



Public Comment Analysis

Date: January 31, 2011

Topic: The Proposed Phase-out of I.S. 195 Roberto Clemente (05M195)

Date of Panel Vote: February 1, 2011

Summary of Proposal

I.S. 195 Roberto Clemente (05M195, “I.S. 195”) is an existing choice middle school located at 625 West 133 Street, Manhattan, 10027, in Community School District 5, in Building M195 (“M195”). It currently serves students in sixth through eighth grade. I.S. 195 is currently co-located with KIPP Infinity Charter School (84M336, “KIPP Infinity”) in building M195. 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. The New York City Department of Education (“DOE”) is proposing to phase out and eventually close I.S. 195 based on its poor performance and the DOE’s assessment that the school lacks capacity to turn around quickly to better support student needs.

If this phase-out proposal were approved, I.S. 195 would no longer admit sixth-grade students after the conclusion of the 2010-2011 school year. One grade would be phased out each subsequent year. During the 2011-2012 school year, I.S. 195 would serve students in grades seven and eight. In 2012-2013, I.S. 195 would serve students in grade eight. The school would close after June 2013.

I.S. 195 currently enrolls 400 students, with 74 sixth-grade, 126 seventh-grade and 200 eighth-grade students. KIPP Infinity currently enrolls 398 students in Kindergarten and grades five through eight in M195, and it also serves students in grades 9 through 12 in a separate location. KIPP Infinity will serve Kindergarten through grade eight in M195 when at full scale.

In a separate Educational Impact Statement (“EIS”) published on January 31, 2011, the DOE is proposing the co-location of a new school in M195, which would serve middle school students. In a separate EIS published on January 31, 2011, the DOE is also proposing the temporary co-location of the high school grades of KIPP Infinity, KIPP S.T.A.R. Charter School (84M726), KIPP Academy Charter School (84X704), and KIPP A.M.P. Charter School from its current location on the Mott Haven Educational Campus (building X790) to building M195. This temporary co-location would be for a period of two years.

Summary of Comments Received at the Joint Public Hearings

A joint public hearing regarding this proposal was held at I.S. 195 Roberto Clemente on January 26, 2011. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 40 members of the public attended the hearing, 10 people spoke, and one question was submitted. Present at the meeting were Chancellor Cathleen Black, Deputy Chancellor Marc Sternberg, District 5 Superintendent Gale Reeves, District 5 Community Education Council President Dianne Johnson, District 5 Community Education Council member Elizabeth Porter, I.S. 195 Principal Rosarie Jean, I.S. 195 School Leadership Team representative Sean Licata, KIPP Infinity Charter School leadership representative Dan Levin, and Executive Director of Portfolio Planning Paymon Rouhanifard. Remarks were also made by Sarah Morgridge on behalf of Council Member and Education Committee Chair Robert Jackson, as well as United Federation of Teachers (“UFT”) Vice President for Special Education Carmen Alvarez and UFT District 5 Representative Dwayne Clark.

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

1. Community Education Council President Dianne Johnson stated that more resources are needed for schools and that the solution is not to bring in charter schools. She also stated that the District 5 community needs another middle school to take the place of I.S. 195, and that the DOE should give principals more time to make change. She said the meeting was an opportunity to share concerns in a respectful manner.
2. I.S. 195 School Leadership Team representative Sean Licata said that while I.S. 195 is not an easy place to work in, the teachers work hard to support students. Teachers work with students before school, during lunch, and after-school. The teachers do this because they love the students, and the students appreciate these teachers. He stated that he did not agree that phasing out the school is the best option for the students that are served at the school.
3. Sarah Morgridge spoke on behalf of Council Member Robert Jackson and said it was difficult to speak in favor of closing the school when there was not a clear idea of what the replacement would be. She said her office had reached out to a number of people, but had not heard back from all parties. Based on the school statistics, she said there were clearly things that need improvement at I.S. 195. She said it was hard to understand how a school that scored an A on student performance in 2008 was being proposed for phase-out two years later. She acknowledged that the school survey indicated that parent participation and school safety were concerns, but questioned what the DOE had done to address those specific issues. She also acknowledged that the DOE provided extra funding for professional development, but questioned whether such training was beneficial when the turnover rate is so high at the school.
4. UFT Vice President for Special Education Carmen Alvarez noted the dedication and commitment of the I.S. 195 staff. She said she did not understand why the DOE’s presentation did not outline all of the kinds of students at the school, including English Language Learners, students with disabilities, students who are in the resource room, students who receive partial special education services, and students who are in self-contained classrooms. She questioned how the DOE plans to serve those students and whether these students would be welcomed in the other choice middle schools. She

explained that I.S. 195, as the only barrier-free middle school in District 5, addresses a lot of young people's needs and therefore should not be phased out. She asked why information from the Joint Intervention Team report, which she said had specific data on how to help I.S. 195, was not included in the presentation. She asked that the DOE and other stakeholders be honest with each other and work together to keep I.S. 195 intact for the future.

5. UFT District 5 Representative Dwayne Clark spoke about his long-standing involvement with I.S. 195. He said he disagreed with the DOE's assessment that the school is unsafe and asserted that he has never seen indicators of violence at I.S. 195 that he has observed at other middle schools. He said teachers and administrators have worked hard to serve its students. Resources have dwindled, however, and programs and community-based organizations that existed before have not been around for the last couple of years. He also stated his concern that the academy structure was replaced, which provided motivation for students, and that the school was not being given enough time to turn around. In particular, he said the DOE needs to look at the special-needs population that the school serves. He noted that the school is the only barrier-free middle school in District 5 and that students with special needs will need a place to go. He recommended that the DOE leave I.S. 195 open and provide additional programs and resources to support the school.
6. A commenter said he did not approve of the way the DOE used statistics to close schools. The commenter asserted that there was a structure in place to shut down public schools and replace them with charter schools, instead of supporting existing schools with more resources.
7. A commenter questioned the Progress Report grade the school received two years ago because she felt the DOE did not group the school in the correct peer group.
8. A commenter questioned the part of the EIS that suggested that demand for the school was declining. The commenter cited her experience as the school's guidance counselor and said she interviewed interested students and that the students were told that they were not allowed to attend I.S. 195. The commenter also said that 20% of I.S. 195 students live outside the district and that they want to come to I.S. 195.
9. A commenter questioned how the school could be failing if I.S. 195 students are being accepted to highly-selective programs and different organizations have recognized the success of the student body. She cited \$30,000 scholarships that were given to three students, as well as students selected for the "Prep-to-Prep" program and students attending the Summer Institute for the Gifted. She said 20 students went to an "Explore Your Opportunities" program at Columbia University, which opened up a relationship between the DOE and the University. The commenter added that the school has built these relationships because they understand the students they serve and know what they need.
10. A commenter noted the after-school activities that the school provides, including fencing and chess online. The commenter said the school has not received funding this year and questioned whether such decisions were made because the school was being proposed for phase-out.
11. A commenter expressed dismay at the percentage of students on grade level in 2009-2010 in English Language Arts (13%) and Mathematics (17%) given the hard-working and collegial nature of the staff. As an example, she cited the large turnout of staff at the

funeral for an I.S. 195 colleague that died the previous week. She inquired whether the school could be considered for a re-structuring instead of a phase-out.

12. Multiple commenters spoke about the long-standing, positive community relationship between I.S. 195 and the law firm of Latham & Watkins, which helps run a pre-law program for the school. One commenter cited a writing competition, visits from the Secret Service and Wall Street bankers, cultural fairs, and other enrichment activities that were part of the program. One commenter also said members from the firm had never felt unsafe at the school. The commenters encouraged the DOE to involve all of the stakeholders, including the law firm, and to allow more time to help support the school.
13. Multiple commenters said they supported the changes that had been made at the school in the last year and a half, including the removal of the cabinet and academy structure and the feeling of inclusiveness at the school. The commenters felt that the school had not been given sufficient time to implement these new initiatives.
14. A commenter cited her involvement as a parent organizer for the Abyssinian Development Corporation and recommended that the DOE should look at other ways to save schools from being phased out. She stated that research shows that it costs more money to phase out a school than to invest the human and capital resources to keep the school open. The commenter said that the I.S. 195 community would prefer to keep the school open than face uncertainty in the future. Finally, she pledged the support of the Abyssinian Development Corporation in working with I.S. 195 and the community to promote a college-preparatory curriculum and support for I.S. 195 families.
15. A commenter asked whether an assessment was conducted by the Joint Intervention Team and whether I.S. 195 received a recommendation. The commenter also asked whether a restructuring plan was developed and whether the plan has been updated.

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

16. The DOE received a comment concerning all phase-out proposals calling for a moratorium on school closings, which stated that the DOE is the servant of the people and is not acknowledging the community's opposition to these proposals. The commenter suggested a facilitated discussion process which would work towards consensus.

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

Comments 1, 4-10, 13 and 14 express disagreement with the DOE's proposal to phase out I.S. 195 and replace. These comments assert that 1) the DOE did not properly assess I.S. 195, particularly given that the school serves a high needs population, 2) the DOE didn't provide the school adequate resources, and 3) that the I.S. 195 staff has demonstrated meaningful capacity to warrant the opportunity to continue supporting its students.

The DOE considers the phase-out option for schools which fall into one or more of three categories: (1) schools which received poor grades on their annual Progress Report; (2) schools which received a poor rating on their annual Quality Review; and (3) schools which have been identified by the New York State Education Department ("SED") as Persistently Low Achieving ("PLA"). Specifically, under the DOE's accountability framework, all schools that receive a D or

F or a third consecutive grade of C or lower on their annual Progress Report and all schools that received a rating below Proficient on their most-recent Quality Review are evaluated for intensive support or intervention, including the possibility of phase-out. Progress Reports are released by the DOE each fall and evaluate schools based on Student Progress, Student Performance, and School Environment, which includes safety, attendance and survey feedback from parents, teachers and sixth-grade to twelfth-grade students. Quality Reviews involve experienced educators visiting a school over several days, observing classrooms and talking with students, staff and families. Schools are rated on a four-point scale, with “Underdeveloped” as the lowest possible rating and “Well Developed” as the highest, and those ratings are also released by the DOE.

I.S. 195 earned a D grade on its 2009-2010 Progress Report, including D grades in the School Environment, Student Performance and Student Progress sub-sections. This placed the school in the bottom 7% of schools citywide. In addition, the State identified I.S. 195 as a PLA school in December 2010. All schools identified by SED as PLA are considered for more intensive support or intervention, including the possibility of phase-out. In December 2010, SED identified 67 PLA schools across the State, including 43 in New York City. Schools are identified based upon their Grade 3-8 ELA and math test scores and graduation rates for high schools.

Based on its low Progress Report score and status as a PLA school, the DOE initiated a comprehensive review of I.S. 195 with the goal of determining what intensive supports and interventions would best benefit its students and the community. During that review, the DOE looked at recent and historical performance, as well as demand for the school, consulted with experienced educators who have worked closely with the school, and gathered community feedback.

The Progress Report and the comparisons are fair as they account for the unique student population that a school works with. For middle schools the percent of self-contained students is part of the peer index (both as part of the percent of students with individualized educational plans (“IEPs”) and again on its own), so peer schools tend to have roughly similar percentages of self-contained students.

Upon completing this detailed evaluation of I.S. 195 that included an assessment of both analytical and qualitative factors, the DOE is proposing that I.S. 195 no longer has the capacity to turn around quickly to better support student needs. The Educational Impact Statement notes several pieces of evidence as rationale that the best outcome for future students is to phase in a new school as a replacement to I.S. 195:

- In 2009-2010, only 13% of students were on grade level in English Language Arts (“ELA”), and only 17% were on grade level in math—putting I.S. 195 in the bottom 10% of middle schools citywide in ELA and in the bottom 6% in math.
- In 2009-2010, I.S. 195 ranked in the bottom 5% of all K-8 schools citywide in terms of learning growth in ELA and in the bottom 8% of K-8 schools citywide in terms of learning growth in math. If such poor performance continues, I.S. 195 students will fall even further behind their peers in other schools.

- While I.S. 195 scored well on the annual Progress Reports in 2007-2008 and 2008-2009, overall performance has been declining relative to other middle schools citywide. In ELA in 2007-2008, I.S. 195 performed better than 30% of middle schools, in 2008-2009 performance was better than only 22% of middle schools, and in 2009-2010 it was better than only 10% of middle schools citywide.
- Demand for seats at I.S. 195 is low and declining. Between 2006-2007 and 2010-2011, the number of students enrolled at I.S. 195 fell by 499 students or 56%. Sixth grade enrollment between 2006-2007 and 2010-2011 decreased by 28%. This decline is partially driven by the fact that several District 5 elementary schools have converted to K-8 schools, which would reduce the total pool of families applying for middle schools in District 5. However, the presence of K-8s would not explain the fact that only 48 of the 204 students offered 6th grade seats at I.S. 195 through the Middle School Choice process in 2009-2010 actually enrolled at the school (additional students enrolled through the “Over-the-Counter” or “OTC” process).

The DOE offered considerable support to I.S. 195. Unfortunately, these efforts have not turned the school around. Supports and school improvement strategies previously implemented at I.S. 195 are detailed in the Educational Impact Statement.

Comments 2 and 11 note that there teachers and students have good relationships and the staff has demonstrated collegiality and an ability to work as a team to help support student needs.

The proposal to phase out I.S. 195 does not imply that there have not been positive experiences for students and staff within this school. Staff members and families have worked hard to improve the school. However, the school has simply not shown enough progress and promise to provide District 5 middle school students the rigorous academic experience that all students citywide deserve.

Comment 3 states that the community needs to know what the DOE’s plans are to replace I.S. 195.

During the joint public hearing on January 26, 2011, Deputy Chancellor Marc Sternberg announced that the DOE will soon be releasing an Educational Impact Statement which will propose a district middle school to phase into M195 as a replacement to I.S. 195.

Comments 4 and 5 raise questions regarding students receiving special education services at I.S. 195.

I.S. 195 currently offers Collaborative Team Teaching (“CTT”) classes, Self-Contained (“SC”) classes, and Special Education Teacher Support Services (“SETSS”). The existing CTT, SC, and SETSS classes would continue to be provided as the school phases out and students with disabilities will likewise continue to receive mandated services in accordance with their Individualized Education Plans (“IEPs”).

Among the SC classes, I.S. 195 offers a program for students who are cognitively impaired, primarily due to mental retardation (“MR”). This program will continue to be offered to at I.S. 195 through the phase-out period, and a comparable program will be offered to District 5 students and parents within either the new school proposed to phase into M195 or another District 5 middle school. These resources will continue to be provided to I.S. 195 students as the school phases out.

Comments 8 and 15 ask what the outcome of the Joint Intervention Team (JIT) recommendation of I.S. 195 was, whether those results had been communicated to the school and whether the school had put together a restructuring plan in response to this JIT recommendation.

During I.S. 195’s Joint Public Hearing on January 26, 2011, the DOE made clear that the Joint Intervention Team (a team comprised of both State and City education officials) also recommended that I.S. 195 should be phased out. DOE central staff sent the JIT report to I.S. 195’s support structure (NL and Cluster) on December 17, 2010. Network Leader was instructed to share report with school leadership on Monday, December 20th. The school submitted a restructuring plan on January 10, 2011.

Comment 12 states that I.S. 195 has had a strong partnership with Latham & Watkins

Partnerships like this would continue to support current students as I.S. 195 phases out, though it is possible that the nature and scope of those partnerships would change based on shifting need and resource availability as the school moves toward closure. The DOE would work with I.S. 195 staff to enhance existing partnerships or develop new partnerships as the school phases out if specific, new student needs emerge during the phase-out period. In addition, the DOE would work with other school organizations in the building to foster opportunities for them to work with the CBOs that have supported I.S. 195 students in the past. As appropriate, the DOE would work with the new school to introduce or enhance partnerships with the CBOs that currently support I.S. 195 students.

With regard to comment 16, the central goal of the Children First reforms is to create a system of great schools. Every child in New York City deserves the best possible education. This starts with a great school – led by a dedicated leader with a vision for student success. To ensure that as many students as possible have access to the best possible education, since 2003 New York City has replaced 91 of our lowest-performing schools with better options and opened 474 new schools: 365 district schools and 109 public charter schools. As a result, we’ve created more high-quality choices for families.

Based on feedback from communities in 2009 and 2010, the DOE made improvements to its timeline and process for communicating with schools and families early and often throughout the investigation and decision making process. This year, we talked to school leadership, parents, SLTs, CECs, elected officials, and local CBOs about our ideas about how to improve struggling schools. We convened these meetings to discuss our proposals and to hear feedback and new ideas.

The Department developed and distributed “Fact Sheets” for each school we talked with. These fact sheets described proposals, the rationale behind them, included relevant data, and provided clear instructions for how to offer feedback. They were posted on our website and distributed at meetings.

When we announced the Department’s recommendation to propose the school for phase out, dedicated teams of educators and engagement specialists spent several days back in these schools meeting with teachers, parents, and students.

In January, Joint Public Hearings were held for all proposals and public feedback was collected at these meetings and through dedicated email and phone numbers. The Department’s analysis of public comment will be available on-line prior to the vote.

Changes Made to the Proposal

The DOE has not made any changes to the proposal in response to the comments summarized above.