



Date: January 26, 2010

Topic: Proposed Phase-out and Eventual Closure of Academy of Collaborative Education

Date of Panel Vote: January 26, 2010

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### **Summary of Proposal**

Beginning in the 2010-2011 school year, Academy of Collaborative Education (05M344, “ACE”), an existing school serving grades 6-8, will be phased out of operation. ACE is housed in school building M092 (hereinafter referred to as “M092”), located at 222 West 134 Street in Manhattan in Community School District 5 (“District 5”). ACE is currently co-located with P.S. 92 Mary Bethune McLeod (05M092, “P.S. 92”) and St. HOPE Leadership Academy Charter School (05M388, “St. HOPE Leadership”) at M092.

In the 2010-2011 school year, ACE will begin phasing out one grade level per year. Grade 6 will be eliminated in 2010-2011, grade 7 will be eliminated in 2011-2012, and ACE will close in June 2013.

District 5 will continue to have sufficient seats to serve its middle school students with the phase-out and closure of ACE. This proposal will allow resources currently allocated to ACE to be repurposed and for middle school students to be served in existing high quality District 5 middle schools. The DOE is considering using the space made available by the phase-out and eventual closure of ACE to house a new school. Any future proposal to site another school in M092 will be addressed in a separate educational impact statement.

An Educational Impact Statement on this proposal was posted on the Department of Education’s (DOE) website on December 10, 2009 and amended January 8, 2010.

### **Summary of Comments Received at the Joint Public Hearing**

A joint public hearing regarding this proposal was held at school building M092 on January 13, 2010, and all interested parties had the opportunity to give comment. Twelve individuals provided public comment; all spoke in opposition to the proposal. The reasons for opposition revolved around the fact that the school is relatively new (opened in 2006) and hasn’t been given enough time to turn around. Speakers also noted that the school has a new principal

who assumed the position one year ago. They observed that the new principal has brought vision and a plan to address the issues in the school and should be given more time to improve the school.

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

No written or oral comments regarding this proposal have been received. However, one individual 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 ACE.<sup>[1]</sup> 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.

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<sup>[1]</sup> 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**

Although ACE is a relatively new school with a new principal, there is little evidence that the school has the capacity to improve services to students quickly, suggesting that more time would not prove adequate to reversing the school's persistent failures. First, ACE was one of only three middle schools citywide to receive a D grade on its 2008-09 Progress Report, with an F on the Student Progress sub-section of the report. Despite multiple community partnerships and staff support through the UFT teacher Center, School Support Organization, and the DOE's Office of Teacher Development, in 2008-2009, only 38.1 percent of ACE students were proficient in ELA and only 47 percent were proficient in math. In a year when most City schools experienced significant gains on state math exams, ACE saw a decline in their scores. The school received an F grade on the School Environment sub-section of its 2009 Progress Report, reflecting widespread dissatisfaction among parents, students, and teachers alike. In fact, when asked questions regarding safety and school culture, respondents gave the school zero out of fifteen possible points.

Second, safety and culture concerns at the school are serious and the school has experienced a corresponding decline in demand. For example, while the school was projected to house 300 students this year, the October 31, 2009 unaudited register indicates that only 195 students are enrolled. The school was added to the New York State Education Department's list of "Persistently Dangerous" schools under No Child Left Behind law in August 2009.

Despite three years of intervention programs designed to support a school that serves high needs populations, poor academic performance, a negative school culture, and low student demand in a District that sees overcrowding in many of its many other middle schools, there is little evidence that ACE has the capacity to quickly improve. The DOE, therefore, has proposed that ACE be phased out beginning September 2010. It believes that District 5 students will be far better served by other local middle schools. The DOE has increased the middle school options available to students over the last few years and has sufficient seats to serve students after ACE phases-out.

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.

Quality Reviews evaluate how well schools are organized to improve student learning. Quality Reviews measure educator and administrator actions, which are “inputs.” They do not measure results, or “outputs.” Although the Quality Review assesses some factors contributing to school success, they are hardly comprehensive. If administrator actions improve while student progress does not, we still must take action.

School turnaround is difficult, takes time, and does not always succeed. Quality Reviews rate schools on a four-point scale, with “Well Developed” representing the top category of performance. 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.

Many of the schools we proposed for closure received “Proficient” ratings on their Quality Reviews, and that is good news for current students who will remain enrolled in the school as it phases out. We expect phase-out schools to continue supporting their students and, in fact, outcomes at phase-out schools have historically improved with each successive year. That said, the Department’s comprehensive review of the 19 schools proposed for closure found that none of those schools was equipped to make the dramatic progress needed to quickly transform into successful schools where all students can thrive.

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 also 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.

Current students at the schools proposed for phase-out, including current ACE students, will not be displaced as a result of the phase-out proposals. 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 ACE, the DOE has also proposed the phase-in of several new small schools. The building in which the Academy for Collaborative Education is housed will not be closed and we will be replacing each seat that is lost on a district-wide basis. There will be sufficient seats for next year. 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, come 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. ACE has worked closely with a School Support Organization (SSO) and network team selected by the principal and School Leadership Team. The 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. With respect to ACE specifically, the DOE provided extensive professional development and mentoring support to faculty, in areas ranging from math and literacy education, to support for English language learners and special education

students, to using data to improve and differentiate instruction. The DOE also provided leadership training and support to the principal and other key staff members, cultivated community partnerships, and introduced a new principal to lead the school in 2008.

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 currently posted.

A copy of the amended educational impact statement for this proposal can be obtained at [http://schools.nyc.gov/NR/ronlyres/F0043783-8608-433C-855E-99228622A268/75181/05M344ACE\\_AmendedEIS\\_1810.pdf](http://schools.nyc.gov/NR/ronlyres/F0043783-8608-433C-855E-99228622A268/75181/05M344ACE_AmendedEIS_1810.pdf).

**Prepared by  
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