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Via Facsimile and U.S. Mail

February 28, 2007

Mr. Joel Klein
Chancellor
New York City Department of Education
52 Chambers Street
New York, NY 10007

Dear Chancellor Klein:

I am writing to express a number of specific concerns relating to your January 2007 proposed changes to the Children First Initiative.

Having had an opportunity to consult with teachers, school leaders, and parents in my Council District, it is clear to me that while the intention of these reforms is meritorious, it will force schools to make poorly considered decisions at a point in which their options are not clear.

Among other things, you have proposed restructuring the school system by eliminating the regions — and you are giving yourself just six months to rebuild the system from the ground up. If the recent school bus route changes have taught us anything, it is that we should not sacrifice careful implementation in pursuit of bold reforms. However, you have advised principals that they must make decisions about the governance structures of their schools by the end of April, to take effect in July,¹ before they have adequate information about their options.

¹ NEW YORK CITY DEPARTMENT OF EDUCATION, DIVISION OF CONTRACTS AND PURCHASING, PARTNERSHIP SCHOOL SUPPORT ORGANIZATIONS, Feb. 2007 at 10. (available at <http://schools.nyc.gov/NR/rdonlyres/56C575B8-7FF1-40EA-9310-05FE0B0CEE35/0/R0060PRESENTATIONFORCONFERENCEFEBRUARY7FINAL.ppt>.) [hereinafter DOE CONTRACTS DIVISION, PSO PARAMETERS]

Despite Mayor Bloomberg's statement in his State of the City address that the regions "will be eliminated now that their job is done," New Yorkers widely viewed them as a permanent part of the Children First Initiative. While I will always support your decision to make changes when any element of the system is not working, it is unclear to me that the regions have failed, and how these modifications would make the system function better. Some have suggested that this restructuring was planned all along, but not communicated to those whom it would affect. Either way, these reforms need more specificity before you consider putting them into action.

Additionally, I have been surprised at the lack of collaboration with the New York City Council on these changes. I am a member of the Education Committee of the City Council, and I knew nothing of these changes until I heard Mayor Bloomberg announce them at his State of the City speech on January 17. While I have read carefully your "Children First" Handbook, and listened to your testimony at the City Council hearing on January 25, I am left with a number of concerns that I hope you will resolve.

I am attempting in this letter to advance the discussion on those concerns, from the speed in which the decisions are to be made and disruption they may cause, to the funding formulas, to the as-yet unarticulated plans for replacing the services now delivered by the regional offices. While I have reservations about other educational matters, like what I perceive as growing reliance on high-stakes testing, I will limit this letter to the structural changes.

Principals Are Being Forced to Choose Far Too Quickly

It is my understanding that for this upcoming fall, schools will be given the opportunity to choose between becoming an Empowerment School, joining a Learning Support Organization (LSO), or affiliating with an external Partnership Support Organization (PSO). Let me start by noting that I agree with your proposition that those "closest to the students should get to make the key decisions about what will best help their students succeed."²

However, basic questions, such as whether a school will have to pay to join an LSO or a PSO, or what specific organizations will be participating as PSOs, have not yet been answered. You stated at a February 12, 2007 Parent Leaders Meeting that schools would be provided with all necessary information in April — and principals are under the impression from meeting with Deputy Chancellor Alonso in early February that they need to make these very important decisions by the end of that same month.

I hope you will agree that principals, before deciding, should be able to consult with their School Leadership Teams about the right system for their schools. Today, however, school communities are scrambling for basic information to determine which of the three choices is the best fit for their school. It also appears to me that most public

² NEW YORK CITY DEPARTMENT OF EDUCATION, CHILDREN FIRST, A BOLD, COMMON-SENSE PLAN TO CREATE GREAT SCHOOLS FOR ALL CHILDREN, Jan. 2007 at 6. [*hereinafter* CHILDREN FIRST REFORMS]

school parents are not even aware that their principals are facing such critical decisions that will greatly impact the infrastructure and governance of their children's schools.

Beware Potential Disruption to Summer School Program

I am also very concerned about the effect of the proposed changes on this year's summer school program. It is my understanding that your plans are set to become effective on July 1, 2007, the same date that summer school is scheduled to begin. However, the planning for summer school programs will commence shortly.

In April, Local Instructional Superintendents (LISs) ordinarily would begin coordinating with Regional Instructional Specialists (RISs) to plan an appropriate summer school curriculum and professional development for teachers. Students must be identified, teachers need to be hired, materials purchased, and sites determined. With regions and LIS and RIS personnel no longer in place, it will be difficult for schools to accomplish these tasks on their own; in fact, it seems implausible that this could be done within the timeframe that you have set out. It is unfair to expect any school to create a successful summer school program at the very last minute — let alone for those children who need the support the most.

Principals Rely on Relationships With Regional Offices

Department of Education (DOE) materials anticipate that schools will be connected with geographically based "Integrated Service Centers,"³ for the purpose of taking over some of the functions of the Regional Operations Centers. This might include health services, school food and nutrition, parent engagement, special education, or even testing coordination. Some principals assume that these will be impersonal call centers, where administrators would call in and be shepherded to any available operator. "Service centers," while efficient, may not give principals the ability to build relationships, and to connect with people who know their specific school needs.

Of course, this is speculation. Principals today simply do not know the answers to these questions, and need to understand them before you make this change.

New Funding Formulas Must Not Punish High-Performing Schools

I support the central goal of "Fair Student Funding." Where inequities exist, we must take steps to correct them. I echo your complaint that for too long, many students have gone to schools with insufficient resources. However, unless safeguards are put into place, Fair Student Funding risks draining resources from high-achieving schools while also leaving high-needs students wanting.

DOE materials state that weighted student funding would be phased in "over several years."⁴ In Houston — where weighted student funding was phased in over two

³ DOE CONTRACTS DIVISION, PSO PARAMETERS at 7.

⁴ CHILDREN FIRST REFORMS at 18.

years — schools that lost resources faced an average reduction of 9.1% of their budgets, with the largest loss representing a 31.8% budget reduction.⁵ At the January 25, 2007 hearing of the City Council's Education Committee, when I shared with you my concern that high-performing schools may be forced to cut proven educational programming, you responded that the funding changes would be done flexibly in order to minimize any destabilization of high-performing schools.

I can draw no comfort from this without additional details, whether they include a cap on schools' per-year budgetary reductions, or an appeals process for principals who face the prospect of eliminating funds for successful educational programs, school safety, or other critical school needs.

My concerns about the funding system extend to teacher salaries as well. If, as planned, schools become required to pay the actual salaries of their teachers (as opposed to the current system, where schools pay an average cost of all teachers), veteran teachers with higher salaries will reduce a school's ability to spend funds flexibly. A system where principals must choose between experienced teachers or retaining successful programs and professional development seems to work against itself, and is unlikely to best serve our students.

A Coherent Plan for Special Education Must Be Established

As you know, special education is one of the most difficult areas of education — and law — for parents to navigate. Under the current system, regional Committees on Special Education (CSEs) are charged with evaluating students suspected of having a disability, placing children who require special education services, ensuring that students are receiving the services stipulated by their Individualized Education Programs, and conducting resolution sessions when a parent makes a due process complaint.

We know that the system of regional CSEs is an imperfect one, but as yet it is the only one. If parents faced difficulty before, it will not get any easier when, once again, they no longer know the rules of the game.

At the City Council hearing on January 25, I asked what entity will inherit these responsibilities when the regional offices are folded. You replied that Deputy Chancellor Alonso was finalizing the details, and that you would share those details with us "very soon." Since that time, I have received no new information about how you or Dr. Alonso intend to proceed.

It is my understanding that during the last restructuring, when the regional offices were created, many special education cases slipped through the cracks, with records being lost in the transition between offices, and calls from parents going unanswered for weeks. We need a coherent plan for special education, and in enough time to put the appropriate support infrastructure into place.

⁵ K. H. Miles and M. Roza, *Understanding Student-based Budgeting as a Means to Greater School Resource Equity*. Center on Reinventing Public Education, University of Washington (2004).

Some Remaining Questions

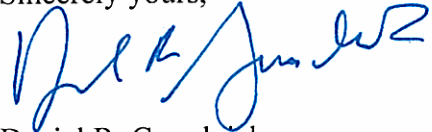
In addition to the questions articulated above, there are a number of further issues relating to the new structure that I hope you will clarify for me:

- (1) How will middle school and Gifted and Talented choice programs be run come Fall 2007?
- (2) Given the high level of importance your Children First Initiative is placing on student performance and accountability, the coordination of city and state assessments is of great concern. Your outline has not addressed the distribution, collection, and scoring of standardized assessments. How will they be coordinated?
- (3) Who will approve transfers / variances, and what mechanisms will exist to ensure that the transfer requests are appropriate?
- (4) Who will assume the responsibility of assigning students who currently reside in temporary housing so that there is an equitable distribution among neighboring schools?
- (5) Currently, the region is responsible for the intake of "superintendent suspensions," and the housing of students whose behaviors are egregious enough to warrant these suspensions. How will these be handled?

Thank you for your careful consideration of these issues. I remain deeply concerned that the articulated goals of these changes will be overcome with logistical hurdles, and that any benefits will be undercut by confusion.

I look forward to your response.

Sincerely yours,



Daniel R. Garodnick

cc: Deputy Mayor Dennis Walcott
City Council Speaker Christine Quinn
Council Member Robert Jackson