compared to Evander Childs High School’s graduation rate of 30.7% in 2002.
- 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 of 31.0% in 2002.

- 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.
- The Erasmus Hall Campus graduated only 40.7% of student in 2002. The new schools on the Erasmus campus are graduating 75.8% of students in 2010, a 35 percentage point increase over the closed school.

Comment 33 asks about the supports offered to existing and new schools.

- The existing schools will continue to be supported by their Children First Networks through the end of the school year. The students will also be supported through the efforts of the Office of Student Enrollment to ensure that students have a guaranteed seat in the new school and receive a clear understanding of their enrollment options.
- Replacement schools are being supported through several coordinated measures. Proposed principals for the replacement schools began working with the Division of Portfolio Planning, in February and March, as part of the Turnaround Principal Institute. In this intensive workshop, principals have been supported in planning for their schools along a wide spectrum, including such elements as mission-creation, curriculum planning, scheduling, and hiring, among other topics.
- Proposed leaders also continue to be supported by their Children First Network in this work.
- If these proposals are approved, during the 2012-2013 school year and beyond, as they implement the plans being made this spring and summer, new schools will be supported by their Children First Networks, the Division of Portfolio Planning, and, where relevant, their EPOs.

Comment 35 asks about the timeline for implementation of this proposal. This proposal will be presented to the Panel for Educational Policy on April 26, 2012. If it is approved, the school will then begin the 18-D process. The new school, with its planned new elements and staff (made up of returning teachers and teachers new to the school), would open in September 2012 and would serve all students currently in the school who have not graduated by that time, as well as any new students who would have otherwise begun attending the closed school. Each school has unique elements in its new school plan, many of which will be implemented at the start of the 2012-2013 school year. However, some schools have plans to phase in the new elements more gradually. For more information about the specific plans of the new school, please see the EIS.

Comment 37 asks how summer school will be implemented. Summer school will continue to be implemented as in years past. Each year, a number of school buildings host summer school programs. Individual schools choose to affiliate to a particular building for summer school opportunities for their students, which may mean offering their own programs for their students, offering a summer school program in partnership with other schools.

Of the buildings that will be open to host summer school in 2012, some have schools which have been proposed for closure and replacement, though many do not. Regardless, all students currently attending a school proposed for closure and replacement will have the opportunity to attend summer school, either in their home building or in the one with which their school has affiliated. Students are typically assigned to summer school during June, and this same process will be in place this year for students in all schools, whether they attend one proposed for closure or not.

For more information about summer school, please see the DOE’s Web site at:

<http://schools.nyc.gov/ChoicesEnrollment/SummerSchool/default.htm>.

Comment 40 concerns planning teams for the new schools. Planning teams for each school are composed of the proposed leaders for the schools, as well as the schools' Children First Networks, and EPOs (where applicable). These teams are also receiving support from the Office of School Development, in the Division of Portfolio Planning.

Comments 41, 42, and 43 concern JIT reviews for the schools proposed for closure and replacement. The DOE works with SED to conduct JITs for schools that become newly identified into one of the following categories:

- Restructuring, Year 1
- Restructuring, Advanced
- Persistently Lowest Achieving

JITs that were conducted during the 2010-2011 and 2011-2012 school years may be found at [http://www.p12.nysed.gov/accountability/School\\_Improvement/JITReports.html](http://www.p12.nysed.gov/accountability/School_Improvement/JITReports.html). JIT reviews conducted during the 2009-2010 school year, such as that of J.H.S. 22, may be obtained from the District Superintendent's Office or Elizabeth Iadavaia, Senior Director of School Improvement, at [Eiadava@schools.nyc.gov](mailto:Eiadava@schools.nyc.gov).

Comment 44 concerns whether the new school will serve over-the-counter ("OTC"), ELL and/or over-age under-credited students. As stated in the EIS, new schools replacing closed schools will serve all types of students, including OTC students, ELL students, students with disabilities, and over-age, under-credited students. For more specific information, please refer to the EIS.

Comment 45 asks about whether rising ninth-graders can opt out of the replacement school. This proposal concerns incoming sixth-graders. All current J.H.S. 22 students will have a guaranteed seat in New School. This includes all sixth- and seventh-grade students, as well as any eighth-grade students who do not get promoted to ninth grade by June 2012. All incoming sixth-graders who would have been enrolled in J.H.S. 22 through the Middle School Choice Process will be automatically enrolled in New School. The DOE believes that New School will support student success at a level that the current school cannot, and therefore all students are encouraged to take advantage of their guaranteed seat in the new school.

As indicated in the EIS, J.H.S. 22 admits students through the Middle School Choice Process, into three programs with various admissions methods. Priority into the school is given to zoned students. The zoned admissions method provides a priority to students living within a specified zone. A student's zoned school is determined by his or her home address. For more information about school zoning and admissions processes for zoned schools, please visit the DOE Web site's School Search function at: <http://schools.nyc.gov/schoolsearch>.

In addition, all students currently attending Title 1 schools that are in Improvement Year 2 status or worse, including PLA schools, like J.H.S. 22, are eligible to apply for a transfer to another school through the DOE's existing No Child Left Behind ("NCLB") Public School Choice Process. More information about this process can be found at the DOE's Web site at: <http://schools.nyc.gov/choicesenrollment/changingschools/default>.

Comments 46 and 47 concern the availability of SIG funding. New York City received \$58,569,883 in funding from SED for 2011-2012 to support implementation of SIG in 44 schools (19 Transformation, 14 Restart, and 11 phase-out replacements funded under the Turnaround model). As discussed in more detail in the EISs, outstanding funding for the Turnaround and Restart schools was suspended by SED after the DOE and UFT were unable to reach an agreement on a new teacher evaluation system by

January 1, 2012. The DOE is hopeful that this SIG funding will be restored to some of these schools based on the new SIG proposals submitted to SED in March 2012. If the State approves the DOE's application to place New School into the Turnaround model, New School will be eligible for up to \$900,000 each year as part the SIG program. However, the challenges in these schools are too great, and the need to overcome those challenges is too urgent, to not take immediate action to address key aspects of the school's culture, systems, and staffing, whether or not SED ultimately authorizes funding.

Comment 48 refers to signed by approximately 1,300 people opposing the proposals to close and replace schools. As stated earlier, the DOE has provided several supports to the schools in question, but believes only their closure and replacement will accelerate the pace of change needed to achieve the desired improvement for current students in these schools.

The DOE does not have a policy of concentrating high needs students at specific schools. However, the DOE works to support schools which have above average percentages of students with high needs, including ELLs, students with disabilities, overage and under-credited students, students who come into schools "over-the-counter," and others.

The DOE sites charter schools based on the availability of space, and these co-locations are not based on the quality of the schools already located within the buildings. The DOE believes that students should be provided with as many high quality options as possible.

The DOE currently supports struggling schools through the Children First Network selected by each school. In some cases, these schools work with the network to create an action plan for improvement. Also in some cases, such as for some of the schools approved for phase-out during the 2010-2011 school year, struggling schools are supported through a designated Transition Support Network. Additionally, schools are supported by the Division of Students with Disabilities and English Language Learners, as well as the Office of Postsecondary Readiness.

### **Changes Made to the Proposal**

On March 29, 2012, the EIS was amended to correct the bilingual programming offerings at J.H.S. 22, to omit references to the Speech and Language Clinic that was incorrectly noted as being located in the building, to correct typographical errors, and to update the EIS to reflect developments concerning another DOE proposal.