



Date: January 26, 2010

Topic: The Proposed Grade Reconfiguration of Choir Academy of Harlem and Co-location of a New School, 05M436, in School Building M501

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### **Summary of Proposal**

Beginning in the 2010-2011 school year, Choir Academy of Harlem (05M469, “Choir Academy”), an existing school serving grades 6-12, will implement a grade reconfiguration to change its current grade configuration to 6-8. Choir Academy is housed in school building M501 (hereinafter referred to as “M501”), located at 2005 Madison Avenue, Manhattan in Community School District 5. Harlem Children's Zone/Promise Academy is currently co-located with Choir Academy at M501. There is also an alternate learning center located in the building, ALC – Choir Academy (88M993).

In the 2010-2011 school year, Choir Academy will begin phasing out its high school grades. Grade 9 will be eliminated in 2010-2011; grade 10 will be eliminated in 2011-2012; and grade 11 will be eliminated in 2012-2013. There will be no high school grades at Choir Academy in the 2013-2014 school year.

The phase-out of Choir Academy’s high school grades will create available space in M501 to house a new high school, 05M436. 05M436 will open in M501 in 2010-2011 and will serve grade 9 students with an enrollment of approximately 100-120 students in its first year. It will add a grade each year until it reaches its full 9-12 grade scale in 2013-2014. Students will apply to 05M436 through the citywide high school admissions process. This proposal addresses the need to provide higher quality high school options throughout the City.

The Educational Impact Statement regarding this proposal was published on the Department of Education’s (“DOE”) Website on December 9, 2009.

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

A joint public hearing regarding this proposal was held at school building M501 on January 8, 2010. Forty-six individuals signed up to give public comments on the proposal; all those who spoke were opposed to phasing-out the high school grades. Speakers opposed the

proposal for the following reasons: (1) importance of the school to the community; and (2) the improvements the principal has made at the school.

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

Six written comments regarding this proposal have been received; all writers were opposed to phasing-out the high school grades. Commenters opposed the proposal for the following reasons: (1) according to the New York State School Report Card, Choir's low graduation rates were higher than what the DOE had reported; (2) the breadth of experiences that students and alumni are able to experience; (3) the Dutch business community's support of Choir since the 1990's because Choir gave students an opportunity to explore their interest in music; and (4) some alumni have been successful.

In addition to the above comments, 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 Choir.<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 Educational Impact Statements for the proposals cite incomplete or inaccurate graduation rates and do not state the schools' five-year graduation rates as used by the New York State Education Department; (2) the DOE did not use a rational formula and failed to follow its own accountability standards in proposing these phase-outs; (3) 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; (4) the Educational Impact Statements do not address where students at the phasing out school who are behind in credits will attend in the future; (5) 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; (6) closing large, zoned high schools will force many students to travel further from their homes; (7) large high schools provide more choices in electives for students and can address a broader range of students; (8) 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; (9) the phasing out schools are being punished for setting high academic and safety standards; (10) the phase-outs will impair recruitment of teachers into schools serving high-needs students; and (11) 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, the CSM comments call 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,

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<sup>[2]</sup> General comments that raise issues relevant only to the proposed phase-out of high schools are only addressed in the public comment analysis for each high school phase-out proposal.

the CSM comments suggest 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.

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

Choir Academy received a D on its 2009 Progress Report. While the school was designated “Proficient” on its 2009 Quality Review, the 2009 report cited that differentiation is not a consistent practice in all classrooms and across all subjects, and the school’s plans do not have the interim goals and timeframes through which progress towards long-term goals can be measured. Serious safety incidents increased by 17 percent from 2007-08 to 2008-09, while such incidents decreased on average citywide. The 2009 Learning Environment Survey revealed significant dissatisfaction among students, with only 68 percent indicating that they feel safe at school.

In 2009, the school only received 2.7 applications per seat compared to the 8.4 applications per seat citywide. Significantly, the school was designed to serve grades 6-12, offering the opportunity for a seamless, seven-year educational experience. Currently, Choir Academy middle school students are opting against staying on to attend high school. Only 25 percent of the school’s ninth graders attended the middle school. As a result of low external demand and the outflow of eighth-grade graduates to other high schools, the high school currently serves only 200 students in total. This extremely small size makes it difficult for the high school to serve its students well and limits the potential for the school to turn around quickly to reverse recent trends of declining school performance.

In 2007-08, the school’s graduation rate was 73 percent; in 2008-09, the graduation fell to 57.5 percent even as graduation rates rose across the City. Similarly, in 2007-08, 79 percent of first-year students earned 10 or more credits; in 2008-09, that figure declined to 61.5 percent, which ranks in the 41st percentile citywide.

Other performing arts high schools in Manhattan and throughout the City are serving their students significantly better. For example, all but 2 of the 27 audition-based high schools in New York have graduation rates at least 12 points higher than Choir Academy.

Furthermore, according to the New York State Education Department, Choir was designated in 2007-2008 as a school “In Need of Improvement – Year 1” and in 2009-2010 as a school in need of “Improvement – Year 2 (Comprehensive).”

Finally, the graduation rate the writer cited from the 2008-2009 New York State School Report Card for Choir Academy was for the 2004 cohort, which is the group of students who entered Choir Academy as grade 9 students in 2004-2005 and graduated by August 2008. The

graduation rate cited in the 2008-2009 Progress Report and in the Educational Impact Statement is drawn from the 2005 cohort, which is the group of students who entered Choir as grade 9 students in 2005-2006 and graduated by August 2009.

Some of the comments cite the New York State Education Department's recent adoption of five-year graduation rates as a reason for opposition to the phase-out proposals. The policy cited by one commenters was adopted by the Regents in October and therefore does not apply to previous years' graduation rates. However, the policy cited by the commenter was only recently adopted by the Regents and the state continues to use the four-year graduation rate in their accountability standards as well

Some commenters have suggested that the DOE has not used a rational formula 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 that received a C for three years in a row and for any school that the Chancellor has determined lacks the necessary capacity to improve student performance, regardless of the school's Progress Report grades and Quality Review scores. It is also 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.

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.

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 DOE’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 truly successful schools where all students can thrive.

Some commenters have asserted 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, commenters state 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. New schools that have been opened by the DOE serve all students.

The new small schools that have been created over the last six years do accept English Language Learners (“ELLs”) students and special education students and are serving them at a higher rate than schools citywide, with better outcomes. On average the new schools have a graduation rate of 75% and are serving some of the hardest to serve students. Here are some facts:

- The vast majority of new schools have unscreened admissions policies.
- During the 2008-2009 school year, ninth-grade enrollment at new schools included 14.2 percent special education students and 13.6 percent ELL students, compared to 12.8 percent special education students and 10.3 percent ELL students citywide.
- When looking across a school’s entire population, they also serve more special education students and ELL students than the citywide average. In 2008-2009, new schools served an average of 12.3 percent special education students and 12.6 percent ELL students compared with 11.6 percent and 10.8 percent, respectively, citywide.
- Looking at Collaborative team teaching and self-contained classes—considered the highest-need special education students—new schools continue to serve a larger population than schools citywide with 8.1 percent of their students requiring those services compared to 7.4 percent citywide in 2008-2009.
- Similarly, new small schools serve a higher proportion of low-income students, black and Hispanic students, and students performing below grade-level expectations upon ninth-grade enrollment when compared against citywide averages.

Current students at the schools proposed for phase-out who are behind in credits, including current Choir Academy students in grades 9-12, will not be displaced as a result of the phase-out proposals. The DOE is committed to supporting schools as they phase-out. All students enrolled in the phase-out schools will continue to be served, including homeless students, ELL and special education students. The DOE will assist phase-out schools in developing individual plans for each student to ensure that they continue to accumulate credits and will be able to graduate before or at the point the school is slated for complete phase-out.

Any students who are unable to accumulate the requisite number of credits within the three year timeline will be placed in other schools or programs that meet their needs and where they will continue to work towards earning a diploma.

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 Choir Academy, the DOE has also proposed the phase-in of several new small schools. The building in which Choir is housed will not be closed and citywide we will be replacing each seat that is lost. For next year there will be sufficient seats. To the extent that comments have asserted 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. The centralized High School Admissions Process allows us to do two things: (1) ensure that students have access to high quality options and (2) ensure that we plan for all schools appropriately.

It is important to be clear that the DOE values choice. Many of the overcrowded schools are zoned schools that offer additional programs for students outside of the zone. We constantly struggle to balance demand for zoned and choice programs in a school. Currently students are not choosing to attend these schools and they are not at full capacity. By phasing out these underperforming and low demand schools and putting in new options, we will draw students back to the campus and ultimately reduce overcrowding in other areas.

Commenters have further stated that closing large, zoned high schools will force many students to travel further from their homes. The DOE is opening new schools through the city to create additional options for students who would have attended Choir Academy. In addition, the High School Application Process allows students to rank up to 12 high school choices. Given the over 400 high school options available to students, they will only have to travel further from their homes if there is a high school option that they wish to attend. Additionally, some commenters have stated that large high schools provide more choices in electives for students and can address a broader range of students than the small schools that will replace them. Small schools currently offer Advanced Placement and College Now Courses in addition to other electives depending on the particular school and student demand. Schools on a campus can also collaborate to offer electives to students across the various schools on the campus.

Some commenters state 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 borne by not just the DOE, but those children, their families, and society at-large.

Finally, members of the public commenting on this proposal 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. Choir Academy 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. Choir Academy has received professional development on the use of differentiated strategies in various content areas; a structured professional development process and plan of action that supported teachers’ capacity to engage in purposeful planning, address the larger curriculum issues, create student-centered classrooms and develop lesson plans that build students’ skills, concepts and understanding in core academic subjects; and assistance in the development of interim benchmark assessments in mathematics that align teacher-developed tests and other evaluations with the skills, concepts and understanding tested on the Math Regents, among other SSO supports.

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 DOE has not made changes to the proposal to phase-out the high school grades at Choir Academy. The proposal will be presented to the Panel for Educational Policy as currently posted.

A copy of the Educational Impact Statement for this proposal can be obtained at [http://schools.nyc.gov/NR/rdonlyres/F0043783-8608-433C-855E-99228622A268/73626/05M469\\_ChoirAcademy\\_EIS6.pdf](http://schools.nyc.gov/NR/rdonlyres/F0043783-8608-433C-855E-99228622A268/73626/05M469_ChoirAcademy_EIS6.pdf).