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Chancellor

### **Public Comment Analysis**

Date: April 25, 2012

Topic: The Proposed Closure of John Dewey High School (21K540) and the Opening and Co-Location of New School (21K415) with a District 75 Inclusion Program 75K721 (P721K@K540) in Building K540 Beginning in 2012-2013

Date of Panel Vote: April 26, 2012

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### **Summary of Proposal**

The New York City Department of Education (“DOE”) is proposing to close John Dewey High School (21K540, “John Dewey High School”) an existing district high school in building K540 (“K540” or “Dewey Campus”), located at 50 Avenue X, Brooklyn, NY 11223 in Community School District 21. It currently serves students in grades nine through twelve. The DOE is proposing to immediately replace John Dewey High School with New School (21K415, “New School”), a new district high school serving students in grades nine through twelve in K540.

If this proposal is approved, John Dewey High School 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.

John Dewey High School is co-located in K540 with P721K@K540 (75K721, “P721K@K540”), a District 75 inclusion program. 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. In the inclusion program, students are enrolled in John Dewey High School’s general education classes, and depending on their individual needs, receive Special Education Teacher Support Services (“SETSS”). Students are admitted to P721K@K540 through the District 75 placement process, which is described in more detail in Section III of the Educational Impact Statement (“EIS”) describing this proposal. If this proposal is approved, P721K@K540 students will be enrolled in general education classes offered by New School and will continue to receive all mandated services.

John Dewey High School currently admits students through the Citywide High School Admissions Process via four admissions programs: 1) an Experimental School program in the Humanities and Interdisciplinary interest area that admits students through an educational option method; 2) Bilingual Chinese Experimental School program in the Humanities and Interdisciplinary interest area with a screened admissions method based on language; 3) Health Careers Exploration Program in the Health Professions interest area with an Ed. Opt admissions method; and 4) a Computer Science Institute in the Computer Science & Technology interest area with a screened admissions method. John Dewey High School also offers two Career and Technical Education (“CTE”) programs in the Business Management

and Administration and the Information Technology career clusters.

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 John Dewey High School and replacing it with New School, the DOE is seeking to expeditiously improve educational quality on the John Dewey High School campus. If this proposal is approved, New School will develop rigorous, school-specific competencies to measure and screen prospective staff – including John Dewey High School 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 \$1,650,000 in supplemental federal funding under the federal School Improvement Grant (“SIG”) program. New School will build on the strongest elements of John Dewey High School and incorporate new elements, including new talent designed to better meet student needs. Thus, the immediate closure and replacement of John Dewey High School 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 John Dewey High School and P721K@K540.

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

A joint public hearing regarding this proposal was held at school building K540 on April 17, 2012. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 125 members of the public attended the hearing, and 18 people spoke. Present at the meeting were John Dewey High School School Leadership Team (“SLT”) Representatives Shari Weiss, Bryan Hall, Marlyne Daniel-Paul, Bonnie Altman, Robert Kanyuk, Marrette Faustin, Carol Smith, and SauYung Chan; Community Education Council (“CEC”) 21 Representatives Stuart Handman, Linda Dalton, Randi Garay, Tim Law, and Yoketing Fry; Council of Citywide High Schools (“CCHS”) Representative Monique Lindsay; John Dewey High School Alumni Association President Michael Dillinger; City Council Member Domenic Recchia, Jr.; and Representative from Assembly Member William Colton’s Office, Mark Trager.

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

1. CEC 21 Representative Stuart Handman and multiple other commenters stated that they do not believe that the 18 D hiring process will result in the hiring of more effective staff than John Dewey High School’s current teachers.
2. CEC 21 Representative Stuart Handman and multiple other commenters stated that parents and potentially even students should be allowed to participate in the 18-D hiring process to ensure transparency and parent engagement.
3. CEC 21 Representative Stuart Handman, City Council Member Domenic Recchia and multiple other commenters stated that safety is a large concern at the school and that the John Dewey campus should not be fenced in because it sends the wrong message to students.

4. CEC 21 Representative Stuart Handman stated that John Dewey High School's 89% attendance rate is strong.
5. John Dewey High School Alumni Association President, Michael Dillinger, SLT Representative, Robert Kenyuck, and multiple other commenters stated that school's data exceeds that of all other schools that are being proposed for closure.
6. John Dewey High School Alumni Association President, Michael Dillinger and multiple other commenters stated that diminishing resources have eliminated many important programs at John Dewey High School such as the dance team, resource rooms, arts programs, and potentially the school's extended day program.
7. John Dewey High School Alumni Association President, Michael Dillinger and multiple other commenters stated that the proposals to phase out and replace schools will cost the DOE approximately \$180 million to implement.
8. CEC Representative Stuart Handman, SLT Representative Robert Kanyuck, and multiple other commenters stated that the graduation rate (including the graduation rate for Students with Disabilities) at John Dewey High School has increased over the past three years and exceeds the citywide average. One commenter also stated that John Dewey's graduation rate has increased by 21% over the past three years while the citywide graduation rate increased by only 14%.
9. SLT Representative Robert Kanyuck and multiple other commenters stated that John Dewey High School's college readiness data exceeds that of most schools in the city.
10. SLT Representative Robert Kanyuck and multiple other commenters stated that the 9<sup>th</sup> grade credit accumulation rate at John Dewey High School has dramatically improved over the last 3 years.
11. SLT Representative Robert Kanyuck stated that John Dewey High School received a C on its Progress Report because it's School Environment score was an F. However, due to the change in leadership they have already witnessed signs of improvement with respect to school safety and environment.
12. SLT Representative Marrette Faustin, CCHS Representative Monique Lindsay, and multiple other commenters stated that this turnaround strategy of closing and replacing a school overnight is not research based and that there is no evidence to support that it will be successful.
13. SLT Representative Marrette Faustin and multiple other commenters stated that John Dewey High School used to be revered as one of the best high schools in the city and received many accolades in the press.
14. CEC 21 Representative Stuart Handman, CCHS Representative Monique Lindsay and multiple other commenters stated that this proposal is a political response to a dispute between the DOE and UFT regarding teacher evaluations in which students are the victims.
15. Representative from Assembly Member William Colton's Office, Mark Trager, and multiple other commenters stated that John Dewey High School needs more resources and support rather than closure.
16. Representative from Assembly Member William Colton's Office, Mark Trager, and multiple other commenters stated that changing the name of a school will not significantly lead to its improvement.
17. Council Member Domenic Recchia and multiple other commenters stated that they asked the DOE for a leadership change for several years before the DOE acted on it.
18. Council Member Domenic Recchia stated that John Dewey High School is in debt for \$2 million and should not be penalized for it.
19. Council Member Domenic Recchia and several other commenters stated that the strong programs at John Dewey High School, such as Council for Unity, such be preserved.

20. One commenter stated that there is no plan to bring in new programs under the new school proposal as John Dewey High School already has a Visual and Media Arts program that they plan to expand.
21. Multiple commenters stated that changing the name of John Dewey High School will strip the school of its important history and leave alumni without a school to which they can return.
22. Multiple students commented that they began their high school careers at John Dewey High School and want to graduate from John Dewey High School, not a school with another name.
23. Multiple commenters stated that they have seen noticeable changes in the school since the new principal, Kathleen Elvin, became the school leader three weeks ago. They asked that the DOE give Ms. Elvin and the school's Educational Partnership Organization, Institute for Student Achievement ("ISA") a chance to improve before closing it.
24. Multiple commenters stated that there are strong teachers who look after their students at John Dewey High School. Several students expressed concerns about obtaining college recommendation letters from teachers if the school is closed and the staff is replaced.
25. Multiple commenters expressed concerns regarding the continuation of the unique courses, clubs, and extra-curricular activities at John Dewey High School, such as the Chinese Bilingual Program. Commenters also stated that John Dewey High School was founded under an independent study model for students that should be reinstated.
26. One commenter stated that the statistics used to determine the Persistently Low Achieving ("PLA") list are out of date and that John Dewey High School no longer qualifies as PLA.
27. One commenter questioned whether the decision has already been made to phase out and replace John Dewey High School.
28. One commenter questioned whether John Dewey High School will continue to work with ISA.
29. One commenter asked whether students have the opportunity to transfer to a different school if specialized programs and classes are not preserved in the new school.

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

30. One commenter noted that the DOE is trying to colonize John Dewey High School.
31. Multiple commenters voiced general opposition to the current mayoral administration and policies that have been enacted during the time of the administration.
32. One commenter noted that issues of educational inequality disproportionately impact students of color and economically disadvantaged communities.
33. Multiple commenters stated that the opening of charter schools and small high schools, including those on the Lafayette campus, have impacted large high schools, sending them students who did not want to attend and warehousing the highest need students.
34. John Dewey High School Alumni Association President, Michael Dillinger stated that the school's auditorium is now being used to warehouse students in detention.
35. One commenter noted that the young people are doing a good job organizing and voicing their concerns about the impact of this proposal and others like it. The commenter noted that it was because the students walked-out of school one day that the former principal was removed.
36. One commenter stated that there are not art classes at John Dewey High School.
37. One commenter stated that John Dewey High School became overcrowded as a result of the closure of schools like Lafayette High School.
38. One commenter stated that the Panel for Educational Policy meeting in which the panel votes on the proposal should be held at the school.

39. One commenter stated that the Panel for Educational Policy members are all puppets of the mayor and have never voted against a proposal he has created.

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

An information session concerning the closure and replacement of schools was hosted by the Brooklyn Borough President at Brooklyn Borough Hall on March 12, 2012. The DOE attended that meeting to provide information to community members and answer questions.

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

40. One commenter expressed concern about students dropping out of schools as a result of this proposal, and asked about what percentage of the cohorts are leaving before graduation.
41. One commenter asked about the financial cost of all turnaround proposals and recommended using the funds to instead support the existing schools, teachers, and programs.
42. One commenter stated that it is wrong to close schools because of a disagreement between the union and the mayor.
43. One commenter stated that the school was promised the Restart model, and the staff is getting worn down by broken promises.
44. One commenter stated that Restart at John Dewey High School is working.
45. One commenter stated that Restart is a 3-year model, but is being changed after one and a half years.
46. One commenter asked why Boys and Girls HS got 2 consecutive F grades on its progress report, but isn't being closed.
47. One commenter asked why the DOE is closing schools that recently received A or B grades on their progress report.
48. One commenter asked who will write recommendation letters for students applying to college.
49. One commenter stated that parents should be included on 18-D hiring committees.
50. One commenter questioned the DOE's ability to fix schools in light of some minor confusion regarding joint public hearing dates.
51. One commenter asked from where all the new teachers will be hired.
52. One commenter asked about accountability in future years with the replacement schools. Specifically, if the replacement schools do not progress, will the DOE close them and open another new school?
53. One commenter asked about how a new school will be more successful when the student population being served will be exactly the same?
54. One commenter stated that losing teachers will make students feel abandoned.
55. One commenter stated the name John Dewey High School means a lot to students and faculty.
56. One commenter stated that there has been an increase in Students with Disabilities at the school.
57. One commenter stated that graduation rates at John Dewey High School have been increasing since 2008 and graduation rates for ELL students are 20 points over the citywide average.
58. One commenter stated that there are 16 available Advanced Placement courses at John Dewey High School.
59. One commenter stated that students won the Odyssey of the Mind competition a few weeks ago.
60. One commenter stated that staff worked with advisers and students to develop proposals to improve the Comprehensive Education Plan ("CEP") John Dewey High School is implementing this year. Much of the CEP is in the Educational Impact Statement and staff is offended that the only missing element is the staff that developed the plan.

61. One commenter questioned why we need to change staff to continue the work the existing teachers have started, and that if the school loses staff, this would cause the existing plans and programs to decline.

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

The DOE received the following 37 comments through written and oral correspondence through the dedicated Web site and phone line for this proposal. This includes written testimony submitted by New York State Assembly Member Catherine Nolan.

62. One caller stated that the proposal is disruptive and has no continuity which is causing a tremendous lack of morale for staff.
63. One caller and one written comment referred to the economic impact and cost associated with closing and reopening schools.
64. An alumnus submitted a video statement via YouTube in which she comments on the wonderful experience she had at John Dewey High School. She stated that the experiential learning model was wonderful. She had great advisors, took AP courses, and her experience at the school had a profoundly transformative impact on her life.
65. One commenter stated via email that John Dewey High School should remain open because its college readiness rates are higher than the citywide average, its 9<sup>th</sup> grade credit accumulation rates have increased, and its graduation rate is close to 68%.
66. One commenter also stated that attendance rates have increased to 89%.
67. One commenter stated that there is a great diversity of programs at John Dewey High School and that it is competitive on a state level in robotics, Odyssey of the Mind, and Health Occupations Students of America.
68. One commenter asked the DOE to give John Dewey High School more resources.
69. One commenter asked the DOE to remove the 9 Restart schools from the list of school closures and honor their word by giving the designated Restart schools the full three years that were designated for the schools to make improvements beginning with the 2011-2012 school year.
70. One commenter asked the DOE to return the SIG (School Improvement Grant) funds that were placed on hold and then rescinded less than half way into the school year, to the designated Restart schools enabling them to continue to make the necessary changes for improvements in conjunction with the educational partners (EPO's).
71. One commenter asked the DOE to begin in earnest, the serious work of educating the high needs students in NYC's struggling schools by working with teachers to develop systems which address the needs of the students regardless of the challenges they face.
72. One commenter asked the DOE to end the policy of school closures which only causes chaos and instability for the school community while undermining the successful programs and systems that have been put in place and that support student progress
73. One commenter asked if there will be delays in the implementation of the Common Core Learning Standards as a result of these proposals.
74. 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.
75. One commenter stated that all of the closure/replacement proposals will result in the shuffling of teachers from one school to the other.
76. One commenter asked about which schools have implemented the 18-D process successfully, how this was done, and how the success was measured.

77. 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.
78. One commenter asked what supports are being offered to schools being closed and replaced.
79. 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).
80. One commenter asked about the timeline for the implementation of the new model.
81. One commenter asked about the supports that networks and other entities have provided to the schools that are in PLA/SINI status or have declining progress report grades.
82. One commenter asked about how summer school will be implemented.
83. 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.
84. One commenter asked about the impact of the new schools and implementing the closure/replacement approach.
85. One commenter asked about who makes up the planning team for each school.
86. One commenter asked if the state mandates a JIT review for every school that is Restructuring, Year 1; Restructuring, Advanced; and Persistently Lowest Achieving.
87. 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.
88. One commenter asked if the JIT reports are available to the public.
89. One commenter asked if the proposed new school will receive over-the-counter, ELL, and over-age under-credited students.
90. One commenter asked if rising ninth-grade students can opt out of a turnaround school.
91. 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?
92. 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.
93. One commenter asked if the DOE will have to repay the funding spent on the contracts for restart schools.
94. One commenter asked if a new school replacing a restart school can choose not to keep its EPO.
95. One commenter states that all of the peer schools against which John Dewey High School is compared have an above average graduation rate (as compared to the citywide graduation rate).
96. One commenter states that the DOE is to blame for John Dewey High School's low demand because of the bad press about Dewey's performance.
97. One commenter asked the DOE to remove the metal detectors, give students back their lockers, and open the campus.
98. One commenter stated that John Dewey's peer schools are not as large and do not served the same percentage of ELL students as John Dewey High School.
99. One commenter stated that the school's EPO, ISA is being paid over \$400,000 which is coming out of John Dewey High School's budget because the school is not receiving SIG funding. The commenter stated that this has led to the closure of resource centers at the school

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

100. One caller commented that the Panel for Educational Policy meeting in which the panel votes on the proposal should be held at the school.

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

Comments 1, 12, 76, and 77 relate to the effectiveness of this strategy and 18-D process; specifically which schools have done this successfully in the past, 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:

- o 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.
- o 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.
- o 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.
- o 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.
- o 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.

Comments 2 and 49 concern parent involvement on 18-D personnel committees.

The Personnel Committee for these new schools will consist, at a minimum, of the following five representatives: the school principal, two designees of the UFT President, and two designees of the Chancellor. This is consistent with how the 18-D personnel committees have functioned in previous situations.

Comments 3 and 97 relate to school safety and request the DOE to remove the existing metal detectors and fence around the school.

Safety issues have been a concern at the school in recent years. On the 2010-2011 New York City School Survey, only 77% of students reported feeling safe in the hallways, bathrooms, and locker rooms. In addition, only 58% of teachers reported that discipline and order were maintained at the school. This response is in the bottom 25% of high schools Citywide.

Pursuant to Chancellor's Regulation A-414, every school/ campus is mandated to form a School Safety Committee, which is responsible for developing a comprehensive School Safety Plan that defines the normal operations of the site and what procedures are in place in the event of an emergency. School Safety Plan is updated annually by the Committee to meet the changing security needs, changes in organization and building conditions and any other factors; these updates could also be made at any other time when it is necessary to address security concerns. The Committee will also address safety matters on an ongoing basis and make appropriate recommendations to the Principal(s) when it identifies the need for additional security measures. If this proposal is approved the School Safety Committee of the new school can discuss the necessity of the fence around the school campus and the metal detectors and whether it might be possible to remove them.

Comments 4, 5, 8, 9, 10, 11, 13, 57, 65 66, 97 relate to the school's performance data, credit accumulation rate, graduation rate, attendance rate, and reputation as grounds for allowing the school to remain open.

As evidenced by some data, certain elements of John Dewey High School are worth preserving in the New School. We acknowledge these results and commend the hard work of teachers, staff, and the larger school community. For example:

- o The graduation rate at John Dewey High School has shown some increase in the past few years, rising from 55% in 2007-2008 to 66% in 2010-2011. Additionally, the school has been able to graduate an increasing number of students in six years. The 2010-2011 six year graduation rate was 72%, higher than the 2007-2008 six year graduation rate of 66%.<sup>1</sup> The DOE believes that with new programs and a push to improve teacher quality, the New School could expand this recent improvement in overall student outcomes.
- o John Dewey High School appears to be having some success in graduating over-age students. Forty-nine percent of over-age students graduated in four years, which is in the 73rd percentile Citywide for this measure. The DOE will seek to preserve John Dewey High School's efforts to support these students in New School, while implementing new supports to assist other student populations who continue to struggle at John Dewey High School, including Black and Hispanic males.
- o Attendance rates at the school remain relatively strong at 89%, indicating that students continue to come to school eager to learn. Improving instruction and school organization at the New School could result in increased learning for the many students currently attending John Dewey High School who would now attend New School.

We also acknowledge that John Dewey High School has a strong legacy in the community and was once regarded as a quality school. However, student achievement is not as strong as it needs to be, and the rate of improvement is too slow.

SED identifies high schools as PLA if their four-year graduation rate is below 60 percent for three years in a row, or if their students' performance on the English and Math Regents exams is among the lowest five percent of schools in New York State and the school's results have not improved significantly in the previous three years. John Dewey High School was identified as a PLA school in 2009-2010 and again in

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<sup>1</sup> Throughout the EIS, individual school's graduation rates for all years are those reported on the NYCDOE Progress Reports. For the citywide graduation rate, the most recent result available is New York State's calculation for the class of 2010, which was 65.1%. New York State's calculation of New York City's 2011 citywide graduation rate will not be available until New York State completes the verification of the graduation rate and releases it in spring 2012. The Progress Report and New York State graduation rates both include August graduates and are generally similar.

2010-2011 because of its consistently low four-year graduation rates.

John Dewey High School has struggled to improve, and its performance during the last few years confirms the DOE's assessment that the school requires more significant intervention to improve student outcomes. The DOE believes that the most recent data supports taking more aggressive action at this time by closing John Dewey High School and opening New School. The new structural and programmatic elements that are part of this proposal, and the ability to quickly screen and hire staff who are able to implement those enhancements, will allow the DOE to address the core problems that have led to the poor performance highlighted below.

- o The Progress Report measures the progress and performance of students in a school as well as the school environment, compared to other schools serving similar student populations. John Dewey High School earned an overall C grade on its 2010-2011 annual Progress Report, with a C grade on Student Progress, a D grade on Student Performance, and an F grade on School Environment. John Dewey High School has earned an overall C grade on its last four Progress Reports.
- o Safety issues have been a concern at the school in recent years. On the 2010-2011 New York City School Survey, only 77% of students reported feeling safe in the hallways, bathrooms, and locker rooms. In addition, only 58% of teachers reported that discipline and order were maintained at the school. This response is in the bottom 25% of high schools Citywide.
- o John Dewey High School was rated "Developing" (D) on its most recent Quality Review in 2010-2011.<sup>2</sup> Quality Reviews evaluate how well schools are organized to support student learning. John Dewey High School's 2010-2011 Quality Review cited a number of serious concerns, including inadequate differentiation of instruction to support individual student needs, and uneven levels among staff of analysis of student work and data to allow teachers to modify teaching practice to support students' individualized needs.
- o Credit accumulation is a key predictor of student success because students who fall behind early in high school often have trouble getting back on track to graduate. In 2010-2011, only 61% of second-year students at John Dewey High School earned at least 10 credits. (The Progress Report defines students earning 10 or more credits as students who earn at least 6 of those 10 credits in 3 of the following 4 subjects: Math, English, Science and/or Social Studies.) This rate of credit accumulation puts John Dewey High School in the bottom 19% of high schools Citywide.

The statement that John Dewey High School's graduation rate has improved at a faster rate than the citywide graduation rate is inaccurate. Since 2007, the citywide 4 year graduation rate has increased by 12 % (from 53% to 65%) while John Dewey's 4 year graduation increased by 11 % (from 55% to 66%). Furthermore, John Dewey High School's most recent graduation rate is in the zero percentile compared to its peer schools (schools that serve a similar population of student). In other words, compared to other schools that serve a similar population of students John Dewey High School is by far the lowest performing.

Comments 6, 15, 36, and 68 relate to the sufficiency of resources at the school.

The basic operating budget for John Dewey High School 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 high schools is \$4,207.47.

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<sup>2</sup> Quality Reviews rate school on the following four-point scale: "Underdeveloped" or "U" (the lowest possible rating), "Developing" or "D," "Proficient" or "P," and "Well Developed" or "WD" (the highest possible rating). For more information about Quality Reviews, please visit the DOE's website at: <http://schools.nyc.gov/Accountability/tools/review>.

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, high schools received an additional \$2,043.69 per pupil for each ELL student they enrolled. At the high school level, supplemental funds are also awarded to each student who requires special education services, or who is performing below grade level upon enrollment. In the case of students who fall into more than one of these categories, schools are awarded supplemental funding to meet all of those needs.

While schools receive supplemental support for students with disabilities through FSF, that only represents part of the funding provided to support those students. Schools are budgeted to meet the needs of their students with disabilities as defined by their IEPs. If this proposal is approved, funding will be provided to meet the needs of all students with disabilities at New School in accordance with their IEPs.

FSF covers basic instructional expenses and FSF funds may, at the school’s discretion, be used to hire staff, purchase supplies and materials, or implement instructional programs. As the total number of students enrolled grows, the overall budget will increase accordingly, allowing the school to meet the instructional needs of its larger student population. Similarly, if the total number of students enrolled falls, the budget shrinks accordingly, as the school will need fewer supplies and potentially a smaller staff.

John Dewey High School experienced a reduction in budget in FY11 and an increase in FY12:

2010	2011	2012
17,449,453	16,821,381	17,249,257

Furthermore, if this proposal is approved by the PEP, and the State approves New School to implement the turnaround model, New School may receive up to \$1,650,000 in supplemental federal funding under the federal School Improvement Grant (“SIG”) program.

Comments 7, 41, and 63 concern the financial cost of all the proposals to close and replace schools.

In New York City schools are funded through a per pupil allocation. That is, funding “follows” the students and is weighted based on students’ grade level and needs (as indicated by their incoming proficiency level and special education/ELL/Title I status). If a school’s population declines from 2,500 to 2,100 students, the school’s budget decreases proportionally—just as a school with an increase in students receives more money. Even if the Department of Education had a budget surplus, a school with declining student enrollment would still receive less per pupil funding each year enrollment falls.

New schools are funded in the same manner as other schools: funding follows the students and is based on need (incoming proficiency level and special education/ELL/Title I status). While it is true that new schools receive start-up funding, the start-up funding they receive is an average of \$30,000 per year over the first five years for an elementary or middle school and \$34,000 for a high school. These annual amounts are not even large enough to cover the salary of a first year teacher.

Further, John Dewey High School has struggled for several years. The school earned an overall C grade on its 2010-2011 annual Progress Report, with a C grade on Student Progress, a D grade on Student Performance, and an F grade on School Environment. John Dewey High School has earned an overall C grade on its last four Progress Reports. In 2010-2011, only 61% of second-year students at John Dewey High School earned at least 10 credits. This rate of credit accumulation puts John Dewey High School in the bottom 19% of high schools Citywide. As a result, the DOE believes that it is important to provide another option to students now. 21K415 will continue to receive funding based on per pupil allocations weighted based on students’ grade level and need.

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 Absent Teacher Reserve (“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.

Furthermore, to the extent that commenters contend that the turnaround proposals will cost the City \$180 million as a result of supporting excessed teachers in the ATR. This estimate depends upon several inaccurate and improbable assumptions: First, it assumes that 50% of the staffs in the 33 schools originally proposed for closure and replacement will be replaced. However, the DOE has since withdrawn several proposals. Furthermore, that estimate does not take into account that new schools may in fact hire back more than 50% of current staff. Second, the estimate 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. Therefore, these staff members will not join the ATR

Comments 14 and 42 state that the closure and replacement strategy is a political strategy, rather than one aimed at improving student achievement.

As stated above, the DOE believes that closing John Dewey High School and replacing it with 21K415 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 can support student success. However, even if the DOE does not receive SIG funding as a result of this proposal, the DOE believes 21K415 will be better positioned to promote student achievement than is John Dewey High School, in light of John Dewey’s inability to improve.

Comments 15 and 81 relate to the support given to PLA or struggling schools in the past.

PLA and struggling 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, John Dewey’s Children First Network has sought to support the school in order to ensure that it was equipped to provide a quality education for its students.

**Leadership Support:**

- Provided leadership training for the principal and school leadership to help them set clear goals for the school and implement the citywide instructional expectations.
- Coordinated professional development for school leaders to implement strategies to improve instruction, including aligning teacher practice with the Danielson framework, ensuring teachers receive actionable feedback, and utilizing inquiry teams of teachers to analyze student work.

**Instructional Support:**

- Provided professional development to teachers to align curriculum maps to the Common Core Learning Standards.
- Supported teachers and staff in supporting English Language Learner (“ELL”) students, including compliance, scheduling needs, data analysis, and other supports and strategies for improving instruction and plans for ELL students.

- Offered professional development to teacher teams on successful ways to promote student progress through teacher collaboration and analysis of student work to inform and improve teacher practice

**Operational Support:**

- Advised school staff on budgeting, human resources, teacher recruitment, and building management.
- Assisted teachers and staff with 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.
- Assisted school counselors and staff in developing strategies and practices for improving student attendance and creating strategies for targeting attendance concerns.
- Supported the school in service management, ensuring partnerships with non-profit organizations like Council for Unity and Aspira that promote leadership development, peer mediation, gang prevention, and service learning.<sup>3,4</sup>

Even with these supports, however, the DOE has determined that John Dewey High School does not have the capacity to quickly improve student achievement. Rather, the DOE believes that the most expeditious way to improve the educational program at John Dewey High School 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 students who will not graduate before the start of the 2012-2013 school year access to an improved faculty.

Comments 16 and 53 relate to how the closure/replacement plan will produce more successful schools when the student body remains the same, and purportedly all that is changing is the name.

The DOE believes that the low student outcomes and underperformance of the PLA schools proposed for closure are the effect of a confluence of factors, including organizational structures, some members of the school staff, and in some cases, some members of the school leadership. However, the DOE believes that all of these students are capable of high achievement, and that the replacement schools will be able to realize the potential of these students.

In fact, in June 2010 MDRC, an independent research group, issued a report on NYC’s new small schools strategy. MDRC concluded: “it is possible, in a relatively short span of time, to replace a large number of underperforming public high schools in a poor urban community and, in the process, achieve significant gains in students’ academic achievement and attainment. And those gains are seen among a large and diverse group of students — including students who entered the ninth grade far below grade level and male students of color, for whom such gains have been stubbornly elusive.” (MDRC, “Transforming the High School Experience,” June 2010.)

Please also see the response to comments 1, 12, 76 and 77.

Comments 17 and 35 relate to the past school leadership and the reason for removal of the former principal.

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<sup>3</sup> For more information about Council for Unity visit the website: <http://www.councilforunity.org/aboutUs.php>

<sup>4</sup> For more information about Aspira, visit the website: <http://www.aspira.org/en/aspira-new-york>

The DOE assesses the leadership of its schools on an ongoing basis. Principals are also rated annually by their superintendent in what is known as the Principal Performance Review. The DOE cannot discuss specific personnel matters publicly except to explain that there is regular oversight of school leadership.

Comment 18 relates to John Dewey's financial status and whether the school is \$2 million in debt.

John Dewey High School experienced a mid-year register loss of \$1,465,879 and now has a current deficit of \$ 1,096,767. However, if the proposal is approved, the budget for the New School will not carry over any surplus or deficit from the closing school.

Comments 19, 20, 23, 25, 28, 58, 59, 61, 64, 67, 71 relate to existing programs, the preservation of successful programs, and the incorporation of new programs in the new school to ensure that the needs of all students are met.

As noted above and in the Educational Impact Statement, certain elements of John Dewey High School demonstrate progress and are worth preserving in the New School. If this proposal is approved, the DOE will work with the new school to ensure a smooth transition of the programs outlined below from John Dewey High School to the new school. Please review section III.A. of the EIS for more details about which existing John Dewey High School programs are proposed to be continued and/or expanded upon by New School, and what types of new programming and initiatives New School plans to implement. In particular, it should be noted that, at this time, New School plans to continue and expand the partnership with John Dewey High School's EPO, ISA; offer the transitional bilingual program in Chinese that is currently available to John Dewey High School students; plans to continue offering Advanced Placement courses, plans to continue offering the same CTE programming currently available at John Dewey High School; and the DOE plans to assist with the smooth transition of all John Dewey's High School's current partnerships to New School, including the Council for Unity partnership. Furthermore, New School plans to implement a revised instructional model, which includes, among other things, developing four new, small learning communities ("SLCs") and aligning admissions programs with the new SLCs. With respect to initiatives related to high needs students, New School intends to implement the Distributed Counseling model to create an environment where counselors and teachers commit to knowing all students well (including those with special needs) in order to establish a sustained and trusting teacher-student relationship that influences student performance, motivation and achievement, and reduces discipline incidents and suspensions.

Comments 21, 22, and 55 refer to concerns about changing the school's name.

The DOE recognizes that John Dewey High School's name and legacy is important to the school community however, all schools must have unique names and a different school identification number (or DBN), therefore the exact name of a closing school may not be assigned to a new 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. They may propose a new school name which incorporates "John Dewey," as long as there are additional and/or different elements to the name. As with all school names, the Chancellor retains final decision-making authority.

The K540 building will remain in tact, as will the trophies, sports banners, and other memorabilia with the John Dewey High School name. Alumni are encouraged to continue to participate in reunions and alumni associations.

Comment 24 refers to the quality of teachers currently at John Dewey High School.

All teachers from John Dewey High School are invited to apply for a position in the new school. The Personnel Committee formed as part of the 18-D process will evaluate each applicant's qualifications and seek to hire the best staff for the new school. As indicated above, the DOE seeks to maintain the aspects of John Dewey High School that have led to progress and this includes the high quality teachers. There is no set percentage or limit on the number of staff from the closing school who can be hired to work at the New School.

Comment 24 and 48 concern how students will obtain letters of recommendation for college.

Students will still be able to request that their teachers write recommendation letters for high school, college, or for jobs. The DOE anticipates that whether or not the teachers remain in the replacement schools, this will not impact their willingness to support students in this manner. Further, the new schools will assist students in locating teachers who may not be employed at the new school following approval of this proposal.

Comment 26 refers to John Dewey's PLA status and the data used to determine it.

SED identifies high schools as PLA if their four-year graduation rate is below 60 percent for three years in a row, or if their students' performance on the English and Math Regents exams is among the lowest five percent of schools in New York State and the school's results have not improved significantly in the previous three years. John Dewey High School was identified as a PLA school in 2009-2010 and again in 2010-2011 because of its consistently low four-year graduation rates. According to the state's graduation rate methodology, John Dewey High School had a graduation rate below 60 percent for the All Students group on its 2003, 2004, and 2005 graduation rate cohort.

Comments 27 and 39 relate to the Panel for Educational Policy (PEP) decision and whether the decision to approve this proposal has already been made.

The PEP will vote on this proposal at the April 26, 2012 Panel meeting, which will take place at 6:00PM at Prospect Heights Campus located at 883 Classon Ave, Brooklyn, NY. No decision regarding this proposal has been made yet.

The Panel for Educational Policy (PEP) consists of 13 appointed members and the Chancellor. Each borough president appoints one member and the mayor appoints the remaining eight. The Chancellor serves as an ex-officio non-voting member.

Comment 29 refers to students' ability to request a transfer if certain programs are not available at the new school.

The DOE believes that 21K415 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. 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 John Dewey High School, 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 56 relates to the population of Students with Disabilities at the school.

The number of Students with Disabilities at John Dewey High School has actually decreased since 2006. In 2006, 10% of students attending John Dewey High School had Individual Education Plans (“IEPs”). In 2010-2011, the number of students with IEPs decreased to 9%. This is well below the average percentage of students with IEPs citywide, which is 15% and in the borough of Brooklyn, which is also 15%. Furthermore, all schools are expected to serve Students with Disabilities and English Language Learners and they are expected to serve them well. John Dewey High School is doing relatively well in terms of serving Students with Disabilities and English Language Learners. The school received additional credit on its 2010-2011 Progress Report for their 4-year graduation rate for English Language Learners which is in the 58<sup>th</sup> percentile of schools citywide. John Dewey High School is also in the 66<sup>th</sup> percentile of all schools citywide in terms of its 4 year graduation rate of students with Individual Education Plans (“IEPs”).

Comment 37 relates to overcrowding at the school.

K540 has a target capacity of 2,479 students.<sup>5</sup> In 2011-2012, the building is serving 2,102 total students,<sup>6</sup> yielding a utilization rate of 85%.<sup>7</sup> This means that the building is “underutilized” and has extra space to accommodate students.

Comment 40 asks about the percentage of students not graduating.

In John Dewey High School for the 2010-2011 school year, only 66% percent graduated in four years, and only 72% percent graduated in six years. The DOE anticipates that the percentage of students who graduate from the new school will increase.

Comments 43, 44, 45, and 69 state that some schools were originally slated for other intervention models and should be allowed to continue implementing those models.

John Dewey High School was originally placed in the Restart model in May 2011. After further consideration based on both the 2010-2011 school progress report and feedback from SED about the pace of change in PLA schools, the DOE concluded that a number of PLA schools, including John Dewey High School, should be closed and replaced with new schools. The DOE’s intention in proposing the closure and replacement of these schools is to rapidly create an improved instructional environment that incorporates the best elements of the existing school with new elements in a new school, including an improved faculty that is better positioned to accelerate student learning.

By closing John Dewey High School 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 improve the quality of teachers serving students currently attending John Dewey High School.

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<sup>5</sup> 2010-2011 Enrollment, Capacity, Utilization Report (“Blue Book”).

<sup>6</sup> 2011-2012 Audited Register.

<sup>7</sup> All references to building utilization rates in this document are based on target capacity data from the 2010-2011 Blue Book. Utilization rates referenced for the 2011-2012 school year is based on audited enrollment and do not include Long Term Absences (“LTAs”), students who have been absent continuously for 30 days or more as of the 2011 audited register. This methodology is consistent with the manner in which the DOE conducts planning and calculates space allocations and funding for all schools. In determining the space allocation for co-located schools, the Office of Space Planning will conduct a detailed site survey and space analysis of the building to assess the amount of space available in the building.

Comment 46 asks about why another school which has also been identified as PLA and has low progress report grades is not being closed.

Decisions such as school closure and replacement are made on a case by case basis. There are a number of PLA schools which are not being proposed for closure/replacement and for which the DOE has not submitted new SIG applications to SED. This is because the DOE believes that the schools are making significant improvement as they are currently structured, and that closure/replacement would not assist the pace of this improvement.

Comment 47 asks about schools proposed for closure that received an A or B on the 2010-2011 progress report.

The DOE originally proposed these schools for closure and replacement because student achievement is not as strong as it needs to be, and/or the rate of improvement is too slow.

However, based upon feedback received from the school communities and additional review by senior leadership at the Department, the DOE concluded that the improvements at these schools are sustainable and could lead to a successful school environment without closure and replacement. On April 2, 2012 the DOE decided to withdraw the proposals to close and replace the seven schools which received an A or B grade on the 2010-2011 progress report. The DOE has also withdrawn the corresponding SIG applications for implementing the Turnaround model that it submitted to the state for these schools.

Comment 50 concerns the scheduling of joint public hearings for proposals regarding Cobble Hill School of American Studies and Franklin Delano Roosevelt High School.

A handout for these proposals, which was distributed at the Brooklyn Borough President's Forum on turnaround schools, contained errors regarding the hearing dates for these two schools. However, all communications with the schools themselves, and the notices which were backpacked home with students, contained the correct dates.

Comment 51 relates to from where all the new teachers will be hired.

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 a 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 school to be directly 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.

Any remaining teacher vacancies will then be filled by the Personnel Committee from applicants from the existing teacher pool, or as with all new district schools, if the school is unable to find sufficiently qualified applicants from within the existing teacher pool, the school will be provided an exception to hire up to 40% of its teaching positions from outside of the current teacher pool.

Comment 52 refers to accountability in future years with respect to the replacement school.

The DOE holds all of its schools to the highest standards and counts on each school to provide a high-quality education to its students. If a school isn't getting the job done for students – whether it was opened recently or not – the DOE is compelled to take serious action to ensure its students don't fall even further behind.

The DOE anticipates that the replacement schools will be successful. However, when new schools created under this administration struggle, the DOE follows the same process to phase out and replace that school.

Comment 60 relates to the proposed curriculum and programming at New School described in the Educational Impact Statement.

New School proposals were developed by the proposed new school leader and/or a new school planning team. As discussed in the EIS, there are often some successful elements from the existing school that New School will seek to replicate and build upon. However, the New School's plan is not a recapitulation of the John Dewey High School's CEP. For example, the plan for New School proposes the addition of three new Ed Opt admissions programs and a reduction in the 9<sup>th</sup> grade seat target for the remaining admissions programs. These programmatic elements are not included in John Dewey HS's CEP.

Comments 62, 72, and 84 relate to the disruptiveness and impact of closing and opening schools.

The DOE believes that the strategy of closing and replacing PLA schools will provide a better educational option to current students more rapidly and with more certainty than current interventions, which were simply not adequate in order to achieve the desired outcomes for current and future students. The closure/replacement strategy will preserve the elements of John Dewey High School that have led to improvement, while giving the new school the wherewithal to build upon it and accelerate the pace of change.

By closing this school and replacing it with a 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 Educational Impact Statement for this particular proposal.

Comment 70, 91, and 92 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 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 the New York State Education Department 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 \$1.65M per year as part the School Improvement Grant 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 73 asks about delays in implementation of Common Core as a result of this proposal.

This proposal will not delay the implementation of the Common Core Learning Standards into curriculum and classroom instruction. In fact, 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 74 asks about the engagement process and what part students, parents, and the community play in the process.

Last Spring, the Department 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 John Dewey High School was posted on March 5, 2012. The DOE solicited feedback from parents through the Joint Public Hearings, which for John Dewey High School was held on April 17, 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 Brooklyn, held at Brooklyn Borough Hall on March 12, 2012, concerning the proposals to close and replace schools, 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.

Comment 75 suggests these plans will result in teachers moving between PLA schools.

A guiding principle of this work is to effectively match teacher capacity to the needs of the students. The new replacement schools will seek to hire those teachers they believe will be effective and well-matched to their new missions.

Pursuant to the City's teacher contract, if this proposal is approved, pedagogical staff who apply to work at the New School will be reviewed by a school-based Personnel Committee. The proposed new leader will develop qualifications for positions in the New School, and the Personnel Committee will consider each candidate who applies. All teachers from the current school are eligible to apply to work at the new school. If sufficient numbers of staff from the closing school apply, at least fifty percent of the New School's pedagogical positions must be selected from among the appropriately licensed most senior, qualified applicants. There is no set percentage or limit on the number of staff from the closing school who can be

hired to work at the New School. Decisions are made by the Personnel Committee of the New School. As stated in the EIS, current teachers from John Dewey High School 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 Absent Teacher Reserve (“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 78 asks about the supports offered to the 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 School Improvement Grant funding, Educational Partner Organizations (“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 79 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 79 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 80 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 posted here: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/April2012Proposals.htm>.

Comment 82 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 with 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 83 asks about measurement of the new schools' student outcomes.

New schools replacing closed schools will receive a progress report after the 2012-2013 school year; in other words, a progress report will be issued in the 2013-2014 school year assessing the school's progress during the 2013-2014 school year. The reports issued in 2013-2014 will only be based on those measures which provide "snapshots" of data over a one-year period, such as the percentage of students earning 10 or more credits in their first year for high schools and the percentage of students earning a 3 or 4 on the State Math exam for middle schools.

These schools will not, however, receive an overall progress report grade in 2012-2013, as this measure is dependent upon year over year growth, which will only be available after the schools' second year in existence. Therefore, these schools will receive an overall progress report grade for the first time after the 2013-2014 school year.

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

- Reduce the percentage of students in the All Students subgroup who are performing below the Proficient level (Levels 1 and 2) on SED English language arts and Math assessments by 10% or more from the previous year;
- Attain a minimum Total Cohort graduation rate of 60% after one year of implementation; (or) annually reduce the gap by a minimum of 20% between the school's Total Cohort graduation rate and the State's 80% graduation rate standard (for high schools only).

Comment 85 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 86,87, and 88 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

JIT reviews are performed after the state identifies schools which are failing to make sufficient progress. JITs that were conducted during the 2010-2011 school year, including the one for John Dewey High School can be found here:

[http://www.p12.nysed.gov/accountability/School\\_Improvement/Reports/1011/1011JIT.html](http://www.p12.nysed.gov/accountability/School_Improvement/Reports/1011/1011JIT.html).

Comment 89 concerns whether the new school will serve over-the-counter, 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 over-the-counter ("OTC") students, English language learner ("ELL") students, students with disabilities, and over-age, under-credited students. For more specific information, please refer to the EIS describing the proposal.

Comment 90 asks about whether rising ninth graders can opt out of the replacement school.

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 high school admissions applications had the opportunity to submit a new application during Round Two. Schools with available seats as well as some new high schools designated to open throughout the City for the 2012-2013 school year were available for these students to consider in that round. If a student already received a match in Round One (whether to a school proposed for closure, or any other school), that match will be nullified if the student receives a Round Two match, which are issued at the end of April.

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 John Dewey High School, 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 93 asks if the DOE will have to repay the funding spent on the contracts with EPOs for Restart schools.

The DOE is currently working with six Educational Partnership Organizations (EPO)s 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 necessarily continue if the Department unable to gain access to SIG funding.

Comment 94 asks if a new school replacing a restart school can choose not to keep its EPO.

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 we believe 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 here: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/April2012Proposals.htm>.

Comment 95 relates to the graduation rate of Dewey's peer schools.

The goal of the DOE is to graduate all students prepared for college and careers. While a 66% 4 year graduation rate is above the citywide average, it still means that 34% of students are not graduating. Furthermore, as discussed previously, the DOE considers multiple factors when making the decision to close a school and open a New School. The factors that led to this decision in the case of John Dewey include: concerns with school safety, the percent of 9<sup>th</sup> grade students who earn 10 or more credits places John Dewey High School in the bottom 19% of schools citywide, lack of systems and structures to ensure that all teachers are regularly analyzing student work and data to modify their practice, and the lack of differentiated instruction. Students deserve better and the DOE believes that the New School will be better positioned to serve students well.

Comment 96 contends that bad press about John Dewey High School resulted in low demand for the school.

The DOE supports students' and parents' ability to make an informed choice about school choices. It is likely that students and their parents consider the press written about a school in addition to other factors, such as the 4 year graduation rate when making a decision about where to apply for high school. The DOE does not have control over the press stories that are written about a school and as discussed previously the DOE agrees that the data suggest that John Dewey High School is struggling.

Comment 98 relates to the ELL populations at Dewey's peer schools.

While John Dewey High School may have a larger ELL population than the average of the schools in its peer index, these are not factors that we have found impact a school's Progress Report results, once the other factors included in the high school peer index are taken into account (average 8<sup>th</sup> grade proficiency, percent of students with IEPs, percent of students served in self contained classes, and percent of overage and under credited students). Additionally, there are a number of schools in Dewey's peer index that have a similar ELL population that performed notably better on the 2010-11 Progress Report than Dewey (including Fort Hamilton High School).

Comment 99 relates to John Dewey High School's EPO, ISA.

In September 2011, all schools under going Transformation and Restart, including John Dewey, received an allocation of supplemental funds from the DOE in order to implement their federally approved intervention

model. These awards are additional funds (above and beyond the regular FSF funds that schools receive) that the DOE applied for under the presumption that SED would provide these dollars to the DOE via federal grant dollars. Consistent with the plan for Restart schools, a portion of these supplemental funds is earmarked to pay for the professional development and school management services.

Even though SED has suspended federal grant funding to the Restart schools, the DOE has committed to honor and pay the contracts for the EPOs. This payment will be made from the additional funds that the DOE provided to the schools in September. This cost represents a cost to the central office, since SED may no longer reimburse the DOE for such funds, and is not a direct cost to Dewey.

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.

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.