



**The CITYWIDE COUNCIL ON HIGH SCHOOLS**  
**THE NEW YORK CITY DEPARTMENT OF EDUCATION**

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**CITYWIDE COUNCIL  
ON HIGH SCHOOLS**

**ANNUAL REPORT 2006-2007**

## **President's Message**

The third annual report of the Citywide Council on High Schools (CCHS) addresses policy issues of concern to New York City public school parents with children attending our local high schools during the 2006-2007 academic year. As a citywide council established by Chancellor's Regulation D-160, the CCHS conducted monthly public meetings and members attended numerous parent, school, community, Department of Education and other agency meetings to gather the information and opinions reflected in this annual review.

Our members are involved parents of children attending our public high schools during these recent years of unprecedented mayoral control and system-wide reforms. As parents we experience the results of these reforms and government policies in our private homes. As elected high school parent leaders who represent neighborhoods in all five boroughs, we hear and see what our schools and communities are saying about the reforms.

The 2006-2007 annual report reflects a positive outlook balanced by specific concerns over the administration's ability to alert the public about negative lessons learned from these new policies. We support increased transparency and continue the demand of parent leaders throughout the city that the Dept. of Education do a better job of engaging parents and parent leaders in the creation of policy.

I wish to thank my current and previous colleagues on the Council for their gifts of wisdom, time and energy into the work of the CCHS. In particular, the CCHS thanks David Bloomfield for his work overseeing the 2006-2007 annual report and Martin Krongold for his editorial comments. Thanks to our supporters and friends at the Department of Education and in the community for being there to offer assistance. Special thanks to the staff of the Office of Parent Engagement and Advocacy for supporting the work of the CCHS. Lastly with deepest appreciation, the CCHS thanks Halley Bondy, consultant and writer, for her exemplary work, insights and patience in crafting this annual report.

Susan Shiroma

President

## Introduction

As the New York City Department of Education reforms under the administration of Mayor Michael Bloomberg and Chancellor Joel I. Klein, the DOE, parents, students, teachers, and administrators vigilantly await the programmatic results. Aside from minor lapses, the reforms, which range from a large scale accountability initiative to re-zoning, have been lauded nationwide. The climate is optimistic as the DOE disseminates promising statistics and a multiplication of opportunities that apparently resulted from changes issued by the centralized mayoral administration.

The Citywide Council on High Schools (CCHS) applauds the administration for maintaining a results-oriented mentality. The Mayor and Chancellor have inspired confidence that they will not rest until their goals, particularly student achievement, are met.

However, since the reforms are relatively new, the consequences remain that the ongoing experiments conducted by the administration have yet to be fully realized in New York City. The DOE has been hasty in extolling its initiatives through data and public relations long before the reforms have been thoroughly tested by the public.

The Mayor has, on many occasions, disregarded mass criticism and potential residual effects in favor of plowing forth. The lack of public involvement has generated an environment of confusion, heightened suspicions, and helplessness. These concerns, coupled with praise for many Department of Education initiatives, are addressed in this report.

The CCHS is concerned about results at the high school level. We are supportive of the administration's emphasis on school accountability but have doubts regarding the level of omniscience attributed to the initiative; we celebrate increasing graduation rates but question the methodology behind the numbers; and, as in former years, we are disappointed that the administration has been unresponsive to parent input.

## Findings

The CCHS was established by Chancellor's Regulation D-160 to advise on high school policies and to annually review and report on the condition of New York City high schools. The 11 member CCHS is comprised of elected high school parent representatives from each of the 10 former regions and one high school student.

This report draws upon meetings with DOE officials, DOE documents and

reports, testimony of parents and students, other publicly issued reports, and deliberations of the CCHS. It synthesizes our findings and presents concerns of the Council. The report is not comprehensive but, rather, targets the issues we explored during the past year. Other topics were addressed in our previous report and still others will be addressed in the future.

## Accountability Initiative

The Department of Education is allotting billions of dollars into an ambitious accountability initiative that will include yearly progress reports, quality reviews, periodic assessments (standardized tests) and a sophisticated IBM data-management system called ARIS.

THESE INCLUDE THE Cambridge Education “Quality Reviews” at \$16 million a year; ARIS at \$80 million; CTB/McGraw-Hill periodic assessments at \$80 million over five years; and, other expenditures such as the proposed plan by Chief Equality Officer Roland G. Fryer to pay students for perfect test scores: \$53 million.

The 2006-2007 year also marked the second citywide administration of a subsidized PSAT exam. In light of the depression in SAT scores this year, this preparatory initiative is essential and deserves broader publicity among parents.

The CCHS has several concerns regarding the proportions the administration is taking to implement and depend on these empirical measures:

1. Though data collection is an essential component of accountability, statistics implemented by Cambridge Education, ARIS, and CTB/Mcgraw-Hill have not been publicly proven to provide sufficient insight into student achievement.
2. It is up to debate whether standardized tests are adequate measures of student achievement. Experts have surfaced on both sides of the issue. The Department of Education has steadfastly argued—and not without merit—that standardized tests and statistical analyses are decisive forms of educational assessment. However, many experts argue that standardized tests are also measures of parental involvement, income, test-specific preparation, and other outlying factors. The CCHS insists that the Department of Education remain open to any relevant criticism as this new initiative takes effect.
3. The privatized nature of corporate-implemented data collection can lead to inaccessibility of public information. The CCHS asserts that the Department of Education invests in transparency as the new initiative takes effect.

4. The CCHS urges that the DOE monitor any distinctions between test preparation and need-specific, curricula based education. As test preparation becomes more of a priority among instructors, it is imperative that the tests themselves reflect a sound curriculum.

5. The CCHS applauds the 2003-2006 figures indicating a 14% achievement gap decline between Hispanic and Caucasian students in high school reading and math, and a 13% decline between African-American and Caucasian students (Broad Foundation). However, the CCHS maintains that although data collection is essential in determining racial disparities, the achievement gap is not measured merely by existing test scores but by multi-dimensional such as parental involvement, historically inclusive social studies instruction, equal access to academic instructional opportunities, and adequate representation by teachers of color and senior teachers. The CCHS encourages accountability personnel to work in conjunction with community districts, parents, and organizations such as the Annenberg Institute National Task Force on the Future of Urban Districts, the Annenberg Community Involvement Program, and The Urban Institute to strive toward a more fundamental understanding, and ultimately the elimination of, the achievement gap.

## Graduation Rates

The Department of Education has taken extensive measures to produce higher graduation rates among general education students including the accountability initiative, the Small Schools Initiative, and Multiple Pathways to Graduation. The most impressive was reported in June 2007, when the DOE announced that the new small schools contracted in 2003 received a 73% graduation rate this year, exceeding traditional school rates by 18 points. (New York Times, June 2006). As addressed in part 5 of our concerns below, the credulity of this number is debatable.

The 59.7% percent graduation rate is derived by taking a snapshot at a moment in time. The rate reported for 2005-2006 is based on a total of 76,929 students who at some time during the prior four years were enrolled in the cohort. This number includes ninth graders who entered four years earlier (72,404), adjusted for transfers and discharges (4,521), and transfers and discharges for subsequent years. Of the new tally (72,408), 40,905 graduated on time, and an additional 1,691 obtained a GED (almost the same number as 2004-2005). 17,531 students were still enrolled, that is, taking five or more years to complete high school. (The number of dropouts was 9,998, a small increase from 2004-2005). The DOE's data removes from students who leave the New York City schools to enroll in a school in another district. (Department of Education)

The confusion over the role of IEP diplomas has also bedeviled the debate over graduation rates since the DOE unfairly imputes graduation status to students earning the credential through IEP goals completion. The CCHS emphatically believes that students in special education deserve

every opportunity to earn high school diplomas and to have access to a full range of post-secondary opportunities. IEP diplomas do not denote high school-level mastery, nor confer college or military eligibility. Further, many families do not realize that students who complete IEP diploma requirements still have the right to remain in high school until age 21 in order to earn a regular diploma. Together with over 20 other organizations, the CCHS wrote last year to the State Deputy Commissioner for special education urging that the designation be changed to “IEP Certificate” to communicate this important distinction and to promote the right of students with disabilities to earn regular high school diplomas as their efforts warrant. The State has taken the issue under advisement. At least one Member of the CCHS strongly supports allowing students with IEPs who fail Regents exams to repeat the test, until age 21, without having to re-enroll in the full Regents-level course.

The CCHS has concerns regarding the Department of Education graduation rate assessment, some of which overlap into our documented concerns from 2006.

1. The Department of Education reports an overall 59.7% graduation rate from the class of 2006, a small increase from the 2005 report of 58%. However, the state only reports a 50% graduation rate. The Department of Education has used a contrasting formula from the state for a decade and has been hesitant to alter the system to ensure comparison from year to year. However, considering the heightened focus on accountability, a state-city consensus regarding graduation rates, dropout rates, GEDs, and other calculations is an attainable and important goal. (Department of Education)
2. The controversial “discharge rate” has yet to be addressed in the city graduation accountability system. In the 2005-2006 year, about 17,000 students were “transferred or discharged” and thus eliminated from the drop-out rate and graduation cohort. The suspicion that many of these students are “push-outs” was announced by Public Advocate For the City of New York and Advocates for Children in 2002, and the issue stands unaddressed. The parameters for a discharge are currently vague, and the demographics of discharged students are not assessed under the present system. The CCHS urges the DOE to ensure accountability and fair practices in the discharging process. (Department of Education)
3. **The Multiple Pathways to Graduation** initiative is in response to the staggering numbers in the “overage and undercredited” population, which amounted to 138,000 students as of 2006, 68,000 of whom had already dropped out. The Office of Multiple Pathways to Graduation has introduced four options for alternative means of graduating:

*Transfer High Schools:* Small, personalized high schools for undercredited, overage high school students. 16% of overage undercredited high school students are currently enrolled in Transfer

High Schools, which boast a 56% graduation rate, compared to the 19% graduation rate of the population enrolled in traditional high schools.

*Young Adult Borough Centers (YABCs)*: Small learning environments housed within traditional high schools. According to the Department of Education, 44% YABC students graduated in 2005-2006.

*Learning to Work (LTW)*: An integrated initiative that provides employability training.

*Access GED Program*: A full-time GED curriculum introduced in September 2006. (Department of Education)

The CCHS applauds the Department of Education for granting the overage undercredited population with options that may fit their needs. We have three concerns:

- a) The CCHS urges the DOE to monitor the possibility that the drive toward increased graduation rates among the undercredited and overage population may usurp the drive toward adequate, rigorous coursework within the Multiple Pathways to Graduation. An accountability system must be intact to calculate not only graduation rates within these pathways, but to assess the quality of education.
  - b) The multiple pathways available may compel administrators to corral students into the programs rather than granting the option to students and parents (see P-Schools for related discriminatory practice). The pathways open doors for racial segregation, since compared to total high school enrollment, there are 14% more African-Americans and Hispanics in the overage undercredited population. (Department of Education)
  - c) The CCHS urges the Office of Multiple Pathways to Graduation to develop a vigilant process of information dissemination. Students with less involved or non-English speaking parents may have difficulty interpreting the Multiple Pathways for Graduation, thereby increasing the risk of enticing students into these schools before parents fully comprehend the transition. For a more fluid dissemination process, the CCHS encourages dialogue between the Multiple Pathways to Graduation and the Mayor's Center for Economic Opportunity, which researches the economic, racial, and other circumstantial demographics of 16-24 year-olds who are out of school.
4. The **Small Schools Initiative** has been of notable concern among the CCHS since its inception in 2003. This year, the new small schools boast a graduation rate of 73% at 47 of the new small high schools in 2007. (New York Times, June 2006) The success rate

comes as no surprise, since the small schools have the advantage of smaller class sizes, fresh perspectives, and students who actively chose to attend the particular schools (The Chief, August 10<sup>th</sup> 2007). Concerns on our part, however, remain unabated from last year.

The CCHS has several concerns regarding:

- a) the toll the initiative has taken on surrounding larger schools, including overcrowding.
- b) the yet unacknowledged discriminatory practices against special needs and bilingual students (see Special Education).
- c) The aforementioned 73% graduation rate statistic for small schools was derived from a report by WestEd, an unaffiliated research and development agency which describes the document as “descriptive only,” “limited,” and “yet to be verified by the Department of Education.” (WestEd). The report, far from analytic, is accompanied by a buried Appendix—or as the CCHS interprets it, a disclaimer—on page 19 which states:

“This report describes the first graduating cohort of these new small schools, how they did academically over the course of their four years, and their postsecondary plans. Quantitative information for the graduating students at these schools and their peers across the city’s education system is limited: consistent with education data challenges nationwide, reported graduation rates have not yet been verified by the New York City Department of Education, and neither confirmed dropout data nor data on postsecondary enrollment patterns are yet available for the students at these new schools. Given the preliminary and limited nature of the student information, it is not yet possible to compare these new schools to other public secondary schools in the city. But while this report is descriptive only and must be read from that perspective, what it describes is intriguing and appears promising.” (WestEd)

Despite the existence of this appendix--which many newspapers, and most likely the public have failed to notice—the Department of Education has publicly abided by the WestEd document without addressing the defects therein. Evidence that is noted as “preliminary” and “descriptive only” should not be utilized to promote policy.

- d) The misleading data surrounding certain high schools, in particular, Evander Childs High School in the Bronx. The DOE has launched a public relations campaign, including a widely viewed television commercial, lauding the increased graduation rates of the five smaller schools that replaced the phased out Evander Childs and claiming responsibility for higher performance rates. However, the New York City School Report Cards indicate that the incoming 9th graders at Evander in 2004-2005

(the last year Evander accepted 9th graders) were already performing lower than the incoming 9th graders at the five small schools. The chart below indicates that the student body entering the small schools was higher performing from the start and began with fewer special needs and ELL students, *not* that the small schools initiative is responsible for the achievement boost. (New York Sun)

2004-2005	Evander	Aerospace	HS for Contemporary Arts	HS for computers & Tech	Bronx Lab School	Bronx HS for Writing
PT Special Ed	0	10.9	4.7	3.8	1.7	5.4
FT Special Ed	13	4.2	6.5	0	.8	0
ELL	39.1	26.1	13.1	1.9	8.4	4.5
Overage For Grade	73.9	42.9	40.2	31.7	33.6	35.7
Avg. Daily Attendance	78.7	86.5	88.4	88.4	89.9	86.7
Pct. Passing Reading	0	7.9	15.4	24.2	24.5	19.1
Pct. Passing Math	0	19.8	19.4	34	30	15.4

Small schools are undoubtedly an important step toward more supportive and effective learning environments. However, the CCHS is concerned that the Mayor is publicly claiming responsibility for high student achievement when some of the smaller schools are accepting higher performing students at the outset.

In the October 2007 edition of “Education Week,” a Policy Studies Associates, Inc. report claimed that a sample of small schools had increased graduation rates over comparable students in large schools. Of similar importance is the quality of the degrees which shows mixed results. The report noted that the number of Regents and Local diplomas varied between small and large high schools, depending on the year, between 2005 and 2007. This reflects that small high schools do not necessarily graduate students with higher Regents diploma rates which will be the only recognized academic diploma beginning next year.

The CCHS is concerned by the framing of small schools data, which has typically tilted in favor of the administration. When notable publications find significant flaws in statistical

analysis, the CCHS must question the methodology of the Department of Education's public relations campaign.

## Class Size

In 2005, the CCHS in conjunction with regional representatives passed a resolution that deemed smaller class size as a crucial element in a successful education. The resolution states: "All studied research has sustained a substantial, significant proof that Class Size Reduction can promote positive, educational enrichment for students with a guarantee of a more affirmative and focused teaching approach from teachers." The CCHS also believes that other factors, such as teacher workload, are equally applicable in the question of class size. (CCHS)

The Department of Education has acknowledged that overcrowded classes result from underfunding and are an impediment to an adequate education. The 14-year Campaign for Fiscal Equity (CFE) has resulted in the finding that New York City Schools were inadequately funded by the state. The ruling has fostered the acquisition of necessary state funds and the proposal of the July 2007 "Contracts for Excellence."

Part of the contracts allot \$106 million to reduce class size in 693 schools that have been considered shortchanged. The CCHS applauds the Department of Education in allotting 50% of CFE funding to individual schools for the purpose of hiring new teachers. (New York Times, July 6 2007)

The CCHS is aware that this class size reduction plan is intended as a preliminary step while the DOE awaits funding and instruction from Albany.

However, the CCHS believes that several issues ought to be addressed as the class reduction plan comes to fruition:

1. Funds are primarily allotted to K-3 classes, though severe overcrowding exists in high schools. (Class Size Matters)
2. In accordance with the Fair Student Funding formula created by the DOE, 47% of failing schools are omitted from class size reduction funding.
3. The Contracts for Excellence designate considerable funding power to principals with minimal accountability. The CCHS urges the DOE to acknowledge that several factors contribute to class size reduction besides student:teacher ratio, and to disseminate the following information to principals. Many years ago, these factors were unearthed by Project STAR (Student Teacher Achievement Ratio), a 4-year longitudinal study of Tennessee classrooms initiated in 1985.

- a) Reducing the ratio of student:teacher ratio does not necessarily contribute to smaller class sizes. Some initiatives permit officials to include other education staff besides the classroom teachers in the calculation of the ratio, such as resource teachers in special education, music, and physical education. Consequently, school systems could increase the number of teachers without necessarily reducing class size; and particularly since the number of available classrooms is both a practical and a budget issue, officials may be tempted to solve the ratio problem by adding another teacher to a larger class. (Project STAR)
  
- b) Reducing class size does not necessarily reduce the teacher's workload, or even the number of students they teach each day. If a teacher is assigned to teach more classes because the number of students in each class is reduced, the teacher spends more time teaching and has no fewer students. The common assumption is that smaller classes allow teachers to increase the time devoted to each student, either individually or in smaller groups, and thereby improve the quality of the students' education. If this assumption is true, successful class size reduction programs will have to attend to the impact on teachers' workloads.

Facilities and Overcrowding

The “Five-Year Capital Plan 2005-2009” was originally approved by the City Council in June 2004. The Plan allots \$13.1 billion (of which \$6.5 billion is State funding as of April 24, 2006) to three categories relating to facilities and overcrowding: restructuring, new capacity, and existing investments. The budgetary breakdown is as follows:

Restructuring of current school space:	\$4.5 billion
New Capacity:	4.4 billion
Existing investments:	4.5 billion
	\$13.4 billion

The restructuring of schools initiative includes: School Improvement and Restructuring Allocations (SIRAs) for more than 400 schools (including the 22 high school campuses that have been converted into small schools), the creation of new Partnership and Charter Schools, and specialized capital investments such as science labs, computer labs and technology, safety

enhancements, expansion of library and physical fitness space and conversion of administrative space to classrooms. (Department of Education)

Whereas the CCHS applauds the continued efforts of the Department of Education to optimize facilities and acquire state funding, the CCHS is concerned by current building utilization assessment and how the restructuring will affect specialized spaces.

1. The “Blue Book,” a DOE directory of facilities assessment, has considerably inflated the capacity of almost all overcrowded high school buildings over the last decade. The chart below compares the utilization and capacity of some high schools from the 2005-2006 Blue Book to the utilization and capacity of the same high schools indicated in 1993-1994. The chart demonstrates that these schools, without substantial addition of space, are now considered more spacious than they were 13 years ago. (Blue Book and the United Federation of Teachers)

A COMPARATIVE LOOK AT SELECTED NEW YORK CITY PUBLIC HIGH SCHOOL OVERCROWDING					
BOROUGH/SCHOOL	School Capacity		2005-06 register	Utilization Rate	
	1993-94	2005-06		Using 05-06 figure	Using 93-94 figure
Bronx					
Clinton Campus	2849	3363	4552	135%	160%
Kennedy Campus	3332	4214	4721	112%	142%
Morris Campus	1088	1819	1605	88%	148%
Walton Campus	1869	2473	3162	128%	169%
Brooklyn					
Erasmus Campus	2066	2761	1782	65%	86%

FD Roosevelt	2406	2967	3652	134%	152%
Fort Hamilton	2413	2791	4538	162%	163%
Madison	2372	2417	4223	125%	178%
Midwood	1744	2067	3773	183%	216%
Manhattan					
Washington Irving	2352	2948	2817	96%	120%
Queens					
Cardozo	2372	3047	4067	133%	171%
Francis Lewis	1884	2679	4244	158%	225%
Newtown	2187	2717	4138	152%	189%
Richmond Hill	1286	2190	3619	165%	281%

2. The CCHS asserts that several nuanced factors contribute to overcrowding. Two years ago, District 6 performed an on-site survey of IS 218 in Manhattan. IS 218 had been ranked as having 90% utilization, allowing 300 more students to enroll in the 1990's. The school resorted to creative means to account for the influx. The survey revealed nuanced findings regarding the IS 218 facilities, including the fact that all specialized spaces on the fourth and fifth floors were converted into general education rooms over the last decade due to overcrowding, and that the school requires five lunch periods. The CCHS believes that this survey, which is currently being compiled by St. Francis College for administration in a large number of public schools, is an important method to consider when assessing utilization for all schools. A static enrollment capacity for every school must be reached and updated annually to account for the addition of space. The CCHS

urges the DOE to compile an analysis of where overcrowding exists with specific solutions.

3. In 2001, the New York State Supreme Court ruled that an East Carolina University study inflated building capacity because the numbers failed to address the disparity between general education classrooms and specialized spaces such as art rooms. Though the Capital Plan allocates funds to upgrading auditoriums, gymnasiums and science labs, the Department of Education currently adheres to a capacity assessment formula that fails to address the ruling. The CCHS is concerned that this formula and the Capital Plan initiative to convert administrative spaces classrooms has encouraged, and will continue to encourage the erosion of specialized spaces and the exploitation of building capacity.
4. Furthermore, the School Construction Authority and the Department of Education are projecting disparate expectations. Whereas the Department of Education aims to increase graduation rate to 70%, through initiatives like No Pathways to Graduation, the SCA is constructing new buildings based on a 46% citywide cohort survival rate. The fact that 46% is an economically-driven low expectation notwithstanding, if the DOE succeeds in increasing the graduation rates as its Public Relations bureau so purports, the SCA buildings will be severely overcrowded resulting in poor educational environments and safety concerns. (School Construction Authority)

## Empowerment Schools

A major DOE initiative for the 2006-07 school year was the designation of over 300 school principals as part of an “Empowerment Zone,” independent of the Regions, and with dramatically increased budgetary and decision making authority. Last year, 332 schools voluntarily accepted more accountability in exchange for more authority. In the 2006-2007 school year, Empowerment Schools received \$150,000 of additional funding. (CCHS Annual Report 2006)

In 2005-2006, the Empowerment Schools boasted a 2.4% attendance rate hike, a 9.8% graduation rate hike, a .9% drop-out rate decrease, and a 7.3% increase in 8th grade passing math scores (which is only .6% higher than the citywide increase). (Department of Education)

The CCHS is concerned by

1. The lack of parental involvement. Parents have complained repeatedly that the Empowerment Schools lack functional School Leadership Teams. Also, the PS and IS zoning process has been presented vaguely to parents. The CCHS urges that the DOE

mandates a backpacked letter to parents explaining the alteration of administrative districts and regions, and the transference of power to principals, ESOs, LSOs, and PSOs.

2. Though the CCHS supports the principles behind Empowerment Schools, the current educational construct seems to lack the resources to effectively employ them. Currently, half of our principals in 1,400 schools have under 3 years experience, and they often lack extended apprenticeship as assistant principals, which the CCHS believes is essential experience in administering an effective Empowerment School. The Chancellor has responded to these concerns by hiring retired principals and aiding the inexperienced principals through privatized funding. The CCHS believes that a contract to retain experienced principals is a more effective strategy.

## Special Education

In 2003, Mayor Bloomberg announced a comprehensive reform agenda to improve special education in New York City public schools. Under the Individualized Education Program (IEP), the Least Restrictive Environment Initiative, and the concepts of the 1975 Individuals with Disabilities Education Act (IDEA), the Department of Education and state officials have agreed that special needs students ought to integrate into general education classrooms to the extent possible. Special education students are categorized in accordance with an IEP continuum and subsequently placed in a fitting environment, which, as of 2005, cannot be altered without the consultation of an IEP Team meeting.

State numbers indicate that in 2005-2006, New York City had 141,627 students with disabilities aged 6-21. The state found that 50.7% of special education students were removed from regular classes for 20% or less of the day, 4.1% of special education students were removed from regular classes 21-60% of the day, and 36.2% of special education students were being removed 60% or more of the day, while the remaining students had not been integrated into regular classes.(source VESID). According to the New York State Vocational Education Services for Individuals with Disabilities (VESID), these numbers adequately contribute to state targets to reduce the number of education students who are divided from general education classes.

However, only 11.84% of New York City special education students graduated with a regular high school diploma in 2006 (Advocates for Children). The small percentage identified New York City as a “district in need of intervention” by the state. Beginning this year, the City responded to the intervention with a number of positive initiatives, including but not limited to increased Collaborative Team Teaching classes, Response to Intervention pilots, Wilson reading

system training, Positive Behavioral Interventions and Supports programs in the effort to increase personalized attention toward special education students.

The CCHS has several concerns a) regarding the implementation of many of the initiatives, and b) regarding the small schools initiative and the systematic exclusion of special needs students who require separate attention from general education.

1. The options for IEP students are theoretically vast, but parents have complained that special education students are being triaged into the few schools that happen to offer their IEP, depriving them of equal opportunity to benefit from high school choice. At times, as seen in part d, students are triaged into schools that do not offer their IEP at all, depriving them of their rightful services.
  - a) The 2006-2007 High School Directory indicates that only 11.5% of small high schools, as opposed to 70.4% of other high schools, provide self-contained special education classes.
  - b) Only 38.1% of *all* high schools offer handicap accessible facilities.
  - c) Many parents complain about inadequate guidance and informational services, which ultimately limits their options by confusing them.

Parents have reported a disturbing practice in which schools alter the IEP of a student in order to fit the accommodations of the school, as opposed to the other way around. Oftentimes, despite policy, IEPs are changed without the presence of a parent or parent advocate. High schools have a particular interest in accurate IEPs since high schools inherit the mistakes and faulty planning of intermediate schools. This results in inaccurate student academic assessments.

2. The Contracts for Excellence allot \$40 million to the creation of 430 new Collaborative Team Teaching (CTT) classrooms. (Department of Education) Though CTT classes are effective for many special needs students, the CCHS stresses that they are not the solution for everybody. According to parental complaints, some special needs students have found CTT classes too large and chaotic, while many general education students are switching out of the classes to avoid class integration with special education students Teachers lack the administrative support and information to face these adverse situations In many cases, however, CTT classes are innovative solutions. In these cases, the DOE should provide not only funding but accountability that principals are supporting CTT class development and teacher training to promote effective implementation of CTT.

3. The CCHS has submitted a complaint to the Federal Office of Civil Rights regarding the optional exclusion of students requiring self-contained special education classes in the new small high schools initiative. While awaiting the decision, the CCHS has been visited by members of the Department of Education who minimize the existence of the practice, either by citing the brevity of the optional exclusion (two years), or by presenting special education-friendly results. There has yet to be any public admission of the wrongs committed by this policy, however brief.

While awaiting the decision from the Federal Office of Civil Rights, Advocates for Children has compiled a list of residual grievances that have resulted from the exclusion. In light of the public complaints from parent groups regarding the exclusionary practices of the small schools initiative, the CCHS is troubled by these findings.

- a) Though the high schools initiative supposedly allows this exclusion for only two years, the staff of New York Lawyers for the Public Interest called ten schools in 2006 that opened in fall 2003 (thus the schools were entering their fourth year of existence). Only three of the six schools that responded to the callers' questions stated that they offered any type of special class for students with disabilities (Advocates for Children).
- b) The Department of Education requires that new small high schools serve students with disabilities who participate in general education classes but need only to work with a special education teacher on a part time basis. However, when staff from New York Lawyers for the Public Interest contacted nine randomly chosen new small high schools that opened in fall 2005, four of the nine said they provided *no special education teacher support or other special education services whatsoever*.
- c)\_ The Department of Education has formulated impressive initiatives in the past to provide summer school opportunities for special education students. Since well before the Bloomberg administration, however, parents have complained that summer school opportunities for special education and ELL students are limited and/or confusing. Parents from Staten Island, for instance, have complained that schools have undermined IEP class size requisites during the summer school season. Some students have a particular assigned need for small classes year-round.

## Arts Education

The “Arts Blueprint” program was introduced in 2004-2005 by the Office of Arts and Special Projects as the first city-wide standardized curriculum in dance, music, theater, and visual arts. The Blueprints, compiled by the DOE in conjunction with cultural advocates and arts consultants, pay tribute to the importance of arts education and provide a sophisticated and thorough guideline for arts administration in schools.

Budget cuts have thinned the popular Project ARTS initiative, although in the 2006-2007 year the program allocated \$63.44 per capita (based on enrollment) to every school with the intention of promoting dance, music, and theater. The allocation is still in an experimental phase.

The ArtsCount program, introduced in July 2007, will incorporate arts into the accountability initiative beginning in September 2007. Accountability in the arts will include standard Parent, Student, and Teacher Learning Environment Surveys, Quality Reviews, and Annual Compliance Reviews. Arts accountability will also include specialized exit exams that lead to Arts-Endorsed Regents Honors Diplomas, and an annual “Arts in Schools Report” that synthesizes data on arts participation, spending, staffing, and instructional programming. It is anticipated that these accountabilities will serve schools in need of arts funding.

The CCHS applauds the Department of Education for its public recognition of the importance of arts education. The Department of Education also went to considerable lengths to ensure that the blueprints were democratically designed.

The CCHS has two concerns regarding these initiatives:

1. The “Blueprints” and the accountability programs function to implement an arts standard, however they are not accompanied by significant funding initiatives either in the present or future. The CCHS is concerned that the Department of Education is placing expectations on schools before granting them resources to compete or ensuring further support if expectations are not met.
2. The “Arts Blueprint” program was intended as an instructional campaign for administrators and teachers. However, resources on the “Arts Blueprint” program are now limited to the Department of Education website, pamphlets, and in-house seminars that cost up to \$450.00 to attend. The CCHS is concerned that, considering the ambition of the Blueprints program, access to information is limited.
3. In the beginning of the decade, Project ARTS allocations--not unlike the aforementioned per capita initiative—were misused by superintendents and rarely

reached the classroom. (Riverdale Press) The CCHS urges the DOE to investigate the use of Project ARTS funding during the 2006-2007 year to ensure that a similar debacle has not occurred.

## Health Education

In March 2007, Betty Rothbart, Director of the Department of Education Office of Health Education & Family Living, and Scott Bloom, Director of Mental Health Services, presented a telling Powerpoint Presentation to the CCHS regarding the state of health education in New York City public schools. The CCHS applauds the outreach to this parent organization, as well as the crucial topics addressed in the presentations themselves. Some topics of interest included:

1. Selected findings from the 2005 Youth Risk Behavior Survey (made by the Department of Education in conjunction with the New York City Department of Health and Mental Hygiene) were particularly troubling, including:
  - a. 48% of all New York City public high school students reported ever having sex, 18% had sex with four or more partners, and 30% had not used a condom the last time they had sex.
  - b. 53.6% of girls who dropped out by the 10<sup>th</sup> grade cited pregnancy/parenting as the cause. Only 54.1% of girls whose first birth occurs by age 17 complete high school by age 19. (NYC Comptroller)
  - c. New York City is the epicenter for HIV/AIDS in America, with the highest number of AIDS cases anywhere in the U.S. and the second highest rate of new AIDS cases in the nation (after Washington, DC)
2. The implementation of an updated *HIV/AIDS Curriculum Guide* (developed in the 1990's) equipped with scientific updates. A curriculum adaptation is also being developed for District 75 special education students.

The CCHS applauds these efforts. The *HIV/AIDS Curriculum Guide* provides thorough health education pertaining not only to HIV/AIDS but to drugs, alcohol, and sexually transmitted disease. The Department of Education has also officially embraced both abstinence and contraceptive education as the most effective teaching method based on the National Campaign to Prevent Teen Pregnancy research in 2001.

3. An understated topic in New York City public schools is the presence of mental health services. The CCHS maintains that in-school mental health services are crucial to the

success of students, particularly those at-risk or those suffering from mental disorders that are diagnosable only by professionals (i.e., Attention Deficit Disorder).

According to a 2001 federal report, 21% of young people aged 9-17 have diagnosable emotional or behavioral health problems, yet less than 1/3 of this population seeks help.

Providing in-school mental health services would provide accessible aid to these students in a familiar environment. The services also have the potential to build an effective partnership among teachers, parents, and a team of health practitioners such as nurses, clinical social workers, and psychiatrists.

The CCHS has a few concerns.

- a) There is a lack of accountability regarding in-school mental health services. Standards for mental health centers are in experimental phases and typically arise in the form of private grants rather than public consensus. Mental health centers have the potential to gather data on mental health diagnoses and at-risk students well before they experience problems in high school. This data can often be more telling than test scores or class placement. The CCHS urges the DOE to implement a solid accountability system regarding mental health centers.
- b) The CCHS urges schools to thoroughly inform parents about mental health services available at schools. Availability could become a determining factor in school selection for at-risk students.

## School Safety

The CCHS was disturbed by the 21% increase of in-school crime in July-October of 2006 when compared to the same time period in 2005. There were 197 cases of grand larceny — typically the theft, without threat or force, of items worth more than \$1,000 or of credit cards — during that period in 2006, up from 119 during the same period in 2005, according to the preliminary Mayor's Management Report, which provides statistics on government performance. Over all, the report showed 348 major crimes in these four months in 2006, compared with 287 in 2005. These 2006 numbers included 18 fewer robberies and one more burglary.

The report also noted an increase in minor criminal offenses, like misdemeanor assaults, to 983 from 820, and in "other incidents," like trespassing, to 1,926 from 1,614. (New York Times)

The Department of Education has taken several initiatives in recent years to increase security in public schools and to prevent further increases. In 2004, Mayor Bloomberg continued a trend promoted by predecessor Mayor Giuliani by increasing police presence in high-crime schools under the Impact Schools Initiative. (Department of Education).

In April 2006, Mayor Bloomberg announced a new initiative to deploy roving scanning units each school day at different high schools or junior high schools to control the influx of weapons.

The CCHS has several concerns regarding these initiatives that are reflected in the testimony of parents and the New York Civil Liberties Union.

1. Whereas the Mayor has succeeded in reducing the crime rates in certain schools, the Department of Education has not publicly acknowledged the overall increase in crime rates, nor has the DOE proposed solutions.
2. Scanning units have been utilized for the systematic confiscation of cellular phones and personal items such as music players whether or not they are in use.
3. Since the implementation of these initiatives, the New York Civil Liberties Union has received a growing number of complaints of abuses, including but not limited to “safety agents directing derogatory language toward students... agents handcuffing students who fail to present their school ID in a timely manner.” According to a survey of 114 high school and middle school students, 56% have had to remove or lift up their shirt or a piece of clothing in order to enter through the metal detectors. The CCHS is concerned that many of these measures present children with the wrong message regarding safety personnel, thereby fostering further hostility and disrespect while reducing focus on education.
4. In many cases, the new measures have debilitated the educational environment. A strong presence of school safety agents who are untrained in educational or child development may undermine the intact school governance with arbitrary rules. Debilitation is apparent in the fact that 40% of the aforementioned students in the survey have been late to class five or more times in the past month due to metal detector-related delays. The CCHS encourages school safety personnel to work in conjunction with community and grassroots initiatives such as the Annenberg Institute Community Involvement Program to assess the necessity of certain safety programs.
5. Many of the Chancellor’s Regulations (including A-443, A-432, and A-412) effectively hold students accountable for their behavior, but no mechanism exists to hold safety agents accountable for abusive behavior for children in schools.
6. The discipline code requires that the Principal or the Principal’s designee must report all infractions to parents. When a student is believed to have committed a crime, the police must be summoned and parents must be contacted (see Chancellor’s Regulation A-412). However, the CCHS has received complaints that the proviso for

a parental advisory was not met after the student had been brought into the court system. The CCHS urges accountability in this regard.

7. The CCHS is concerned that efforts to minimize crime numbers will also minimize efforts to report parental complaints of crime or injustice against their children.

The CCHS recommends the adoption of the following policies as proposed by the New York Civil Liberties Union in its report: “Criminalizing the Classroom”:

- Authority over school safety must be restored to school administrators;
- School safety personnel must be trained to function in accordance with sound educational practices and to respect the differences between street and school environments;
- Students, families and educators must be given meaningful mechanisms, including access to the Civilian Complaint Review Board, to report wrongdoing by school-based police personnel.

## P Schools

The Pregnancy School experiment, which would be in its third decade, was shut down in May 2007. Just prior to termination, there were four Pregnancy Schools in New York City serving 500 pregnant students. The CCHS supports the termination and applauds the Department of Education for its recognition of inefficiencies and inequities in the Pregnancy School system.

### Summary of Inefficiencies and Inequities in P-Schools

- 1) Though P-Schools were allegedly optional for pregnant students, 22% of pregnant students complained that they were routinely “counseled” out of their home schools and steered into P-Schools, or were barred entirely from their home schools.  
(NYCLU)
- 2) The standard that P-Schools are not degree-granting allowed them to provide inadequate coursework and guidance services. P-School students were rendered unprepared for graduation or college. In the case of Martha Neilson which offered students classes from the 7<sup>th</sup>-10<sup>th</sup> grade only, pregnant students were abandoned entirely.
- 3) Poor performance in the P-Schools demonstrated that, although many P-School students were content with the environment, few were actively engaged in their

school work. Attendance rate was at 40% in 2006 compared to 86% at other City Schools, and in 2004, 57% of tracked P-School students had dropped out.(NYCLU)

Though P-Schools are hereby obsolete, these inefficiencies illuminate the lack of resources available to pregnant students in public home schools. The CCHS also urges the Multiple Pathways to Graduation to reference the failed P-School model when creating alternative programs.

### Conclusion

There is undoubtedly positive potential in the educational reforms instated by Mayor Bloomberg's administration. A thorough accountability system, smaller schools, and broadened graduation options are crucial initiatives to improve the current New York City public school system.

However, despite the nascent nature of the reforms, the Department of Education has already cried success on a public level. The administration has executed them with a forceful speed at the expense of public opinion and potential flaws. Supplementing the pace of the DOE is a powerful public relations campaign that does not always derive its optimistic news from credible sources. For example the WestEd report, which was never intended as a definitive analysis of graduation rates, was used as such despite critical reservations noted by the author How would the average parent understand the difference?

Before the Citywide Council on High Schools can support the reforms with confidence, we, as an elected body and as concerned parents, require assurance that the administration will address our concerns without dismissal. We believe that the administration should be forthcoming about mistakes, maintain transparency, and actively involve the public as these ambitious reforms progress.

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