



Date: January 26, 2010

Topic: Proposed Phase-out and Eventual Closure of Middle School for Academic and Social Excellence

Date of Panel Vote: January 26, 2010

Summary of Proposal

The Department of Education (“DOE”) has proposed to phase-out and close Middle School for Academic and Social Excellence (17K334, “MSASE”), an existing school serving students in grades 6-8 in Community School District 17. MSASE is located at 1224 Park Place in Brooklyn. Beginning in 2010-2011, MSASE will begin phasing out one grade per year until the school closes in June 2012. MSASE will not accept new grade 6 students for the 2010-2011 school year.

No plans regarding the space made available in school building K390 by MSASE’s closure have been made at this time. Any future plan to site an additional school in K390 will be addressed in a separate educational impact statement.

An educational impact statement regarding this proposal was posted on the Department of Education (DOE) website on December 10, 2009.

Comments Received at the Joint Public Hearing

A joint public hearing regarding this proposal was held at school building K390 on January 13, 2010. The hearing was open to the public and gave all interested parties an opportunity to comment on the proposal. Seventy-six individuals attended the hearing and 25 spoke, all opposed to the proposal. Reasons for opposition cited by the speakers included: (1) the school does not meet the criteria for closure; (2) the school is making progress; (3) MSASE has not received the support it should receive; and (4) MSASE has a large number of special education students.

Summary of Issues Raised in Written and Oral Comments and Significant Alternatives Suggested

The DOE received three written and no oral comments regarding the proposal. Two comments were from a teacher, and the third was sent by Community Education Council (CEC) 17. The teachers' comments reiterated the points raised at the hearing, including text of the comments made by nine speakers at the joint public hearing. CEC 17 submitted a resolution opposing the proposal, stating that: (1) MSASE had not received three consecutive grades of "C" on its past three Progress Reports; (2) the DOE had changed the rubric and scoring scale in September 2009, thereby creating the conditions in which MSASE received a "C" grade on its last Progress Report; and (3) MSASE had been negatively impacted by the placement of Teaching Fellows in the school that, combined with its high needs student population, created conditions in which success was difficult.

In addition, some individuals and one organization, Class Size Matters ("CSM"), submitted written comments objecting to all of the phase-outs proposed by the DOE. Although the comments did not address any one phase-out proposal in particular, but instead addressed all proposals generally, the DOE has incorporated these comments into the public comment analysis for each phase-out proposal, including MSASE.¹ In opposing the DOE's proposal to phase-out and eventually close these schools, these commenters cited the following reasons: (1) the DOE did not use a rational formula and failed to follow its own accountability standards in proposing these phase-outs; (2) the schools the DOE has proposed for phase-out have significantly high numbers of minority and high-risk students, including special education students, incoming ninth-grade students with low scores upon admission, and homeless students, who will not be accepted or accommodated at the new small schools that replace the phasing out schools; (3) the Educational Impact Statements do not address where students at the phasing out school who are behind in credits will attend in the future; (4) the Educational Impact Statements fail to analyze the impact of the phase-outs on overcrowding of other schools and use figures from the DOE's Blue Book, which does not use a formula that is aligned with state-mandated class size goals; (5) the Educational Impact Statements do not address the financial impact of the placements of teachers from the phasing-out schools into the Absent Teacher Reserve (ATR) or the expense of funding the new schools; (6) the phasing out schools are being punished for setting high academic and safety standards; (7) the phase-outs will impair recruitment of teachers into schools serving high-needs students; and (8) there is no evidence that the DOE has made an attempt to improve conditions at the schools the DOE has proposed to phase-out.

Finally, CSM calls for a moratorium on school closings until the City's Independent Budget Office can prepare a report on the effects such closings. As an alternative, CSM suggests that rather than phase-out these schools, the DOE should: (1) implement smaller class sizes at the schools; (2) restore the superintendent role and cooperation between schools; (3) provide more resources and expert help for the schools; (4) develop better curricula for at-risk students; (5) provide more support to large, comprehensive high schools; (6) launch an independent investigation of test score inflation, credit recovery and cheating, and reform the accountability system so as to not encourage these practices; and (7) implement new approaches to discipline.

¹ Some of the general comments raise issues that are relevant only to the proposed phase-out of high schools. These comments are only addressed in the public comment analysis for each high school phase-out proposal.

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

According to 2008-2009 results, all other District 17 middle schools outperformed MSASE with respect to the percentage of students proficient in ELA and math. The school has not shown the capacity to turn around to improve these outcomes. The school has received a C grade on its Progress Report for two consecutive years. In 2008-09, only 39 percent of students were proficient in math at the school. In 2008-09, only 29.7 percent of students were proficient in ELA at the school.

The 2008-2009 Learning environment Survey indicated significant student dissatisfaction with MSASE, with only 61% of students indicating that they feel safe. The school was added to the State's "Persistently Dangerous" list in August 2008.

On the 2008-2009 Quality Review, the school was assessed to be "Underdeveloped with Proficient Features." The reviewer found that instruction at the school is not differentiated. Struggling students do not receive adequate support, and the school also fails to challenge students ready for more advanced academic work. The reviewer further found that teachers have not made a practice of evaluating individual student data and that professional development has not taken root on a daily basis in the classroom. Lessons are not sufficiently rigorous and do not enable high-achieving students to draw upon higher-order thinking skills. Teachers have not established clear and measurable professional growth goals.

The higher cut scores necessary to receive each Progress Report grade were announced in November of 2008 for the Progress Report released in the fall of 2009. The DOE raises target scores to continue to push schools toward higher and higher growth, particularly schools with the lowest grades because the need to improve is the most urgent. MSASE is a low performing school.

Some commenters have suggested that the DOE has not used a rational formula in proposing school phase-outs and has not followed its accountability criteria in deciding which schools should be phased out. Under the DOE's accountability framework, schools that receive an overall grade of D or F on the Progress Report are subject to school improvement measures. If no significant progress is made over time, a leadership change (subject to contractual obligations), restructuring, or closure is possible. The same is true for schools receiving a C for three years in a row and for schools that the Chancellor has determined lack the necessary capacity to improve student performance, regardless of the school's Progress Report grades and Quality Review scores.

It is important to understand that the DOE weighs numerous factors when evaluating schools as candidates for closure. Although Progress Report grades and Quality Review scores contribute significantly to the decision-making process, they are not the only considerations. The DOE takes into account many other sources of information as well, including school performance trends, enrollment data, demand data, and evaluations by superintendents and school support staff who work closely with the school and can evaluate its capacity to make significant improvements within a short time span. In the case of MSASE, all middle schools in

District 17 received a higher score on the Progress Report and the DOE does not find it acceptable to keep open a school that only have 29% of its students proficient in ELA.

The Quality Review evaluates how well schools are organized to improve student learning. The Quality Review measures educator and administrator actions, which are “inputs.” It does not measure results, or “outputs,” and though it reflects some factors in school success, those are but one set of factors. If administrator actions improve while student progress does not, we still must try to change the outcome. Schools are rated on a four-point scale, with “Well Developed” representing the top category of performance. But school turnaround is difficult, takes time, and does not always succeed. A score of “Well Developed” might give us confidence that the school has the capacity to rapidly make significant improvements, while a “Proficient” school may only be capable of making incremental gains insufficient to quickly reverse a longstanding history of failure.

Proficient schools possess strengths and weaknesses. In evaluating the Quality Review reports from schools considered for closure, we looked closely at the reviewer’s assessment of those strengths and weaknesses to see how they might impact the school’s capacity to achieve a dramatic turnaround. For example, at many of the schools proposed for closure, evaluators found that instruction lacked rigor or was not sufficiently differentiated to meet individual student needs—both very serious concerns.

Comments further suggest that the DOE has targeted schools with high numbers of minority students and at-risk students, including special education students, incoming ninth graders with low test scores, and homeless students. In support of this claim, the commenters assert that the schools subject to phase-out serve a significantly higher number of at-risk students than schools with similarly low grades that are not slated for closure. They further claim that these students will be displaced as a result of the school phase-outs because the new small replacement schools will not accept or accommodate such students. While some individuals have suggested that MSASE serves a particularly challenged population of students, it is important to note that The School for Integrated Learning, which is co-located with MSASE, serves a very similar population of students and is achieving significantly better results than MSASE. Sixty-five percent of School for Integrated Learning Students are proficient in math, compared to 39 percent at MSASE. Moreover, the new small schools that have been created over the last six years do accept English language learners and special education students and are serving them at a higher rate than schools citywide, with better outcomes.

Current students at the schools proposed for phase-out who are at risk of not being promoted, including current MSASE students, will not be displaced as a result of the phase-out. The DOE is committed to supporting schools as they phase-out. The DOE will assist phase-out schools in developing individual plans for each student to ensure that they continue to make progress and will be able to earn a diploma or transition to high school at the point the school is slated for complete phase-out. If a middle school student does not meet the promotion criteria for ninth grade entry by the time the current school completely closes, then the student will be enrolled in a different middle school – either the zoned school, replacement school, or a district choice option depending on available seats and district enrollment policy.

The DOE does not anticipate that the phase-out of schools will result in overcrowding at other schools throughout the city. With the phase-out and eventual closure of these schools, including MSASE, the DOE has also proposed the phase-in of several new small schools. The building in which the school is housed will not be closed and we will be replacing each seat that is lost in the district. The K390 building is currently at 51% utilization in 2008-2009 blue book. This assumes a class size of 28 at the middle schools level. In addition there are available seats for middle school students across District 17 and this phase out will not lead to overcrowding. To the extent one commenter asserts that the DOE has not adhered to state-mandated class size goals in planning school phase-outs and new replacement schools, the DOE disagrees. Through a combination of new facilities, the adjustment of enrollment projections and the opening of new schools, we will serve all students who otherwise would have attended a school proposed for closure.

Some commenters have stated that schools are being punished for setting high academic and safety standards. The DOE is not using phase-out proposals to punish schools. The schools proposed for phase-out have not exhibited evidence of helping students to achieve high standards. In fact, the schools proposed for phase-out have a long history of underperformance.

In opposing all of the DOE's phase-out proposals, one commenter argues that no school should be phased out and closed due to the potentially impaired recruitment of teachers into schools serving high needs students, the costs associated with starting new replacement schools, and the expense of placing teachers in the absent teacher reserve pool. There is, however, no evidence that school closures cause teachers to avoid working at schools that serve high needs students. In fact, over the last seven years, the DOE has raised teacher preparation to a point where 100 percent of teachers are certified, as compared to a low of 83 percent before, with the gap existing in high-poverty schools. Second, while there are costs associated with the opening of new schools and with teachers put into excess, the greater cost is that of the thousands of students who have passed through the schools proposed for closure without graduating or developing proficiency. Cost can only be considered in the context of what is earned in return. In these cases, too few students have earned the education we owe them, and the costs are born by not just the DOE, but those children, their families, and society at-large.

Finally, some commenters have asserted that there is no evidence that the DOE attempted to improve the conditions at any of the schools it has proposed to close and suggests steps the DOE should take to improve these schools. The School Support Organization ("SSO") works with the principal and other school staff members to provide support on a broad set of issues, including curriculum and instruction, human resources, professional development, budgets, and legal issues, among others. These SSOs work closely with the schools to ensure that inquiry teams are working at each school and using data to drive instruction. Network Leaders and Achievement Coaches spend time on a weekly basis in the schools. In addition the Superintendents and School Achievement Facilitators also provide support to schools and Principals. All City schools benefit from these supports and most City schools have made steady progress under this Administration. In the case of MSASE, the SSO as well as the Superintendent worked with the school to develop a plan to improve achievements with the special education students and has provided various supports to the school included specific coaching on classroom rigor, classroom management and teacher support.

Because there is little evidence to suggest that continued school improvement measures will result in improved outcomes for students, the DOE has chosen not to accept the alternatives proposed. The proposal will be presented to the Panel for Educational Policy as it is currently posted.

A copy of the educational impact statement for this proposal can be obtained at http://schools.nyc.gov/NR/ronlyres/F0043783-8608-433C-855E-99228622A268/73712/17K334MSASE_EIS_Final2.pdf