Department of Education
Dennis M. Walcott, Chancellor

Public Comment Analysis[1]

Date:	March 8, 2013
Topic:	The Proposed Phase Out of Sheepshead Bay High School (22K495) Beginning in 2013-2014
Date of Panel Vote:	March 11, 2013

Summary of Proposal

On January 14, 2013, the New York City Department of Education ("DOE") proposed to phase out Sheepshead Bay High School (22K495, "Sheepshead Bay"), an existing district high school located in school building K495 ("K495"), beginning in the 2013-2014 school year. Sheepshead Bay is located at 3000 Avenue X Brooklyn, NY 11235, within the geographical confines of Community School District 22 ("District 22"). Sheepshead Bay currently serves students in grades nine through twelve. The DOE is proposing to phase out the school based on its poor performance and the DOE's assessment that it lacks the capacity to improve quickly to better support student needs.

On January 17, 2013, the DOE issued a revised Educational Impact Statement ("EIS") which provided updated information on District 75 inclusion programs serving high school grades in Brooklyn; a corrected list of schools offering CTE programs in the following career clusters: Business Management and Administration, Health Science, and Hospitality and Tourism; corrected calculations with regard to the impact on available ninth grade seats in Brooklyn; more detail regarding the impact of this proposal on Sheepshead Bay's CTE funding; updated information regarding the impact of this proposal on the availability of Transitional Bilingual Education ("TBE") programming; and deletes a note about CTE approval status in Appendix C. The revised notice also corrected a typographical error in identifying P811K@K495 that appeared in the original notice.

On February 5, 2013, the DOE amended the proposal to update the eligibility status of Sheepshead Bay High School, new district high school 22K611, new district transfer school 22K630, New Visions Charter High School for Applied Math and Science III (84KTBD, "AMS III"), and New Visions Charter High School for the Humanities (84KTBD, "HUM III") for School Improvement Grant funding. The amended information was provided in a Notice of Amendment for Section V. of the Revised Educational Impact Statement and does not substantially revise the proposal.

On February 22, 2013, the DOE amended the proposal a second time to provide updated information on the Public School Choice Process and the age range of students served by the proposed new transfer high school, 22K630.

Sheepshead Bay is currently co-located with one site of a multi-sited District 75 ("D75") inclusion program, P811K@K495 (75K811, "P811K@K495"). In an inclusion program, a student with special education needs receives services in a general education classroom along with general education students.

[1] The DOE will continue to accept comments concerning this proposal up to 24 hours prior to the Panel for Educational Policy's ("PEP") vote on March 11, 2013. Those additional comments will be addressed in an amended Public Comment Analysis which will be provided to the PEP before it votes on this proposal.

Students in the P811K@K495 program are enrolled in Sheepshead Bay's general education classes based on their respective Individualized Education Program ("IEP") recommendations and receive Special Education Teacher Support Services ("SETSS") from a District 75 special education teacher. In addition, building K495 houses a school safety office and four Community Based Organizations ("CBOs"): City Year, Counseling in Schools, Diplomas Now, and a Relationship Abuse Prevention Program ("RAPP").

In a separate EIS, the DOE is also proposing to open and co-locate a new district high school, 22K611, and a new district transfer high school, 22K630, in building K495 beginning in 2013-2014. In a third revised EIS, the DOE is proposing to open and co-locate two new public charter high schools, AMS III and HUM III, beginning in the 2013-2014 school year. 22K611, AMS III, HUM III, and 22K630 would grow to full-scale as Sheepshead Bay phases out. 22K611, AMS III, and HUM III would open with ninth grade, adding one grade annually and reaching full-scale in grade levels in the 2016-2017 school year, with grade spans of nine through twelve. 22K630 will open with students in grades nine through twelve, and 22K630 is expected to reach full scale in terms of enrollment in 2015-2016, with a grade span of nine through twelve. Both of the second amended revised EISs and the related Building Utilization Plan ("BUP") can be accessed on the DOE's website at:
http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm.

Sheepshead Bay admits students through the Citywide High School Admissions Process through a zoned program and an educational option program. The school offers five Career and Technical Education ("CTE") programs in four career clusters. Information about the High School Admissions Process and CTE programming, and the impact of this proposal on CTE programming at Sheepshead Bay, is in Section III.A of the second amended revised EIS describing this proposal.

If this phase-out proposal is approved, Sheepshead Bay will no longer admit new ninth-grade students after the conclusion of the 2012-2013 school year. The school will continue to phase out one grade level at a time until it closes at the conclusion of the 2015-2016 school year. Current Sheepshead Bay students will have the opportunity to graduate from that school, assuming that they continue to earn credits on schedule and pass the required Regents exams. Current students will be supported as they progress towards graduation while remaining enrolled at Sheepshead Bay. In cases where students do not complete graduation requirements by June 2016 when Sheepshead Bay's phaseout is fully implemented and the school closes, the DOE will help students and families identify alternative programs or schools that meet students' needs so that they may continue their education after Sheepshead Bay completes phasing out.

Copies of the second amended revised EIS describing this proposal are available in the main office of Sheepshead Bay and P811K@K495. It is also available on the DOE's website at:
http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/Mar112013Proposals.htm.

Summary of Comments Received at the Joint Public Hearing

A joint public hearing regarding the three related proposals to phase-out and replace Sheepshead Bay High School was held on February 20, 2013 at Sheepshead Bay, located at 3000 Avenue X Brooklyn, NY 11235, in building K495.

Approximately 129 members of the public attended the hearing and 22 people spoke. Present at the meeting were Deputy Chancellor Kathleen Grimm; Facilitator Elizabeth Rose of the DOE; Principal of Sheepshead Bay John O'Mahoney; Community Education Council ("CEC") 22 Member Jackie Pierre Louis; Citywide District 75 Council representative Gloria Smith, Citywide Council on High Schools representative Marianne Russo; Sheepshead Bay High School SLT Representatives Mile Katusa, Vikie Angelekakis, Marlene Belnavis, Mario Ford, Rita McRae, Niki Monogiodis, Thimica Ming, Maribel Pena, and Michael Turovskiy; and Assemblymember Alan Maisel. The principal of 75K811 was invited to the Joint Public Hearing but did not attend. Additionally, Amanda Cahn, Miriam Sondheimer, and Lauren Lefty from the DOE were present.

Below is a summary of the comments received:

<u>The following comments and remarks were made or submitted at the Joint Public Hearing on February 20, 2013:</u>

1. Mile Katusa of the Sheepshead Bay SLT asserted:
    a. Emotions have been running high amongst the staff at Sheepshead; there is a perceived lack of support from the DOE that led to the decimation of morale. A year and a half ago the school was told the DOE had a plan to improve the school. The system created cold-hearted cynicism.
    b. The staff works hard and has had many successes, including the Mock Trial program, athletics programs, and scholarships earned by students. The staff works hard and fights for the students.
    c. The staff at Sheepshead Bay has been working hard to support the low-performing students at the school and has implemented plans to improve, like developing small learning communities and grade level teams to help address student needs.
    d. The DOE has the hard data, but not the soft data about success stories.
    e. Students don't want to feel like their success stories are dismissed; this is an insult to students.
    f. What specific supports will be provided to Sheepshead Bay as it phases out?
    g. The staff is frustrated that only the new district school will be unscreened; why can't the charter school be unscreened, too?
2. Marianne Russo of the Citywide Council on High Schools stated:
    a. We should help schools improve and not just help them survive as they phase out. All children deserve the best, and students attending a school being phased out do not always receive the best.
    b. The DOE should understand why students are not achieving then determine how to help them, rather than just phasing out a school.
    c. Sheepshead Bay is taking in everyone.
    d. The DOE is wasting money and resources on phasing out schools when it should be using these resources to help schools improve.
    e. Is it the best policy to bring in new schools when the students in the school phasing out cannot take advantage of them?
3. Assembly member Alan Maisel, who stated that he was also speaking on behalf of Councilmember Lewis Fidler, asserted:
    a. He has been very involved in educational issues involving mayoral control, which is out of control.

   b. The decision to phase-out Sheepshead Bay was made ten years ago when Chancellor Klein came to the DOE because his policy goal was to close big high schools.
   c. The way the DOE is going about the process in disingenuous. Students who would have gone to other phase-out schools had to go elsewhere, like Sheepshead Bay.
   d. Big schools like Sheepshead Bay serve all students, including low level students, so the DOE should not say that the school is doing a bad job.
   e. The DOE is not doing its job; the Deputy Chancellor is not doing her job. The DOE should support schools; closing schools is not a sign of support.
   f. Charter schools are not the answer. They select their own students, have their own rules, and can get rid of students when they please.
   g. The DOE has not demonstrated that schools that have replaced phase out schools are doing significantly better.
   h. The DOE should think about what occurs in the home.
   i. The DOE's goal is to close schools and make Bloomberg's education policies look like they're working.
   j. This proposal will most likely be approved by this administration. I am asking that the DOE withhold the decision to phase-out Sheepshead Bay until after a new mayor is in office. None of the new mayors approve of this school closure policy.
   k. Let's evaluate whether or not closing schools has some sort of effect.
4. Multiple commenters shared positive feedback about the staff and educational and extracurricular opportunities at Sheepshead Bay High School, and noted that there have been many success stories at the school.
5. Multiple commenters asserted that Sheepshead Bay serves every type of student regardless of background, including many low-achieving students, English Language Learners, and special education students, and therefore Sheepshead Bay should not be punished for poor performance.
6. Multiple commenters asked the DOE to provide Sheepshead Bay with more time to improve.
7. One commenter inquired about the DOE's decision-making process regarding the proposed phase-out, and asserted that the DOE does not have the right to phase-out the school because they are not members of the community.
8. Multiple commenters expressed general opposition to the DOE's policy of phasing-out and closing schools, and two commenters asked for specific evidence regarding the efficacy of this policy.
9. One commenter claimed that the school supports cited on the community fact sheet never occurred.
10. One commenter questioned why the phase-out decision is so soon after last year's Turnaround proposal.
11. Multiple commenters claimed that students from other phase-out schools were sent to Sheepshead Bay, and this in part accounts for the school's low performance.
12. Two representatives from Diplomas Now, a CBO partner on campus, expressed their support for the Sheepshead Bay community and one commenter cited a study regarding gains made with the ninth grade cohort.
13. One commenter asserted that there is no pattern to the DOE's decision to phase out schools.
14. One commenter opposes the phase-out because Sheepshead Bay is a place for the community and the DOE should not just get rid of it.
15. Multiple commenters asserted that the DOE should be providing schools with more support instead of phasing them out.

16. One commenter asked where general and special education students will go if this proposal is approved.
17. Multiple commenters cited recent improvements in the school that resulted from the new leadership and academies, and asked the DOE to provide Sheepshead Bay with more time to improve.
18. One commenter stated that the DOE does not take the community's comments into consideration when making the decision to approve proposals.
19. One commenter asserted that the cause of low student performance is not the school, but problems at home.
20. Multiple commenters expressed general opposition to the proposal to phase-out Sheepshead Bay.

Additionally, a number of questions were submitted in writing to the DOE at the Joint Public Hearing:

21. What evidence can the DOE provide that substantiates the claim that closing schools improves the education students receive?
22. Explain the proof/evidence of phase out being a success.
23. Can I submit a transfer for my son to another school within Brooklyn? Any school other than Brooklyn?
24. The school should have been closed in the seventies but it was not. The school is not failing; the students that want to go to the school are making it fail.
25. There are other schools worse than Sheepshead Bay. Why shut down a school with a Principal that is trying to improve the school? Shut down the schools that are not willing to change.
26. The current Principal just got to the school a few months ago. Why not give him a chance for another few years to see if he can change the school?
27. Why shut down the genuine magic that Sheepshead Bay High School is fighting so hard to spread to the students?
28. Is the DOE proud that they will be separating these kids from people that want them to succeed as if they were their own?
29. What are the plans for special education students? Will physically challenged and learning disabled students be accepted in the replacement plans?

Additionally, one statement was submitted in writing to the DOE:

30. At the General Board meeting of Community Board 15 on January 29th, 2013, the Board voted unanimously to oppose the closing of Sheepshead Bay High School for the following reasons:
    a. The Board is opposed to the new charter schools at K495.
    b. Parents and students should be included in the decision-making process.
    c. This closure is another example of the decline of the education system.
    d. Students should be allowed the opportunity to continue their education at this community school.

The DOE received a number of comments which do not directly relate to the proposals being discussed.

31. One commenter asserted that mayoral control is "out of control."
32. One commenter stated that all of the DOE's "minions" will be out of a job in November.
33. One commenter stated that there have been lies told by the DOE.
34. One commenter stated that "Education Mayor" has been destroying the city and is responsible.

35. One commenter stated that he has a petition to repeal mayoral control and that the PEP vote in a rubber stamp.
36. One commenter asserted that the Deputy Chancellor was taking "phony notes."
37. One commenter expressed that everything that is happening is part of a national movement that is trying to make it so people lose a stake in community schools. They achieve this by bringing in people from outside the community to teach; this movement wants to destroy and undermine the community. We should not call them "reformers," but "deformers."
38. The problem is not with Sheepshead Bay High School, but with the mayor's office. Many important offices are overworked and undermanned.
39. Joel Klein was a businessman, not an educator.
40. People who cannot handle classrooms become superintendents and chancellors.

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

Comments 3(a, i), 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 do not specifically relate to the proposal and therefore will not be addressed.

Comment 3(f) and 30 (a) express opposition to the co-location proposal of New Visions in the K495 building, and will be addressed in the Public Comment Analysis for the proposal to open and co-located the two New Visions Charter schools.

Comments 1(c), 10, 17, 25 and 26 regard the belief that the school has the ability to improve due to recent changes in leadership and programming as a result of last year's Turnaround proposal.

Last year, 24 Persistently Low Achieving schools, including Sheepshead Bay, were approved for closure and replacement in the spring of 2012. However, due to an arbitration with the union, the schools remained open and the DOE provided emergency funds ($18 million total) to schools to carry out instructional strategies already planned for the new school year.

All of these 24 schools were identified as Priority[2] schools by the State Education Department ("SED"). Of these 24 schools, the DOE had early engagement conversations with nine of them, including Sheepshead Bay.

Six of these nine schools, including Sheepshead Bay, are now being proposed for phase-out because they have continued to show declining performance or consistent underperformance. These schools have not demonstrated the ability to dramatically improve student achievement. The DOE believes that the best intervention strategy for these six schools is to phase them out and replace them with new schools that will provide students with higher quality educational options. That is why the DOE is proposing to phase-out Sheepshead Bay as opposed to implementing another intervention model.

[2] Priority Schools are defined as the bottom 5% of schools in the state, as determined by SED under the New York State waiver for the No Child Left Behind Act. For more information, please visit the SED Web site at http://www.p12.nysed.gov/accountability/ESEADesignations.html.

The new leadership and programming implemented as a result of the closure and replacement model last year, while very important, are still only two components of a school. The school culture and conditions have not enabled increased student achievement. It is our belief that phasing out this school and bringing in higher quality schools will provide better options for the community and families in the future.

Comments 1(b, d, e), 4, 12, and 27 relate to the successes experienced by students and staff at Sheepshead Bay.

The DOE recognizes the efforts made by staff and administrators at Sheepshead Bay, many of whom dedicate significant time and effort to helping students. Additionally, the DOE celebrates the success stories that have occurred at Sheepshead Bay amongst some members of its student body.

However, the DOE's proposal to phase-out Sheepshead Bay is based on what is best for *all* students. Currently, Sheepshead Bay is not helping the majority of its students achieve academic success and, based on the DOE's assessment, does not have the capacity to turn around quickly to better support student needs.

Some of the most compelling evidence for this conclusion includes:

- Four-year graduation rates have remained below 64% for the last nine years. Sheepshead Bay's four-year graduation rate (including August graduates) was 51% in 2012, placing it in the bottom 14% of schools.
- First year credit accumulation is a key predictor of student success because students who fall behind early in high school often have trouble getting back on track to graduate. In 2011-2012, only 68% of first-year students at Sheepshead Bay earned at least 10 credits with at least 6 of those credits earned across 3 of the 4 core subject areas. This rate of credit accumulation puts Sheepshead Bay in the lowest 17% of schools Citywide.
- Sheepshead Bay was identified by SED as a PLA[3] school for the 2010-2011 school year. It was designated a 2012-2013 Priority school, defined by SED as one of the bottom 5% of schools in the state for performance during the 2010-2011 school year.
- The Progress Report measures the progress and performance of students in a school, as well as the school environment, compared to other schools serving similar student populations. Sheepshead Bay earned a D grade on its 2011-2012 annual Progress Report, including F grades for Student Progress, Student Performance, and School Environment, and a C grade for College and Career Readiness. Sheepshead Bay has a history of low performance, including an overall C grade on the 2009-2010 Progress Report and an overall D grade on the 2010-2011 Progress Report.
- The school's attendance rate remains below most other high schools. The 2011-2012 attendance rate was 80.1% compared to the Citywide high school average of 85.4%, putting Sheepshead Bay in the bottom 14% of all high schools Citywide.
- On the 2012 New York City School Survey, only 65% of student respondents reported feeling safe in the hallways, bathrooms, and locker rooms at Sheepshead Bay, putting the school in the bottom 3% of high schools Citywide.

[3] In prior years, SED designated schools as Persistently Low Achieving ("PLA") based on their graduation rates (for high schools) or performance on state ELA and math tests (for elementary and middle schools). SED no longer designates schools as PLA. Instead, as described above, it designates schools as Priority.

While the DOE recognizes that there have been success stories, Sheepshead Bay is not adequately serving the overwhelming majority of its students.

Comment 9 pertains to previous support given to Sheepshead Bay, specifically those supports mentioned on the fact sheet that was distributed to the community.

All schools receive support and assistance from their superintendent and their Children First Network, a team that delivers operational and instructional support directly to schools. All of the supports listed in the EIS and on the fact sheet were documented by Sheepshead Bay's network and include:

Leadership Support:

- Supporting school leadership in aligning curriculum to Citywide instructional expectations to raise standards for teacher practice and student learning.
- Coaching principals and assistant principals in using performance and accountability data to inform school-wide improvement goals and plan professional development for staff.
- Assisting the principal and assistant principals in the development of instructional plans and goals for the school year, in support of the school's Comprehensive Education Plan.

Instructional Support:

- Facilitating professional development opportunities for teachers focused on research-based instructional practices aimed at increasing academic achievement among English Language Learners.
- Providing workshops and training for teachers on differentiating instruction and assessing student work in math, science, social studies and English language arts.
- Facilitating school-based mentoring opportunities for new teachers to build the school's capacity to attract and retain highly qualified teachers.
- Training teachers in the use of data tools and data analysis, to build teachers' capacity to use student performance data to inform instructional planning and target support to struggling students.

Operational Support:

- Supporting the school in meeting compliance requirements for English Language Learners and students with disabilities to ensure students receive mandated services.
- Advising the school on grant implementation and working with the principal to align the budget with school-wide instructional goals.
- Advising school staff on budgeting, human resources, staff recruitment and building management.

Student Support:

- Supporting school in monitoring student attendance and developing strategies and activities to encourage higher attendance rates.
- Assisting the school in the development of a school safety plan and discipline code, and coaching school staff in best practices for reducing the number of safety incidents and suspensions.

Sheepshead Bay received all of these individualized support plans, as well as centralized services that the DOE provides to all schools. Despite this extensive assistance, the school has failed to meet the needs of its students and families.

Comments 2(a, b, d), 3(e), and 15 inquire why the DOE does not believe more support is the appropriate intervention at this time for Sheepshead Bay.

As stated previously, all schools receive support and assistance from their superintendent and their Children First Network. The DOE does everything it can to offer struggling schools leadership, operational, instructional, and student supports that can help turn a struggling school around.

However, when a school is still not improving despite these supports, as is the case with Sheepshead Bay, it is necessary to implement a more serious intervention. The DOE has had enormous success around the City replacing the lowest-performing schools with new schools that do better. The DOE believes it owes it to families to give them the best possible options, and in some cases that means replacing low-performing schools with new ones.

Comments 1(f), 2(a), and 28 pertain to the supports that will be provided as Sheepshead Bay phases out.

If this phase out proposal is approved, Sheepshead Bay will receive support in the areas of budget, staffing, programming, community engagement, guidance, and enrollment including, but not limited to:

- Helping the school provide students with options that support their advancement and fully prepare students for their next transition point.
- Working with school staff to foster a positive culture.
- Supporting school leadership in efficiently and strategically allocating resources to ensure a consistent and coherent school environment focused on student outcomes.

In September 2011, 26 schools began phasing out. These schools have received additional funding and specialized network support. Middle schools and high schools that began phasing out in September 2011 have been supported by the Transition Support Network.

In September 2012, 17 additional schools began phasing out. All schools undergoing the process of phasing out are now supported by the Transition Support Network. Five schools that were approved for truncation continue to be supported by their networks.

While we don't know exactly what the supports will look like for the 22 proposed phase-outs and two proposed truncations that would be implemented beginning in September 2013 if approved, we do know that we will continue to establish differentiated and deliberate support to those schools and students.

These supports should help to continue a positive trend we have seen in phasing out schools. Historically, as high schools have phased out, their four-year graduation rates have risen.
Furthermore, current, first-time ninth, repeating-ninth, tenth, and eleventh grade students would have the opportunity to complete high school at Sheepshead Bay provided they earn credits on schedule and pass

the required Regents exams.[4] As the school becomes smaller, these students would receive more individualized attention to support them toward graduation and to help them prepare for post-secondary education and/or career plans, and would be able to remain with many of the staff members with whom they are currently working.

Comments 2(a), 3(b), 8, and 15 express general opposition to the DOE's policy of phasing out and replacing schools, and comments 3(k), 8, 21, and 22 question whether phasing out and replacing schools is effective.

The central goal of the Children First reforms is simple: 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.

The DOE uses the strategy of phase-out and replacement because it works. To ensure that as many students as possible have access to the best possible education, under this Administration, New York City has replaced 142 of our lowest-performing schools with better options and opened 576 new schools: 427 district schools and 149 public charter schools.

As a result, the DOE has created more high-quality choices for families. Graduation rates at new schools are higher than the schools they replaced. Here are a few examples:

- The new schools located on the Seward Park Campus in lower Manhattan had a graduation rate of 71.1% in 2011, compared to Seward Park High School's graduation rate in 2002 of 36.4% (Seward Park HS completed its phase-out in 2006).
- The new schools located on the Park West Campus in Manhattan had a graduation rate of 72.2% in 2011, compared to Park West High School's graduation rate in 2002 of 31.0% (Park West HS completed its phase-out in 2006).
- In 2011, the schools on the Van Arsdale campus in Brooklyn had a graduation rate of 86.7%—about 40 points higher than the former Harry Van Arsdale High School's graduation rate of only 44.9% in 2002 (Van Arsdale HS completed its phase-out in 2007).
- The Erasmus Hall High School graduated only 40.3% of student in 2002. The new schools on the Erasmus campus are getting tremendous results, graduating 71.4% of students in 2011. (Erasmus Hall HS complete its phase-out in 2006.)
- The new schools located on the Springfield Gardens Campus in Queens had a graduation rate of 68.8% in 2011, compared to Springfield Gardens High School's graduation rate in 2002 of 41.3% (Springfield Gardens HS completed its phase-out in 2007).
- The new schools located on the Evander Childs Campus in the Bronx had a graduation rate of 72.6% in 2011, compared to Evander Childs High School's graduation rate in 2002 of 30.7% (Evander Childs HS completed its phase-out in 2008).

The DOE counts on each of its schools to provide a high-quality education to its students—and holds all schools to the same high standard. If a school isn't getting the job done for its students, the DOE feels compelled to take serious action to ensure its students don't fall even further behind.

[4] Current first-time ninth grade students may also apply to attend a different high school as a 10th grader in September 2013 by participating in the second round of the High School Admissions Process if they chose to do so.

Of course, struggling schools must be given a real shot to improve. But if the school continues to fail after receiving additional support, as Sheepshead Bay has done, we must make the incredibly difficult decision to replace the failing school with a new option.

The DOE does not believe it can stand by and allow schools to keep failing our kids when we know we can—and we must—do better.

Comment 13 suggests that there is no pattern or process related to selecting schools for phase-out.

In a concerted effort to ensure that all students have access to high-quality school programs, the Department of Education annually reviews the performance of all schools citywide. This process identifies schools that are having the most trouble serving their students. Using a wide range of data and on-the-ground information, we identify our most struggling schools for intensive support or intervention.

First, we compile a preliminary set of schools that meet one or more of the following criteria:

- Received a grade of D, F, or a third consecutive C or worse on the 2011-12 Progress Report; and/or
- Received a rating on the most recent Quality Review of Developing or Underdeveloped; and/or
- Identified as Priority (bottom 5% in the state) by the New York State Education Department; and/or
- Received a recommendation on their 2011-12 Joint Intervention Team review for significant change in organizational structure or phase out/closure.

Next, we apply additional criteria to determine which schools are most in need of support or intervention. We remove from consideration schools that meet any of the following criteria:

- Elementary and middle schools that have a higher English Language Arts and Math average proficiency than their district average or the city average (whichever is lower). The city average for 2011-12 is 53.5% proficient; and/or
- High Schools that have a higher graduation rate than the citywide graduation rate. The citywide rate for 2010-11[5] is 65.5%; and/or
- Schools that received an A or B on the 2011-12 Progress Report; and/or
- Schools that earned a Well Developed score on a 2010-11 or 2011-12 Quality Review; and/or
- Schools receiving a Progress Report Grade for the first time in 2011-12.

Schools that are removed from consideration for the most intensive support or intervention will receive differentiated support from their network team, but are not considered for phase-out.

We identify the remaining schools as struggling schools. These schools will undergo strategic action planning. These plans will identify concrete action steps, benchmarks, and year-end goals aimed at immediately improving student achievement. This plan will outline the specific support the network will provide to the school to address the most urgent areas of need, including:

- Leadership coaching;
- Professional development on instructional strategies for struggling students;
- Identifying grants aimed at specific needs of the school;

[5] 2011-12 citywide graduation rate is not available yet.

- Introducing new programs;
- Supporting the development of a smaller learning environment; and
- Possible leadership change.

Some of the struggling schools were also further investigated for more serious interventions that may include phase out/truncation and replacement. When considering whether a struggling school should be investigated as a candidate for more serious intervention – phase-out/closure/truncation – we consider a few key data points:

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

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

At the end of this multi-step process, our analysis and engagement directed us to a set of schools that quantitative and qualitative indicators show do not have the capacity to significantly improve. Deciding what course of action can best support the students and community of a struggling school is not easy, but we are compelled to act based on our commitment to ensuring that every student has access to high-quality schools.

No single factor determines whether a school will phase out or not. Deciding to phase out a school is the toughest decision we make. But it is the right thing to do for the students of New York City.

Comment 2(e) expresses concern over current students' ability to access the new school options.

Although current students will be supported as they progress towards graduation at Sheepshead Bay, they also have other options. Current first-time ninth grade students will have the opportunity to transfer to a new school during Round Two of the high school admission process, including the new district and charter schools that are part of Sheepshead Bay's replacement plan. Students currently in tenth, eleventh and twelfth who are not on track to graduate may be better served in a transfer school (including the transfer school proposed as part of Sheepshead Bay's replacement plan) or a Young Adult Borough Center. Also, the proposed new district high school and two New Visions charter schools that are part of the replacement plan will be available to future students who would have otherwise chosen Sheepshead Bay as part of the High School Admissions process.

Furthermore, all students currently attending Title 1 schools that are designated as "Priority" or "Focus" schools under SED's state accountability system are eligible to apply for a transfer to another school through the DOE's Public School Choice ("PSC") Process. More information about this process can be found at the DOE's Web site at: http://schools.nyc.gov/choicesenrollment/changingschools/default. This

year, pending approval from SED, the DOE will expand the PSC process so that students in previously ineligible phase-out schools, including Sheepshead Bay, can participate in the PSC process. This would mean that students at Sheepshead Bay would be considered for a public school transfer after applicants from all other currently eligible schools. By doing this, the DOE is seeking to maximize the availability of a transfer for students from phase-outs who are interested in completing their educational program elsewhere.

Comments 2(c), 3(d, h), 5, 19 and 24 pertain to potential reasons why Sheepshead Bay is a low-performing school, including student demographics, and argue that Sheepshead Bay should not be punished because it serves every type of student.

When evaluating a school, each school's performance is compared to the performance of schools in its peer group, which is comprised of New York City public schools with student populations most like the school's population, according to the peer index. The peer index is used to sort schools on the basis of students' academic and demographic backgrounds, and the formula to calculate a high school's peer index includes the percentage of students with disabilities, the average 8th grade English and Math proficiency scores of incoming students, the percentage of students with self-contained placements, and the percentage of overage students. For high schools, each school has up to 40 peer schools, up to 20 schools with peer index immediately above it and up to 20 with peer index immediately below it. Thus, Sheepshead Bay is grouped in its peer group with other New York City public schools with similar student academic and demographic backgrounds.

Sheepshead Bay is performing at or towards the bottom of its peer group in many categories. When comparing Sheepshead Bay to schools serving similar populations, it is performing in the bottom 13% Citywide in terms of four year and six year graduation rates, in the bottom 17% in terms of students earning Regents diplomas, in the bottom 13% in terms of attendance, and in the bottom 9% on student survey results—including in the bottom 3% of schools in response to the survey question, "I feel safe at school." Schools with similar demographics as Sheepshead Bay, such as High School of Computers and Technology and Bronx Latin, are having far more academic success with a similar population. 22.2% of the population at High School of Computers and Technology and 23.8% at Bronx Latin have IEPs, compared to only 15.4% of the population at Sheepshead, yet the High School of Computers and Technology and Bronx Latin are graduating over 80% of their students. Victory Collegiate High School, also in Sheepshead Bay's peer group, is graduating 90% of students, and has the same percentage of overage students as Sheepshead Bay.

Furthermore, when compared to all schools citywide, Sheepshead Bay is not serving a particularly high number of harder to serve students, including ELLs, special education students, and students who qualify for free or reduced lunch. In fact, 40.2% of high schools, both district and charter, serve higher needs student populations.

These statistics show that student demographics do not determine student performance and that all students, regardless of their background should have their needs met in school. The DOE holds all schools accountable on these measures and believes that Sheepshead Bay can do better for its students.

Comments 3(c) and 11 contend that Sheepshead Bay received hard-to-serve students from other phase-out schools, which contributed to the school's poor performance.

The claim that a large number of students from schools phasing out enrolled at Sheepshead Bay, and that these students resulted in Sheepshead Bay's poor performance, is not supported by the data. Sheepshead Bay has not seen a large number of students enroll that previously attended phase-out schools, and there is no evidence that these students are under-performing. This year, less than ten students transferred to Sheepshead from schools that were being phased out or closed, and less than ten students transferred from schools that were slated for Turnaround. In 2011, less than ten students transferred from schools that were being phased out or closed. In 2010, less than students transferred from schools that were being phased out. Therefore, the contention that Sheepshead Bay in receiving a large number of students from former phase-out or Turnaround schools is not supported by the data. Moreover, there is no evidence that this small number of students represents a population that is particularly hard-to-serve or underperforming. Furthermore, as stated above, a school's demographics is taken into account when analyzing school performance.

Comments 6 and 17 ask the DOE to give Sheepshead Bay more time to improve.

The DOE is committed to providing a portfolio of high quality school options to students and families. A part of that strategy involves identifying the City's lowest performing schools and determining whether they can turn around quickly to better serve their student population. For those schools that the DOE determines lack the capacity to turn around quickly to better serve their student population, the DOE recommends the most serious intervention: gradually phasing out a school over time by no longer enrolling new students.

As stated in the EIS, the DOE does not believe Sheepshead Bay has the capacity to quickly improve in order to support student needs. This assessment included a review of recent historical performance and demand data, consultations with superintendents and other experienced educators who have worked closely with the school, and community feedback. The DOE believes that only the most serious intervention, phase-out and eventual closure, will address the school's declining performance and longstanding struggles and allow for new school options to develop in building K495 that will better serve future students and the broader community.

Comment 7 contends that the DOE does not have the right to make decisions that affect the community because the decision-makers are not residents of the community, and comment 14 similarly asserts that Sheepshead Bay belongs to the community.

The DOE is responsible for ensuring that all schools within its system provide the highest quality of education possible to students, and views all DOE schools as part of one New York City community. As provided for in State law, the decision to approve or deny any phase-out proposal is ultimately made by the Panel for Educational Policy ("PEP"), which consists of 13 appointed members and the Chancellor of the NYC DOE. Each borough president appoints one member and the mayor appoints the remaining eight, so that all boroughs are represented. Kelvin Diamond is the current Brooklyn Borough Representative to the PEP. Prior to any PEP vote, the public shall be given an opportunity to submit comments on the proposal. Public comments were submitted at the public hearing on this proposal, and the DOE also solicited community feedback via phone and email, including creation of a dedicated web page for this purpose at: http://schools.nyc.gov/community/planning/changes/brooklyn/feedback?id=302. The DOE continued to collect feedback via these channels up until the day prior to the PEP vote. All public comment has the power to influence a proposal and is highly valued feedback that the DOE appreciates and takes very seriously into consideration.

In regards to local residents of the Sheepshead Bay neighborhood and District 22, the DOE is committed to ensuring that their voice and opinions are part of the decision-making process. Prior to issuing this proposal, the DOE sought and received feedback from the Sheepshead Bay community about strategies to better support students and improve outcomes at the school. This fall, Brooklyn and Queens High School Superintendent Tamika Matheson held meetings—with parents at the school, with teachers, and with the School Leadership Team—on December 7, 2012 to discuss what is and is not working at Sheepshead Bay and how joint efforts could serve students better.

There were approximately 25 attendees at the teacher meeting, including approximately 15-20 representatives from the CBO City Year. They expressed that there was a high level of stress and anxiety amongst the staff.

Approximately 20 people attended the parent meeting. They had some positive feedback about the school. Some stated that large schools offer more to students than small schools. Others discussed positive changes that have been made this fall, and how the school is a home away from home for students. While some members of the Sheepshead Bay community object to the possibility of phasing the school out, the DOE believes that drastic action must be taken given the school's longstanding performance struggles and the lack of evidence that the school is poised to quickly turn around to better support students. The DOE plans to incorporate community feedback in other ways as we continue to support current Sheepshead Bay students working toward graduation and through involvement in the proposed new schools that will replace Sheesphead Bay. In this way, the new schools that will be located in the K495 building will still be part of the community and available to community members.

Comment 16 and 23 ask where general and special education students currently attending Sheepshead Bay will go if this proposal is approved, and comment 30(d) states that current students should be able to continue at Sheepshead Bay.

If the proposal to phase-out Sheepshead Bay is approved, current students—both general education and special education—will be supported as they progress towards graduation while remaining enrolled at Sheepshead Bay, assuming that they continue to earn credits on schedule and pass the required Regents exams. Similarly, students attending P811K@K495 will continue to be supported as they progress towards graduation in an inclusion setting at Sheepshead Bay. Students who do not meet these requirements will be encouraged to meet with their guidance counselor and have the opportunity to complete their high school education at a transfer school or Young Adult Borough Center. Current first-time ninth grade students also have the opportunity to transfer to a new school during Round Two of the high school admission process. The DOE would arrange a new placement for students who have not accumulated sufficient credits and those who have not passed the minimum number of Regents exams to graduate before the closure date of June 2016.

Furthermore, all students currently attending Title 1 schools that are designated as "Priority" or "Focus" schools under SED's state accountability system are eligible to apply for a transfer to another school through the DOE's Public School Choice ("PSC") Process. More information about this process can be found at the DOE's Web site at: http://schools.nyc.gov/choicesenrollment/changingschools/default.

This year, pending approval from SED, the DOE will expand the PSC process so that students in previously ineligible phase-out schools, including Sheepshead Bay, can participate in the PSC process.

This would mean that students at Sheepshead Bay would be considered for a public school transfer after applicants from all other currently eligible schools. By doing this, the DOE is seeking to maximize the availability of a transfer for students from phase-outs who are interested in completing their educational program elsewhere.

Some Sheepshead Bay students are currently enrolled in Business Institute, Medical Billing and Coding, Athletic Training, and Law Academy/Legal Studies CTE programs, which are not state-approved. If this proposal is approved, students enrolled in these four programs as they phase out will be supported as they progress toward graduation at Sheepshead Bay, but these students will not graduate with a CTE-endorsed diploma because Sheepshead Bay will not be pursuing State approval for these programs. Some Sheepshead Bay students are also enrolled in a Nursing Assistant Program, whose state approval status expired in June of 2012. Sheepshead Bay will not be seeking renewal for this program as it phases out. Students in this program who graduate in 2013-2014 will be able to receive a state-endorsed diploma provided that the program meets all compliance requirements, but students who graduate after 2014 will not graduate with a CTE-endorsed diploma.

For students who fall behind or do not graduate by June 2016 when these five programs will be completely phased-out, there are career readiness options within District 79's Alternative Programs for 18 to 22 year-old students, as well as adult education programs that offer CTE instruction. For additional information about District 79, please visit the DOE's Web site at http://schools.nyc.gov/Offices/District79/SchoolsProgramsServices/default.htm. For additional information about Adult Education, please visit the DOE's Web site at http://schools.nyc.gov/NR/exeres/085256FE-5C53-41BC-8533-36B4F4049462.htm.

Comment 18 and 30 (b) pertain to the engagement process and the ability of community members to impact the decision to phase out Sheepshead Bay.

The DOE's public review process is governed by Chancellor's Regulation A-190. Included in this process is a public hearing in which public comment is collected, analyzed, and then given to the Panel for Educational Policy before the panel votes on a particular proposal. The Panel for Educational Policy is an independent body that takes this public comment into consideration when making decisions. In some instances, proposals have been pulled from the panel meeting due to public comment and feedback collected during the A-190 process. Therefore, all public comment has the power to influence a proposal and is highly valued feedback that the DOE appreciates and takes very seriously into consideration.

As previously mentioned, prior to issuing this proposal, the DOE also sought and received feedback from the Sheepshead Bay community about strategies to better support students and improve outcomes at the school. This fall, Brooklyn and Queens High School Superintendent Tamika Matheson held meetings with parents, teachers, and the School Leadership Team to discuss what is and is not working at Sheepshead Bay and how joint efforts could serve students better.

The DOE also solicited community feedback via phone and email, including creation of a dedicated web page for this purpose at: http://schools.nyc.gov/community/planning/changes/brooklyn/feedback?id=302. The DOE continued to collect feedback via these channels up until the day prior to the PEP vote.

Comment 29 relates to the plan for special education students, including those that are physically challenged and learning disabled.

All students, including special education students, will be appropriately served and supported by Sheepshead Bay as it phases out. Any students requiring special education services in the new school options proposed for building K495 will continue to receive appropriate services in accordance with DOE policy. Students currently attending P811K@K495 will continue to be served in an inclusion setting as Sheepshead Bay phases out, and any incoming District 75 students will be supported in an inclusion setting in the new district school, 22K611. Furthermore, this proposal is not excepted to impact the accessibility (functionally accessible) of the K495 building. In this way, the DOE will continue to support special education students of varying needs on the K495 campus.

Comments 1(a), 3(j), 20, and 30(c, d) express general opposition to the proposal.

While the DOE acknowledges that some members of the public may not support the proposed phase-out of Sheepshead Bay, the proposal was made to address the needs of students and to ensure that all students meet their potential and are held to high academic expectations. By phasing out and replacing Sheepshead Bay High School, the DOE would be allowing new school options to develop in building K495 that will better serve future students and the broader community.

Comments 1(b), 4, and 28 express general support for the staff and students at Sheepshead Bay.

The DOE recognizes the commitment and hard work of many staff members at Sheepshead Bay, and notes that students who would otherwise have enrolled in Sheepshead Bay may now enroll in new schools 22K611, 22K630, AMS III, or HUM III, all of which the DOE has proposed to phase into K495, or in other new schools opening borough-wide. If this proposal is approved, 22K611 and 22K630 will follow the hiring process consistent with the procedures set forth in the collective bargaining agreement between the DOE and UFT, and hire no less than 50% of their staff from the most senior qualified staff from the Sheepshead Bay, if sufficient number of staff apply, until Sheepshead Bay has completed its phase-out. In this way, the most qualified teachers from Sheepshead Bay may remain in the building, serving students in 22K611 or 22K630.

New staff positions will also be created due to the phase-in of new or replacement schools Citywide. Consequently, this proposal would not necessarily result in an overall loss of teaching positions within the Citywide system, and teachers at Sheepshead Bay can continue working hard to serve students and the community.

Changes Made to the Proposal

No changes were made to this proposal.