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Chancellor

Public Comment Analysis

Date: April 25, 2012

Topic: The Proposed Closure of I.S. 339 (09X339) and the Opening and Co-Location of a New School (09X570) with I.S. 313 School of Leadership Development (09X313) in Building X147 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 I.S. 339 (09X339, "I.S. 339"), an existing district middle school in building X147 ("X147"), located at 1600 Webster Avenue, Bronx, NY 10457, in Community School District 9. It currently serves students in grades six through eight. The DOE is proposing to immediately replace I.S. 339 with New School (09X570, "New School"), a new district middle school serving students in grades six through eight, in building X147.

If this proposal is approved, I.S. 339 will close at the conclusion of the 2011-2012 school year. All current students who have not been promoted to high school before the start of the 2012-2013 school year will be guaranteed a seat and automatically enrolled in New School.

I.S. 339 is co-located with I.S. 313 School of Leadership Development (09X313, "I.S. 313"), an existing district middle school that currently serves students in grades six through eight. A "co-location" means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, and cafeterias.

Both I.S. 339 and I.S. 313 admit students through the Middle School Choice Process with priority to students residing in each school's respective zone, and then to students and residents of Districts 9 and 10.

The DOE strives to ensure that all students in New York City have access to a high-quality school at every stage of their education. By closing I.S. 339 and replacing it with New School, the DOE is seeking to expeditiously improve educational quality on the I.S. 339 building. If this proposal is approved, New School will develop rigorous, school-specific competencies to measure and screen prospective staff – including I.S. 339 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. By doing this important work to improve the quality of teaching and learning in the school, the DOE also will maximize New School's chance of receiving up to $1,000,000 each year in supplemental federal funding under the federal School Improvement Grant ("SIG") program for the remainder of the SIG grant. New School will build on the strongest elements of I.S. 339 and incorporate new elements, including new talent designed to better meet student needs. Thus, the immediate closure and replacement of I.S. 339 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 I.S. 339 and I.S. 313.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at school building X147 on March 29, 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 35 people spoke. Present at the meeting were Deputy Chancellor Kathleen Grimm; I.S. 339's School Leadership Team ("SLT") Representatives José Betancourt and Mr. Vasquez; I.S. 313's Principal and SLT Representative Lauren Wilkins; Community Education Council ("CEC") 9 Representatives Marylyn Espada and Carmen Ramos; Marzetta Harris, a representative for Assembly Member Eric Stephenson.

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

1.) Many commenters noted that I.S. 339 has many positive attributes.
   a.) The SLT made a PowerPoint presentation about why I.S. 339 should not be closed:
      - The teachers participate in professional development and have adopted many techniques to improve the school, including a common planning time, differentiated instruction, and tracking data to discern student needs.
      - The school received a grant to give laptops to all students, and resources have been allocated to technology.
      - Students have portfolios and individual conferences with teachers, take part in workshops, learn English language arts ("ELA") skills such as the five paragraph essay, learn a "skill of the day," and take predictive assessments.
      - The school utilizes the following tools: ARIS, Acuity, collaborative inquiry, Reading Plus
      - The school has an active parent association.
      - The school has interventions including peer mediation, AID, and girls sorority.
      - The school's extracurricular activities include after-school ELA and math, the Supplemental Educational Services (SES) program, basketball and football, and sports include track and field, basketball and flag football.
      - The students go on field trips.
   b.) A few students described the positive experiences they had on field trips to Washington D.C., Boston, the Natural History Museum and Six Flags while at I.S. 339, and said that all students deserve to experience these things.
   c.) Students said that the after-school ELA and math programs helped their skills, and that they learn math and ELA skills every day.
   d.) A student said that the school teaches learning skills and life skills.

e.) Many commentators said the school had made a positive impact on many lives and reinforces to students that failure is not an option.
f.) Several commenters said that I.S. 339 could become an "A" school again.
g.) One teacher said that the school has been featured in the news media, including the Village Voice and Frontline, for innovation and technology in the classroom, but that the DOE has not noticed these commendations.
h.) CEC representative Marilyn Espada said she supports I.S. 339. She has visited the school and believes the school is providing a second home to its students. The staff and students at the school are passionate about their belief in the school's ability to succeed, and the school is not failing the way Mayor Bloomberg believes it is.
i.) Many people argued that the principal, Ms. Kim Outerbridge is a good leader who has made good leadership decisions and put into place new professional development offerings.

2.) The SLT presentation and several commenters expressed the belief that the Mayor, the DOE and the school's Childrens' First Network ("CFN") failed I.S. 339.
a.) Several commenters said that it is not fair that Mayor Bloomberg wants to close schools. I.S. 339 went from an A grade to a B grade to a D grade but this regression was not monitored.
b.) Several commenters said that the school did not receive ongoing support.
c.) Several commenters said the school has a large population of English Language Learners ("ELLs") and special education students, and that these students have not received adequate support or attention.
d.) A commenter noted that parents at I.S. 339 have told the DOE that the school needs help but the DOE failed to do what is necessary to keep the school open. The school could have been fixed this year.
e.) Several people noted that closing I.S. 339 and opening a new school in hopes that it will be better next school year is easier than fixing the school. The DOE would rather vote on the speculation of what might happen in the future.
f.) One person asked if the CFN should be held responsible for failing I.S. 339 students.

3.) Many commenters expressed general opposition to school closures.
a.) A commentator said that closing 60 schools in a year says something about the DOE's leadership.
b.) Several commenters stated that the DOE is politically motivated and that Bloomberg's motivation to close schools is political.
c.) Commenters said that the DOE makes decisions on an ad hoc basis in a rushed, hurried and unplanned way.
d.) Several commenters asked if the Turnaround model was part of a bigger political agenda by the Mayor and the DOE, as it is being proposed at multiple schools. These speakers wanted to know why the 33 schools in the Restart and Transformation SIG models did not improve during the 2011-2012 school year.

4.) Several speakers commented on the challenges faced by the student body at I.S. 339.
a.) One speaker said that I.S. 339's designation as a Persistently Lowest Achieving ("PLA") school is due to community challenges, including high levels of poverty and homelessness and many students who are new to the country.
b.) One commentator said that the students at I.S. 339 have faced difficult circumstances including foster care, homelessness, rape, and prostitution.
c.) Several speakers said that students at I.S. 339 are from a tough and unstable community, and closing the school will create more instability.

5.) The SLT presentation and several commenters said that closing schools is not good for students and teachers because it has a high emotional cost.

a.) One commenter stated that closing a school hurts students a lot more than opening a new school.
b.) One commenter stated that school closures drive a wedge into the community.
c.) Commenters said that closure is disrespectful to the school family.
d.) Some commenters noted that there is already great instability at the school and closing the school will create more negative change.
e.) Several commenters noted that they feel sad about the closure of I.S. 339 and have a difficult time explaining the closure to I.S. 339 students.

6.) Several commenters expressed support for the teachers at I.S. 339, and had questions regarding the effect on I.S. 339's staff if this proposal is approved.
a.) Many commenters noted that I.S. 339 has dedicated, hard-working teachers.
b.) Many commenters opined that the teachers at I.S. 339 are some of the strongest they have come across in their careers.
c.) Commentators said that I.S. 339 teachers need more resources.
d.) Several commenters opined that teachers should not have to reapply for jobs they already have.
e.) Several students noted that teachers do a great job and give them the skills they need for high school and life.
f.) A parent of an I.S. 339 student said that current teachers should be evaluated rather than opening a new school with new teachers.
g.) A commenter asked what will happen to the teachers who have been at I.S. 339 for many years.
h.) One commenter wondered if any teachers would be willing to work at a school that has closed.
i.) A speaker noted that losing half of the staff at I.S. 339 would be like losing half of a family.
j.) Commenters said that teachers at the new school will not understand the unique challenges of the I.S. 339 students.
k.) One commenter asked the DOE administrators to share their personal experience of working with I.S. 339 teachers. If the DOE does not have personal experience, the commenter wants to know why the DOE is rushing to the drastic decision to close the school.
l.) One commenter asked what new programs will be put in place to assist teachers in dealing with disruptive and distracting students who are interfering with teaching and learning at I.S. 339.
m.) Commenters asked about how the restructuring will affect teachers and what percentage of teachers will be re-hired at the new school.
n.) One commenter asked how the Turnaround strategy can be effective if the DOE is required to keep staff based on seniority.
o.) One commenter said that teachers should not be blamed for the school's failure because I.S. 339's students are rude and parents do not discipline their children.

7.) One teacher asked why past data is determining I.S. 339's future. I.S. 339 students have not yet had a chance to take this year's state tests yet so it is unclear whether the students and the school have made progress this year.

8.) Many commenters expressed their opposition to implementation of the Turnaround model at I.S. 339.
a. Assemblyman Eric Stephenson's representative and many commenters said that they oppose the decision to close the school, and implored the DOE to reconsider closing the school.

b. Commenters noted that I.S. 339's leadership has not been given a chance to improve the school.
c. Some commenters noted that SIG money and the Transformation model helped the school.
d. Several commenters asked why the school was moved from Transformation to Turnaround and has to close in the process.
e. One commenter asked what institutional obstacles stood in the way of I.S. 339 adopting Transformation elements (including scheduling changes and new interventions) and now necessitate school closure.
f. Several commenters asked for data and evidence that the new school can turn around.
g. Several commenters stated that the school has closed and re-opened before and this did not lead to better outcomes for students, and asked why the DOE wants to pursue an ineffective strategy.
h. One commenter noted that I.S. 339 has a large ELL population (about 30% of students), and over the past years, the school has taken steps to address their needs. The EIS noted that the new school will "build on the initial success" of I.S. 339's program and continue to offer mandated services. The commenter wanted to know why New School is a better option if its approach to ELLs will be the same as the current approach at I.S. 339.
i. One commenter asked how turning over the administration will help.
j. Commenters note that a new name at a new school with new teachers is not the solution. The DOE is using a quick fix to the problem at I.S. 339 by getting rid of the teachers but this plan shows a defeatist mentality; the DOE should address the school's core needs instead of closing the school.
k. A few commenters asked what type of lesson it sends to students to close and reopen a school, and stated that working together to fix the school is a better solution.
l. Commenters asked whether the strategy will make a difference, and what will happen if the school's scores do not improve.
m. Commenters said that the DOE should focus on smaller classes, stronger curriculum and keeping good teachers.

9.) One commenter asked what intervention programs will be cut at the new school.
10.) Several commenters asked what will happen to the students when I.S. 339 closes.
11.) One person asked if a new administration will be put into place, and one commenter asked what percentage of the administration would be re-hired.

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

12.) One commentator asked why the Superintendent has not been held responsible for the continuous failures of District 9 schools.
13.) One commenter said that when she grew up in District 9, "success was the name of the game," and District 9 used to produce teachers and lawyers. Schools no longer have resources and students suffer.
14.) One commenter asked where the DOE was when two students were shot at I.S. 339. Several commenters asked where the DOE was when the school was looking for donations for prom, hair styles, and lunch money.
15.) One commenter opined that District 9 students succeed but the middle school choice brings students from other communities who bring their problems to the school.
16.) One former student at the school said that the DOE is Mayor Bloomberg's puppet.
17.) One commenter said that the DOE should be closed and re-opened.

Summary of Comments Received at other public meetings

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

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

18.) One commenter asked about the requirements for leadership change pursuant to the Turnaround model.
19.) One commenter asked about SIG funding in relation to Educational Partner Organizations ("EPOs").
20.) One commenter asked about the procedure for new schools to select the Children First Networks that will support them.

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

21.) 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?

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

The DOE received seven written comments (one email was sent as a duplicate three times) and no oral comments through the dedicated Web site and phone line for this proposal.

22.) Assembly Member Catherine Nolan wrote a letter stating her opposition to the closing of I.S. 339.
   a.) She said that I.S. 339 was put into the Transformation model until January 2012, when the DOE and the UFT were unable to reach an agreement on teacher evaluations, and she is concerned about the effect a sudden change of course and closure will have on the students at I.S. 339.
   b.) She opined that parents will be hesitant to send their children to I.S. 339 in the future and enrollment in the school might decrease as a result.
   c.) She stated that the Transformation model was intended to be a three year plan, and the decision to abruptly pursue a drastic route after five months is bad public policy and the school will struggle to recover from this change.
   d.) She believes that the school should continue in the Transformation model.
23.) One commenter said that students and teachers are depressed by the decision to close I.S. 339, and she expressed her concerns with the Turnaround model:
   a.) She said that the Transformation model implemented at I.S. 339 during the 2011-2012 school year was a legal agreement between the DOE and parents.
   b.) She said that closing I.S. 339 and re-opening a school is not cost-effective.
   This commenter made the following recommendations:
   c.) I.S. 339 should remain a Transformation school for two years.
   d.) She proposed creating a mini-school run by assistant principals. The cafeteria should be converted to accommodate the smaller school.
   e.) The DOE must take steps to hold parents responsible for the behavior of their children.

f.) The DOE must help teachers create classroom order.

24.) One commenter said that money took precedence over education in the decision to move I.S. 339 from a Transformation school to a Turnaround school.

25.) A student said that she does not think it is fair that teachers need to reapply for their jobs in New School.

26.) Multiple commenters noted general opposition to the closure of I.S. 339.

27.) One commenter said that the principal has not shown strong leadership and intimidates the teachers and staff at I.S. 339.

The DOE received the following written comments related to all proposals for closure and replacement of PLA schools:

28.) One commenter asked if there will be delays in the implementation of the Common Core Learning Standards as a result of these proposals.

29.) One commenter asked about the DOE's engagement process for proposing to close the existing school and open a new school, and what part students, parents, and the community have in the process.

30.) One commenter stated that all of the closure/replacement proposals will result in the shuffling of teachers from one school to the other.

31.) One commenter asked about which schools have implemented the 18-D process successfully, how this was done, and how the success was measured.

32.) One commenter asked about what evidence the DOE has that this approach works, and whether a short-term measuring tool can be part of the model.

33.) One commenter asked what supports are being offered to schools being closed and replaced.

34.) One commenter asked what measures will be used to evaluate the progress of the new schools, apart from progress reports and quality reviews. The commenter also asked about what evaluations the DOE has done to assess progress made under previous interventions (i.e., Transformation and Restart).

35.) One commenter asked about the timeline for the implementation of the new model.

36.) One commenter asked about the supports that Children First Networks and other entities have provided to the schools that are in PLA

37.) One commenter asked about how summer school will be implemented.

38.) One commenter asked about how quickly new replacement schools will receive progress report grades, what short-term benchmarks are built into the Turnaround plan, and whether performance goals are built into the Turnaround plan.

39.) One commenter asked about the impact of the new schools and implementing the closure/replacement approach.

40.) One commenter asked about who makes up the planning team for each school.

41.) One commenter asked if the state mandates a Joint Intervention Team ("JIT") review for every school that is Restructuring, Year 1; Restructuring, Advanced; and Persistently Lowest Achieving.

42.) One commenter asked if a JIT review was done for each of the 25 high schools on the Turnaround list before the earlier intervention model (Transformation or Restart) was selected and before the Turnaround model was selected.

43.) One commenter asked if the JIT reports are available to the public

44.) One commenter asked if the proposed new school will receive over-the-counter, ELL, and over-age under-credited students.

45.) One commenter asked if rising sixth-grade students can opt out of a Turnaround school.

46.) One commenter asked about the $58 million designated to New York City schools as SIG funding. Does this figure represent what was suspended as of January 3, 2012, or does it date back further?
47.) One commenter asked if a school goes into Turnaround, does it automatically get funding or is there a competitive process that takes place afterwards. The commenter also asked about how much funding each school would receive.
48.) One commenter stated that many students in I.S. 339 feel their voices have been lost.
49.) One commenter voiced opposition to disrupting schools before the state tests.
50.) One commenter asked for a two year probationary period to develop and implement a plan to improve.
51.) One commenter stated that the school and students need a new leader.
52.) 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:
- 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.
- End the policy of sending large concentrations of high needs students to schools then targeted for closure.
- End the policy of co-locating charter schools in buildings with struggling district schools or district schools assigned large numbers of high needs students.
- 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.

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

53.) Two commenters noted their concern with the C-30 process at I.S. 339 since notification was not sent to the SLT. A commenter also wondered why the C-30 process has not been completed for the principal position.
54.) One commenter asked about the supports that Children First Networks and other entities have provided to the schools that are in SINI status or have declining progress report grades.
55.) One commenter asked if the DOE will have to repay the funding spent on the contracts for Restart schools.
56.) One commenter stated that the school system is still exclusive, and therefore will continue to fail many students.
57.) One commenter stated that teachers spend their own money on supplies and materials.

<u>Analysis of Issues Raised, Significant Alternatives Proposed and Changes Made to the Proposal</u>

<u>Comments 1 and 6(a, b, e)</u> refer to the positive attributes of the school. The DOE does not dispute that I.S. 339 has positive attributes, and the DOE acknowledges the positive experiences of some students and staff at I.S. 339 over the years. The DOE anticipates that New School will retain and build upon many of the positive attributes of I.S. 339.

I.S. 339 currently partners with several organizations, including Supportive Children's Advocacy Network, United Way, Teaching Matters, Camp Manice, Teach for America, PubliColor, Australian United States Services in Education, Apple Inc., iTeach/iLearn, and Google. The DOE anticipates that, if this proposal is approved, and pending the availability of SIG funding and needs assessments, New School will partner with the same organizations. The DOE will work with New School to ensure a smooth transition of partnerships from I.S. 339 to New School.

I.S. 339 also offers several sports and after-school extracurricular activities. If this proposal is approved, and pending the availability of SIG funding and needs assessments, New School is expected to offer the same extracurricular activities, student athletics, and clubs.

The decision to propose closure of a school is a difficult one, but the DOE is confident that closing I.S. 339 and immediately replacing it with New School will give students access to a higher-quality educational option while they continue to attend school in the same building.

With respect to comment 1(i), the DOE agrees that Ms. Outerbridge is a good leader and that is why she is proposed to be the principal of New School.

Comments 2(a, b, d, f) and 36 relate to past support provided to I.S. 339.

For the past several years, the DOE has sought to support I.S.339 in providing a quality education to all I.S. 339 students. The DOE has provided leadership, instructional, operational, and student support:

Leadership Support:

- Coached and trained leadership on implementing plans in support of ongoing literacy programs.
- Provided ongoing professional development to ensure ESL compliance, review current programs and generate meaningful strategies for improving student outcomes.
- Provided coaching support for school leadership around quality review aligned instructional indicators including, but not limited to, common core integration, differentiation, and effective research-based pedagogical practices.

Instructional Support:

- Provided teachers with instructional support to deepen instructional expectations, student interest, and classroom rigor.
- Provided extensive professional development for Special Education support of the Compliance Assurance Plan designated by the SED.

Operational Support:

- Supported school staff on developing strategies and practices for improving student attendance and creating strategies for targeting attendance concerns.
- Supported school staff in Special Education compliance issues, including timely writing of Individualized Education Programs, alternative assessments and other supports and strategies for improving instruction and plans for students with disabilities.

Student Support:

- Trained the School Based Support Team in comprehensive guidance programs and evidence based counseling strategies targeted at developing and improving the capacity for social and emotional supports at the school level.

- Facilitated comprehensive supports to review disciplinary and procedural protocols targeted at improving the school learning environment and impacting student outcomes.
- Facilitated safety meetings with the Police Department on an as needed basis.
- Supported parent meetings with the Parent Teacher Association on an as needed basis.

The DOE determined, based on recent data, that even with these supports I.S. 339 was unable to rapidly improve student achievement. Accordingly, the DOE is proposing to close and immediately replace I.S. 339 with a new school, which will enable the provision of new supports, including a process to screen and hire the best possible staff for New School.

Comments 2(c) and 8(h) relate to the large number of students with disabilities and English Language Learners at I.S. 339, and Comment 4 relates to the difficult backgrounds of students. Regarding 2(c), the DOE believes that schools should be able to serve the students who come to them, regardless of their background and needs. As such, a school's Progress Report grade is designed to reflect each school's contribution to student achievement, no matter where each child begins his or her journey to career and college readiness. The methods are designed to be demographically neutral so that the final score for each school has as little correlation as possible with incoming student characteristics such as poverty, ethnicity, disabilities, and English learner status.

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. Compared to peer schools in the district, I.S. 339 was unable to improve the achievement of their students at an adequate pace. The DOE believes that this proposal will allow New School to meet the needs of the student population better than I.S. 339. Pending resource availability and needs assessments, New School plans to implement a variety of new programs that will better serve its students' needs. Students will be strategically grouped in Small Learning Academies, and counselors, psychologists, and social workers will work with each Small Learning Academy to identify and implement academic, social, and emotional supports for priority students. Consequently, school counselors and interventionists will be much more involved in their students' overall learning experience. New School will also pursue opportunities to expand the quantity of on-site mental health services by offering a school-based health center in the building, in addition to expanding social-emotional supports. .

Comments 3(a, c), 6(k), and 8(k) relate to general opposition to school closures and the DOE's decision-making process with respect to school closures. These comments concern not just schools like I.S. 339, which is being closed and replaced, but also other DOE schools that have been phased out.

In a concerted effort to ensure that all students have access to high-quality school programs, the DOE annually reviews the performance of all schools citywide. This process identifies schools that are having the most trouble serving their students.

The DOE compiles a preliminary set of schools that meet one or more of the following criteria:
- Received a grade of D, F, or a third consecutive C or worse on the 2010-11 Progress Report; and/or
- Received a rating of Underdeveloped on the most recent Quality Review; and/or
- Was identified as PLA by the SED ; and/or

- Received a recommendation on their 2010-11 JIT review for significant change in organizational structure or phase out/closure.

The most struggling schools are investigated for interventions that may include phase out/truncation and replacement. In making these decisions,the DOE considered a few key data points:

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

In addition to understanding the data, the DOE also has conversations with school staff, parents, students, communities, and networks to get a holistic sense of what is happening at the school and what supports or interventions would most likely improve student outcomes. In the DOE's early engagement meetings at these schools, the DOE has conversations with constituents about what is and what is not working before making a decision about the supports or interventions that can best support student outcomes.

No single factor determines whether a school will close or not. Deciding to close a school is one of the toughest decisions the DOE makes. With respect to I.S. 339, the DOE is proposing to close and replace the school because the DOE believes that doing so will rapidly provide a current and future students with the high-quality school environment that they deserve.

Comment 3(b) and 3(d) 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 I.S. 339 and replacing it with New School will provide a better educational option to current and future students, which is expected to promote 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 are crucial to helping students succeed. 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 I.S. 339, given I.S. 339's inability to quickly improve.

Comment 3(d) also questions why the 33 schools in the Restart and Transformation SIG models did not improve during the 2011-2012 school year. As an initial matter, the DOE recently withdrew Turnaround proposals for a number of these 33 schools after determining that these schools have strong enough foundations to improve. As described in the EISs of the remaining schools, these schools did improve in some areas. However, any improvement was not as significant and/or expeditious as the DOE believes is possible with the right interventions.

Comments 5 and 6(i) relate to the social and emotional impact of a potential school closing on the school, and Comment 49 relates to the impact of holding the hearing before state tests. The DOE understands that closing a school is a difficult experience for students, staff, and community members,

and that joint public hearings can be difficult experiences for school communities. In addition, the DOE recognizes 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 high school.
- Working with school staff to foster a positive culture.
- Supporting school leadership in efficiently and strategically allocating resources to ensure a consistent and coherent school environment focused on student outcomes.

Additionally, it is important to note that decisions around the future of a school in no way reflect on the students who attend the school. The DOE, rather than students, are responsible for the quality of a school. Whenever the DOE makes the decision to move forward with a proposal to close a school, the DOE does so because students deserve a better option.

Comments 6(d, f, g, m, n), 8(b, i), 11, and 25 relate to concerns about the future of the current teaching staff at I.S. 339, and the future teaching and administrative staff of New School. Comment 6(n) is a question about how Turnaround can be effective if the DOE is required to keep staff based on seniority.

As discussed earlier, pursuant to Article 18-D of the DOE's collective bargaining agreement with the UFT, when a new school is created to replace a school that is being phased out or closed, the New School is able to hire staff based on the applicant's qualifications and not solely based on seniority.

The principal of the new school must develop and implement rigorous, school-based competencies for hiring teaching staff. Then, a Personnel Committee is created to measure and screen the teaching applicants for the new school using these criteria. The Personnel Committee consists of the following five representatives at minimum: the school principal, two designees of the UFT President, and two designees of the Chancellor.

If sufficient numbers of I.S. 339 staff apply, at least 50% of New School's pedagogical positions shall be selected by the Personnel Committee from among the appropriately licensed, most senior applicants from the closing school; however, they must meet the new school's qualifications as determined by the Personnel Committee. The Personnel Committee has discretion to determine whether a candidate meets the school's qualifications. Thus, if this proposal is approved, New School's Personnel Committee will go through a process to hire the best possible staff to support New School's students.

As stated in the EIS, Assistant Principals ("APs") from the current school will be excessed, since the school is closing. APs may apply to be administrators at the new school.

On March 29, 2012, a joint public hearing was held regarding the proposed closure and replacement of I.S. 339. During the hearing, Deputy Chancellor Grimm answered questions about the hiring process that New School will employ. To the extent there was any confusion on this topic, please be advised that New School will comply with Article 18-D of the existing contract between the UFT and the DOE as described above.

Specifically regarding 8(h), I.S. 339 currently provides students with disabilties with the services mandated on their IEPs, and New School will continue to do so. I.S. 339 currently offers English as a Second Language and Spanish transitional bilingual education, and ELL students at New School will continue to ELL services as needed. Prior additional support for ELLs and students with disabilites has included extra-curricular learning experiences, such as the Saturday Academy. However, the DOE believes that New School would be better positioned to serve these groups with the plans described in the EIS. For example, in order to ensure that it is able to achieve at greater levels than I.S. 339 with its anticipated student population, New School will not only build upon the initial success of the Saturday Academy program at I.S. 339, but also plans to implement year-long extra-curricular academies to engage students with similar learning needs in programs that fit their learning profiles, including but not limited to: Read 180; Rosetta Stone; Reading Plus; and System 44.

Comment 6 (c, j, l) and 23(f) relate to questions about the resources and support teachers will receive at New School, particularly with regard to a high-need student body.

As noted in the EIS, New School will be able to utilize the Lead Teacher program to hire a dedicated educator to support the professional development and capacity-building of school staff. Lead teachers spend half their time teaching classes and half their time serving as professional development resources for their schools.

New School will also be able to utilize the NYC Teaching Residency for School Turnaround (http://nycteachingresidency.ttrack.org/), which offers a pipeline of teachers specially trained to work in schools identified as lowest-performing. Residents undergo a school-embedded training program in a low-performing school and are equipped with specific knowledge and strategies to be successful in a school undergoing significant reform. Additionally, New School will have access to the Teachers of Tomorrow ("TOT"), an incentive program designed to recruit and retain teachers at schools that are experiencing a teacher shortage (which include PLA schools) by providing them with tax-free grants for up to four consecutive years.

As noted above, school counselors and interventionists will have a much more hands-on approach to their students' learning, and will be available to work with teachers to create individualized plans for increased classroom success.

A hallmark of I.S. 339 is its collaboration among teachers. At New School, this disposition towards sharing and collegiality will be better utilized to ensure that teachers are applying their collaborative efforts towards designing rigorous unit plans—aligned to the Common Core Learning Standards—that take into account both the necessity for accelerated student learning and the learning differences of all students. This curriculum development will occur primarily during daily teacher meetings during the school day, as well as outside of school time.

Furthermore, building on the system of identifying areas for professional learning opportunities based on teachers' self-assessed needs, New School will offer semester- and year-long learning institutes for all teachers, based on their own professional, pedagogical, and personal development. In September, all

teachers will complete a comprehensive professional self-inventory, which will help to form their year-long Professional Growth Plan. Teachers will be grouped based on similar areas for development, and engage weekly at teacher meetings during the day and at after-school seminars in professional readings, planning activities, relationship-building exercises, and first-hand student learning opportunities to identify and anticipate student issues when teaching a similar unit, project, or lesson.

Comment 6(h suggests that teachers will not want to work at a closing school. Since 2002, the Department has created over 600 new schools, many of which have been opened to replace new schools. There is a strong track record of teachers who are interested in and willing to staff these new schools that are replacing phasing out/closing schools and we expect that candidates will be similiarly drawn to apply to teach at New School.

Comment 6(k) asks if the DOE officials on the panel at the joint public hearing had personal experiences with I.S. 339. 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 I.S. 339.

Comments 6(o) and 23(e) relate to the parents of I.S. 339 students. I.S. 339's struggling performance is not linked to the behavior of its students. The DOE believes that I.S. 339 students can perform at much higher levels and this proposal will help them reach their highest potential.

Comment 7 relates to the use of past data in decision-making about the school.

Although comment 7 is correct that data from 2011-2012 is not yet available, the DOE used several years and sets of data in making the considered determination to propose closing I.S. 339 and immediately replacing it with a new school. I.S. 339 has struggled, and its recent performance confirms the DOE's assessment that the school continues to require significant intervention to improve student outcomes. Student growth in ELA and math was stronger in the 2008-2009 and 2009-2010 school years, suggesting that appropriate restructuring could reverse the recent trend of declining progress. The DOE believes that the most recent data supports taking more aggressive action at this time by closing I.S. 339 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.

Comments 8(a) and 26 express opposition to closing I.S. 339.

By closing I.S. 339 and immediately replacing it with a new school, the DOE is seeking to quickly create a high quality school environment that will prepare children for success in college, work, and life. The closure/replacement strategy will preserve the elements of I.S. 339 that led to improvement while giving the school the wherewithal to build upon these elements and accelerate the pace of change. 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.

Comment 8(b) states that the DOE has not given the principal enough time to turn the school around, and Comment 8(i) states turning over the administration will not help. Comment 50 asks for more time to allow the school and the principal to improve the school. In the case of I.S. 339, the DOE fully

supports in the current principal of I.S. 339, who is also the proposed leader for the new school. However, the DOE believes that the existing school would, at best, be able to make incremental improvements, raher than the dramatic outcomes needed for current and incoming students.

As described in the EIS, if this proposal is approved, all teachers, administrative, and non-pedagogical staff at I.S. 339 will be excessed at the end of the 2011-2012 school year.
Thus, the contention that teachings reapplying for their jobs is unfair, per comment 6(d), is untrue. Teachers are not reapplying for their jobs, rather, candidates from the closing school who are interested in working at the New School are welcome and encouraged to apply for a position at the New School.

Comment 8(c) states that Transformation helped I.S. 339. The DOE believes that as part of this proposal the elements that were effective under the Transformation model can be continued, improved upon, ane expanded in New School, thereby enabling it to make more rapid gains in student achievement.

Comments 8(d, e), 22(a, c, d) and 23(c) relate to why the DOE is switching the school's SIG model.

The DOE originally placed I.S. 339 in the Transformation model. However, I.S. 339's most recent Progress Report was released at the end of October 2011, after the DOE's decision to implement the Transformation model at the school. That decision was predicated on the school's relatively stable performance between 2008-2009 and 2009-2010. While the school declined on some performance measures, there were indicators of the potential for expeditious improvement. This led the DOE to determine that the Transformation model, which along with Restart is a relatively less intensive intervention, was the best fit for the school. However, the 2010-2011 Progress Report revealed that I.S. 339's performance precipitously declined during the 2010-2011 school year and based on this most recent data, the DOE believes that students at I.S. 339 would be better served by implementation of a more intensive intervention. This is because the data show that the school was struggling even more than the DOE had thought at the time it chose the Transformation 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 schools. Thus, the DOE decided to propose that I.S. 339 be closed and replaced with a new school that would incorporate the strongest elements of I.S. 339, while also allowing new staff to be put in place who can accelerate the improvement of student outcomes.

Specifically, with respect to comment 8(e), the DOE believes that the new school, as a result of the ability to screen teachers through the 18-D process, would be better poised to implement the plans laid out for the new school in the EIS.

Comment 8(f) asks for evidence that the new school will be successful, and Comment 8(g) states that the school has been closed and re-opened already.

The DOE cannot guarantee that the new school will be successful. However, the DOE believes that the ability to screen the staff and implement the new elements planned will give the new school and its students the highest chance of succeeding. While I.S. 339 was opened in 1999, that was prior to this administration, whose strategy of replacing struggling schools with new schools has been very successful in improving student outcomes dramatically.

Comments 8(g, l) ask about what would happen if the new school does not improve outcomes. 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 school 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.

Comments 8(j) and 24 assert that the DOE saw closing I.S. 339 as a quick fix and money took precedence over education in the decision to change SIG models. As stated above, the DOE believes that closing I.S. 339 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 purely financial one, as these resources are crucial to helping students succeed.

Comment 8(m) asserts that the DOE should focus on smaller classes, stronger curriculum, and keeping good teachers. By proposing implementation of the Turnaround model, and the interventions described in the EIS, the DOE is focusing on the issues of curriculum and teacher quality. New School intends to continue the Collaborative Inquiry structure currently in place at I.S. 339, which will enable teachers to differentiate instruction for students across all grades and content areas. New School will aim to accelerate student learning in core academic subjects. Students who are performing at or above their academic grade level will have their needs met through creation of core academic classes with enhanced features and challenges, and such students will have the opportunity to receive targeted instruction regarding the Specialized High School Admission Test. The 18-D hiring process will permit the DOE to screen and hire teachers, including current I.S. 339 teachers, with the specific skills and talent necessary to properly implement New School's goals.

Decisions about programming, including those about class size, are left to the principals of each school, who can reach out to the networks for support in making these difficult decisions. Regardless, the DOE believes that as a result of the improved quality of the teaching staff and the plans for the new school (both as part of this proposal), the educational outcomes at the school will improve significantly with the consistent class sizes.

Comment 9 relates to intervention programs at New School. As noted in the EIS, while the current school model provides targeted academic interventions for some students, these interventions are not currently scalable to serve the entire school. With many of I.S. 339's students, including those students who are representative of special populations and those performing far below state standards, there is a clear necessity to supplement their time in class with targeted extra-curricular interventions. In New School, teachers' schedules will all include time each week to work with a specific group of their students away from a traditional classroom setting to provide skill remediation, tutoring, and/or extension opportunities as necessary. This program will be monitored weekly and, to increase responsibility and accountability among students for this work, they will receive a grade for this time on their report cards.

Comment 10 relates to where will the students currently enrolled at I.S. 339 go when the school closes. All current students who have not graduated before the start of the 2012-2013 school year will be guaranteed a seat at and automatically enrolled in New School. All incoming sixth-grade students who would have been enrolled in I.S. 339 through the Middle School Choice Process will be automatically enrolled in New School. The DOE believes that New School will be better designed to support student success, and therefore all current I.S. 339 students are encouraged to take advantage of their guaranteed seat in the new school.

All students currently attending Title 1 schools that are in Improvement Year 2 status or worse, including PLA schools such as I.S. 339, are eligible to apply for a transfer to another school through the DOE's existing No Child Left Behind ("NCLB") Public School Choice Process. More information about this process can be found at the DOE's Web site at: http://schools.nyc.gov/choicesenrollment/changingschools/default.

Comments 11, 27, and 51 relate to the leadership of the new school. The current principal, Kim Outerbridge, is the proposed new leader of the new school. The DOE commends Ms. Outerbridge's leadership at I.S. 339, and believes that with a new plan and the ability to hire and screen teachers, Ms. Outerbridge will lead the new school to high quality educational outcomes.

If this proposal is approved, all other school supervisor and/or administrator positions will be excessed when I.S. 339 is closed. Administrative positions at New School will be filled pursuant to the process set forth in Chancellor's Regulation C-30.

Comment 18 asks about requirements for leadership change under the federal Turnaround model. In this model, if a principal has been in his or her role fewer than three years, then the principal may become the principal of the proposed new school, subject to a waiver by SED. If the individual has served as principal at the school for over three years at the time of the school's initial implementation of a SIG model, then the Turnaround model requires that he or she must be replaced.

Comment 19 is a question about SIG funding in relation to EPOs. Though it is strictly required as part of Restart, Education Law 211-e allows for EPOs to work with any persistently lowest-achieving 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.

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 Department unable to gain access to SIG funding.

Comment 20 asks about how new schools select Children First 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 April.

Comment 22(b) states that both the labeling of the school as PLA and this proposal will cause parents not to want to send their children to the school and the school's enrollment to decrease. The DOE acknowledges that schools labeled PLA by the State may have an additional obstacle for recruiting students. However, the DOE anticipates that the plans for the new school and how

it will be an improvement upon I.S 339 will actually be helpful to the school in increasing student interest.

Comment 23(a) contends that Transformation was a legal agreement between the DOE and I.S. 339 parents. The federal Elementary and Secondary Education Act established a School Improvement Fund that makes federal grants (known as School Improvement Grants, or SIG, funding) available to states in order to help schools whose students are not making adequate yearly progress, such as PLA schools. Thus, SIG funding is a federal grant program, not a legal agreement.

Comment 23(b) states that the closure/replacement plans will be needlessly expensive.

As a result of this proposal, staff in I.S. 339 will be excessed. Consistent with the New School hiring process, excessed staff can be hired back into the New School if they apply to the New School and are deemed to be qualified. In addition, barring system-wide layoffs, excessed teachers will be eligible to apply and be hired into other City positions, which would not create a net cost to the system. 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.

This estimate 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, that figure does not take into account that new schools may in fact hire back more than 50% of current staff. Second, the commenters assume 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 be in the ATR.

Comment 28 asks about delays in implementation of Common Core Learning Standards ("Common Core") as a result of these proposals. This proposal will not delay the implementation of the Common Core into curriculum and classroom instruction. In fact, the DOE believes that by closing and replacing I.S. 339, the Common Core will be implemented in a more thoughtful and substantial way. In particular, as part of this process, the new school will have the opportunity to identify any 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 29 asks about the engagement process and what part students, parents, and the community play in the process, and Comment 48 states that students' opinions have not been heard. 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 CFN 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 immediately 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 I.S. 339 was posted on February 28, 2012. The DOE solicited feedback from parents through a Joint Public Hearing, which for I.S. 339 was held on March 29, 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 at Morris Educational Campus in the Bronx 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.

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

The schools will accomplish this through the staffing process set forth in Article 18-D of the DOE's existing contract with the UFT, which will allow a Personnel Committee to determine the best staff for the new school. The Personnel Committee consists, at minimum, of the following five representatives: the school principal, two designees of the UFT President, and two designees of the Chancellor. The school-based Personnel Committee will evaluate applicants' qualifications. The Personnel Committee should strive to seek consensus in its hiring decisions; however, if consensus cannot be reached, decisions are made by majority vote.

In this way, the DOE believes that only those teachers who will be most qualified will be hired by the new schools. As stated in the EIS, current teachers from I.S. 339 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.

Comments 31 and 32 ask about past implementation of the 18-D process, which schools have done this successfully, and what measurements of success were used. As described above, all new schools that are replacing a closed or phasing-out school must use the hiring process described in Article 18-D of the existing contract between the DOE and the UFT.

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

Below are a few examples:

- The new schools located on the Springfield Gardens Campus in Queens had a graduation rate of 68.0% in 2010, compared to Springfield Gardens High School's graduation rate of 41.3% in 2002.
- The new schools located on the Evander Childs Campus in the Bronx had a graduation rate of 69.1% in 2010, compared to Evander Childs High School's graduation rate of 30.7% in 2002.
- The new schools located on the Park West Campus in Manhattan had a graduation rate of 70.4% in 2010, compared to Park West High School's graduation rate of 31.0% in 2002.

- In 2010, the schools on the Van Arsdale campus in Brooklyn had a graduation rate of 82.9%—nearly 40 points higher than the former Harry Van Arsdale High School's graduation rate of only 44.9% in 2002.
- The Erasmus Hall Campus graduated only 40.7% of student in 2002. The new schools on the Erasmus campus are graduating 75.8% of students in 2010, a 35 percentage point increase over the closed school.

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

- The existing schools, including I.S. 339, 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 CFN in this work.
- If these proposals are approved, during the 2012-2013 school year and beyond, as they implement the plans being made this spring and summer, new schools will be supported by their networks, the Division of Portfolio Planning, and, where relevant, their EPOs.

Comments 34 and 38 ask what measures will be used to evaluate new schools and their progress, and what evaluations were done to assess 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 (including I.S. 339), the DOE made qualitative assessments about the schools through visits to the school by Children First Networks, superintendents, other DOE senior staff, and representatives from SED.

I.S. 339 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, which would include some short-term measures. The Progress Report methodology is reevaluated each year and this policy is subject to change.

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 and towards reaching these performance benchmarks.

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

schools have plans to phase in the new elements more gradually. For more information about the specific plans of the new school replacing I.S. 339, please see the EIS.

Comment 37 asks about 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 or 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 39 asks about the impact of the new schools and the closure/replacement approach.

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 make the school an acceptable choice for current and future students. The closure/replacement strategy will preserve the elements of former 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(s) (and Building Utilization Plan, where applicable) for the particular proposal.

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

Comments 41, 42, 43 concern JIT reviews for the schools proposed for closure and replacement. The DOE works with SED to conduct mandated 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 and are mandated for these newly identified schools. JITs are available to the public on the SED website. JITs that were conducted during the 2010-2011 school year, including the one for I.S. 339 which was conducted on January 25-26, 2011, can be found here: http://www.p12.nysed.gov/accountability/School_Improvement/Reports/1011/1011JIT.html.

Comment 44 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 students, ELL students, students with disabilities, and over-age students. For more specific information, please refer to the EIS describing the proposal.

Comment 45 asks about whether rising ninth graders can opt out of the replacement school. Although this comment asks about high school students, I.S. 339 currently serves sixth through eighth grade, and, if this proposal is approved, New School will serve sixth through eigth grade. All current I.S. 339 students will have a guaranteed seat in New School. This includes all sixth- and seventh-grade students, as well as any eighth-grade students who do not get promoted to ninth grade by June 2012. All incoming sixth-graders who would have been enrolled in I.S. 339 through the Middle School Choice Process will be automatically enrolled in New School. The DOE believes that New School will support student success at a level that the current school cannot, and therefore all students are encouraged to take advantage of their guaranteed seat in the new school.Students who listed a school proposed for closure on their Districts 9 and 10 Middle School Choice application had the opportunity to submit a new application during the spring.

As indicated in the EIS, I.S. 339 admits students through the Middle School Choice Process, into two programs, one zoned campus choice and one choice. The zoned admissions method provides a priority to students living within a specified zone. A student's zoned school is determined by his or her home address. For more information about school zoning and admissions processes for zoned schools, please visit the DOE Web site's School Search function at: http://schools.nyc.gov/schoolsearch.

In addition, all students currently attending Title 1 schools that are in Improvement Year 2 status or worse, including PLA schools such as I.S. 339, are eligible to apply for a transfer to another school through the DOE's existing No Child Left Behind ("NCLB") Public School Choice Process. More information about this process can be found at the DOE's Web site at: http://schools.nyc.gov/choicesenrollment/changingschools/default.

Comments 46 and 47 concern the availability of SIG funding. New York City received $58,569,883 in funding from SED for 2011-2012 to support implementation of 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 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 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 $1,000,000 each year as part the School Improvement Grant program. However, the challenges in I.S. 339 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 52 relates to a petition opposing 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.