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Chancellor

Public Comment Analysis

Date: April 25, 2012

Topic: The Proposed Closure of J.H.S. 80 (10X080) and Opening and Co-Location of New School (10X575) with P.S./M.S. 280 Mosholu Parkway (10X280) in Building X080 Beginning in 2012-2013

Date of Panel Vote: April 26, 2012

Summary of Proposal

The New York City Department of Education (“DOE”) is proposing to close J.H.S. 80 (10X080, “J.H.S. 80”), an existing district middle school located in building X080 (“X080”), and in X910, transportable classroom units, located at 149 East Mosholu Parkway, Bronx, NY 10467, in Community School District 10. It currently serves students in grades six through eight. The DOE is proposing to immediately replace J.H.S. 80 with New School (10X575, “New School”), a new district middle school serving students in grades six through eight in building X080

If this proposal is approved, J.H.S. 80 will close at the conclusion of the 2011-2012 school year. All current students who have not graduated before the start of the 2012-2013 school year will be guaranteed a seat and automatically enrolled in New School.

J.H.S. 80 is co-located in X080 with P.S./M.S. 280 Mosholu Parkway (10X280, “P.S./M.S. 280”), an existing district school that currently serves students in kindergarten through eighth grades. 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.

J.H.S. 80 admits students using a zoned admissions process; however, students residing in the X080 zone may also participate in the Districts 9 and 10 Middle School Choice Process. P.S./M.S. 280 also admits students residing in its zone.

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. 80 and replacing it with New School, the DOE is seeking to expeditiously improve educational quality in X080. If this proposal is approved, New School will develop rigorous, school-specific competencies to measure and screen prospective staff – including J.H.S. 80 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 in each of the next two years (for a total of \$1,800,000 over both years) in supplemental federal funding under the federal School Improvement Grant ("SIG") program. New School will build on the strongest elements of J.H.S. 80 and incorporate new elements, including new talent designed to better meet student needs. Thus, the immediate closure and replacement of J.H.S. 80 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. 80 and P.S./M.S. 280.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at school building X080 on April 16, 2012. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 50 members of the public attended the hearing, and 11 people spoke. Present at the meeting were J.H.S. 80 School Leadership Team ("SLT") representatives Chris Neilsen, Timothy Feimer, and then Interim Acting Principal Lauren Reiss; J.H.S. 80 Parent Association President Cecilia Donovan; P.S./M.S. 280 SLT representative Alexandra McGill; Community Educational Council ("CEC") 10 Representative Marvin Shelton; Education Unit/Community Liaison from the Office of The Bronx Borough President, Erica Veras; Mel Aaronson of the UFT; Stephen Bennet of the Council of School Supervisors and Administrators ("CSA"); and Deputy Chancellor Dorita Gibson.

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

1. Erica Veras, representing the Office of the Bronx Borough President, asserted that the Turnaround process is very expensive, and that the DOE should better utilize the associated funds to bring more resources to J.H.S. 80.
2. Marvin Shelton, CEC 10 president, stated that the schools are already approved for transformation, that this proposal is just about getting SIG funding, and that it has no relation to the performance of the schools proposed for closure and replacement.
3. Steve Bennet, Bronx field director for the CSA, stated that:
 - a. The DOE's attempt to close 26 schools is a political maneuver and is not designed to improve educational outcomes.
 - b. There is nothing sound about this intervention plan.
 - c. Replacing half the staff in these schools will destabilize them.
 - d. The fiscal costs of these proposals in terms of the Absent Teacher Reserve ("ATR") pool will cost the City approximately \$180 million per year.
4. Tim Feimer of the UFT stated that this proposal cannot be educationally sound because this hearing was scheduled to take place during the biggest day in the school year, the day before students begin state assessments.
5. Mel Aronson, treasurer of the UFT, spoke as a representative of UFT President Michael Mulgrew and stated:
 - a. This is political because since the Mayor did not get his way during negotiations with the UFT, he is taking it out on J.H.S. 80.
 - b. This funding should have come in previous years.
 - c. Why haven't the special education and English language learner ("ELL") students not gotten the help planned for them in the new school before?

- d. He previously taught at the school and believes that the closure of this school needs to be stopped.
6. Cecilia Donovan, president of the J.H.S. 80 Parent Association, stated:
 - a. The former principal, Ms. Lovey Rivera, was removed too quickly and should be reinstated.
 - b. Her daughter has flourished at J.H.S. 80 as an honors students, compared to being bullied at former schools.
 - c. J.H.S. 80 has high expectations for all students and helps all the students who need support.
 - d. The school should be supported instead of closed.
7. One commenter stated that she has lived in the community for over 30 years. She stated:
 - a. Her child, who had previously been bullied in other schools, attended this school from 2000 until 2004 and was treated with respect and her educational outcomes improved. This school changed her daughter's life.
 - b. The teachers in the school at that time were excellent.
 - c. The school should retain its name, or just be changed from J.H.S. 80 to M.S. 80.
 - d. The way the principal was dismissed was despicable, given she had worked long hours while at J.H.S. 80.
 - e. Parents were told to stay home instead of attending the joint public hearing in order to help their children study for the English Language Arts ("ELA") tests.
 - f. What will happen to the school, in light of this proposal, if this year's state test results indicate positive improvement?
 - g. Elaine Gorman, the Executive Director for Turnaround, has never been to J.H.S. 80.
8. One commenter, a past president of District 10's Presidents' Council, stated:
 - a. Schools are failing because services have not been provided. Services should have been provided to J.H.S. 80 instead of closing the school and opening a new one.
 - b. This failure is not new, but is a part of a pattern of lack of leadership from Tweed under Mayor Bloomberg, Joel Klein, then Cathie Black, and now a chancellor who has been working with Mayor from the start.
 - c. Some of the reopened schools have failed again.
9. Several student commenters stated that J.H.S. 80 is like a proud family, in that it provides a great academic and social experience, and that the former principal and teachers are dedicated and help students whenever needed.
10. Several commenters spoke in support of J.H.S. 80.
11. The school has a storied past, with alumni like Calvin Klein and Penny Marshall, who attended P.S. 80, then J.H.S. 80, and then went on to Dewitt Clinton High School.
12. Several commenters spoke in favor of retaining the school's number and name.
13. One commenter expressed concerns about the Turnaround process, stating that improvements can be made to the school with a less drastic change. The commenter also stated that this process involves the principal answering to an outside organization and asked how this third party was assessed before being partnered with the school.
14. One commenter asked for funds to make class sizes smaller.
15. One commenter requested that the bilingual program in J.H.S. 80 be kept.
16. One commenter stated that J.H.S. 80 should offer the same weekly enrichment programs that parochial schools offer.
17. One commenter referred to the teacher effectiveness ratings that have been made public, and said that when she saw the school's results, she felt there was no purpose to posting the teachers' ratings because their low scores do not reflect their hard work. The commenter stated the teachers are working hard and serving kids to the best of their ability.

18. One commenter asked why the DOE is switching the school's SIG model from Restart to Turnaround.
19. One commenter asked if all the teachers from the school will be let go.
20. One commenter asked why the resources that will be given to the new school could not be used to improve the existing school.
21. One commenter indicated a belief that J.H.S. 80 did not provide all services to which students were entitled to help them achieve passing grades. The commenter asked what these services were and why J.H.S. 80 did not provide them.

The following questions, comments, and remarks were made at the joint public hearing and are not relevant to the proposal:

22. One commenter said he feels badly for parents of students in District 10, where bad schools are the norm.
23. Parent Association President Cecilia Donovan stated that it is not right to have only two minutes in which to share comments.

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 12, 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 meeting:

24. One commenter asked about the requirements for leadership change pursuant to the Turnaround model.
25. One commenter asked about SIG funding in relation to Educational Partner Organizations ("EPOs"). Specifically, since there are no EPOs in Turnaround, who gets the equivalent money given to EPOs in Restart, and who agreed to keep on the EPOs for these schools?
26. One commenter asked about the procedure for new schools to select the networks that will support them.

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

The DOE received the following written and oral comments through the dedicated Web site and phone line for this proposal.

27. One commenter asked if there will be delays in the implementation of the Common Core Learning Standards ("Common Core") as a result of these proposals.
28. 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.
29. One commenter stated that all of the closure/replacement proposals will result in the shuffling of teachers from one school to the other.
30. One commenter asked about which schools have implemented the 18-D process successfully, how this was done, and how the success was measured.
31. 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.
32. One commenter asked what supports are being offered to schools being closed and replaced.

33. 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).
34. One commenter asked about the timeline for the implementation of the new model.
35. One commenter asked about the supports that networks and other entities have provided to the schools that are in PLA.
36. One commenter asked about how summer school will be implemented.
37. 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.
38. One commenter asked about the impact of the new schools and implementing the closure/replacement approach.
39. One commenter asked about who makes up the planning team for each school.
40. One commenter asked if the state mandates a JIT review for every school that is Restructuring, Year 1; Restructuring, Advanced; and Persistently Lowest Achieving.
41. 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.
42. One commenter asked if the JIT reports are available to the public
43. One commenter asked if the proposed new school will receive over-the-counter, English Language Learners (“ELLs”), and over-age under-credited students.
44. One commenter asked if rising ninth-grade students can opt out of a Turnaround school.
45. 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?
46. 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.
47. One commenter asked if the DOE will have to repay the funding spent on the contracts for Restart schools.
48. One commenter asked if a new school replacing a Restart school can choose not to keep its EPO.
49. Several commenters stated that the school should not be closed because the interim acting principal is already making great changes in the school.
50. One comment, submitted by New York Assembly Member Catherine Nolan, expressed the following:
 - a. General opposition to the proposal to close J.H.S. 80, and to the Turnaround model more generally.
 - b. Concern about the effect that this sudden change will have on the students, believing that it will particularly negatively affect outgoing eighth-grade students and incoming sixth-grade students.
 - c. The proposal to close the school as well as the general announcement that it could be closed will negatively impact the school and decrease student enrollment.
 - d. Restart is intended to be a long-term plan over three years, and five months of work will be wasted.
51. One commenter expressed that:
 - a. Students in the school deal with significant challenges, including unemployed parents; single-parent homes; students living in homeless shelters or in foster care; families facing eviction or foreclosure; unsafe neighborhoods; parents who are substance abusers; physical, sexual, and emotional abuse; learning English; and undiagnosed learning disabilities.

- b. Teachers are not failing students, but rather the curriculum and the Chancellor’s regulations on discipline and accountability need to be adjusted. Half of the teachers in the school are not ineffective.
 - c. Students and counselors have developed personal relationships, and removing this support system would be detrimental to students.
52. Cecilia Donovan, president of the J.H.S. 80 Parent Association, also submitted the following written comment in addition to her feedback at the hearing:
- a. The comment voices general opposition to the proposal.
 - b. The turmoil caused by this proposal right before the state exams is a deliberate attempt by the DOE to bring about chaos to justify its agenda. She asks that these changes be postponed until June.
 - c. No one from the central DOE understands how devastating it is to have a school destroyed.
 - d. The comment voices opposition to a new principal who would not be from the community and asked the DOE to consider a specific candidate from the community.
 - e. Two years ago the school received an “A,” and the blame lies not just with the school, but also with the DOE.
 - f. The lack of adequate funding and resources has made it harder to improve.
 - g. This proposal is all about getting Race to the Top money.
 - h. The comment voices general support for the former principal.

The following written questions, comments, or remarks were submitted to the DOE and are not related to the proposal:

- 53. One commenter asked about the supports that networks and other entities have provided to the schools that are in SINI status or have declining progress report grades.
- 54. 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.

55.

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

Comments 1 and 20, 53 state that the DOE should allocate to J.H.S. 80 the resources, and funds intended for New School. J.H.S. 80 has been struggling to serve all of its students, and the DOE believes that the closure and replacement of the school would best serve the needs of the students in the school community. As stated in more detail in the EIS, the school’s network has provided support in numerous ways, but even with this support, the DOE has determined that J.H.S. 80 has not demonstrated the capacity to quickly improve student achievement.

Furthermore, the new school will be funded in the same manner as J.H.S. 80 is funded. All schools are funded through a per pupil allocation, in which funding “follows” the student and is weighted based on students’ grade level and needs (incoming proficiency level and special education/ELL/Title I status).

Comments 2,18, and 50(d) state that the Restart (and Transformation) model is intended to be a long-term plan.

In May 2011, following the review of the 54 schools designated as PLA during the 2010-2011 school year, the DOE assigned 19 schools to the Transformation model and 14 schools to the Restart model. With respect to J.H.S. 80, the DOE applied to SED to place the school into the Restart model. That decision was predicated on the school’s moderate performance in 2008-2009, followed by a decline in 2009-2010 on several progress and performance metrics. The DOE determined that the Restart model, a relatively less intensive intervention, had the potential to reverse the downward trend and was therefore the best fit for the school.

However, 2010-2011 Progress Reports were released at the end of September 2011 and showed that J.H.S. 80’s progress and performance fell even further. Based on this most recent data, the DOE believes that students at J.H.S. 80 would be better served by implementation of a more intensive intervention. This is because the data show that the school is struggling even more than the DOE had thought at the time it chose the Restart model 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. 80 be closed and replaced with a new school that would incorporate the strongest elements of J.H.S. 80, while also allowing new staff to be put in place to accelerate the pace of improvement.

Further, Comment 2, as well as Comment 52(g), suggests this proposal is only about gaining additional funding and Comment 2 also states that the proposal is not related to the school’s performance. Comments 3(a), 3(b), and 5(a) state that the proposal is a political maneuver and is not aimed at improved educational outcomes. As stated above, the DOE believes that closing J.H.S. 80 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. 80, in light of J.H.S. 80’s inability to improve sufficiently quickly .

Comments 3(c), 50(b), and 52(c) concern the emotional and social impact of the closure and replacement proposals on the school system, and at J.H.S. 80 specifically. While closing a school may be a difficult experience for the community, the DOE believes that replacing J.H.S. 80 with a new school, which preserves the best elements of J.H.S. 80 but also puts the most effective educators in front of students, will allow the school’s students to improve more quickly—and this will be a long-term stabilizing force for the school and the community. The DOE believes the same for all of the schools proposed for closure and replacement and their respective communities.

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.

Comment 3(d) relates to the contention that the DOE's proposals to close and immediately replace schools throughout the City would impose a strain on personnel and resources, including significant financial costs. The estimate described depends upon several inaccurate and improbable assumptions: First, it assumes that 50% of the staffs in the 33 schools originally proposed will be replaced. However, the DOE has since withdrawn several proposals. Furthermore, this comment does not take into account that new schools may in fact hire back more than 50% of current staff. The comment also assumes that all teachers who are not re-hired at New School will join the ATR. Yet, it is highly likely that some members of the teaching staffs at the schools proposed for closure 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; these staff members will not join the ATR pool or represent additional cost.

Comments 4 and 52(b) question the scheduling of the joint public hearing on the day before state testing begins, and Comment 7(e) states parents were instructed to help their students prepare for the following days' tests rather than attend the joint public hearing.

The DOE worked with the school community to select a date for the joint public hearing, and thus the DOE did not schedule this hearing on the day before state testing with any intention to add stress or challenges to the school environment around this time. An email to the school's stakeholders was sent on March 2, 2012, confirming the scheduling of the hearing for April 16, 2012. In this email, the principals were asked to confer with the other members of the SLT. The principal of J.H.S. 80 confirmed via email on March 10, 2012 that all correspondence had been distributed and shared.

The DOE never stated or supported statements that community members should skip the hearing. However, the DOE recognizes that the date of this hearing may have required parents to make a choice between options. To this end, the DOE provided the school community with five different date choices, including April 4, 5, 16, 18, and 19. The DOE consulted with the school community to ensure that a convenient date would be selected and to avoid chaos. Moreover, the DOE notes that the first two dates occurred before spring break and the state tests, and that the school community selected April 16, 2012. Furthermore parents have the additional option of making comment on this proposal via phone and email.

Comment 5(b) states that additional funding to support the school should have come in previous years, Comment 14 states the school should get funding to support smaller class sizes, and Comment 52(f) states that the school struggled to improve due to lack of adequate funding. As described in the EIS, most funding in school budgets is allocated on a per-pupil basis. The basic operating budget for J.H.S. 80 is determined by the same Fair Student Funding ("FSF") per capita entitlement used at all other New

York City District public schools. Each student receives a per-pupil allocation based on the grade level of the student. FSF allocations are subject to variation, but for 2011-2012, the base per-pupil entitlement for middle schools is \$4,412.45.

In addition, FSF awards supplemental entitlements on a per-pupil basis for students who have additional needs and therefore cost more to educate. For example, during the 2011-2012 school year, middle schools received an additional \$2,043.69 per pupil for each ELL student they enrolled. In the case of students who fall into more than one of these needs categories, schools are awarded supplemental funding to meet all of those needs.

Schools who serve a similar population of students and receive funding in the same way are performing significantly better. For example, J.H.S. 80 received an overall C grade on its 2010-2011 Progress Report, with a C grade on the Progress sub-section and D grades on the Performance and Environment sub-sections. In contrast, P.S./M.S. 280, which is co-located with J.H.S. 80 and serves the same middle school zone, has an overall B grade on its Progress Report, with a C grade on the Progress sub-section, a B grade on the Performance sub-section, and an A grade on the Environment sub-section. Thus it is the DOE's belief that funding alone does not determine a school's ability to achieve.

Finally, the supplemental funding in question is part of the SIG program under section 1003(g) of the federal Elementary and Secondary Education Act and is used to improve student achievement in Title I schools identified for improvement, corrective action, or restructuring so as to enable those schools to make adequate yearly progress ("AYP") and exit improvement status. These grants were first used to support implementation of federally approved intervention models during the 2010-2011 school year, therefore regardless of which model the school is in and whether the DOE and UFT had reached an agreement on a new teacher evaluation system or not, the additional funding from this funding source could not have been made available to J.H.S. 80 any sooner than the current school year.

Comment 5(c) asks why the plans in the EIS for the new school for supporting ELLs and students with disabilities have not been implemented earlier. The school has been receiving support in addressing the needs of ELLs and students with disabilities (some of which are described below), but the DOE believes that the new school would be better positioned to implement the plans laid out for these students in the EIS.

Comment 6(a) states that the former principal was removed too quickly and should be reinstated, and Comment 7(d) voices support for her hard work. The DOE believes that the former principal was not the leadership best-suited to quickly improve the achievement of the students in the building and therefore a new leader was installed to continue to move J.H.S 80 forward for either the remainder of the year and a new leader will be proposed for the new school. The DOE does not share further detail about personnel decisions out of respect for the related individuals.

Comments 6(b), 6(c), 7(a), 7(b), 9, 10, 51(b), and 52(h) voice support for J.H.S. 80, its staff, the former principal, and the school's school environment. Comment 11 concerns the school's history, and Comment 17 states that the teachers have worked very hard, regardless of the teacher effectiveness results. The DOE commends and acknowledges the students and staff at J.H.S. 80 for their hard work and successes. However, the DOE believes that the students in this community will be better served by New School.

Comments 6(d) and 8(a) state that the school should be supported instead of closed, and Comments 21 and 32 ask about support given to PLA schools in the past. PLA schools have been supported by their Children First Networks, as well as their EPOs, in the case of Restart schools.

For the past several years, the DOE has sought to support J.H.S. 80 in order to ensure that it was equipped to provide a quality education for its students.

Leadership Support:

- Provided mentorship for the principal and assistant principals to help them set clear goals for the school and design and implement plans to improve student achievement.
- Supported leadership and staff in implementing meaningful strategies for improving the quality of classroom visitations and teacher observations, as a way to improve both teacher practice and student outcomes.
- Supported school leaders in addressing ELL compliance issues, and provided professional development for Special Education and ELL teachers, to improve instruction for students with disabilities and ELLs.

Instructional Support:

- Supported staff in organizing a teacher mentorship program to inform and improve teacher practice.
- Coached teachers and staff in implementing differentiated instruction using Common Core Learning Standards through classroom observations, customized feedback, and professional development.
- Worked with teachers and school leadership on curriculum alignment and unit planning to increase the rigor of classroom instruction.

Operational Support:

- Advised school staff on budgeting, resource utilization, and building management.

Student Support:

- Supported school leadership and counselors in developing strategies to build a safe and supportive school environment, including classroom and hall management strategies.
- Assisted school staff in developing strategies and practices for improving student attendance and creating strategies for targeting attendance concerns.

Even with these supports, however, the DOE has determined that J.H.S. 80 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. 80 is to close the school and replace it with New School for the 2012-2013 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. 80 access to an improved faculty.

Comment 7(c) and 12 concern changing the school's name. All new schools need a name and school identification number (DBN) that is different from the existing school. Consistent with Chancellor's Regulation A-860, parents and community members associated with the proposed new school will be able to make suggestions for the name of the new school. As with all school names, the Chancellor retains final decision-making authority.

Comment 7(f) asks how the school's performance on this year's state tests will impact this proposal and the school. If this proposal is approved, J.H.S. 80 will be closed at the end of the school year and New

School will open for current and new students for the 2012-2013 school year. State test results are typically released during the summer or fall, and as a result, the outcomes of students will not impact the decision to close and replace this school. The test results will, however, be used by New School's instructional staff to help assess students' current proficiency levels and determine how best to meet their needs.

Comment 7(g) states that the Executive Director for Turnaround has never been to the school. The DOE acknowledges that not all central staff can visit every single school. However, before decisions were made about schools proposed for closure and replacement, a comprehensive review—which included the opinions of experienced educators familiar with the school—was conducted, and the decision was made to propose the closure and replacement of J.H.S. 80.

Comment 8(c) states that some of the replacement schools for closures and phase-outs have failed themselves. While it is true that a few of the new schools opened in these situations have themselves been replaced, this is a very small portion of the new schools overall. For example, during the 2011-2012 school year, the DOE proposed the phase-out of seven schools and the grade truncation of three schools that were opened under this administration. These ten schools represent less than 3% of the schools opened since 2002. There have been many more successes; please also see the DOE's response to Comments 30 and 31 for additional information.

Comments 13, 38, 50(a), and 52(a) voice opposition to the closure of J.H.S. 80 and the federal Turnaround process. The DOE notes that the schools proposed for closure and replacement, including J.H.S. 80, have struggled to provide high quality outcomes to students, and the DOE believes that closing and replacing the schools will provide a better educational option to current students because the new schools will preserve the school elements that had previously been successful while making the changes needed to accelerate the pace of improvement. While the DOE recognizes that the school is a central element to the community and its closure and replacement causes concern and implies a significant change, the DOE also believes that the benefits of closing and replacing the school, namely improved educational outcomes for students, make the proposal the right decision for this school community.

Comment 13 also asks about how EPOs are assessed before they are partnered with schools. Before being matched to schools based on both school and EPO preferences, the DOE assesses the EPOs based on the following criteria: program plan, organizational capacity, demonstrated effectiveness, and pricing.

Comment 15 requests that the bilingual program at J.H.S. 80 be kept as part of the new school. As stated in the EIS, New School will offer the same bilingual programming as J.H.S. 80 does.

Comment 16 states that the school should offer the same extra-curricular programming as nearby parochial schools. Programming decisions are made at the school level—and the DOE does not know what programming specifically to which the commenter refers—but the DOE does support schools with centrally funded programs and Children First Networks, and additionally encourages schools to make connections with local organizations that can provide additional offerings.

Comment 19 asks if all teachers in the school will be let go, and Comment 29 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 structural changes to the new school that will enhance its ability to best serve 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, regardless of where these teachers come from.

Per 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 school-based competencies for hiring teaching staff. Then, a Personnel Committee is created to screen the teaching applicants for the new school using these criteria. Personnel Committee membership consists of, at minimum, two representatives appointed by the UFT President, two representatives appointed by the Chancellor and the principal of the new school.

The teachers in the closing school that is to be replaced by the new school have the right to apply and be considered for positions at the new school. If sufficient numbers of displaced staff apply, at least 50% of the 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. In this way, the DOE believes that only those teachers who will be most effective will be hired by the new schools. As stated in the EIS, current teachers from J.H.S. 80 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.

Comment 24 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 the New York State Education Department ("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.

Comment 25 asks about SIG funding and 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 26 asks about how new schools select networks. During the spring, new schools and networks have opportunities to learn about one another, after which new schools are asked to request networks (this occurs during at the same time as any requests from existing schools to change networks). Final decisions about school and network matches are expected in May.

Commenter 27 asks about delays in implementation of 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 the school, 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 the old school's curriculum, and develop a plan to support teachers in implementing the Common Core Learning Standards effectively in the new school.

Comment 28 asks 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 the school.

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. 80 was posted on March 5, 2012. The DOE solicited feedback from parents through the Joint Public Hearings, which for J.H.S. 80 was held on April 16, 2012, as well as through voicemail and email. Parent feedback is incorporated throughout this document, which is presented to the PEP to help inform their decision about this proposal. The DOE also considered feedback received from the community in deciding whether to continue with the proposal.

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.

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

Comments 30 and 31 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 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, which also apply to Comment 8(b), which states that the performance of J.H.S. 80 is the result of a lack of education leadership at the City level. The DOE respectfully disagrees and believes that the measures taken by this administration have improved educational outcomes for students across the City and across grade levels.

- 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 32 asks about the supports offered to the existing and new schools.

The existing schools will continue to be supported by their 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. Finally, pending the availability of SIG funding, EPOs, which worked with schools previously implementing the Restart model, will continue to partner with replacement schools.

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 networks, the Division of Portfolio Planning, and, where relevant, their EPOs.

Comment 33 asks about the measures that will be used to evaluate new schools in addition to progress reports and quality reviews. The Division of Portfolio Planning will work with the Networks that support each school to monitor each school's improvement plans and progress in these plans.

Comment 33 also asks about the evaluation of progress 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 Networks, superintendents, other DOE senior staff, and representatives from SED.

Comment 34 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 36 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 37 asks about measurement of the new schools' student outcomes. J.H.S. 80 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. Under this policy, 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.

Comment 39 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 40, 41, and 42 concern JIT reviews for the schools proposed for closure and replacement. JIT reviews are performed after the state identifies schools which are failing to make sufficient progress. As required by state regulation, 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.

JITs that were conducted during the 2009-2010 school year, including the one for J.H.S. 80 may be obtained from the District Superintendent's Office of from Elizabeth Iadavia, Senior Director of School Improvement, at EIadavia@schools.nyc.gov.

Comment 43 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 describing the proposal.

Comment 44 asks about whether rising ninth graders can opt out of the replacement school. This comment asks about high school students, but with respect to middle school students, all students who currently attend the school, as well as all of those who would otherwise have attended the existing school for the first time, will have a guaranteed seat in the 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 EISs, students who listed a school proposed for closure on their Districts 9 and 10 Middle School Choice applications had the opportunity to submit a new application during the spring.

In addition, all students in non-terminal grades who currently attend Title 1 Schools in Need of Improvement (“SINI”) Year 2 status or worse (including PLA schools), such as J.H.S. 80, are also eligible to apply for a transfer to another non-SINI 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>.

Comment 45 and 46 concern the availability of SIG funding. New York City received \$58,569,883 in funding from SED for 2011-2012 to support implementation of School Improvement Grants in 44 schools (19 Transformation, 14 Restart, and 11 phaseout 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 the 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 per year as part of 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 47 asks about funding for Restart schools. The DOE is currently working with six EPOs to support 14 schools. The DOE has committed to provide funding for the EPO contracts through the conclusion of this school year. This commitment should ensure that the programmatic initiatives that EPOs have in place this year at Restart schools can be completed with fidelity.

This commitment to fund the contracts regardless of SED’s reimbursement is only for this school year. The future work of EPOs may not continue if the DOE unable to gain access to SIG funding.

Comment 48 asks about former Restart schools maintaining relationships with EPOs. 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. In many cases, EPOs have begun implementing improvement strategies with students at the closing school that the DOE believes should be continued at the new school.

For more information about the specific plans of the new school, including potential EPO partnerships, please see the EIS posted.

Comment 49 states that the school should not be closed because the interim acting principal is already making great changes in the school. The DOE applauds the efforts of the interim acting principal and the school staff’s improvement with her leadership. However, as described above, the DOE still believes that only the closure and replacement of J.H.S. 80 will achieve the dramatic and quick improvement needed.

Comment 50(c) 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 51(a) relates to the difficult backgrounds of students. The DOE recognizes that students come from various backgrounds. The DOE's mission is to provide all children a quality education, and the DOE expects that all schools will meet the needs of all their students.

The DOE believes that this proposal will allow New School to meet the needs of the student population better than J.H.S. 80 does. Pending resource availability and needs assessments, New School plans to implement a variety of new programs that will better serve its students' needs. These plans may include: the development of smaller learning communities with culturally-relevant curricula, referrals of students for evaluations (psychological or social-emotional) to identify and address barriers to progress, and expansion of an early warning system to track and assist students at risk for later dropping out of high school. Please see the EIS for additional information about programs planned for New School.

Comment 51(b) questions the adequacy of the Chancellor's Regulations with respect to discipline and accountability. The DOE notes that the Chancellor's Regulations concerning discipline set forth the same expectations for all schools and the belief that all schools can encourage students to behave well in school. The DOE believes that a new school would be better positioned than J.H.S. 80 to promote this atmosphere. For example, the school's students rank in the school in the 28th percentile Citywide for school approval in the Learning Environment Survey. P.S./M.S. 280's students, on the other hand, who live in the same catchment area as those in J.H.S. 80, rank their school in the 91st percentile in the Learning Environment Survey.

Comment 51(c) questions the benefit of replacing guidance counselors who have relationships with the school's children. The DOE acknowledges that relationships can be instrumental in supporting the academic outcomes of students. The DOE anticipates that any counselors new to the school will work diligently to create familiarity and relationships with students and their families.

Comment 52(d) voices opposition to a new principal who would not be from the community and asks the DOE to consider a specific candidate. The DOE has already selected a leader for New School, who is not the individual named by the commenter. The DOE encourages the new principal to work with the school and broader community to craft plans for New School that will meet the community's needs.

Comment 52(e) states that the blame for poor performance lies with both the school and the DOE. The DOE acknowledges that when a school has to be closed, this is a reflection of both the school community and the sufficiency of the DOE's supports. However, the DOE believes that it has provided adequate supports for J.H.S. 80 to be able to effect better student outcomes than it has, and thus the DOE has made the decision to close the school.

Comment 54 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

No changes have been made to this proposal.