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Chancellor

Public Comment Analysis

Date: April 25, 2012

Topic: The Proposed Closure of Bronx High School of Business (09X412) and the Opening and Co-Location of New School (09X574) with Urban Assembly Academy for History and Citizenship for Young Men (09X239), Bronx Collegiate Academy (09X227), Dreamyard Preparatory School (09X329), Bronx High School for Medical Science (09X413), Jonathan Levin High School for Media and Communications (09X414), and New ELL School (09X564) in Building X410 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 Bronx High School of Business (09X412, “Bronx High School of Business”), an existing district high school in building X410 (“X410” or “Taft Campus”), located at 240 East 172nd Street, Bronx, NY 10457, within the geographical confines of Community School District 9. It currently serves students in grades nine through twelve. The DOE is proposing to immediately replace Bronx High School of Business with New School (09X574, “New School”), a new district high school which will serve students in grades nine through twelve in building X410.

If this proposal is approved, Bronx High School of Business 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.

Bronx High School of Business offers a Career and Technical Education (“CTE”) program. It admits students through the Citywide High School Admissions Process through an educational option method.

Bronx High School of Business is co-located with: the Urban Assembly Academy for History and Citizenship for Young Men (09X239, “UAA History and Citizenship”), an existing district high school which is currently in its first year of phasing out, and will have completed phasing out at the end of the 2013-2014 school year; Bronx Collegiate Academy (09X227, “Bronx Collegiate”), an existing district high school serving students in ninth through twelfth grades; the Dreamyard Preparatory School (09X329, “Dreamyard”), an existing district high school serving students in ninth through twelfth grades; the Bronx High School for Medical Science (09X413, “School for Medical Science”), an existing district secondary school serving students in sixth through twelfth grades; the Jonathan Levin High School for Media and Communications (09X414, “Jonathan Levin”), an existing district high

school serving students in ninth through twelfth grades; and New ELL School (09X564), a new district high school to serve grades nine through twelve and have a focus on English Language Learner students. 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 a separate Educational Impact Statement (“EIS”) published on January 27, 2012, the DOE proposed the opening and co-location of a new high school on the Taft Campus beginning in the 2012-2013 school year. New ELL School, 09X564, is designed to serve English Language Learners (“ELLs”), students who are of limited English proficiency, and will open in the fall of 2012 to serve students in the ninth grade, gradually phasing in to the building by adding one grade per year through 2015-2016. The school is expected to reach full scale in 2015-2016, when it will serve approximately 300-340 students in grades nine through twelve. The Panel for Educational Policy (“PEP”) voted to approve this proposal at their meeting on March 6, 2012. The proposal can be found on the DOE’s Website at: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/Mar212012Proposals.htm>.

In addition, X410 houses a Living for the Young Family Through Education (“LYFE”) program. 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 Bronx High School of Business and replacing it with New School, the DOE is seeking to expeditiously improve educational quality on the Taft Campus. If this proposal is approved, New School will develop rigorous, school-specific competencies to measure and screen prospective staff – including Bronx High School of Business 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 also 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, DOE will maximize New School’s chance of receiving up to \$800,000 in supplemental federal funding under the federal School Improvement Grant (“SIG”) program. New School will build on the strongest elements of Bronx High School of Business and incorporate new elements, including new talent, designed to better meet student needs. Thus, the immediate closure and replacement of Bronx High School of Business 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 the Bronx High School of Business, Urban Assembly Academy for History and Citizenship for Young Men, Bronx Collegiate Academy, Dreamyard Preparatory School, Bronx High School for Medical Science, and Jonathan Levin High School for Media and Communications.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at school building X410 on April 18, 2012. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 60 members of the public attended the hearing, and 16 people spoke. Present at the meeting were Deputy Chancellor Laura Rodriguez; Community Education Council (CEC) 9 Representatives Nora Mercacdo and Carmen Ramos; Bronx High School of Business School Leadership Team (“SLT”) Representative Vincent Rodriquez; Jonathan Levin SLT Representative Barbara Hull; UAA History and Citizenship

SLT Representative Adhim Deveaux; School for Medical Science SLT Representative William Quintana; Bronx Collegiate SLT Representative Jay Werner; Dreamyard SLT Representative Alicia Wargo; State Senator Vanessa Gibson's staff member Yves Filius; and Panel of Education Policy Representative (appointee of the Bronx Borough President, Ruben Diaz, Jr.) Wilfredo Pagan.

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

1. Several commenters voiced general opposition to the proposal.
2. Several commenters voiced general support for Bronx High School of Business' staff, teachers and students.
3. Multiple commenters (particularly students) noted that the school's staff provides a positive and supportive environment that helps students succeed.
4. Multiple commenter suggested that the school's Restart model was not given adequate time to produce positive results. Those commenters suggested that it did not make sense to propose closure without having fully realized gains from the Restart plan.
5. Two commenters noted that the Turnaround process lacked transparency and would not be effective in retaining the most qualified teachers currently at the school. Both commenters suggested that this process will only advance the attrition rate of highly effective teachers in the school who will now look for positions in schools that receive students who are better prepared to enter high school.
6. One commenter expressed concern that the Turnaround policy will place a fiscal burden on the city, and that excessing teachers and placing substitutes in the classroom will cost the city approximately \$180 million dollars annually.
7. One commenter expressed the belief that DOE had not provided the needed resources to Bronx High School of Business.
8. One commenter expressed the belief that the DOE is withholding the approximate funding for which the new school may be eligible (\$800K) in an effort to "get what they want."
9. Once commenter (NYS Assemblywoman Vanessa Gibson) suggested that the Turnaround proposal should be withdrawn until such time when a comprehensive education review of all high schools located in the Taft Campus is conducted. The commenter further suggested that the school's progress report suggest improvements in both parent and student satisfaction, and such gains should be taken into consideration in a subsequent review.
10. One commenter claimed that the school received a C rating last year and has been identified for closure because the DOE unfairly counted the students who have dropped out or left the school, but remain on the school's table of organization.
11. One commenter claimed that this proposal is a tactic aimed against the United Federation of Teachers and the Council of Supervisors and Administrators.
12. Multiple commenters claimed that this proposal is not concerned with the students and/or their achievement.
13. Two commenters expressed the belief that removing half the staff will destabilize the school.
14. Multiple commenters suggested that the community members should come together to oppose this closure proposal.
15. One commenter voiced general support for the community and its students.
16. Once commenter requested that the DOE support parents more.

During the question and answer portion of the joint public hearing, the following questions were submitted:

17. What supports did the school and staff receive before this decision was made?
18. Will the community be involved with the name change?
19. (Submitted but not read) (in Spanish) We want our school to keep its name. We want GED programs for parents.

Summary of Comments Received at other public meetings

An information session was hosted by Bronx Borough President Ruben Diaz, Jr. 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 March 15, 2012 information session:

20. One commenter asked about the requirements for leadership change pursuant to the Turnaround model.
21. One commenter asked about SIG funding in relation to Educational Partner Organizations (EPOs). Specifically, since there are no EPOs in Turnaround, who gets the equivalent money given to EPOs in Restart, and who agreed to retain the EPOs for schools in the Restart model?
22. One commenter asked about the procedure for new schools to select the networks that will support them.
23. 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.

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

The DOE received three written comments through the dedicated Web site for this proposal:

24. One commenter advised that an organization of several DOE colleagues oppose all former Restart school closure proposals as its method is to oppose this and other school closures. The commenter further requested all DOE staff to sign a petition in support of this movement.
25. One commenter (NYS Assemblywoman Catherine Nolan) suggests that the school closure process was not well organized or executed and will have a negative effect on not only current students, but on outgoing seniors and incoming freshman as well. The commenter further suggests that the closing and re-opening of this and other schools is a tremendous undertaking that will greatly strain both DOE personnel and resources, which may result in issues that may damage the school irrevocably

26. One commenter expressed the belief that the City is comfortable closing 26 schools because during the three year period it is exempt from evaluation. The commenter asks to keep the schools open and let them continue making progress.

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

27. One commenter asked if there will be delays in the implementation of the Common Core Learning Standards as a result of these proposals.
28. One commenter asked about the DOE's engagement process for proposing to close the existing school and open a new school, and what part students, parents, and the community have in the process.
29. One commenter stated that the closure/replacement proposals will result in the shuffling of teachers from one school to the other.
30. One commenter asked about which schools have implemented the 18-D process successfully, how this was done, and how the success was measured.
31. One commenter asked about what evidence the DOE has that this approach works, and whether a short-term measuring tool can be part of the model.
32. One commenter asked what supports are being offered to schools being closed and replaced.
33. One commenter asked what measures will be used to evaluate the progress of the new schools, apart from Progress Reports and Quality Reviews. The commenter also asked about what evaluations the DOE has done to assess progress made under previous interventions (i.e., Transformation and Restart).
34. One commenter asked about the timeline for the implementation of the new model.
35. One commenter asked about the supports that networks and other entities have provided to the schools that are in PLA status or have declining progress report grades.
36. One commenter asked about how summer school will be implemented.
37. One commenter asked about how quickly new replacement schools will receive progress report grades, what short-term benchmarks are built into the Turnaround plan, and whether performance goals are built into the Turnaround plan.
38. One commenter asked about the impact of the new schools and implementing the closure/replacement approach.
39. One commenter asked about who makes up the planning team for each school.
40. One commenter asked if the state mandates a Joint Intervention Team ("JIT") review for every school that is Restructuring, Year 1; Restructuring, Advanced; and/or designated PLA..
41. One commenter asked if a JIT review was done for each of the 25 high schools on the turnaround list before the earlier intervention model (Transformation or Restart) was selected and before the Turnaround model was selected.
42. One commenter asked if the JIT reports are available to the public.
43. One commenter asked if the proposed new school will receive over-the-counter, ELL, and over-age under-credited students.
44. One commenter asked if rising ninth-grade students can opt out of a Turnaround school.
45. One commenter asked about the \$58 million designated to New York City schools as SIG funding. Does this figure represent what was suspended as of January 3, 2012, or does it date back further?
46. One commenter asked if a school goes into turnaround, does it automatically get funding or is there a competitive process that takes place afterwards. The commenter also asked about how much funding each school would receive.

47. One commenter asked if the DOE will have to repay the funding spent on the contracts for Restart schools.
48. One commenter asked if a new school replacing a Restart school can choose not to keep its EPO.

The DOE received the following written comment related to all proposals for closure and replacement of Restart schools.

49. One commenter asserts that upon careful review of improvements in graduation rate, attendance and regents exam scores, the schools that had been pursuing “Restart” would be found to be a persistently improving school and therefore worthy of support and deserving of the opportunity to continue to make strides in that area. The commenter stated: please remove the nine recently designated Restart schools from the chopping block -- Richmond Hill, John Adams, Grover Cleveland, Newtown, John Dewey, Herbert H. Lehman, Banana Kelly, Bronx High School of Business and Grace Dodge

The following question was submitted but is not related to the proposal:

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

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

- Comments 1, 14, and 24 state general opposition to the proposal.

As explained throughout this document and the Educational Impact Statement (EIS), while the DOE recognizes that school closure and replacement can be a difficult experience, the DOE believes this change is in the best interests of students and that New School will lead to more rapid improvement in student achievement.

The DOE strives to ensure that all families have access to high-quality schools that meet their children’s needs. This proposal is intended to meet this goal by allowing the students currently enrolled in Bronx High School of Business to benefit from a new school with a rigorously screened staff, a new mission and new vision, and new programs.

The DOE believes that this proposal to close Bronx High School of Business and replace it with New School best meets the needs of the community. Previously, the DOE sought to support the performance of students in Bronx High School of Business by implementing the Restart model. However, based on the school’s most recent performance data, the DOE has concluded that a more rigorous intervention is required to improve student outcomes. Thus, the DOE has proposed to close the school and put in place a process aimed at hiring the best possible staff into a new school, thereby immediately improving teacher quality. The DOE has also proposed to implement new structural and programmatic changes.

The DOE believes that these interventions will give students the educational environment they require to succeed while also minimizing disruption by allowing students to be educated in the same school building.

- Comments 2, 3, and 15 focus on positive aspects of students’ and parents’ experience, and praise teachers at the school.

The DOE agrees that despite a number of challenges the school has faced, there are some elements of Bronx High School of Business that are worth preserving in the new school. The DOE's intention in proposing the closure of Bronx High School of Business and immediate replacement with New School is to rapidly create an improved instructional environment incorporating the best elements of Bronx High School of Business with new staff and new programmatic elements in a new school. As part of the hiring process for the New School (described later in this document) in accordance with Article 18-D of the DOE's existing contract with the United Federation of Teacher, New School will have the opportunity to rehire Bronx High School of Business' current teachers who meet rigorous, school-specific competencies.. Through this process, the DOE will encourage the most effective teachers at Bronx High School of Business to join New School to anchor the school with their commitment to effective teaching and focus on student achievement.

- Comments 4, 8, and 26 asserts that Bronx High School of Business should continue to receive funding under its current Restart model.

In May 2011, the DOE assigned 44 schools (including Bronx High School of Business) designated by the State Education Department ("SED") as Persistently Lowest Achieving ("PLA") to one of four federally-approved intervention models, and submitted applications to SED for receipt of School Improvement Grants (known as SIG funding) where appropriate. The DOE applied to SED to place Bronx High School of Business into the Restart model, and SED approved this application, making Bronx High School of Business eligible to receive up to \$800,000 in SIG funding per year for three school years. SED conditioned the school's eligibility to receive these funds upon the DOE and UFT agreeing by January 1, 2012 to implement a new teacher evaluation system. Unfortunately, the DOE was unable to reach an agreement with the UFT on the integral elements of a new teacher evaluation system by this deadline. SED subsequently informed the DOE that all New York City PLA schools, including Bronx High School of Business, would no longer receive SIG funding to continue the school reforms supported by either the Transformation or the Restart model. Thus, continuing to place Bronx High School of Business in the Restart model is no longer an option. However, the DOE determined that the challenges in Bronx High School of Business are too great, and the need to overcome those challenges too urgent, to not take immediate action to address key aspects of the school's culture, systems, and staffing. Therefore, the DOE is proposing to place the school in the Turnaround model to quickly improve student outcomes.

After SED informed the DOE that the Transformation and Restart models were no longer available to New York City schools and that funding had been suspended, the DOE reassessed the viability of Transformation and Restart models as appropriate intervention models for the PLA schools. The DOE determined that the challenges in Bronx High School of Business are too great, and the need to overcome those challenges too urgent, to not take immediate action to address key aspects of the school's culture, systems, and staffing. Consequently, the DOE submitted applications to SED to implement the Turnaround model in a number of PLA schools, including Bronx High School of Business, in order to hopefully restore SIG funds that will support Bronx High School of Business.

With regards to comment 26 asserting that the City is exempt from evaluation of these schools while it is funded under SIG, this is not true. As described above, DOE remains accountable for

meeting the conditions of SIG and ensuring that schools are making progress under their school intervention models. DOE does not take lightly its proposed plans for closing Bronx High School of Business or any of its proposed schools and replacing them with New Schools.

- Comment 5 raises concerns about the Turnaround process for school staff lacking transparency and asked and how the school will retain teachers.

The guiding principle of the hiring effort is to effectively match teacher capacity to the needs of the students in a specific school along with structural changes to the new school that will enhance its ability to best serve our students. The new replacement schools will seek to hire those teachers they believe will be effective and well-matched to their new missions.

As described in the EIS, if this proposal is approved, all teachers, administrative, and non-pedagogical staff at Bronx High School of Business will be excessed at the end of the 2011-2012 school year. Pursuant to Article 18-D of the DOE's collective bargaining agreement with the UFT, when a new school is created to replace a school that is being phased out or closed, the principal of the new school develops and implements rigorous, school-based competencies for hiring pedagogical 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, at a minimum, the following five representatives: the school principal, two designees of the UFT President, and two designees of the Chancellor. If this proposal is approved, the New School will go through a process to hire the best possible staff. There is no quota of staff that must be removed as a result of this process.

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

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

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

Assistant Principals from the current school will be excessed, since the school is closing. APs may apply to be administrators at the new school.

- Comments 6, 25, and 29 assert that the Turnaround proposal will place a strain on DOE resources; comment 6 asserts that excessing teachers and placing substitutes in classrooms will cost the city nearly \$180 million. Comment 29 states that the process will result in shuffling teachers from one school to another.

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, comment 6 does not take into account that new schools may in fact hire back more than 50% of current staff. Second, comment 6 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 7, 17, and 35 ask about resources that DOE has provided to Bronx High School of Business prior to the school being considered closure. Supports that have been provided to the school were detailed in the EIS, as follows:

As detailed in the EIS, the DOE has provided supports to Bronx High School of Business for the past several years in an effort to ensure that it was equipped to provide a quality education for its students. These supports included:

Leadership Support:

- Provided leadership training for the principal and assistant principals to help them set clear goals for the school while developing the school’s Comprehensive Education Plan.
- Designed strategies with school leadership, using feedback from Quality Reviews and data from Progress Reports and Regents Exam results, to identify areas in need of improvement and improve instruction, enhance credit recovery process, provide Professional Development around assessment, and best practices when supervising the classroom.
- Worked with school leadership to design professional development aimed at strengthening curriculum alignment with Common Core Learning Standards and ensuring students are prepared for college and careers.
- Provided leadership support in meeting English as a Second Language (“ESL”) and Special Education compliance.

Instructional Support:

- Coached and trained teachers and administrators on implementing citywide instructional initiatives and aligning classroom instruction with Common Core Learning Standards by implementing teacher teams, differentiating instruction, and enhancing writing instruction across the curriculum.
- Advised teachers and staff on strategies to provide specialized instruction and support for ELLs to ensure they meet graduation standards.
- Held subject-specific workshops on implementing Common Core Learning Standards and techniques for raising the level of instruction.
- Provided guidance around Special Education and ESL services and instruction.

Operational Support:

- Advised school staff on safety protocols and emergency preparedness techniques.
- Ensured counselors and school staff had supports in place for Students in Temporary Housing.
- Provided ongoing training and technical assistance to all operational support staff on all operational issues and procedures.

Student Support:

- Trained 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.
- Supported school staff in developing strategies and practices for improving student attendance, creating strategies for targeting attendance concerns, and addressing behavior management within the school.
- Assisted counselors and assistant principals in managing the promotion process to ensure that students receive the instruction necessary to move to the next grade level and to ensure that procedures are clearly communicated to families.

Even with these supports, however, the DOE has determined that Bronx High School of Business does not have the capacity to quickly improve student achievement. Rather, the DOE believes that the most expeditious way to improve the educational program for students currently attending Bronx High School of Business is to close the school and replace it with New School for the 2012-2013 year. This will allow the DOE to put in place a process to screen and hire the best possible staff for New School, giving all non-graduating students currently attending Bronx High School of Business immediate access to an improved educational option while attending school in the same building.

- Comment 9 suggests that DOE withdraws the plan for Turnaround until a comprehensive review of all high schools on the Taft Campus is conducted.

As stated in the EIS, Bronx High School of Business is co-located on the Taft Campus with: UAA History and Citizenship, an existing district high school which is currently in its first year of phasing out, and will have completed phasing out at the end of the 2013-2014 school year; Bronx Collegiate, an existing district high school serving students in ninth through twelfth grades; Dreamyard, an existing district high school serving students in ninth through twelfth grades; School for Medical Science, an existing district secondary school serving students in sixth through twelfth grades; Jonathan Levin, an existing district high school serving students in ninth through twelfth grades; and New ELL School (09X564), a new district high school serving grades nine through twelve and focusing on English Language Learner students.

Each of the schools located on the Taft Campus has a separate admissions process, focus, instructional theme, and program. While they share building space, the performance and progress of one school is not impacted by the others. Because each school's strengths and challenges are unique, reviewing all high schools on the campus will not be the most effective strategy in determining the support and intervention needed at Bronx High School of Business.

Furthermore, as described in the EIS, SED identifies high schools as PLA if they have a State graduation rate below 60% for three consecutive school years or if performance and improvement on the English and Math Regents exams are below a defined threshold.

Bronx High School of Business was first identified as a PLA school in 2010-2011 because of its consistently low four-year graduation rate. While DOE will continue to review all schools' progress and performance annually, Bronx High School of Business requires particular and immediate attention due to its PLA status and its declining performance. UAA History and Citizenship was first designated by SED as PLA in January 2010, and, following a comprehensive review and subsequent approval of the DOE's proposal to phase-out the school, the school is in the process of phasing out. None of the other schools located on the William Taft Campus are currently designated as PLA by SED and therefore do not require the same level of consideration of its performance and intervention support as Bronx High School of Business .

- Comment 10 states that the inclusion of students who do not attend the school on the school roster contributed to the C rating on Bronx High School of Business' Progress Report last year.

The DOE recognizes the challenges and the efforts made by schools to engage all students. That said, with the exception of students who leave to attend a transfer school, schools are held accountable for students who entered the school in ninth grade, including those that were later identified as Long Term Absences. These students are reflected in schools' attendance rates, which represent a small portion of the school's Progress Report grade. According to EIS, the school's average attendance rate was 86% which puts it on par with the Citywide high school average. Therefore it is unlikely that these students who do not attend school are significantly contributing to the C rating on the Progress Report. As indicated in the EIS, there are other factors that appear to be contributing to the school rating, including:

- Safety issues have been a concern at the school in recent years. On the 2010-2011 New York City School Survey, only 67% of students reported feeling safe in the hallways, bathrooms, and locker rooms. In addition, only 40% of teachers reported that discipline and order were maintained at the school. These responses were in the bottom 8% and 11% respectively of high schools Citywide.
 - The school received an "Underdeveloped" (UD) rating on its 2010-2011 Quality Review, indicating serious deficiencies in the way the school is organized to support student learning.
- Comment 11 and 12 assert that the Turnaround proposal is a tactic against the teacher and principal unions and that it is not concerned about student achievement.

The DOE's intention in proposing the closure of Bronx High School of Business and replacement with New School is to rapidly create an improved instructional environment that incorporates the best elements of Bronx High School of Business with new staff and new programmatic elements in a new school. The DOE has demonstrated that closing and replacing low performing schools has improved student outcomes. The challenges in Bronx High School of Business are too great, and the need to overcome those challenges too urgent, to not take immediate action to address key aspects of the school's culture, systems, and staffing. Closing Bronx High School of Business and replacing it with New School through the Turnaround model provides a mechanism to quickly improve teacher quality in the school, and it also calls for the implementation of programmatic supports, reforms, and strategies to substantially improve student achievement outcomes and increase high school graduation rates. Thus, this proposal is squarely aimed at improving student achievement.

Furthermore, 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 is Bronx High School of Business.

- Comment 13 states that the Turnaround model will destabilize school.

While closing a school may be a difficult experience for the community, the DOE believes that replacing Bronx High School of Business with a new school, which preserves the best elements of Bronx High School of Business but also puts the most effective educators in front of students, will allow the school's students to improve more quickly—and this will be a long-term stabilizing force for the school and the community.

Also, this proposal to close and replace Bronx High School of Business does not require the turnover of any set percentage of staff at Bronx High School of Business. If this proposal is approved, New School will go through a process to hire the best possible staff. Pursuant to the City's contract with the UFT, teachers who apply to work at New School will be reviewed by a school-based Personnel Committee through the 18-D process. New School will be able to retain Bronx High School of Business' current teachers who meet the rigorous, school-specific competencies established by the Personnel Committee, and the DOE will encourage the most effective teachers at Bronx High School of Business to join New School to anchor the school with their commitment to effective teaching and focus on student achievement. In addition, New School may have the opportunity to hire highly-qualified new teachers who will infuse new talent into the community. Thus, New School will be able to match teacher capacity to the needs of the students in a specific school. Along with structural changes that will differentiate New School from Bronx High School of Business, the possible change in staff will enhance New School's ability to best serve students.

- Comments 16, 18 and 19 inquire about support for parents and how the community is involved in the school's Turnaround.

The DOE considers parents and families to be vital partners in children's education and encourages their involvement. Prior to issuing the proposal for the Turnaround model, the DOE sought and received feedback from the Bronx High School of Business community about strategies to better support students and improve outcomes at the school. The Bronx High School of Business community provided input to the DOE throughout fall and early winter of the 2011-2012 school year.

In addition, on January 24, 2012, Bronx High Schools Superintendent Carron Staple met with Bronx High School of Business' SLT, parents, teachers, and community members to discuss this Turnaround proposal and the impact it would have on the school community. The DOE also solicited community feedback via phone and e-mail, including creation of a dedicated webpage for this purpose at: <http://schools.nyc.gov/community/planning/changes/bronx/portfolio.htm>

The DOE used this webpage to keep the community informed about important dates and to update the community with important new information, including responses to frequently voiced concerns and comments.

With respect to comment 19 which stated a desire for GED programs for parents, the DOE's Office of Adult and Continuing Education provides over 900 classes for adults ages 21 and over out of four Adult Learning Centers in located in Brooklyn, Manhattan, Queens, and the Bronx. The Adult Learning Centers offer programs in Adult Basic Education, High School Equivalency

(GED), English for Speakers of Other Languages (ESOL) and Career and Technical Education (CTE). Contact information for each center can be found online: <http://schools.nyc.gov/ChoicesEnrollment/AdultEd/default.htm>

In addition, as mentioned in the EIS, the New School will build on the positive parent engagement from Bronx High School of Business including plans to implement a new Parent Leadership Academy and a parent education program to further engage parents in the school community and strengthen their parenting skills.

- Comments 18 and 19 asks about the requirement for changing the name of the school.

This proposal calls for Bronx High School of Business to be closed and replaced with a new school. The DOE acknowledges the connection that the community has to the school name. However all new schools must have a new name and school identification number (DBN). Consistent with Chancellor's Regulation A-860, parents and community members associated with the proposed new school will be able to make suggestions for the name of the new school. As with all school names, the Chancellor retains final decision-making authority.

- Comment 20 asks about the requirement 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 21 relates to funding for EPOs in schools that are approved for Turnaround. Though it is strictly required as part of Restart, Education Law 211-e allows for Educational Partnership Organizations (EPOs) to work with any persistently lowest-achieving school, under any School Improvement Grant model. The decision whether or not to partner a new school with an EPO will be made on a case by case basis by the DOE.
- Comment 22 asks about how new schools select networks. During the spring, new schools and networks have opportunities to learn about one another, after which new schools are asked to request networks (this occurs during at the same time as any requests from existing schools to change networks). Final decisions about school and network matches are expected in April.
- Comment 23 refers to a petition signed by approximately 1,300 people opposing the proposals to close and replace schools. As stated earlier, the DOE has provided several supports to the schools in question, but believes only their closure and replacement will accelerate the pace of change needed to achieve the desired improvement for current students in these schools.

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

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

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

- Comment 27 asks about delays in implementation of Common Core as a result of these proposals. This proposal will not delay the implementation of the Common Core 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 28 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 Lehman was posted on February 28, 2012, and an amended proposal was posted on March 30, 2012. The DOE solicited feedback from parents through the Joint Public Hearings, which for Lehman was held on April 2, 2012, as well as through voicemail and email. Parent feedback is incorporated throughout this document, which is presented to the PEP to help inform their decision about this proposal. The DOE also considered feedback received from the community in deciding whether to continue with the proposal.

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

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

- Comments 30 and 31 ask about past implementation of the 18-D process, and specifically which schools have done this successfully, how, and what measurements of success were used. As described above, the hiring process for new schools replacing a closing/phasing out school is implemented according to Article 18-D of the existing contract between the DOE and the UFT.

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

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

Below are a few examples:

- The new schools located on the Springfield Gardens Campus in Queens had a graduation rate of 68.0% in 2010, compared to Springfield Gardens High School's graduation rate of 41.3% in 2002.
 - The new schools located on the Evander Childs Campus in the Bronx had a graduation rate of 69.1% in 2010, compared to Evander Childs High School's graduation rate of 30.7% in 2002.
 - The new schools located on the Park West Campus in Manhattan had a graduation rate of 70.4% in 2010, compared to Park West High School's graduation rate of 31.0% in 2002.
 - In 2010, the schools on the Van Arsdale campus in Brooklyn had a graduation rate of 82.9%—nearly 40 points higher than the former Harry Van Arsdale High School's graduation rate of only 44.9% in 2002.
 - The Erasmus Hall Campus graduated only 40.7% of student in 2002. The new schools on the Erasmus campus are graduating 75.8% of students in 2010, a 35 percentage point increase over the closed school.
- Comment 32 asks about the supports offered to the 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. If these proposals are approved, during the 2012-2013 school year and beyond, as they implement the plans being made this spring and summer, new schools will be supported by their networks, the Division of Portfolio Planning, and, where relevant, their EPOs.

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

Comment 33 also asks about the evaluation of progress under previous interventions. For the first cohort of SIG schools, identified in the 2009-2010 school year, the DOE used the progress report grades and quality review scores through the spring of 2011 to evaluate the progress of these schools. For the second cohort of SIG schools, identified in the 2010-2011 school year, including Bronx High School of Business, the DOE made qualitative assessments about the schools through visits to the school by Networks, superintendents, other DOE senior staff, and representatives from SED.

- Comment 34 asks about the timeline for implementation of this proposal. This proposal will be presented to the Panel for Educational Policy on April 26, 2012. If it is approved, the school will then begin the 18-D process. The new school, with its planned new elements and staff (made up of returning

teachers and teachers new to the school), would open in September 2012 and would serve all students currently in the school who have not graduated by that time, as well as any new students who would have otherwise begun attending the closed school.

Each school has unique elements in its new school plan, many of which will be implemented at the start of the 2012-2013 school year. However, some schools have plans to phase in the new elements more gradually. For more information about the specific plans of the new school, please see the EIS posted here. <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/April2012Proposals.htm>

- Comment 36 asks about summer school. Summer school will continue to be implemented as in years past. Each year, a number of school buildings host summer school programs. Individual schools choose to affiliate to a particular building for summer school opportunities for their students, which may mean offering their own programs for their students, offering a summer school program in partnership with other schools.

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

For more information about summer school, please see the DOE's Web site at: <http://schools.nyc.gov/ChoicesEnrollment/SummerSchool/default.htm>.

- Comment 37 asks about measurement of the new schools' student outcomes. Bronx High School of Business 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 2012-13 Progress Report. The Progress Report methodology is reevaluated each year and this policy is subject to change.

Regarding goals, the following performance benchmarks are included as part of the SIG application for each of the New 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 NYSED ELA 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).

The Division of Portfolio Planning will work with the Network that supports New School to monitor its improvement plans and progress in these plans towards meeting these performance benchmarks.

- Comment 38 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 Bronx High School of Business 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.

It is also worth noting that increasing the quality of teaching through the creation of new schools has been shown to be an effective improvement strategy for New York City. In fact, in June 2010 MDRC, an independent research group, issued a report on New York City's new 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.)

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

- Comment 39 concerns planning teams for the new schools. Planning teams for each school are composed of the proposed leaders for the schools, as well as the schools' Children First Networks, and EPOs (where applicable). These teams are also receiving support from the Office of School Development, in the Division of Portfolio Planning.
- Comments 40, 41, and 42 concern JIT reviews for the schools proposed for closure and replacement. 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 AchievingJIT 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 can be found here:
http://www.p12.nysed.gov/accountability/School_Improvement/Reports/1011/1011JIT.html
- Comment 43 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, ELL students, students with disabilities, and over-age, under-credited students. For more specific information, please refer to the EIS describing the proposal.
- Comment 44 asks about whether rising ninth graders can opt out of the replacement school. 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 EIS, 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 Bronx High School of Business, are also eligible to apply for a transfer to another non-SINI school through the DOE’s existing No Child Left Behind (“NCLB”) Public School Choice Process. More information about this process can be found at the DOE’s Web site at:

<http://schools.nyc.gov/choicesenrollment/changingschools/default>.

- Comment 45 and 46 concern the availability of SIG funding. New York City received \$58,569,883 in funding from SED for 2011-2012 to support implementation of School Improvement Grants in 44 schools (19 Transformation, 14 Restart, and 11 phase-out replacements funded under the Turnaround model). As discussed in more detail in the EISs, outstanding funding for the Turnaround and Restart schools was suspended by SED after the DOE and UFT were unable to reach an agreement on a new teacher evaluation system by January 1, 2012. The DOE is hopeful that this SIG funding will be restored to some of these schools based on the new SIG proposals submitted to SED in March 2012. If the State approves the DOE’s application to place New School into the Turnaround model, New School will be eligible for up to \$2M per year as part the SIG program. However, the challenges in these schools are too great, and the need to overcome those challenges is too urgent, to not take immediate action to address key aspects of the school’s culture, systems, and staffing, whether or not SED ultimately authorizes funding.
- Comment 47 asked if the DOE will have to repay the funding spent on the contracts for restart schools. The DOE is currently working with six Educational Partnership Organizations (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 48 asserts that the nine schools that had been in Restart have improved sufficiently and that they should remain open and able to continue. As discussed above, the pace of change in a number of schools that were previously implementing the Restart model, including Bronx High School of Business, was insufficient. The DOE is closing these schools because it believes that a more intensive intervention is required to improve educational quality for students. New schools will incorporate the strongest elements of the former schools, while also allowing new staff and new programs to be put in place. They will provide a better educational option to students on the campus more rapidly and with more certainty than current interventions. The DOE believes the closure and replacement of Bronx High School of Business is in the best interest of students.
- Comment 49 asserts that the nine schools that had been in Restart have improved sufficiently that they should remain open and able to continue. For each of the fourteen schools that were under Restart, the DOE has reviewed the available data, met with principals, consulted with each school’s superintendent, listened to the feedback from the school communities, and assessed the potential for each school to

rapidly improve to better meet the needs of all students. With regards to Bronx High School of Business, after this assessment, the DOE has decided to present the proposal for the closure and replacement of Bronx High School of Business to the PEP for a vote on April 26, 2012.

Changes Made to the Proposal

No changes have been made to this proposal.