



Public Comment Analysis

Date: January 31, 2011

Topic: The Proposed Phase-out of Monroe Academy for Business/Law High School (12X690)

Date of Panel Vote: February 1, 2011

Summary of Proposal

Monroe Academy for Business/Law High School (12X690, “MABL”) is an existing high school located at 1300 Boynton Avenue, Bronx, NY 10472, within the geographical confines of Community School District 12. It currently serves students in grades nine through twelve. The New York City Department of Education (“DOE”) is proposing to phase out MABL based on its poor performance and the DOE’s assessment that the school lacks the capacity to turn around quickly to better support student needs.

MABL is located in building X420 and is currently co-located with Pan American International High School (12X388, “Pan American”), High School of World Cultures (12X550, “World Cultures”), Bronx Coalition Community High School (12X680, “Bronx Coalition”), and Monroe Academy for Visual Arts and Design (12X692, “MAVAD”). 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.

If this proposal is approved, MABL would no longer admit new ninth-grade students after the conclusion of the 2010-2011 school year. Current students would be supported as they progress towards graduation while remaining enrolled at MABL. In cases where students do not complete graduation requirements by June 2014, the DOE will help students and families identify alternative programs or schools that meet students’ needs so that they may continue their education after MABL completes phasing out. The other schools located in X420 would continue serving their current students, with the exception of Bronx Coalition, which is in its last year of phase-out and will close at the end of the 2010-2011 school year. Pan American would continue to phase-in until it reaches its complete grade span of 9-12 in 2011-2012. As described in a separate Educational Impact Statement (EIS) posted on December 17, 2010, the DOE also has proposed co-locating a new high school, 12X521, which would begin phasing into X420 with a ninth-grade class during the 2011-2012 school year. That school would continue growing to full scale as MABL phases out, and would complete its expansion during the 2014-2015 school year, at which point it would serve students in grades 9-12.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at James Monroe Educational Campus on January 21, 2011. At that hearing, interested parties had an opportunity to provide input on the proposal. Approximately 71 members of the public attended the hearing, and 10 people spoke. Present at the meeting were MABL SLT member and UFT chapter leader Robert Roache, High School of World Cultures SLT members Principal Ramon Namnun and Dr. Diane Marquez; Pan American Principal Bridgit Clair Bye; Bronx Coalition Principal Mary Ann Tucker; Monroe Visual Arts Principal Richard Massel; Citywide Council on High Schools (“CCHS”) representatives Constance Asiedu and Denise Sullivan; and Dustin Engelken from Council Member Annabel Palma’s office. District 12 Community Education Council members confirmed that they would attend the hearing but did not.

The proposal to co-locate a new high school, 12X521, was also addressed at this joint public hearing. The analysis of comments received which relate to that proposal can be found at <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2010-2011/Feb12011Proposals>.

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

1. Robert Roache, representative of the MABL SLT, stated that SLT does not support the phase-out proposal. In particular:
 - a. MABL serves a high-needs population, including a large number of self-contained special education and other special needs students with behavioral and emotional issues. Some students are not ready to graduate in four years. Some students need small class sizes and low student-teacher ratios; this may not be possible if the school is phasing out. He said he does not know if the DOE considers the population the school serves when evaluating the school’s performance.
 - b. For the past four years, leadership of MABL has been ineffective. The school’s former leader was removed earlier this year. With its new leader, the school should have a chance to demonstrate that it can improve.
 - c. MABL is making real academic progress. The school cares about its students. Unlike other schools, which graduate students who are unprepared for college, MABL is a rigorous environment in which students who are not learning do not pass. The graduation rate is increasing, and is higher than that of some schools that received an A on the Progress Report. Credit accumulation has increased. MABL is improving on every Progress Report metric.
 - d. The DOE has provided insufficient support to MABL. In particular, network support has been ineffective and professional development has not been sufficiently effective or targeted to the needs of MABL and its staff. The DOE should take responsibility for the failures of MABL, including weak school leadership.
 - e. Why is the DOE making these changes?
 - f. MABL should be given an opportunity to implement one of the School Improvement Grant models such as Transformation or Turnaround.

2. Diane Marquez, representative of the World Cultures SLT, stated that World Cultures believes that schools should receive support to restructure instead of being phased out. She also noted:
 - a. The Monroe campus has one of the largest special education populations in the City, but is considered a very safe building and is not an Impact campus.
 - b. The DOE is not considering the challenges that the schools at the Monroe campus face when it proposes to phase out MABL. World Cultures serves new immigrant students, but is held to the same standards as other schools, which serve students born in the United States.
 - c. Unlike other New York City campuses, Monroe was never properly organized as a campus. It is not too late to provide the schools on the campus with the support they need to restructure, instead of phasing out the schools.
3. Denise Sullivan, representative of the CCHS, spoke in support of the proposal and stated that students have a right to their education. When a school fails, we need to get students their education.
4. Constance Asiedu, representative of the CCHS:
 - a. Expressed concern about the students who remain on the campus after the school is phasing out.
 - b. Noted that the Bronx has many schools on New York State's list of Persistently Low Achieving schools. She expressed concerns about educational options for students in the Bronx. She stated that Bronx parents are very concerned about their children's education, and want to ensure that there are high quality high school options in the Bronx.
5. Dustin Engelken, a representative of Council member Annabel Palma, expressed concern about whether the DOE has put MABL in a position to succeed. He also expressed concern that many of the schools proposed for phase out are located in low-income communities in outer boroughs. He also encouraged the DOE to listen to the comments expressed at the hearing.
6. A commenter stated that MABL was part of a series of reorganization efforts, including transitions through various administrative districts. He also stated that:
 - a. The school had many leadership transitions.
 - b. The number of students enrolled at the school fluctuated.
7. Multiple commenters stated that the school does not have sufficient resources, including community service support and books for students to take home.
8. A commenter stated that demand for the school remains high and the DOE should consider this in its decision-making.
9. A commenter described the history of the Monroe campus. He stated that:

- a. In 1994, the DOE closed James Monroe High School and replaced it with small schools. Seventeen years later, three of those schools are closed and a fourth is proposed for closure.
 - b. The school has a high concentration of special needs students and English Language Learners, and needs support and resources necessary to teach these students.
10. Multiple commenters stated that the school is making academic progress.
 11. Multiple commenters stated that instead of replacing schools, the DOE should support them and educate the young people of the South Bronx. Commenters also stated that the DOE needs to be accountable for the ineffective leadership at the school, and its own failure to support the school effectively.
 12. A commenter stated that the DOE provided a letter to parents on November 17. The letter was provided in English only. It was provided to parents by student delivery, which is not an effective way to reach parents. It was a poor quality copy, making the text difficult to read.
 13. A commenter expressed concern about the accountability system, suggesting that it encourages schools to pass students who are not learning.
 14. Multiple commenters stated that MABL has a higher graduation rate than some schools that are not proposed for phase out.
 15. Multiple commenters expressed concern about the impact of the phase out of MABL on other schools on the Monroe campus.
 16. A commenter stated that students at MABL feel a bond with their teachers and grow as students.
 17. Multiple commenters expressed concern about options for students in the community if the school is closed. Multiple commenters asked: What are the options are for current students if the school is phased out?
 18. A commenter asked: If the DOE has the best interests of the students at heart, why phase out the school?
 19. A commenter asked if the DOE understands the psychological impact of closing schools.

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

20. The DOE received a resolution opposing the closing of MABL at the joint public hearing. It states that the community and the Parent Association oppose the closure and call upon

the NYCDOE to retract the proposal and provide the school with resources necessary for academic success. The reasons cited were:

- a. The school is a true community high school that provides a good education despite lack of support from the DOE;
 - b. It appears that as needs went up grades went down despite the DOE's attempts to level the playing field;
 - c. The accountability system is flawed and does not take into account the great work of the school;
 - d. The DOE has failed to provide effective leadership for the school;
 - e. The DOE showed disrespect for the community when the new principal was announced on the same day as the proposed closure;
 - f. The DOE has failed to provide necessary support for students or staff as agreed;
 - g. The DOE has placed inordinately large numbers of special needs students in the school without providing appropriate resources or support;
 - h. The educators at MABL have demonstrated capability despite difficult conditions; the percentage of first-year students accumulating 10 credits or more has increased annually since 2008;
 - i. The graduation rates at MABL have improved despite increases in self-contained special education students;
 - j. MABL's performance score rose from 11.0 in 2009 to 11.7 in 2010 and the Progress Report rose from a D to C in those years;
 - k. The DOE can implement the transformation or turnaround model instead of phase-out, since MABL is a PLA school;
 - l. The above shows mismanagement by the DOE;
 - m. MABL community is committed to supporting the school and has been outspoken in their opposition to closure.
21. 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

With regard to comments 1(a), 2(a), 2(b), and 9(b) regarding the high needs population that MABL serves, the Progress Report accounts for the unique student population that a school works with. For high 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. The graduation outcomes of self-contained students also receive additional weight in the weighted Regents diploma rate.

In addition, the high school peer index is based on the average 8th grade proficiency, double the percentage of special education students, double the percentage of self-contained students, and the percentage of overage students on entry to the school. As a result, schools in the same peer

group generally have comparable mixes of students who were struggling academically before high school, who have an individualized education plan (“IEP”) (and particularly those with the most restrictive program recommendation), and who enter the school overage. We are particularly aware of the challenge of graduating self-contained students, which is why we effectively give the percent of such students double-weight in calculating peer groups. As a result of our peer group methodology and the adjustments we provide within individual metrics for achieving strong outcomes with highly challenging student populations, a high school’s Progress Report score accounts for and controls for the percent of self-contained, other special education, ELL, or overage students, and the average 8th grade proficiency of the students it serves.

While MABL does serve a challenging population, it does not follow that the school cannot be compared to any other school – it simply means that student characteristics must be considered when making a comparison. Taking into account the student populations they are working with, other schools are achieving better outcomes than MABL is with its students.

As discussed in the Fact Sheet, which was made available to the public, like most New York City public schools, MABL serves a high-need population: 21% of students require special education services and 15% are English language learners. In 2009-2010, MABL’s four year graduation rate (including August graduates) was 54%. But other schools serving similar students have achieved far better results.

- At Belmont Preparatory High School, a Bronx school, 17% of students require special education services and 18% of students are English language learners. That school achieved a 64% four-year graduation rate in 2009-2010, with 56% of students earning Regents diplomas.
- At Morris Academy for Collaborative Studies, a Bronx school, 25% of students require special education services and 19% of students are English language learners. That school achieved a 69% four-year graduation rate in 2009-2010, with 63% of students earning Regents diplomas.
- While all students are still not where we’d like them to be, these schools are getting far better results while serving a similar mix of students to MABL.

With regard to comments 1(b), 1(e), 1(f), 2(c), 8, 18, 19, and 20(k) which are related to the decision to phase out the school rather than implement a different intervention: deciding to phase out a school is the toughest decision we make. Every year, the DOE identifies which schools are having the most trouble serving their students. We compile a preliminary set of schools that could possibly be considered for intensive support or intervention by looking at all schools that receive a grade of D, F, or a third consecutive C or lower on the Progress Report, and schools that receive a rating below Proficient on the Quality Review. We also take into account how the State assesses the school’s performance, by including schools identified as Persistently Lowest Achieving (PLA) in this first group.

Elementary and middle schools that score higher than their district average in English Language Arts and math, high schools with graduation rates higher than the citywide average, schools earning a Well Developed or Outstanding score on the Quality Review, or schools receiving a Progress Report for the first time are removed from the list and not considered for significant actions.

With this smaller set of schools, we undergo in-depth conversations with school communities and networks to get an even better sense of what is happening at this school, and whether more significant action is needed. We continue to consider performance data, school culture, and demand information. Eventually, we are left with a set of schools that are not serving their students well enough and need more aggressive supports and intervention.

Based on an extensive review of data and community feedback, the DOE has determined that MABL is unable to turn around and cannot provide a high-quality education to its students, notwithstanding its new leadership and recent incremental improvements in graduation rate and credit accumulation. The DOE believes that only the most serious intervention—the gradual phase-out and eventual closure of MABL—will address the school’s longstanding performance struggles and allow for new school options to develop in Building X420 that will better serve future students and the broader community. We are proposing to phase out the school because we think it is the right thing for our students.

With regard to comments 1C, 10, 14, 16, 20(h), 20(i), 20(j), which concern the school’s academic progress: MABL’s graduation rates have remained at or below 55% for the last few years. In 2010, the school’s four-year graduation rate (including August graduates) was 54%, well below the citywide 63% average. This graduation rate puts MABL in the bottom 15% of all high schools for 2009-2010. Credit accumulation rates have increased, but last year only 73% of first-year students at MABL earned at least 10 credits, placing MABL in the bottom third of high schools citywide and in the bottom 45% of high schools in the Bronx.

As noted in the educational impact statement (“EIS”) describing the proposed phase-out of MABL, the school received an overall C grade on its 2009-2010 Progress Report, with a D grade on the Student Performance sub-section, a C grade on the Student Progress sub-section, and a D grade on the School Environment sub-section. In 2008-2009, MABL earned an overall D grade on its Progress Report, with a C grade on Student Performance, a D grade on Student Progress, and a D grade on School Environment. This represents a pattern of low performance for MABL, which earned an overall C in 2007-2008, with C grades on all three sub-sections

Again, while some progress has been made in graduation and credit accumulation rates, after a careful analysis the DOE has determined that the school is ill equipped to dramatically improve student outcomes within the current structure.

With regard to comments 1(d), 5, 7, 9(b), 11, 20(a), 20(d), 20(f), 20(g), related to the support and resources offered to MABL: all schools receive support and assistance from their superintendent and Children First Network team, a group of educators who work directly with schools. This team helps schools identify best practices, target strategies for specific students in need of extra

help, and prioritize competing demands on resources and time. Each school community chooses the network whose support best meets its needs, and each network works to improve student achievement in all of its schools.

The EIS describing the proposal to phase-out MABL delineates a range of instructional, operational, and leadership supports provided to MABL. In addition, a number of resources were provided to support students' social/emotional and academic needs, particularly for struggling students. Over the years, the DOE has offered MABL the following supports:

Leadership Support:

- Providing extensive training for the principal, which included monthly coaching sessions and frequent school visits.
- Helping the principal to develop the school's Comprehensive Education Plan and set school goals.
- Connecting administrators with other schools to learn effective practices that could be replicated at MABL.

Instructional Support:

- Training for staff on how to use data to inform instruction.
- Working with teacher teams to improve instruction for English language learners, students with disabilities, and students performing below grade level.

Operational Support:

- Helping the school to use its budget resources to meet school goals and student needs and resolve budget issues.
- Guiding the school in working with other schools on campus to ensure efficient and coordinated use of facilities and shared spaces.
- Coaching staff on budgeting, human resources, recruiting and retaining talented teachers, and compliance issues.

Student Support:

- Training for guidance counselors on how to use scholarship reports and graduation tracking systems.
- Helping the school foster partnerships with the law firm Macaluso & Safinsky to enhance mock trial, moot court, and law-day activities and create law-themed courses for 10th and 11th grade students.

The DOE makes available the following supports to schools around safety and security:

- Best Practices Standards for Creating and Sustaining a Safe and Supportive School as a resource guide.
- Reviewing and monitoring school occurrence data and crime data (in conjunction with the Criminal Justice Coordinator and NYPD)
- Technical assistance when incidents occur via the Borough Safety Directors
- Professional development and support to Children First Network Safety Liaisons
- Professional development and kits for Building Response Teams
- Monitoring and certifying School Safety Plans annually

For more information, please see pages 4 and 5 in the EIS:
<http://schools.nyc.gov/community/planning/changes/bronx/MABL>

Given the school's lack of success despite supports – whether as part of a centralized effort to support all schools or individualized plans for MABL – it is apparent that MABL has not developed the proper infrastructure to meet the needs of its students and families. The school culture and conditions have not enabled increased student achievement. It is our belief that phasing this school out and bringing in higher quality schools – will provide better options for the community and families in the future.

Comment 3 is in support of this proposal and does not require a response.

With regard to comments 4(a) and 17, as detailed in the EIS on pages 7-12 students currently enrolled at MABL would have the opportunity to graduate from MABL assuming that they continue to earn credits on schedule. Current first-time ninth grade students may participate in the high school admissions process and apply to attend a different school as a 10th grader in September 2011. As the school becomes smaller, current students will be able to receive more individualized attention so that they can achieve their graduation goals and prepare for post-secondary education and/or career plans. All students are encouraged to meet with their guidance counselor to discuss their progress towards graduation.

With regard to comments 4(b) and 17, the DOE is proposing to open seven new high schools in the Bronx in September 2011, including one new school as a replacement option for MABL, that will provide additional seats to students in the borough. Some of these schools will open in campuses of the proposed phased-out schools while others will open in other campuses. If approved by the PEP, these seven new schools are expected to serve approximately 830 new 9th grade students in 2011-2012.

Information regarding the new schools that will be proposed to open in 2011 will be provided in the winter for students who may be interested in applying to the schools as part of the High Schools Admissions Process. The details of this process are discussed in the EIS on pages 12-16. Detailed information about all City high schools is published annually in the City's High School Directory, available in print at DOE middle schools and Borough Enrollment Offices or on the DOE website here: <http://schools.nyc.gov/ChoicesEnrollment/High/Directory/default.htm>

With regard to comment 6 (a) the current principal has been in place since November 2007. As mentioned previously in this document, the DOE provided extensive leadership support, including:

- Providing extensive training for the principal, which included monthly coaching sessions and frequent school visits.
- Helping the principal to develop the school's Comprehensive Education Plan and set school goals.
- Connecting administrators with other schools to learn effective practices that could be replicated at MABL.

6(b) The number of students enrolled at the school has fluctuated due to declining demand. MABL has one educational option program to which students may apply through the high school admissions process. For September 2008 enrollment, MABL received 14.7 applications per seat. This number dropped to 12.3 applications per seat for the same number of seats during the following year. Then, for September 2010, MABL received 11.0 applications per seat for the same number of seats. While MABL's applications per seat average is still higher than the citywide average of 8.1, the decrease in demand has led to decline in the school's overall enrollment.

With regard to comment 9(a), 8 out of the 25 schools proposed for phase-out this year were opened since 2003, representing less than 2% of the total schools we've created since 2003 (365). In any case where a school is failing to serve its students well, we must take appropriate action.

With regard to comment 12, the DOE provided notification flyers to the school in English and Spanish for them to distribute with families in advance of a meeting held on November 9; a follow-up letter was provided in English; the school did not request Spanish translations. Notification letters regarding the decision to propose the phase-out were provided in English and Spanish, as were those that directed families to the full proposal once it became available. Backpacking with students is one of the most effective ways for the DOE to communicate with families.

With regard to comment 15, as detailed in the EIS on pages 16-19 there would be no impact on enrollment at the other schools housed in X420 as a direct result of this proposal. Those schools would continue to serve students in grades 9-12. Further information regarding the impact of this proposal on the other co-located schools in X420 is outlined in the EIS.

With regard to comment 16, we acknowledge the hard work and dedication of the teaching staff. However, given MABL's lack of success despite the above supports – whether as part of a centralized effort to support all schools or individualized plans for MABL – it is apparent that the school has failed to develop the proper infrastructure to meet the needs of its students and families.

With regard to comments 13 and 20(c), In 2007, principals signed a landmark performance agreement with the City, winning increased autonomy to run their schools in exchange for increased responsibility for the outcomes of their students. With this agreement, the educators who know best what each student needs to succeed received the authority and the resources to make the best decisions for the students in their schools. In return, they agreed to be judged on the results they deliver: the academic progress of their students.

The Division of Performance and Accountability develops and manages the evaluations that New York City uses to hold schools accountable for student achievement, and provides data, tools, and resources that educators and families use to improve schools and support student learning. The Progress Report, Quality Review, and New York State Annual School Report Card are three separate accountability systems used to evaluate schools.

Progress Report Grade: This letter grade (A through F) provides an overall assessment of the school's contribution to student learning in three main areas of measurement: (I) School Environment, (II) Student Performance, and (III) Student Progress. Schools also receive letter grades in each of these three categories. Schools receive additional recognition for Exemplary Student Outcomes by students most in need of attention and improvement. The overall Progress Report Grade is designed to reflect each school's contribution to student academic progress, no matter where each child begins his or her journey to proficiency and beyond. Schools are compared to all schools Citywide and to schools with student populations most like their own.

Quality Review Score: This separate accountability score is based on an on-site Quality Review of the school by an experienced educator. The score represents the quality of efforts taking place at the school to track the capacities and needs of each student, to plan and set rigorous goals for each student's improved learning, to focus the school's academic practices and leadership development around the achievement of those goals, and to evaluate the effectiveness of plans and practices constantly and revise them as needed to ensure success.

The Quality Review Score is evaluated on a four point scale: Well Developed, Proficient, Underdeveloped with Proficient Features, and Underdeveloped. The Quality Review Score is not incorporated into the Progress Report Grade and instead is treated as a different, equally important indicator.

New York State Annual School Report Card

This separate accountability indicator reports the school's status under the accountability system New York State has adopted under the federal No Child Left Behind Act (NCLB). The Progress Report is designed to supplement the State accountability system. A school's NCLB status is an important basis for assessing the number and characteristics of students in a school who have attained the goal of proficiency in literacy and mathematics. NCLB Status is not incorporated into the Progress Report Grade.

With regard to comment 21, With regard to comment 10, 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

No changes to this proposal were made.