

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON EDUCATION

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June 18, 2009  
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HELD AT: Committee Room  
City Hall

B E F O R E:  
ROBERT JACKSON  
Chairperson

COUNCIL MEMBERS:  
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Vincent Ignizio

## A P P E A R A N C E S

## COUNCIL MEMBERS:

Gale A. Brewer

## A P P E A R A N C E S (CONTINUED)

Jennifer Bell-Ellwanger  
Senior Advisor to the Chancellor  
New York City Department of Education

Santiago Tavares  
Deputy Chancellor for Teaching and Learning  
New York City Department of Education

Rosemary Thompson  
Chapter Chair for Guidance  
The United Federation of Teachers

James Vazquez  
High School Representative for Queens  
The United Federation of Teachers

Lenore Brown  
New York City Coalition for Educational Justice

Megan Hester  
The Annenberg Institute for School Reform

Valerie Armstrong-Barrows, Esq.  
President  
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Christie Hill  
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Advocates for Children of New York

Karin Goldmark  
Executive Director  
College Summit New York

Rafael Rivas  
Youth in Transition Coordinator  
Brooklyn Center for Independence of the Disabled

## A P P E A R A N C E S (CONTINUED)

Carmen Santana  
Parent Advocate

Matt Shotkin  
Advocate

CHAIRPERSON JACKSON: Thank you.

Thank you for your cooperation. Good morning and welcome to today's Education Committee oversight hearing on the new high school graduation requirements. Historically high school students in New York State have had two main paths to graduation, the Regents diploma and the less demanding local diploma. To receive either diploma, students had to earn a minimum number of credits and pass tests in core subjects, either Regents Competency Tests, known as CRTs, to earn a local diploma--RCTs, excuse me, to earn a local diploma, or Regents Exams to earn a Regents diploma. In 1996, as part of a national trend towards raising academic standards, New York State Board of Regents adopted higher graduation standards to be gradually phased in. The changes included increasing the number of credits that students had to earn and strengthening test requirements. Excuse me. The Regents ultimate plan was to eliminate the less rigorous local diploma all together, and they specified a timeline for its phase out. And this is a chart here that they specified, and that chart is

1  
2 available if anyone wishes, at the end of the  
3 briefing document that you may have. Starting  
4 with students entering 9th grade in 1999, Regents  
5 Competency Tests were phased out and all general  
6 education students had to take Regents exams in  
7 order to graduate. Students who scored 65 or  
8 above on all required Regents exams received a  
9 Regents diploma. To receive a local diploma,  
10 students only needed to score between 55 and 64 on  
11 all required Regents exams initially. As time  
12 went on, students had to score 65 or higher on  
13 some of the Regents, even for a local diploma.  
14 Twice in 2003 and 2005 the State Board of Regents  
15 extended the date for the elimination of the local  
16 diploma, because too many students, particularly  
17 in New York City and other high needs districts,  
18 such as Buffalo, Rochester, Syracuse and Yonkers,  
19 would have difficulty meeting the higher  
20 graduation standards. But now for general  
21 education students who enter ninth grade this  
22 year, in September 2008 or later, the local  
23 diploma is no longer an option. All general  
24 education students must now earn a Regents  
25 diploma. Why should this be a problem, you may

1  
2 ask. After all these new requirements, including  
3 elimination of local diplomas have been phased in  
4 over many years, since 1996. So there's been  
5 plenty of time to prepare, right? Well the  
6 problem is that too many city students are not  
7 prepared to meet the higher standards. A recent  
8 report issued by the New York City Coalition for  
9 Educational Justice, commonly known as CEJ,  
10 entitled Looming Crisis or Historic Opportunity:  
11 Meeting the Challenge of the Regents Graduation  
12 Standards-- this report points out the potential  
13 impact of the end of the local diploma on  
14 graduation rates, given that many students in City  
15 schools currently graduate with a local diploma.  
16 According to the latest graduation data from the  
17 Department of Education, 62% of the class of 2007,  
18 which composed of 70,439-- they graduated within  
19 four years. Of these graduates, approximately  
20 30%, almost one third, earned local diplomas.  
21 That means that if the new graduation requirements  
22 had been in place in 2007, 12,954, approximately  
23 13,000 additional students would not have  
24 graduated at all. The CEJ report also emphasizes  
25 that the higher graduation requirements are likely

1  
2 to have a disparate impact based on race and  
3 class, meaning a negative impact. For instance,  
4 38% of Hispanics and 39% of Black students who  
5 graduated in 2007 earned local diplomas, compared  
6 only-- compared with only 16% of white and 13% of  
7 Asian students. In fact, only 56% of Hispanic and  
8 Black students who graduated earned Regents  
9 diplomas compared with 79% of whites and 85% Asian  
10 graduates. Without additional support for  
11 struggling students, we could be facing a crisis  
12 of epic proportions with thousands fewer students  
13 graduating. To date, the Department of Education  
14 has not issued a comprehensive plan or outlined  
15 intervention strategies to help students meet the  
16 new requirements. Given the deep budget cuts that  
17 schools are facing, obviously, meeting this new  
18 challenge is not something that schools can  
19 shoulder on their own. At the same time, critics  
20 have also expressed alarm over a growing practice  
21 that is known as Credit Recovery. Now you may  
22 say, what is that? What this involves is allowing  
23 students who have failed or are about to fail a  
24 class to make it up, without retaking the class or  
25 attending summer school. Apparently, there is no



1  
2 central monitoring or tracking of these Credit  
3 Recovery programs, so they vary widely in quality.  
4 Several examples of Credit Recovery programs were  
5 highlighted in a New York Times article last  
6 spring, and this is the article here. It's dated  
7 April 11th, 2008. The title is Lacking Credits,  
8 Some Students Learn a Short Cut. Some of the  
9 things for which students in various schools  
10 receive full course credits included a five-day  
11 crunch session over the midwinter break; a six-  
12 week program consisting of six classes;  
13 interacting computer programs ending in an online  
14 test; and independent study packets. The article  
15 also featured the case of a student who was given  
16 course credit for writing just three essays. One  
17 Principal interviewed for the story called Credit  
18 Recovery, quote, the dirty little secret of high  
19 schools, end of quote. Critics contend that this  
20 practice undermines teaching and grading systems.  
21 Some call it gaming, gaming the system. Given the  
22 intense pressure on Principals and teachers to  
23 improve student performance, the fear is that  
24 Principals are increasingly resorting to Credit  
25 Recovery to boost their graduation numbers, and

1  
2 with the loss of the local diploma option, the  
3 practice will escalate. No one knows how  
4 widespread Credit Recovery programs are at  
5 present, but the irony is that state regulations  
6 don't actually allow for it at all. The state  
7 currently requires a minimum number of hours of  
8 study known as seat time. However according to a  
9 recent news report, the State Education  
10 Department, commonly known as SED, has  
11 collaborated with the Department of Education in  
12 drafting new statewide policy on making up course  
13 credit to allow for such Credit Recovery program.  
14 Critics also charge that use of Credit Recovery  
15 and other methods of boosting graduation rates,  
16 such as listing students as, quote unquote,  
17 discharged, raises questions about the validity of  
18 the City's graduation statistics. In calculating  
19 the 2007 graduation rate, for instance, the  
20 Department of Education listed 18,524 students as  
21 quote, unquote, discharges; meaning students who  
22 left the New York City system primarily to enter  
23 another school system. According to the  
24 Department of Education, those discharges account  
25 for almost 21%, more than one-fifth of all

1 students served as part of the class of 2007. At  
2 today's hearing the Committee seeks information  
3 about how the Department of Education will prepare  
4 current and future high school students to meet  
5 the new graduation requirements and to learn more  
6 about Credit Recovery programs used in the New  
7 York City schools. The Committee will also hear  
8 from experts, parents, advocates, unions and  
9 others regarding their concerns about the new high  
10 school graduation standards and recommendations to  
11 help students meet the new requirements. We will  
12 also be voting on Proposed Resolution number 1281  
13 today. And this is a resolution I sponsored that  
14 will call on the New York City Department of  
15 Education to include the Muslim Holidays of Eid  
16 Ul-Fitur and Eid Ul-Adha as observed holidays in  
17 school calendar. It would also call upon the  
18 State legislature to pass and the governor to sign  
19 into law as an Act, A.8108, that's the Assembly  
20 Bill number, A, like Apple, 8108; and Senate Bill  
21 number S.5837, that would require the New York  
22 City school district to close schools on the first  
23 day of both Muslim holidays. I'd like to remind  
24 everyone who wishes to testify today that you must  
25

1  
2 fill out a witness slip at the Sergeant-At-Arms at  
3 the back, which is located in the back. And to  
4 allow as many people as possible to testify,  
5 testimony will be limited to three minutes per  
6 person.

7 [Pause)

8 CHAIRPERSON JACKSON: The testimony  
9 that we're going to hear today is concerning  
10 graduation rates. To go back, we held a hearing  
11 on the resolution 1281 several months ago, in  
12 which I believe approximately 45 people testified.  
13 Let me take that number back. Everyone who  
14 testified, which were many, many individuals,  
15 everyone who testified, testified in favor of the  
16 resolution. In fact, no one spoke against the  
17 resolution. As soon as we have a quorum of the  
18 Education Committee, we will be moving to vote on  
19 the resolution. Until such time I'm going to turn  
20 to the Department of Education for their  
21 statements concerning the new high school  
22 graduation requirements. But first, let me  
23 introduce my colleague that's present with me at  
24 the moment, Dan Garodnick of Manhattan. With that  
25 I would like to welcome Jennifer Bell, who is the

1  
2 Senior Advisor. It's Jennifer Bell-Ellwanger,  
3 Senior Advisor to the Chancellor, and Santiago  
4 Tavares, a Deputy Chancellor for Teaching and  
5 Learning. Welcome to both of you. And if you  
6 have a statement, then you may begin your  
7 statement.

8 SANTIAGO TAVARES: Good morning,  
9 Chairman Jackson and members of the Committee on  
10 Education. Thank you for inviting me to testify  
11 today about high school graduation requirements.  
12 My name is Santiago Tavares and I currently serve  
13 as the Department of Education Deputy Chancellor  
14 for Teaching and Learning. I am joined by my  
15 colleagues, Jennifer Bell-Ellwanger, who is a  
16 Senior Advisor to the Chancellor and who will help  
17 to answer your questions. I am a proud product of  
18 the New York City public schools. I began my  
19 career as a teacher at Central Park East One  
20 Elementary School and Secondary School. Since  
21 then I've served as a founding Assistant Principal  
22 of a secondary school, founding High School  
23 Principal, Local Instructional Superintendent,  
24 Executive Director of School Quality and as  
25 Senior Supervising Superintendent. The various

1  
2 positions I've held in the New York City Public  
3 Schools have made me familiar with the challenges  
4 we face, as well as the measures we must take to  
5 ensure that our students meet the necessary  
6 requirements to graduate from high school. Thank  
7 you for affording us the opportunity to address  
8 this very important topic. I believe that every  
9 person in the City Council and in the Department  
10 of Education is fighting to ensure that every  
11 single one of the students is provided with every  
12 opportunity to succeed in school and beyond. It  
13 is important for us to understand these new  
14 graduation requirements and work together to  
15 provide our students a quality education that  
16 prepares them for the future. As you know, the  
17 New York State Education Department and the Board  
18 of Regents, who establish learning standards and  
19 graduation requirements, have been phasing in more  
20 rigorous graduation requirements for students in  
21 New York City and throughout the state over the  
22 past several years. The Department of Education  
23 has been working with the state to make this a  
24 smooth transition for our students, our families,  
25 our schools. Our goal is to ensure that students

1 know the standards that they're expected to  
2 achieve when they enter high school so that over  
3 the course of four years they're able to meet  
4 graduation requirements. Overall, we think it's  
5 great news that the state is raising standards;  
6 this will make our students more competitive in  
7 the United States and in the world. In compliance  
8 with New York State graduation requirements, the  
9 State Education Department is phasing out the less  
10 demanding local diploma and is instead requiring  
11 students to graduate with the more rigorous  
12 Regents Diploma. This means that all general  
13 education students will be required to pass  
14 Regents exams in English Language Arts, Math,  
15 Global Studies, American History and a Science,  
16 and earn 44 credits to graduate. The minimum  
17 passing score for all Regents Exams is raising  
18 from 55 to 65. These standards have been made  
19 public since 2001. In 2005, entering ninth grade  
20 students had to pass at least two of the Regents  
21 exams with a 65 or better. Every year after that,  
22 students have had to earn a minimum of 65 in one  
23 more Regents exam. So in 2006, entering ninth  
24 grade students had to pass at least three Regents  
25

1  
2 exams with a 65 or better. For general education  
3 students entering ninth grade in 2008, State  
4 Education Department requires-- requirements state  
5 that they must take at least five Regents and pass  
6 them with at least a 65. The phase out of the  
7 local diploma began in the ninth grade entering in  
8 2005, when in order to get a local diploma,  
9 students need to take five Regents, pass two at a  
10 65 and three out of 55. Essentially schools have  
11 been working to meet these new graduation  
12 requirements for the past four years. While  
13 implementing these new standards, we have been  
14 working to support our students to make sure that  
15 they meet and exceed all these more difficult  
16 requirements. We know our students can meet these  
17 more rigorous standards because over the past  
18 several years, more of them have been doing so.  
19 Between 2005 and 2007, the most recent year in  
20 which we have graduation data, the percentage of  
21 students earning Regents diplomas in four years  
22 increased by 6.6 points. Over the same period the  
23 percentage of students receiving a local diploma  
24 fell by one percent. Overall the graduation rose  
25 11 percentage points between 2002 and 2007. No



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2 matter how you measure it-- so not only are more  
3 of our students graduating on time, but a greater  
4 proportion of them are graduating with a Regents  
5 diploma. And many students who graduate with  
6 local diplomas are very close to satisfying the  
7 requirements for a Regents diploma. In fact, 65%  
8 of those earning local diplomas in the class of  
9 2007 passed three or more regents at 65. We're  
10 confident that we'll continue to see more of these  
11 students take the final step towards earning a  
12 Regents diploma. Today I will present you with  
13 some of the ways that we are already working to do  
14 this and some of the ways that we will continue to  
15 work hard to ensure that our students will meet  
16 and exceed new standards. First, we have made  
17 sure that students and their parents are aware of  
18 graduation requirements since the moment that they  
19 enter high school. Since 2001 the Department of  
20 Education has distributed high school graduation  
21 requirement cards to all high school students and  
22 their families. These cards clearly outline the  
23 distribution of credits, Regents exams and passing  
24 scores that are required for graduation. Students  
25 receive this information in the ninth grade so

1  
2 that they know exactly what standards they must  
3 achieve, and so students, parents and school  
4 counselors can develop a plan for meeting  
5 graduation requirements. Starting last month, all  
6 parents have been able to follow their children's  
7 progress towards meeting graduation requirements  
8 using the ARIS Parent Link. This allows parents  
9 to review online the progress their children are  
10 making towards meeting graduation requirements and  
11 which requirements they have yet to complete.

12 Second, our schools and our curriculum are  
13 designed to prepare students to meet the new  
14 higher standards. Over the course of their  
15 administration, we have taken steps to prepare our  
16 high schools and our high school students to meet  
17 and exceed the State standards. First we  
18 implemented a new eighth grade promotion policy  
19 that requires students to pass all academic  
20 subjects and achieve at or above a proficiency  
21 level 2 on the state Language Arts and mathematics  
22 before they can enter high schools. Scores on the  
23 state exams show that our students are entering  
24 high school better prepared with a higher number  
25 meeting or exceeding state standards on Language

1  
2 Arts and Math exams. Giving students a solid  
3 foundation as they begin high school prepares them  
4 to meet high expectation for graduation.

5 Throughout high school a rigorous course load  
6 ensures that students are prepared for Regents  
7 exams. The course scope and sequence of our

8 Regents bearing courses are aligned to stated  
9 standards, are designed to support students in

10 meeting Regents diploma requirements. We have  
11 already seen evidence that our high school

12 curriculum is working. More of our students are  
13 going to college ready to succeed academically.

14 Since 2002 the number of New York City public  
15 school graduates entering CUNY as first time

16 freshman was increased by 49%, from about 16,000  
17 in 2002 to about 24,000 in 2008. Despite the

18 dramatic increase in the number of New York City  
19 public school graduates enrolling in CUNY, the

20 percentage of these students who need remedial  
21 intervention once they get to there, declined from

22 58% in 2002 to 51% in 2008. While we know that

23 this percentage is still far too high, we should  
24 celebrate the increasing number of students going

25 to college. The fact that too many of them still

1  
2 need remediation once they're there speaks  
3 directly to the need to set higher standards.  
4 Second, we recognize that more students may  
5 struggle to meet difficult standards, and that  
6 teachers and administrators have the  
7 responsibility to identify when students are  
8 struggling as soon as possible, and to develop  
9 instruction in response that meets their needs.  
10 This is why they've equipped schools with  
11 innovative accountability tools that allow  
12 educators to identify and assist students who are  
13 struggling to meet expectations. I can speak  
14 about the effectiveness of these tools from  
15 personal experience and about how these tools have  
16 allowed us to dramatically improve instruction  
17 over the last seven years. Regular period  
18 assessments at all grade levels allow us to  
19 predict who needs additional instruction. As a  
20 Principal, I used to pour over test results along  
21 with assistant Principals and teachers. I would  
22 use my own time-consuming data analysis to  
23 determine the concepts and skills that students  
24 were deficient in and teachers would use this  
25 information to reinforce these subjects. But,

1  
2 because we could only look at the needs of the  
3 entire school, we struggled to address the needs  
4 of individual students. Now, extensive data  
5 collection and analysis is done through ARIS in a  
6 fraction of the time it took my team. In  
7 addition, the data is broken down to the student  
8 level. The teacher can actually divide the class  
9 into small groups to provide each group with the  
10 necessary reinforcement in the areas of need.  
11 ARIS allows teachers to see the data that they  
12 need to develop highly effective differentiated  
13 instructional plans for students, for individual  
14 students. This spring we launched a new progress  
15 to graduation tool in ARIS, which allows schools  
16 to track each of their students in the class of  
17 2009 through the class of 2012 as they move  
18 towards accumulating the credits and passing the  
19 Regents test necessary to graduate. This tool  
20 takes into account the increasing rigorous  
21 standards the students have to meet over the four  
22 years. Schools are informed if students are off  
23 track early in the first semester, since  
24 performance in the first year of high school is a  
25 strong predictor of eventual success. When I

1  
2 served as Principal at the Academy for Careers in  
3 Sports, we structured a time for teachers of the  
4 same grade to meet every week in what we called  
5 Kick Talk. The purpose of these meeting was to  
6 get insight into the strengths and needs of these  
7 individual students and through teacher  
8 collaboration determine ways to help them succeed.  
9 Our meetings were effective, but it was difficult  
10 to maintain records for them and follow consistent  
11 practices. Now every school in New York City has  
12 Inquiry Teams, which have the necessary tools to  
13 support this sort of student-focused inquiry and  
14 to keep track of their progress. Inquiry work is  
15 conducted by teams of teachers, with a focus on  
16 small groups and paying close attention to those  
17 who are struggling, while supporting the learning  
18 of all students. The inquiry process focuses on  
19 student outcomes using a systemic data-informed  
20 approach to help teachers determine how best to  
21 help struggling students. This gives teachers  
22 time to discuss strategies they can use to support  
23 students. Using the knowledge management system  
24 in ARIS, teachers across the City can share  
25 information and strategies they've used with

1 particular students. This inquiry process,  
2 combined with the ARIS system, allows teachers to  
3 develop targeted plans to address the needs of  
4 individual students and to share best practices  
5 with teachers across the City who face similar  
6 challenges. This is easily done through the ARIS  
7 Connect function of ARIS, where teachers can-- of  
8 a particular grade or subject, can share  
9 information. The transformational nature of this  
10 inquiry work is evident that teachers begin to  
11 inform the changes that need to happen in schools.  
12 As a result, they are learning through the inquiry  
13 process. It empowers teachers to collaborate with  
14 Principals, and impact on school wide decisions  
15 that include what is being taught, how and how  
16 well it's being taught, and who is doing the  
17 teaching. These decisions contribute to improved  
18 outcomes for all students. In addition, since my  
19 six years as Principal and three years as Local  
20 Instructional Superintendent, we have developed  
21 more consistent, systemic ways for Principals to  
22 assess their schools' needs and determine  
23 priorities. Yearly Quality reviews help  
24 Principals learn their schools effectiveness in  
25

1 gathering data, setting goals, aligning  
2 instruction, building capacity and monitoring and  
3 revising goals. The Quality Review also provides  
4 schools with a list of areas for improvement,  
5 which the schools can use to plan strategies for  
6 addressing those areas of needs. Principals also  
7 receive an annual progress report, which grades  
8 the school based on environment, academic  
9 performance and student progress. The progress  
10 report gives schools additional points or credits-  
11 - they help with special needs students and who  
12 are scoring in the lowest one-third to start the  
13 year, and to make more than a year's progress. By  
14 enabling schools to quickly identify students who  
15 do not make a year's worth of progress, the  
16 Progress Report helps schools provide these  
17 students with the academic intervention and  
18 supplemental educational service they need. A new  
19 set of graduation data high school educators are  
20 accessing through ARIS gives educators clear  
21 information they can use to track students'  
22 progress towards graduation. Finally, schools can  
23 learn from the Annual Learning Environment Survey  
24 of Parents and Teachers that allow these members  
25



1  
2 of the school community to give feedback on  
3 factors like engagement, safety and respect,  
4 community and academic expectations. In summary,  
5 over the past seven years, we've developed an  
6 innovative set of tools that make it easier than  
7 ever for Principals to identify which students  
8 need extra support and then to provide the  
9 individualized instruction that students need to  
10 meet and exceed the new rigorous standards. I  
11 have personally experienced the tremendous effect  
12 these tools have on improving outcomes for all  
13 students. Finally I will address measures we've  
14 taken to provide multiple pathways to help  
15 students reach graduation. We recognize that  
16 students have different needs and that to serve  
17 the our students well, education can't be one size  
18 fits all. As you know, the New York State  
19 requires students to accumulate a certain number  
20 of credits in order to graduate in addition of  
21 passing necessary Regents exams. When students  
22 don't pass a required course or doesn't complete  
23 all of the necessary course work, she has to take-  
24 - make up the work in order to earn credit. The  
25 process is often referred to as Credit Recovery.

1  
2 This is a sensible and long-standing practice;  
3 nobody would argue that we should simply give up  
4 on students who can't pass the course the first  
5 time. Credit Recovery can take several forms,  
6 including retaking the entire course or going to  
7 summer school. When a student comes very close to  
8 passing a course and needs additional help in one  
9 particular area, it may not make sense for her to  
10 retake the entire course. Instead, the State  
11 Department of Education recently explained, and I  
12 quote, the students might be permitted to make up  
13 those deficiencies, master the appropriate  
14 standards and receive credit, end quote. Like any  
15 other process of course, Credit Recovery can be  
16 abused, which hurts students-- and a cause for  
17 disciplinary action. To that end, we have been  
18 working with the State to establish clear  
19 guidelines and procedures for Credit Recovery.  
20 I'm going to skip a little bit here. The  
21 Department of Education has implemented many  
22 initiatives to build capacity in our high schools  
23 to graduate an increased number of students with  
24 disabilities; these include in service training  
25 for teachers in research validated methodologies

1  
2 such as Wilson Reading System, Schools Attuned,  
3 teaching and differentiated instruction. We have  
4 also allocated professional development funds to  
5 help schools make decisions about targeted  
6 instruction and programs for disabled students.  
7 Finally, we recognize that many of our students  
8 face personal circumstances that make attending  
9 traditional high schools difficult. Others fall  
10 behind and drop out because they believe they have  
11 already missed their opportunity to graduate. Our  
12 Multiple Pathway Program supports schools and  
13 programs to give these students a second chance  
14 getting them back on track to graduate with either  
15 a full Regents diploma or a GED. We believe that  
16 higher standards are crucial to help students  
17 flourish in college and careers in the 21st  
18 century. We are excited to be part of the  
19 movement to raise expectations for our students,  
20 and are confident that raising standards will  
21 strengthen our students' momentum in making  
22 progress. This year our students continue to make  
23 exceptional gains in the State English and Math  
24 exams and our graduation rate continues to rise.  
25 As a result of our school reform, the graduation

1  
2 rate today is higher than it's ever been since the  
3 City first started recording in the 1980s. After  
4 hovering around 50% for most of a decade, the  
5 graduation rate is up 11 points from 51% to 62%  
6 between 2002 and 2007. We are confident that this  
7 trend will continue because of the supports we  
8 have in place that make student and parents aware  
9 of expectations, provide students with challenging  
10 curriculum, equip teachers and Principals with the  
11 accountability tools they need to help struggling  
12 students and offer an array of options to students  
13 who need special supports to graduate. Thank you  
14 for your time today and I look forward to  
15 answering your questions.

16 CHAIRPERSON JACKSON: Well thank  
17 you, Mr. Tavares and welcome to your first hearing  
18 as the Deputy Chancellor for Teaching and  
19 Learning.

20 SANTIAGO TAVARES: Thank you.

21 CHAIRPERSON JACKSON: I hope you  
22 weren't too nervous today.

23 SANTIAGO TAVARES: Just a little.

24 CHAIRPERSON JACKSON: I think we're  
25 all a little nervous when we're speaking in

1  
2 public. I've been joined by some additional  
3 colleagues, Al Vann to my right, of Brooklyn; and  
4 sitting next to Dan Garodnick is David Yassky of  
5 Brooklyn.

6 [Pause)

7 CHAIRPERSON JACKSON: The CEJ  
8 report states that only 37% of students in the  
9 class of 2007 passed the required examinations to  
10 earn a Regents Diploma. And this means that if  
11 the new graduation requirements had been imposed  
12 upon that class more than two-thirds of the class  
13 would not have earned a diploma. What is your  
14 plan to address the needs of this vast majority of  
15 students who may be unable to meet the  
16 requirements for the Regents diploma? And I would  
17 like for you to be specific, if you can. For  
18 example, what supports, if any, are already in  
19 place for this year's ninth graders, besides the  
20 high school cards that you referred to? And how  
21 will DOE continue to provide these supports in the  
22 face of all of the budget cuts? As you know, this  
23 years were \$388 million, and Principals are  
24 submitting today-- today is the 18th, their  
25 particular, approximately four percent budget cut,

1  
2 which includes after school programs, Saturday  
3 academies, math intervention specialists, reading  
4 specialists. All of these are going to be in  
5 jeopardy under these cuts. So do you have any  
6 specifics in order to have these students, ninth  
7 graders who entered, meet the new Regents  
8 requirements?

9 SANTIAGO TAVARES: Thank you. I'm  
10 going to answer about the strategies that are in  
11 place, and then Jennifer can talk to the numbers  
12 since I don't have them directly in front of me.  
13 The strategies that we've put in place I believe  
14 equip our teachers to spend more time directly  
15 preparing students for the classes. The periodic  
16 assessments allow the teachers to have exact  
17 information on what are the concepts and skills  
18 that a student needs and which ones they have  
19 mastered. By having that information first hand,  
20 the teachers are able to differentiate  
21 instruction, which basically means teach to the  
22 needs of the students. So that is just one of the  
23 many parts. Knowing the graduation requirements  
24 are also part of our efforts, having the tracker  
25 not just on the cards but on the Apple Link, where

1

2 the parents-- the ARIS parent link, where the  
3 parents are able to look at the progress that the  
4 students are making towards graduation provides  
5 them an opportunity to be more proactive at school  
6 to make sure that they know exactly what are the  
7 needs of the student. In addition to that, we  
8 have a team of content specialists that support  
9 teachers and schools gather additional teaching  
10 methodologies, so that teachers don't just teach  
11 one way to students, but have as multiple array of  
12 different strategies to address every student in  
13 their class. Do you want to take on the numbers?

14 JENNIFER BELL-ELLWANGER: Good  
15 morning. I wanted to address two points, one  
16 about the budget cuts and the possible impact; and  
17 the second is about the Regents diploma. The  
18 first thing we wanted to say is that first it's  
19 important to remember that the amount of money  
20 that goes into school budgets has increased by  
21 about \$9 billion since 2002. In part, and thank  
22 you, to the City Council Members. Schools have  
23 more money now than they did in 2002. And also,  
24 keep in mind that we made impressive gains in  
25 English Language Arts and Mathematics in this past

1  
2 year, despite those budget cuts. We've been  
3 preparing students for the increasing graduation  
4 requirements for several years. The State has  
5 given us a great deal of lead time in order to  
6 prepare all of the materials that we provide to  
7 schools to provide better tools for helping  
8 schools keep track of the graduation requirements  
9 and what students need; and we feel that we are  
10 prepared to continue to do that. One thing about  
11 the class of 2007 that we should note, students,  
12 Principals, parents rise to standards. When you  
13 set higher standards, we move towards them. Just  
14 in that class of 2007, though as you quoted  
15 Chairman Jackson, about the 30% of the students  
16 still received a local diploma, I do want to  
17 mention that within that group of students that  
18 graduated with a local diploma, 65% of them scored  
19 65 or better on three or more Regents exams. So  
20 that is telling us that with a little bit more,  
21 with better focus on the increasing standards,  
22 remember, that's just moving from a 55, which is  
23 minimum passing on the Regents exam, to a 65, our  
24 students can do that. And it was shown in the  
25 class of 2007.



1  
2                   CHAIRPERSON JACKSON: But 55 is  
3 what it was before, but now it's 65. Isn't that  
4 correct? And that's the minimum standard in order  
5 to pass the Regents exam, isn't it?

6                   JENNIFER BELL-ELLWANGER: On the  
7 Regents exams, very similar to the English  
8 Language Arts and Mathematics exam, the 55 to 64  
9 is your level 2. And the 65 to 84 is a level 3  
10 and the 85 plus is a level 4.

11                  CHAIRPERSON JACKSON: But in order  
12 to graduate, they have to pass at least a minimum  
13 65 on all Regents exams in order to graduate.

14                  JENNIFER BELL-ELLWANGER: That's  
15 correct. Right. So what I was-- just to clarify,  
16 when we looked at the class of 2007, what we saw  
17 is that many of our students who did receive a  
18 local diploma, 65% of them actually took and  
19 passed three of the five Regents at 65, the  
20 requirement that's needed now, and then they had  
21 two or fewer at 55. So that's encouraging that  
22 even when the standards were not fully implemented  
23 as they are with this incoming class, that our  
24 schools and students can rise to the new  
25 requirement.

1

[Pause)

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CHAIRPERSON JACKSON: Okay. So are you focusing on those areas of weaknesses in order so that-- do you know what areas as far as what Regents exams they were not passing? Was it for example Global Studies or was it English Language Arts or was it Science or what?

SANTIAGO TAVARES: So for every student it's something different.

CHAIRPERSON JACKSON: No, I understand. But I'm talking about if in fact you're monitoring where the students are, you know in what area there's a problem, whether or not it's mathematics or whether or not it's Global History exam or... What Regents exam are students, the ones you're talking about, or you're referring to, are not passing? I know that there may be one or two in each different area, but is there one or two Regents Exams that are problematic?

SANTIAGO TAVARES: In general it's the sciences simply because it's up to the school to determine which is the science they will first take. So they can take either Living Environment Science or they could take Earth Science, they

1

2 could take Chemistry or Physics. So those,  
3 depending on the school, will offer a different  
4 science every-- every school will be different.

5 CHAIRPERSON JACKSON: Okay.

6 JENNIFER BELL-ELLWANGER: Chairman  
7 Jackson, I did want to add also that the Regents  
8 exams are given multiple times each year. The  
9 administration takes place in January, June and  
10 August. So students have-- from the time that  
11 they finish their coursework in a respective area,  
12 through their senior year they have multiple times  
13 to take and pass the exam. What we see when  
14 students take and pass at a 55, maybe that's okay  
15 for them to then step away. What this says is we  
16 then need to go and strive for higher standards  
17 and students will be afforded multiple  
18 opportunities to take and pass the exams at 65.

19 CHAIRPERSON JACKSON: Okay. We've  
20 been joined by additional colleagues, Simcha  
21 Felder of Brooklyn and Jessica Lappin of  
22 Manhattan; and also Melinda Katz of Queens was  
23 here and... Let me turn to our colleague, Dan  
24 Garodnick, with questions.

25 COUNCIL MEMBER GARODNICK: Thank

1  
2 you very much, Mr. Chairman. And Mr. Tavares, I  
3 just wanted to make sure I understood some of the  
4 numbers. In your testimony you said that after  
5 hovering around 50% for more than a decade, the  
6 graduation rate is up 11 points from 51 to 52%  
7 from 2002 to 2007. I just want to understand, is  
8 that the overall number of people receiving  
9 graduation diplomas of any type including Regents,  
10 local, Advanced Regents, everything?

11 SANTIAGO TAVARES: Right. That's  
12 the number of students who graduate from New York  
13 City at one point, either local diploma, Regents  
14 Diploma or Advanced Regents Diploma.

15 COUNCIL MEMBER GARODNICK: Okay.  
16 Can you give us the percentage of students  
17 graduating from high school with the Regents  
18 Diploma, from 2002 to 2007? Give us a comparison  
19 there.

20 JENNIFER BELL-ELLWANGER: I have  
21 readily available for the past three classes here.  
22 Because again, remember, Regents requirements  
23 between 2002 and 2007 have changes just a drop and  
24 we can forward them to you. In 2005 there were  
25 29.9% of the graduates, that's 30% of the

1  
2 graduates received a Regents diploma. In the  
3 class of 2006 that rose to 34% and in the class of  
4 2007, that is 36.5%, nearly 37%.

5 COUNCIL MEMBER GARODNICK: Okay so-

6 -

7 JENNIFER BELL-ELLWANGER:

8 [Interposing] And again that was-- okay, go ahead.

9 COUNCIL MEMBER GARODNICK: I think  
10 that you answered the question what percentage of  
11 the graduates got the Regents diploma. My  
12 question for you is, what percentage of high  
13 school students graduated with the Regents  
14 diploma. You gave me the number, the percentage  
15 of the graduates.

16 JENNIFER BELL-ELLWANGER: Right.

17 COUNCIL MEMBER GARODNICK: I want  
18 to know, what is the percentage of the overall.

19 JENNIFER BELL-ELLWANGER: I was  
20 giving you the percentage of the graduates that  
21 received. So for instance in--

22 [Pause)

23 COUNCIL MEMBER GARODNICK: Okay.  
24 Here's the question. I just want to make sure  
25 we're understanding each other because I may be

1  
2 off, but I just want to make sure we're talking  
3 about the same thing. There are a certain number  
4 of students overall in the high school classes for  
5 all of New York City. And of those, all of those  
6 students, I want to know what percentage of them  
7 are graduating with a Regents diploma. Got it?

8 JENNIFER BELL-ELLWANGER: Yes, I  
9 gave you that.

10 COUNCIL MEMBER GARODNICK: So  
11 you're telling me, if I understand you correctly,  
12 you're telling me that of all of the students in  
13 high school in 2007, 36.5% of them graduated with  
14 a Regents diploma.

15 JENNIFER BELL-ELLWANGER: Correct.

16 COUNCIL MEMBER GARODNICK: Okay.  
17 All right. So then tell me then what percentage  
18 of them graduated with a local diploma?

19 JENNIFER BELL-ELLWANGER: I am  
20 quoting the State graduation rates, which were at  
21 52.2%, and that's why I think that we are getting  
22 confused. So there were 36.5% of our students,  
23 according to the State--

24 COUNCIL MEMBER GARODNICK:  
25 [Interposing] I see. So wait a second. So is the

1

2 36.5%, is that 36% of the 52% graduation rate?

3 JENNIFER BELL-ELLWANGER: Correct.

4 Correct.

5 COUNCIL MEMBER GARODNICK: Aha.

6 Okay. So that's where we're at.

7 JENNIFER BELL-ELLWANGER: We were

8 on the..

9 COUNCIL MEMBER GARODNICK: Now I  
10 understand you. Okay.

11 JENNIFER BELL-ELLWANGER: And then  
12 15% received a local diploma.

13 COUNCIL MEMBER GARODNICK: Okay, so  
14 15% received-- was that for 2007?

15 JENNIFER BELL-ELLWANGER: Correct.

16 COUNCIL MEMBER GARODNICK: Okay,  
17 15% local. How about 2006 for local?

18 JENNIFER BELL-ELLWANGER: 12.7.

19 COUNCIL MEMBER GARODNICK: And how  
20 about 2005 for local?

21 JENNIFER BELL-ELLWANGER: Oh, my  
22 apologies. I'm going backwards. 15.7 is correct  
23 for 2007.

24 COUNCIL MEMBER GARODNICK: Okay.

25 JENNIFER BELL-ELLWANGER: for 2006

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it was 15.8 and for 2006 it was 16.6.

COUNCIL MEMBER GARODNICK: Okay.

So all of these numbers are a percentage of the  
52.2--

JENNIFER BELL-ELLWANGER:

[Interposing] Correct.

COUNCIL MEMBER GARODNICK: --

percent graduation rate. Is that the rate that  
was applicable for all of those years or did that  
rate change, the state rate, that number, change  
in the years 2005, 2006, 2007?

JENNIFER BELL-ELLWANGER: This is

constant.

COUNCIL MEMBER GARODNICK: 52.2?

JENNIFER BELL-ELLWANGER: No, I'm

sorry. 46.5 in 2005.

COUNCIL MEMBER GARODNICK: Okay.

Stop right there. Let's do them one at a time  
2005?

JENNIFER BELL-ELLWANGER: I have--

we have--

COUNCIL MEMBER GARODNICK:

[Interposing] This is going to be the last  
detailed question.



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2

JENNIFER BELL-ELLWANGER: Great.

3

Sure.

4

COUNCIL MEMBER GARODNICK: Because

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I just want to understand this in comparison to

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everything else, and then of course if you have

7

more to share with us, please do. But 2005, the

8

state graduation rate?

9

JENNIFER BELL-ELLWANGER: 46.5%.

10

COUNCIL MEMBER GARODNICK: Okay.

11

JENNIFER BELL-ELLWANGER: In 2006

12

was 49.8%. And in 2007, the most recently

13

reported was 52.2%.

14

COUNCIL MEMBER GARODNICK: 52.2%.

15

That was the number that you gave me before.

16

JENNIFER BELL-ELLWANGER: Yes.

17

COUNCIL MEMBER GARODNICK: Okay.

18

And just so I completely understand, when you say

19

that 36.5% in 2007 graduate with a Regents

20

diploma, you're essentially saying that a third of

21

the roughly half that graduate are graduating with

22

a Regents diploma, correct?

23

JENNIFER BELL-ELLWANGER: Yes.

24

COUNCIL MEMBER GARODNICK: Okay.

25

So that's about 16% or so, ballpark, 16 or 17% of

1

2 all students who are in high school?

3 JENNIFER BELL-ELLWANGER: You mean  
4 of all enrollment in high school?

5 COUNCIL MEMBER GARODNICK: Yeah.  
6 I'm taking 36% of 52% is essentially what I'm  
7 doing.

8 JENNIFER BELL-ELLWANGER: So we  
9 should frame this a little bit. These are  
10 students that started in ninth grade and graduated  
11 on time four years later. There are ways you can--  
12 -

13 COUNCIL MEMBER GARODNICK:  
14 [Interposing] So these are the four--

15 JENNIFER BELL-ELLWANGER:  
16 [Interposing] This is a distinct group.

17 COUNCIL MEMBER GARODNICK: --year,  
18 the four-year graduation rates. These are the  
19 numbers you're giving me. Is that right?

20 JENNIFER BELL-ELLWANGER: I'm  
21 sorry, I...

22 COUNCIL MEMBER GARODNICK: The  
23 question is these are four-year graduation rates?

24 JENNIFER BELL-ELLWANGER: Yes,  
25 correct.

1

COUNCIL MEMBER GARODNICK: Okay.

2

3 So is what I said correct, that 36.5% of those  
4 that graduated, graduated with the Regents  
5 diploma?

5

JENNIFER BELL-ELLWANGER: Yes.

6

COUNCIL MEMBER GARODNICK: Okay.

7

8 All right. I think I understand you. Which means  
9 that about 16 or 17% of the overall student  
10 population graduated with a Regents diploma.

10

JENNIFER BELL-ELLWANGER: I'm

11

12 sorry. It's 36.5% of all students, not of all the  
13 graduates, because 52.2% was the entire graduation  
14 rate. 36% of the entire cohort graduated with a  
15 local diploma.

15

COUNCIL MEMBER GARODNICK: You mean

16

17 with a Regents diploma.

17

JENNIFER BELL-ELLWANGER: With a

18

19 Regents diploma. Sorry.

19

COUNCIL MEMBER GARODNICK: Okay, so

20

21 then just so we're on the same page again, it's  
22 not 36% of 52%.

22

JENNIFER BELL-ELLWANGER: No.

23

24 Right.

24

COUNCIL MEMBER GARODNICK: It's 36%

25

1  
2 of the overall number of students who are in high  
3 school--

4 JENNIFER BELL-ELLWANGER:

5 [Interposing] That's right, who..

6 COUNCIL MEMBER GARODNICK: --

7 receive a Regents diploma within four years in  
8 2007.

9 JENNIFER BELL-ELLWANGER: Yes.

10 COUNCIL MEMBER GARODNICK: Okay. I

11 think I got it now. Now wait, one more question.

12 JENNIFER BELL-ELLWANGER: Well

13 that's good, because you've thoroughly confused  
14 me.

15 COUNCIL MEMBER GARODNICK: Sorry.

16 Yeah, no. Look when we get into numbers, one of  
17 the reasons why these are frequently very  
18 difficult interchanges is because there's a lot of  
19 numbers--

20 JENNIFER BELL-ELLWANGER:

21 [Interposing] Most of it is difficult because of  
22 the frame of reference and I think people have  
23 gotten lost in there.

24 COUNCIL MEMBER GARODNICK: I

25 understand. But I think we're good now. The

1  
2 numbers are presumably a little higher if you look  
3 at it beyond a four-year scenario.

4 JENNIFER BELL-ELLWANGER: That's  
5 correct.

6 COUNCIL MEMBER GARODNICK: How much  
7 higher? If you could just give me on the Regents,  
8 how much higher are they for the four-year?

9 JENNIFER BELL-ELLWANGER: Sure.  
10 So--

11 COUNCIL MEMBER GARODNICK:  
12 [Interposing] I'm sorry. For the non four-year.

13 JENNIFER BELL-ELLWANGER: If we  
14 looked at the class of 2006, which we actually can  
15 calculate-- we actually have one more year  
16 available, the Regents diploma rate, which was 34%  
17 actually rose to 37.1. So of the students that  
18 were still enrolled after the fifth year, an  
19 additional three percent graduated with a Regents  
20 diploma, and obviously more students graduated  
21 with the local diploma, that that was a higher  
22 increase. And that's an area that we certainly  
23 wan to work with, because as students get to their  
24 fifth and sixth years and they're still enrolled,  
25 they want to get out as much as we want to help

1  
2 them graduate. And that's a place where we want  
3 to watch, because that's where the Regents diploma  
4 would certainly affect them.

5 COUNCIL MEMBER GARODNICK: Okay.  
6 Thank you very much. I've taken enough of the  
7 time here and I appreciate your walking through  
8 those numbers with me. Thank you.

9 JENNIFER BELL-ELLWANGER: I hope I  
10 did all right.

11 CHAIRPERSON JACKSON: Thank you,  
12 Council Member. We've been joined by additional  
13 colleagues, Maria del Carmen Arroyo of the Bronx.  
14 We're going to turn to David Yassky and then we're  
15 going to move to a vote on the Muslim holiday  
16 resolution.

17 [Pause)

18 CHAIRPERSON JACKSON: Last question  
19 on-- go ahead. Council Member Yassky, go ahead,  
20 please.

21 COUNCIL MEMBER YASSKY: Okay. Just  
22 because I thought I was following the exchange  
23 with-- but the numbers that you were just going  
24 through were 2008 graduation rates?

25 JENNIFER BELL-ELLWANGER: No.

1

2

COUNCIL MEMBER YASSKY: 2007.

3

JENNIFER BELL-ELLWANGER: This is

4

2007.

5

COUNCIL MEMBER YASSKY: So those

6

people--

7

JENNIFER BELL-ELLWANGER:

8

[Interposing] The State Education Department has

9

not yet released the 2008 rates.

10

COUNCIL MEMBER YASSKY: So it's

11

students who entered ninth grade in 2002?

12

JENNIFER BELL-ELLWANGER: Three.

13

COUNCIL MEMBER YASSKY: 3-4, 4-5,

14

5-6, 6-7. Okay. Entered in 2003.

15

JENNIFER BELL-ELLWANGER: That's

16

right.

17

COUNCIL MEMBER YASSKY: And so of

18

the 100% of students who entered ninth grade in

19

2003, 36% or so got a Regents diploma four years

20

later.

21

JENNIFER BELL-ELLWANGER: Correct.

22

COUNCIL MEMBER YASSKY: 15% got a

23

local or other equivalency?

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JENNIFER BELL-ELLWANGER: Local.

25

Just the local diploma. That does not include the

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2 GED or the IEP.

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COUNCIL MEMBER YASSKY: Okay, that makes sense. Because that would be-- so 15% got a local diploma. And if you went through this and I missed it I apologize. Of the other 49% what do we know about them?

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JENNIFER BELL-ELLWANGER: Excuse me just for one moment while I rifle through my papers here. So many of those students are still enrolled. I'm just trying to pull up the actual percentage of those that were still enrolled for a-- thank you. Do you have the still enrolled? So we have-- so of those we have 52% graduated. 15% were drop-outs. And then in the middle we have a few percents of the students who transferred to a GED program, that was about three or four percent, and the rest were still enrolled. We'll look up the numbers for you. Oh here-- no, that's students with disabilities. We'll get that for you.

22

23

COUNCIL MEMBER YASSKY: That would be roughly a 30% are--

24

25

JENNIFER BELL-ELLWANGER:  
[Interposing] Correct.



1

COUNCIL MEMBER YASSKY: Still--

2

JENNIFER BELL-ELLWANGER:

3

[Interposing] Still enrolled for--

4

COUNCIL MEMBER YASSKY:

5

[Interposing] Enrolled in the system and we hope  
that within a year or two, I guess the bulk--

6

7

JENNIFER BELL-ELLWANGER:

8

[Interposing] That's right. Well you are able to  
stay in school until you age out at 21. And we do  
see, particularly our English Language Learners  
are students that are still enrolled at very high  
rates into a fourth, fifth and sixth year. Fifth  
and sixth and seventh year. We actually follow  
those students for those years to calculate their  
graduation rates after those-- each subsequent  
year.

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COUNCIL MEMBER YASSKY: Okay. So

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this-- and I won't make this into a lengthy  
question, but of that, let's say roughly 30% of  
the kids who started in ninth grade, they're still  
enrolled come the end of, come June 2007, but have  
not graduated-- what does your experience tell you  
about how many of those will ultimately receive a  
diploma? And you can ballpark.

1  
2 JENNIFER BELL-ELLWANGER: So in  
3 this past year, in the class of 2006, when we  
4 looked at their fifth year rates, so they had 50%  
5 of the students graduate in four years, that  
6 number rose to 60% after five years. So many of  
7 the students do stay--

8 COUNCIL MEMBER YASSKY:

9 [Interposing] So a third of that 30%--

10 JENNIFER BELL-ELLWANGER:

11 [Interposing] That's right.

12 COUNCIL MEMBER YASSKY: The fifth  
13 year will do it. Okay.

14 JENNIFER BELL-ELLWANGER: And what  
15 we see, and that's also posted on our website is  
16 that when you look at after seven years it rises,  
17 at least for these groups, to about seven in ten,  
18 and we expect that to even go higher as about 70%  
19 of the students graduate after--

20 COUNCIL MEMBER YASSKY:

21 [Interposing] Okay. So that last 30%, two-thirds,  
22 well experience says that something like  
23 ultimately two-thirds will eventually get a  
24 diploma and a third of them will, you know, won't.  
25 So the drop out is 15% after the four years, but

1

2 ultimately 25%.

3 JENNIFER BELL-ELLWANGER: Right.

4 Though--

5 COUNCIL MEMBER YASSKY:

6 [Interposing] Okay. Is that basically fair?

7 JENNIFER BELL-ELLWANGER: That  
8 characterizes right now. But we certainly expect-

9 -

10 COUNCIL MEMBER YASSKY:

11 [Interposing] Yes.

12 JENNIFER BELL-ELLWANGER: Rates to  
13 rise and everything else to go down.14 COUNCIL MEMBER YASSKY: That's  
15 really helpful. Thank you. There are a lot of  
16 questions I could ask about that 25%. I'll just  
17 ask one and what-- of that 25%, like the 15% who  
18 haven't it four years plus the-- who will never  
19 get the diploma. How many do we think have had  
20 experience with the criminal justice system in one  
21 way or another? If you don't know you don't know.  
22 I was just curious.23 JENNIFER BELL-ELLWANGER: I don't  
24 have the information.

25 COUNCIL MEMBER YASSKY: All right.

1

2 Thank you.

3

CHAIRPERSON JACKSON: Thank you,  
4 Council Member. We've been joined by other  
5 Council Members, Bill de Blasio of Brooklyn and  
6 Oliver Koppell of the Bronx. And at this point in  
7 time we're going to vote on proposed resolution  
8 number 1281, a resolution calling upon the New  
9 York City Department of Education to incorporate  
10 the Muslim Holidays of Eid Ul-Fitur and Eid Ul-  
11 Adha as observed school holidays in the school  
12 calendar for the City school districts of the City  
13 of New York, and calling upon the State  
14 Legislature and the Governor to pass and sign into  
15 law Assembly Bill number A, like Apple, 8108, and  
16 Senate Bill number S, like Sam, 5827, an act to  
17 amend the education law in relation to requiring  
18 that Eid Ul-Fitur and Eid Ul-Adha to be school  
19 holiday in the City school district in the City of  
20 New York. And I'm going to ask the clerk to call  
21 the role. The Chair recommends an Aye vote.

22

23

ERIC STEVENSON: Eric Stevenson,  
Committee Clerk. Jackson.

24

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CHAIRPERSON JACKSON: Thank you.  
Considering the fact that we held a hearing on

1  
2 this resolution several months ago, which all  
3 speakers who spoke at the hearing spoke in favor  
4 of the resolution and no one spoke against, and  
5 considering the fact that one out of every ten  
6 students in the City of New York are Muslims and  
7 families had to have to choose between attending  
8 school on the day of one of their most holiest  
9 holidays and or two years ago or three years ago  
10 taking an exam on it, one of the holiest holidays  
11 in the Muslim calendar; this bill was introduced  
12 by then State Assemblyman Ruben Diaz, Jr., who has  
13 now moved on to be the Bronx Borough President,  
14 and the prime sponsor in the Assembly is now  
15 Michael Benjamin of the Bronx, and the prime  
16 sponsor of the Senate bill is Bill Perkins of  
17 Harlem, and all things considered, I am a Muslim  
18 myself and my children had to endure this when we  
19 were growing up in the public school system, I  
20 whole heartedly support it and I recommend to my  
21 colleagues a yes vote. And I vote yes.

22 ERIC STEVENSON: de Blasio.

23 COUNCIL MEMBER DE BLASIO: Mr.  
24 Chair, may I explain my vote?

25 CHAIRPERSON JACKSON: Please. Go

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2 ahead.

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4 COUNCIL MEMBER DE BLASIO: Thank  
5 you. I agree whole heartedly with your sentiments  
6 and Mr. Chairman, I have a large and growing  
7 Muslim community in my district and I know how  
8 deeply people feel about this and how painful it  
9 is to have those conflicts on the school days and  
10 I appreciate what you said. I do think that we  
11 have to endeavor after passing this resolution and  
12 moving forward on this issue, we have to endeavor  
13 to make sure we are always addressing the issue of  
14 keeping the number of days in the school year that  
15 children attend school constant. So I am hoping  
16 that our friends at the Department, once this is  
17 passed by the Assembly and the Senate, will work  
18 with us creatively to also make sure that children  
19 go to school as many days as required overall, and  
20 that the calendar incorporates that. But this is  
21 very important that we take this action, this  
22 resolution is timely and in response to the need,  
23 as you said, of a large portion of our population.  
24 And I vote Aye.

25

ERIC STEVENSON: Felder.

COUNCIL MEMBER FELDER: Pass.

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ERIC STEVENSON: Katz.

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COUNCIL MEMBER KATZ: I vote Aye.

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ERIC STEVENSON: Koppell.

4

COUNCIL MEMBER KOPPELL: May I

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explain my vote, Mr. Chairman?

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CHAIRPERSON JACKSON: Sure. Go

7

right ahead.

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COUNCIL MEMBER KOPPELL: Mr.

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Chairman, it's obviously very appealing to vote

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Aye on this resolution, because I certainly

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respect everyone's religion and want everyone to

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have freedom of religion and freedom to exercise

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their faith. And I think that we have to do

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something-- you know, the population in New York

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City is becoming increasingly diverse. I know we

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have many Muslim students. We have many students

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who celebrate other religions as well that are not

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recognized. And I think we have to do something

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to make the school calendar flexible so that kids

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can have time off when they have to celebrate

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their religious holidays. There's now a large

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Indian population; I think we passed a bill to

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have parking exemptions on certain Indian

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holidays. There are other religions that

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1  
2 celebrate other holidays. Buddhism is a major  
3 world religion and there are other world  
4 religions. And we're going to have to find a way  
5 to accommodate the religious needs of kids and  
6 families without further limiting the school  
7 calendar. I think the school calendar should be  
8 expanded. And if people say there are religious  
9 holidays right now for other religions, I  
10 personally will say publicly that I think that  
11 ought to be reconsidered, some of those holidays,  
12 because the fact of the matter is that populations  
13 change, needs change, and we should be fair  
14 minded. But given my real concern about teaching  
15 kids and not limiting school days for a lot of  
16 different reasons and my wish to go backwards on  
17 some of the things we did, I cannot support the  
18 resolution at this time. And I would like to work  
19 with you and with the State, as I say, to do other  
20 things, such as making sure kids don't have a test  
21 on an important holiday; they can take a test on  
22 another holiday. There are people who celebrate  
23 Saturday and there are a lot of school activities  
24 on Saturday and accommodations should be made for  
25 those people. So, for those reasons, as I say,



1  
2 with reluctance, but I just can't support more  
3 school holidays given the fact that our kids just  
4 need more school days, not less school days. I  
5 vote no.

6 CHAIRPERSON JACKSON: Thank you.

7 ERIC STEVENSON: Vann.

8 COUNCIL MEMBER VANN: May I explain  
9 my vote, Mr. Chairman?

10 CHAIRPERSON JACKSON: Sure. Go  
11 ahead.

12 COUNCIL MEMBER VANN: Well  
13 essentially I agree with the rationale of Oliver  
14 Koppell and I think it has to be addressed. I  
15 come to a different conclusion, however, because I  
16 support the resolution. But I think the urgency  
17 of dealing with this ongoing-- what will become an  
18 ongoing problem in reducing the number of days  
19 that our kids go to school because of religious  
20 holidays has to be addressed at some point. I  
21 don't think that this is the point, so I vote Aye  
22 on the resolution.

23 ERIC STEVENSON: Yassky.

24 COUNCIL MEMBER YASSKY: I vote Aye  
25 on this resolution. I'll just point out I

1  
2 actually also agree with Oliver on the need for a  
3 longer school year in general. And I was  
4 influenced in my thinking about this by the  
5 experience in my district where we also have a  
6 significant Muslim population. Certainly in the  
7 year after September 11th we had a lot of reports  
8 in my Council Office of discrimination, verging on  
9 a few instances of real menacing that were really  
10 troubling. And I think that that, my anecdotal  
11 sense is that that has eased somewhat. But, you  
12 know, mindful of the President's breathtaking  
13 speech and the need to make it clear to everyone  
14 that we are an inclusive country and that includes  
15 people of the Islamic faith, I think that's a step  
16 worth taking. So I set that out there not to say  
17 that anybody disagrees, doesn't think we're an  
18 inclusive country, but I think that is a rationale  
19 for doing this. Thank you.

20 ERIC STEVENSON: Arroyo.

21 COUNCIL MEMBER ARROYO: Yes.

22 ERIC STEVENSON: Garodnick.

23 COUNCIL MEMBER GARODNICK: I vote

24 Aye.

25 ERIC STEVENSON: Lappin.

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2 COUNCIL MEMBER LAPPIN: I'm going  
3 to-- may I be excused to explain my vote? I'm  
4 going to vote in favor of the resolution because  
5 of what it is that we're really voting on. But  
6 you know I do have some bigger picture questions  
7 on how it gets decided what days school is open  
8 for religious reasons and sort of how the calendar  
9 gets set out. So it's sort of hard to discuss it  
10 in a vacuum, and you know, why do we have Brooklyn  
11 and Queens days off and is school open on Lunar  
12 New Year or not, because there's a very large  
13 Asian population in the school system too. And  
14 those are sort of part and parcel of a larger  
15 discussion about when school is open and why. But  
16 that said, I support this concept, so I'm going to  
17 vote in favor of this.

18 ERIC STEVENSON: Foster.

19 COUNCIL MEMBER FOSTER: May I be  
20 excused to explain my vote?

21 CHAIRPERSON JACKSON: Sure, you  
22 may.

23 COUNCIL MEMBER FOSTER: First let  
24 me apologize, my boat took me a while to get here  
25 as I floated down the FDR drive. And second, I

1  
2 think the discussion of lengthening the school  
3 year is something that we need to have. Obviously  
4 what we've done in this Committee in terms of  
5 strengthening our curriculum and making sure our  
6 children learn is important. However, I think  
7 that if our Muslim brothers had a union they'd be  
8 able to negotiate holidays, and our kids had  
9 unions they'd be able to negotiate holidays that  
10 fit into the schedule. I think that the question  
11 of religious observance is one that I myself would  
12 never want to mess with, because for me Easter  
13 being the holiest calendar week for the Christian  
14 faith, who am I to say that someone else's holiday  
15 is not just as important to them. And I think the  
16 argument is whether school is out for Brooklyn  
17 Day, Queens Day, those are days. Those aren't  
18 religious observances. And we need to be holistic  
19 in our observation of religious holidays for every  
20 faith and not just a selected few. So I proudly  
21 vote yes for this resolution.

22 CHAIRPERSON JACKSON: No applause  
23 please. Thank you.

24 ERIC STEVENSON: Okay. The vote  
25 stands at--

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CHAIRPERSON JACKSON: [Interposing]

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Sir? Sir, go back to Felder. You passed.

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ERIC STEVENSON: Okay. Councilman

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Felder?

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COUNCIL MEMBER FELDER: Okay.

6

Thank you very much. First of all, I have the deepest of respect for Chair Jackson, and on the face of that alone I should just vote in agreement with anything and everything you want.

10

Unfortunately, unfortunately that's not the way that things work. So I'd like to just say that in the research that I've done, the school closings, a lot of them that have existed for many years, the evolution of those holidays had more to do with the lack of teachers being in the schools during those days. And just for practical reasons schools closed during those holidays because they couldn't function. That time has passed. And I am firmly opposed to schools closing for any religious holidays, including those that exist at this time. I remember taking exams, I had to get a letter from a Rabbi saying I'm a Sabbath observer, I couldn't take a test. And if there are any holidays that any religious families

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2 observe, they should be able to bring in a-- a  
3 student should be able to bring in a note from an  
4 Imam or Preacher, a Priest, a Rabbi, saying I  
5 can't come or I could not come that day because I  
6 was celebrating or observing that holiday. Having  
7 said that, a situation exists now that's unfair.  
8 And I think Councilman Vann is absolutely right  
9 when he says that now is not the time to change  
10 the system. It almost seems like somebody gets  
11 stuck and that's when we change the system. If we  
12 want to change the system, we should change it,  
13 after today's vote. And, you know, do it at that  
14 time. So I vote yes, but with that said, I  
15 continue to oppose public schools closing for any  
16 holidays, Jewish, Sheikh, Muslim or otherwise.  
17 And until public schools are open on all religious  
18 holidays, giving exemptions to the students that  
19 they deserve by bring in a note, in fairness, this  
20 is about fairness and equity-- that's what it's  
21 about treating everybody the same-- we should  
22 close the schools on any holiday that is of  
23 importance to students in the system. Thank you.

24 COUNCIL MEMBER JACKSON: Before you  
25 give a total count, let me recognize our colleague

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2 Melinda Katz for a question or comment.

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COUNCIL MEMBER KATZ: I didn't know how in the Robert's rules of order how this went, but I guess what I'm hearing today is that there needs to be, as Council Member Foster has said, some sort of holistic approach to this. And Council Member Felder discussed how holidays started in the school system and what the practicality was. And I guess my request would be that at some point after this vote that this Committee ask for a hearing with the Department of Education and try to look at the holistic approach like with what Councilman Koppell was talking about, maybe more flexible time. And so that's all I wanted to throw out there. I mean I'm proud to vote yes today, but I do think that what all the Council Members seem to be saying is that there needs to be an approach that makes sense for all religions. And so I wanted to throw that out there. Thank you.

22

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CHAIRPERSON JACKSON: Clerk,

conclude the vote please.

24

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ERIC STEVENSON: The vote stands at ten in the affirmative, one negative, no

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2 abstention. Motion passed.

3 CHAIRPERSON JACKSON: Thank you.

4 Thank you. Now we'll continue with the hearing on  
5 the oversight hearing of the high school  
6 graduation requirements. So, Deputy Chancellor,  
7 let me go to my second question, if I may. The  
8 new graduation requirements present ever-greater  
9 challenges for students that are English Language  
10 Learners. In the class of 2007 only one out of  
11 ten ELL students graduated with a Regents diploma.  
12 What additional supports, if any, will the  
13 Department of Education provide to help ELL  
14 students obtain a Regents diploma?

15 SANTIAGO TAVARES: I want to  
16 acknowledge the number, but I also want to say  
17 that the former English Language Learners have a  
18 graduation rate of 71%, so a lot of the pieces  
19 that we have in place already have proven to be  
20 sufficient for the students to meet and pass  
21 standards. With that said, one of the things that  
22 we're doing is to provide professional development  
23 at the school level, where we're able to provide  
24 teachers with instructional strategies that are  
25 for English Language Learners across all subject



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2 areas. So if a Math teacher or Science teacher  
3 has ELL students in their classrooms, we provide  
4 them with support not just for the ELL strategies,  
5 but also for the content area. So that is  
6 something that we've been practicing for many  
7 years and continue to practice coming out of  
8 Teaching and Learning.

9 JENNIFER BELL-ELLWANGER: Chairman  
10 Jackson, I just wanted to add that for our English  
11 Language Learners, because they are learning  
12 English as they are also acquiring all of the  
13 necessary credits and requirements towards  
14 graduation, many of our English language learners  
15 stay on for a fifth, sixth-- you know, they're  
16 still enrolled after their for years. For  
17 instance, in the class of 2007, though we had a  
18 lowered graduation rate after four years, 40% of  
19 our current English Language Learners were still  
20 enrolled to stay on for another year. So though  
21 it may take them more time to graduate, we do  
22 expect that with additional time they will  
23 graduate.

24 CHAIRPERSON JACKSON: Do you see as  
25 a result of the new requirements that-- I heard

1  
2 you when you said that English Language Learner  
3 students, you said about 40%, I believe you said,  
4 go on to a fifth year of high school in order to  
5 graduate.

6 JENNIFER BELL-ELLWANGER: Correct.

7 CHAIRPERSON JACKSON: Do you see  
8 that the new requirement will make it more  
9 difficult for those L students to graduate, and as  
10 a result of that many more not obtaining a high  
11 school diploma?

12 JENNIFER BELL-ELLWANGER: I think  
13 that we-- one of the things that we have put into  
14 place is our focus energy on our English Language  
15 Learners through our tools, through our progress  
16 reports, which really highlight and identify the  
17 needs of our English Language Learners. What we  
18 expect though is that even though we know that  
19 English, for instance, passing English exams after  
20 three years-- and many of these students are new  
21 to the Country, is a struggle, we do expect that  
22 with the continued focus on the instruction, that  
23 they will rise and graduate.

24 CHAIRPERSON JACKSON: What if any  
25 preparation is being done at the middle school

1  
2 level to prepare students for the new standards?  
3 Are middle school teachers using the Regents exams  
4 as part of the curriculum? Or what else is being  
5 done at the middle school level?

6 SANTIAGO TAVARES: All right. So  
7 there are a number of things--

8 CHAIRPERSON JACKSON: [Interposing]  
9 Rather than waiting until ninth grade.

10 SANTIAGO TAVARES: Right. No.  
11 Absolutely. I think that one of the biggest  
12 things that we've launched is the Campaign for  
13 Middle School Success and largely part to the City  
14 Council, who provided funding for the Middle  
15 School Success. We have the promotional policy,  
16 which I mentioned earlier, that students must  
17 graduate with a minimum proficiency level of 2 or  
18 more, and pass all of their academic courses in  
19 order to go into ninth grade. In addition to that  
20 students are being provided the opportunity to  
21 take advanced classes in middle schools,  
22 especially some Regents courses, such as the math  
23 or science Regents in the middle school grades.

24 CHAIRPERSON JACKSON: I mean,  
25 ideally what you said is an ideal situation. But

1  
2 as I said in my opening statement, considering the  
3 fact that the budgets are the way they are, you  
4 know, the money that were part of the Middle  
5 School grants, which were very successful, that  
6 money has not been restored. So...

7 SANTIAGO TAVARES: Right. So what  
8 we have been able to do with that money is to  
9 create the blueprint for Middle School Success and  
10 that is not here forever. We also have all of the  
11 different tools like I mentioned before, like the  
12 progress report, the periodic assessments and  
13 ARIS, which provide teachers with a detailed  
14 information of the skills the students are  
15 deficient in so that the teachers can use  
16 successful strategies to be able to address the  
17 needs of the students. In addition to that, the  
18 ARIS Connect is a powerful tool where teachers can  
19 actually share information across all five  
20 boroughs about specific students that they teach.  
21 So if I am a teacher in the Bronx I could actually  
22 get lesson plans and things that have been  
23 successful with similar students from a teacher in  
24 Brooklyn or in Queens or anywhere else in the  
25 City. So all of these pieces are now in place,

1  
2 which don't require additional resources. So I  
3 think that we have prepared our teachers and our  
4 schools with, again, those tools that are already  
5 in existence.

6 CHAIRPERSON JACKSON: With respect  
7 to ARIS, is there any monitoring to ensure that  
8 all of the teachers are using that, monitoring by  
9 Assistant Principal or Principal or the Department  
10 of Education as a whole, to ensure that teachers  
11 are using ARIS to support students in their  
12 development towards passing all of the Regents  
13 exams, moving towards-- even in the middle school--  
14 - moving towards the make sure that they meet at  
15 least the minimum standard toward high school  
16 graduation?

17 SANTIAGO TAVARES: Right. So  
18 that's the-- ARIS contains the information from  
19 the periodic assessments and from all the Regents,  
20 all the State exams. But what in addition to that  
21 ARIS is able to do is to provide really quick  
22 reports to the teachers that just simply shows it  
23 to them, so the Principals can actually print  
24 those out, give them to the teachers so that they  
25 know which students need any particular skill at

1  
2 any time. And in addition to that-- I just lost  
3 my chain of thought. But the usage, we're able to  
4 monitor how many hits, in a sense, each website  
5 gets. So we know which are the ones that are more  
6 popular. So if you have a curriculum to teach say  
7 the Pythagorean Theorem, and we see that that  
8 particular page, that lesson, those strategies get  
9 a lot of hits, then the word goes out and they  
10 know that's the place for them to do it. And we  
11 also provide that information to the school  
12 support administration so that they can see where  
13 most of the teachers are actually going to find  
14 information.

15 CHAIRPERSON JACKSON: But who is  
16 monitoring the teachers to ensure that the teacher  
17 is using ARIS in order to monitor the student and  
18 help the student progress? Is that being  
19 monitored in a particular school by the Assistant  
20 Principal, by the Principal or is there some  
21 monitoring from citywide of teachers who are using  
22 ARIS or no one is monitoring it?

23 SANTIAGO TAVARES: Right. So it's  
24 being done by the administration, in some cases  
25 the Principal directly, sometimes it's the

1  
2 Assistant Principal. When I mentioned the Inquiry  
3 Teams, that's the place where teachers come  
4 together to discuss students and their success or  
5 lack of success and discuss strategies. So that  
6 is the place where Principals are able to monitor  
7 whether or not teachers are actually using ARIS  
8 and the tools in it to be able to successfully  
9 move the students forward. In addition to that we  
10 have the teacher value added data, which allows us  
11 to see which teachers are more successful in the  
12 classroom. And the Principal uses that to be able  
13 to support a teacher that is not as successful by  
14 offering them mentoring or additional professional  
15 development in the areas of need for the teacher  
16 as well.

17 CHAIRPERSON JACKSON: And using  
18 ARIS, if I was a Principal, would I be able to  
19 look and see whether or not a teacher is actually  
20 using ARIS towards the development of John  
21 Jackson? Would I be able to know that by logging  
22 on to my Principal computer?

23 SANTIAGO TAVARES: I would have to  
24 find out. I don't want to give you--

25 CHAIRPERSON JACKSON: [Interposing]

1

2 Do you know what I mean?

3 SANTIAGO TAVARES: Yeah, I know.

4 CHAIRPERSON JACKSON: So you could  
5 independently know whether or not someone is  
6 accessing their computer in their classroom to  
7 help their students.8 SANTIAGO TAVARES: I understand. I  
9 don't have that answer, but I can get back to you  
10 on that.11 CHAIRPERSON JACKSON: I appreciate  
12 it. Let me turn--13 JENNIFER BELL-ELLWANGER:  
14 [Interposing] I just wanted to add, we were  
15 talking about how we are better preparing our  
16 students, we should call attention to our eighth  
17 grade gains that we have made over the past  
18 several years, which is really-- if we have a  
19 better student that's prepared for high school  
20 then we know that their outcomes for high school  
21 will be better too. When we started in 2002, 60%  
22 of our students weren't meeting standards in  
23 English Language Arts or in Mathematics. Now that  
24 number, we have more than 70% of our eighth  
25 graders are meeting standards in mathematics and



1  
2 almost 60% in English Language Arts. So that too  
3 is very encouraging that our students will be  
4 able, better able to meet the more rigorous  
5 requirements from the state.

6 CHAIRPERSON JACKSON: Well thank  
7 you. Let me stop and introduce additional  
8 colleagues and then the Clerk will call the role  
9 on the resolution. We've been joined by Domenic  
10 Recchia of Brooklyn and John Liu of Queens.  
11 Clerk, would you please finish the role?

12 ERIC STEVENSON: Recchia?

13 COUNCIL MEMBER RECCHIA: Aye.

14 ERIC STEVENSON: Liu.

15 COUNCIL MEMBER LIU: I vote yes and  
16 I congratulate all the activists for the long  
17 fight in bringing this resolution to the vote.

18 CHAIRPERSON JACKSON: Thank you.

19 ERIC STEVENSON: The vote now  
20 stands at 12 in the affirmative, one negative and  
21 zero in the abstention. Motion continues to  
22 carry.

23 CHAIRPERSON JACKSON: Thank you.

24 ERIC STEVENSON: To pass.

25 CHAIRPERSON JACKSON: Can you

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explain the Department of Education's policy on Credit Recovery? Is it true that each school has a different Credit Recovery program? If not, how many are out there? What are the names of the Credit Recovery programs? Where are they located at and so forth and so on? And do you monitor, do you have all of that information or is it each one do whatever you want to do as long as you help students to graduate?

SANTIAGO TAVARES: And so the Credit Recovery, as it's now being called, it's something that's been around for decades.

CHAIRPERSON JACKSON: What is it technically called?

SANTIAGO TAVARES: What is it technically for?

CHAIRPERSON JACKSON: No, called. You said that's now being called Credit Recovery. What is it called?

SANTIAGO TAVARES: Yeah, it's being referred to as Credit Recovery.

CHAIRPERSON JACKSON: Okay, okay.

SANTIAGO TAVARES: But as a Principal for six years it wasn't so much Credit

1  
2 Recovery as it was more about making sure that the  
3 students were gaining the information that they  
4 needed to pass the courses that they needed in  
5 order to graduate. So one of the biggest reasons  
6 for having a Credit Recovery program is our  
7 students have many challenges, sometimes a death  
8 in the family or just illness and injury that  
9 prevents them necessarily from attending school  
10 for x number of days and completing the  
11 coursework. So schools are able to provide them  
12 with opportunities to do that. The rigor of the  
13 work is supposed to be consistent with the work of  
14 the class. So it's not something that should be  
15 dummed down or watered down for the students. It  
16 should actually be something that is aligned to  
17 the student's class so that they can have that  
18 opportunity to make that up. Credit Recovery is  
19 done so that the students don't get demoralized  
20 about school, because if they have for example  
21 whatever reason they can't take the finals the  
22 last week of school, that means that they would  
23 not be able to get any of the credits. As you  
24 know some of the youngsters would say, you know  
25 what, that puts me far behind my graduation. So

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2 they may give up. Credit Recovery offers them the  
3 opportunity to stay on track for graduation. Many  
4 students don't want to graduate with a different  
5 class. They want to graduate with the class that  
6 they came in. So, Credit Recovery is actually  
7 something positive that is used by schools to  
8 provide students with additional opportunities to  
9 meet graduation requirements.

10 JENNIFER BELL-ELLWANGER: I want to  
11 add, Credit Recovery has been given not a positive  
12 term, but really it's simply making up for failed  
13 or incomplete work. And the State is very clear  
14 about what students need to accumulate credit. As  
15 Chairman Jackson mentioned earlier, you need the  
16 appropriate amount of seat time. You need to  
17 complete with a certified teacher. You need to  
18 take an exam, a Regents Exam if it ended with a  
19 Regents Exam. What Credit Recover is, is if a  
20 student misses an assignment and has an incomplete  
21 on their course, it's not a distinct practice or a  
22 distinct program, it could be that that student  
23 then spends after school hours to complete that  
24 necessary course work or that has to take-- make  
25 up an exam because they failed the final exam. So

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2 Credit Recovery can take many forms. Summer  
3 School is one way in which students also can  
4 recover credits, if they have missed so much of  
5 the coursework that they need to retake-- and  
6 that's a determination made by the school, if they  
7 need to retake the entire course. They may take  
8 that during summer school or in other types of  
9 programs. But Credit Recovery, what I think that  
10 we need to be clear about, it's not something  
11 distinct. You don't enroll in Credit Recovery.  
12 Making sure that students accumulate credit and  
13 stay engaged in school for as long as possible,  
14 that is the key to accumulating credits, ensuring  
15 that they have met the learning standards for that  
16 course, that they have the correct amount of seat  
17 time as per the state regulations, and that they  
18 are taught by a certified teacher.

19 COUNCIL MEMBER KOPPELL: Let me--  
20 I've taken over the Chair only temporarily because  
21 the Chairman had to leave. But pursuing that a  
22 little bit I-- first of all, are there standards  
23 for Credit Recovery passed, established by the  
24 Department?

25 JENNIFER BELL-ELLWANGER: There are

1  
2 very clear standards about how students accumulate  
3 credits. And what the State regulations  
4 previously did not actually include areas that  
5 talk about making up for incomplete or failed  
6 courses. And we know that that is a State,  
7 national-- it is not specific to New York City  
8 that students sometimes fail a course or miss some  
9 coursework and must make that up. Recently the  
10 State, working with the New York City Department  
11 of Education, have put out proposed regulations  
12 that the Board of Regents will be reviewing and  
13 voting on in the coming months, that set out clear  
14 guidelines for this. Because again, as you say,  
15 as you mentioned, though Credit Recovery is a good  
16 and solid practice, we want to make sure that  
17 everyone is doing it in the same way.

18 COUNCIL MEMBER KOPPELL: So there  
19 are no guidelines now. They're being considered?

20 JENNIFER BELL-ELLWANGER: That's  
21 right. And they are posted for public comment and  
22 feedback on the State's website.

23 COUNCIL MEMBER KOPPELL: I mean I  
24 just noticed in an article that was circulated to  
25 all of us as members, one student was complaining

1  
2 in a sense because he said he had to write three  
3 essays to recover credit for a course when he  
4 missed coming to the course for the whole  
5 semester. That doesn't seem to be appropriate.  
6 Let me put it that way.

7 SANTIAGO TAVARES: Right. So there  
8 are certain cases where that has been abused, and  
9 one of the things that we're very clear on is that  
10 when we investigate those, we reprimand those  
11 Principals. We do not want students just to be  
12 given a certificate and say that they have met  
13 requirements. So we take those seriously. We  
14 have processes in place that when we do get those  
15 complaints we do follow up and do investigations.  
16 I also just want to make a comparison that in  
17 colleges as well, you have the ability to recover  
18 the credit in a sense. So I broke my kneecap in  
19 college and couldn't take finals. The professors  
20 were able to provide me additional time to  
21 complete whatever it was that I didn't complete.  
22 So Credit Recovery is something we try to provide,  
23 again, to the students to be able to be successful  
24 in those classes.

25 COUNCIL MEMBER KOPPELL: Well my

1  
2 question doesn't imply that we shouldn't do it.  
3 But there should be standards, I guess, is what  
4 I'm saying. And you're saying that standards are  
5 now being considered. There's some proposed  
6 standards?

7 JENNIFER BELL-ELLWANGER: That's  
8 correct. They--

9 COUNCIL MEMBER KOPPELL:  
10 [Interposing] Do we have copies of those?

11 JENNIFER BELL-ELLWANGER: They were  
12 presented to the Board of Regents in April 2009,  
13 working in concert with the New York City  
14 Department of Education. We've worked with the  
15 State Education Department to propose guidelines  
16 for this practice so that everyone is clear. But  
17 we should note, this practice is something that  
18 has been for a very long time and is one that  
19 again is, there's no indication that this is  
20 increasing or decreasing, but it is a practice  
21 that schools employ as one of the paths to--

22 COUNCIL MEMBER KOPPELL:  
23 [Interposing] We understand that. Can you provide  
24 the Committee with the proposed regulations that  
25 you've come up with?



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2 JENNIFER BELL-ELLWANGER:

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3 Certainly.

3

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4 COUNCIL MEMBER KOPPELL: Okay,

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5 thank you. John Liu had some questions, and Helen

6

6 Foster. John Liu?

7

7 COUNCIL MEMBER LIU: Thank you, Mr.

8

8 Chair.

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9 COUNCIL MEMBER KOPPELL: Interim

10

10 chair.

11

11 COUNCIL MEMBER LIU: Thank you, Mr.

12

12 Interim Chair. Thanks for testifying today. How

13

13 many of the students would you say today are

14

14 graduating after going through a Credit Recovery

15

15 program?

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16 SANTIAGO TAVARES: That is hard to

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17 monitor since there is no specific course code or

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18 designation for those in the system. And what

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19 happens is that when a student, again, it could be

20

20 for many different reasons, don't complete a

21

21 course, it's the school's accreditation committee

22

22 that allows them to do that.

23

23 COUNCIL MEMBER LIU: The question

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24 is simple. How many?

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25 SANTIAGO TAVARES: So the answer is

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we do not know because we cannot track that.

COUNCIL MEMBER LIU: Okay. So how can you therefore testify that there's no indication that there's an increase or decrease in the use of these recovery programs?

SANTIAGO TAVARES: As a local instructional superintendent--

COUNCIL MEMBER LIU: [Interposing] Your colleague testified, just stated for the record that there is no indication. On what basis? There is no indication because you don't know is what it is.

SANTIAGO TAVARES: Right. You can say that--

COUNCIL MEMBER LIU: [Interposing] So everything you're saying-- we're just trying to get a sense, there are complaints out there that graduation rates are being inflated because these Credit Recovery programs are being used far more than they have been in the past.

JENNIFER BELL-ELLWANGER: I'd like to add those articles were rather misleading. They were very--

COUNCIL MEMBER LIU: [Interposing]

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Forget the articles. We don't care about the articles.

JENNIFER BELL-ELLWANGER: But again, students--

COUNCIL MEMBER LIU: [Interposing] We're just asking what's going on with our graduation rates?

JENNIFER BELL-ELLWANGER: Students also, they have to take and pass the Regents exams in order to-- so part of the requirement is the credit accumulation. The second part of the requirement is that they take and pass the five Regents exams, for our local diploma currently it's at 55, and 65 for a Regents diploma. So those two things in concert, you can't do Credit Recovery for the Regents exam either. You can't just fudge that. So you have two components that need to come together in order for a student to graduate.

COUNCIL MEMBER LIU: So we understand that there are two components, and the Regents exams, they have to take the Regents exams. But I mean kids could be absent the majority of the year. Under what you're saying,

1  
2 kids could just not show up to school for large  
3 portions of the year and just pass the Regents  
4 exams and they'll graduate from high school.

5 JENNIFER BELL-ELLWANGER: That's  
6 not correct.

7 COUNCIL MEMBER LIU: All right.  
8 Then please correct me.

9 JENNIFER BELL-ELLWANGER: Students  
10 must have-- in order to accumulate a credit, and  
11 this is very clearly stated in the State Education  
12 Regulations, a student must have 180 minutes of  
13 seat time, this is all to get a course credit.  
14 They must be taught by a certified teacher, that  
15 they must be-- the course must be aligned to the  
16 learning standards of that subject area, and if it  
17 is a course ending in a Regents exam, they must  
18 take and pass the Regents exam. You cannot take  
19 and pass a Regents exam and allow that to  
20 substitute for the passing of the coursework, and  
21 that is very clear in the regulations. What now  
22 the State has been working on is to-- confusion  
23 came because there was no clear bullet point in  
24 the State regulations that say and what do you do  
25 when a student has failed or does not have

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2 incomplete credit. And so schools were using that  
3 information across the state, remember this is not  
4 unique to New York City. They were giving  
5 students additional coursework to complete a  
6 credit, but that meant that they had to have  
7 already had those other conditions met. If they  
8 don't have the seat time, then they can't get the  
9 credit. If they don't have-- if it wasn't by a  
10 certified teacher, then they can't get the credit.  
11 So there are distinct things that students have to  
12 go through in order to get--

13 COUNCIL MEMBER LIU: [Interposing]  
14 It's just five exams and 180 hours of seat time.

15 SANTIAGO TAVARES: 180 minutes a  
16 week of seat time--

17 COUNCIL MEMBER LIU: [Interposing]  
18 Oh, 180 minutes a week.

19 SANTIAGO TAVARES: In one semester  
20 of school, which is from September until the end  
21 of January. So that's the seat time that we  
22 referred to, and the exams, the Regents exams are  
23 exams that the students take as a culmination of  
24 the courses that are Regents bearing courses.

25 COUNCIL MEMBER LIU: And it's 180

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minutes a week for that class or for?

SANTIAGO TAVARES: For that one class. So if you take English I, which is the freshman English, that is supposed to be the minimum, 180 minutes a week. You then take English I through VI in order to take the English Regents. The Math you can do that in one-year because there's a Math course.

COUNCIL MEMBER LIU: So they have to take, they have to have 180 minutes of seat time for every class--

SANTIAGO TAVARES: [Interposing] Every week.

COUNCIL MEMBER LIU: --every Regents class, right?

SANTIAGO TAVARES: Right.

COUNCIL MEMBER LIU: Every Regents class?

SANTIAGO TAVARES: Every class.

JENNIFER BELL-ELLWANGER: You need-- the State Regulations are very clear about how many units of credits you need for each different course. For English it's four units of year long credits or as Mr. Tavares mentions, if you break

1  
2 them up into terms, you need three units of  
3 mathematics and so on and so forth. And it very  
4 clearly lays out what a student needs in order to  
5 graduate from high school, both with regard to how  
6 many courses and credits they must take and both  
7 in regard to the exams and they scores that they  
8 must achieve in order to get a Regents and or  
9 local diploma.

10 COUNCIL MEMBER LIU: I'm just  
11 wondering about the 180 minutes per week. That's  
12 pretty robust. If anybody's absent for any  
13 extended-- even for a week or two, it would be  
14 hard for them to recover that, and yet there are  
15 still lots of reports out there of how students  
16 are missing large, large periods of-- long periods  
17 of school and are able to recover those credits.  
18 Is it just a matter of sitting in the seat after  
19 school? I mean how does a student recover those  
20 180 minutes then?

21 SANTIAGO TAVARES: Those are  
22 different ways again in different schools and it's  
23 hard to just put it in one box and say everybody's  
24 going to do it this way. So for--

25 COUNCIL MEMBER LIU: [Interposing]

1  
2 Come on. You're telling me that it's not just the  
3 Regents tests but that they have to have 180  
4 minutes a week of seat time.

5 SANTIAGO TAVARES: The seat time  
6 doesn't mean they just sit there. There's  
7 obviously coursework, assignments that they must  
8 produce both in the classroom and outside the  
9 classroom. Some of them are projects--

10 COUNCIL MEMBER LIU: [Interposing]  
11 Say a kid has a, you know a broken kneecap, and  
12 misses what maybe two months of school, how does  
13 that student recover the 180 minute seat time  
14 requirement for those two months of missed school?

15 SANTIAGO TAVARES: So there are  
16 different ways, one of them is home schooling that  
17 we could actually because the student has an  
18 injury that prevents them from actually going to  
19 the school building, actually teachers can go to  
20 that child's home and provide them with the  
21 instruction that is aligned to the curriculum in  
22 the school in order to do that. So if the kid  
23 comes back in two months, let's say, they are not  
24 falling behind in terms of the content. And when  
25 that course ends, if it's a Regents course, they



1  
2 can take the Regents exam. If it is not a Regents  
3 course, they have a final that they have to meet  
4 the standard of. So although the kid may have  
5 missed actual in-school time it was done--

6 COUNCIL MEMBER LIU: [Interposing]  
7 so the 180 minutes of seat time is not a really  
8 hard requirement. There's a lots of ways to get  
9 around that is what you're saying. What you're  
10 describing is one way that a student can make up  
11 that seat time. But there are probably 1,000  
12 other ways that that seat time can be made up, and  
13 the Department of Education has no idea what all  
14 of those different methods are for making up the  
15 seat time. Do you want to--

16 SANTIAGO TAVARES: [Interposing] So  
17 as a former Principal, I would love to answer that  
18 if you'll allow me to.

19 COUNCIL MEMBER LIU: Sure.

20 SANTIAGO TAVARES: If you'll allow  
21 me to I'll give you all the different  
22 possibilities, because--

23 COUNCIL MEMBER LIU: [Interposing]  
24 You have every single possibility?

25 SANTIAGO TAVARES: I have been a

1  
2 Superintendent of different high schools which  
3 have incorporated different practices, so if a  
4 student is not making up all of the courses that  
5 he needs one of them is-- if it's injury, they  
6 could have a teacher go to their home so they're  
7 not actually missing the minutes, there's a  
8 teacher at home with them. There are some schools  
9 that call it PM school, which means that after the  
10 school day the student is with a certified teacher  
11 getting the standardized curriculum in order to  
12 meet that graduation. Some places have Saturday  
13 programs for students that cannot make the after  
14 school PM classes. Some of them are on Saturdays.  
15 In addition to that there are different kinds of  
16 programs during the school year. Some schools are  
17 able to open during the spring break, during the  
18 Christmas break, during the February break,  
19 depending on the budget. And one of the things  
20 that the Chairperson spoke about is the fact that  
21 the budgets are going to be tight. In addition to  
22 that we have summer school. Every single student  
23 who goes to summer school essentially is doing  
24 Credit Recovery, because they do that. I ran  
25 summer school for Region 9 when I was Local

1  
2 Instructional Superintendent. And one of the  
3 things we realized is that there are some students  
4 that have already been committed or admitted to  
5 some of the college prep programs, who may be in  
6 the 11th and 12th grade, so they don't want to  
7 miss that opportunity during the day, so we  
8 provide evening courses, which start at 6:00  
9 during the evening in order for them to do that.  
10 So those are the different ways in which I have  
11 experienced Credit Recovery experiences.

12 COUNCIL MEMBER LIU: Right. Are  
13 those all of the different ways that you think  
14 exist out there?

15 SANTIAGO TAVARES: So my answer was  
16 that I didn't know if that's all of them, but I  
17 will tell you that those are the common practices  
18 in the schools that I've experienced.

19 COUNCIL MEMBER LIU: But do you  
20 have any idea whether there are other practices  
21 that are becoming more common place, especially  
22 since there's a huge amount of pressure to  
23 graduate the kids from high school?

24 SANTIAGO TAVARES: I don't, but if  
25 you learn of any, please let me know because I

1  
2 think that that's one of the things we want to  
3 make sure of is that the kids are actually getting  
4 the necessary instruction that they need. Because  
5 I think that anybody who does anything otherwise  
6 is really cutting our kids short and that's  
7 unacceptable.

8 COUNCIL MEMBER LIU: Well easy for  
9 you to say, but you're the one in charge of this  
10 stuff.

11 SANTIAGO TAVARES: And that's why I  
12 need for you to tell me when that's happening,  
13 because I obviously cannot be at 500 different  
14 high schools in the City.

15 COUNCIL MEMBER LIU: I'm not  
16 suggesting that the Department of Education or  
17 you, Mr. Tavares, right?

18 SANTIAGO TAVARES: Santi.

19 COUNCIL MEMBER LIU: Huh?

20 SANTIAGO TAVARES: Santi.

21 COUNCIL MEMBER LIU: Santi. I'm  
22 not suggesting that you have to be at every single  
23 site or know everything that there is. But  
24 there's already been lots of questions about the  
25 fact that there is no standard in place, which is

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why you have like an impossible job, and we don't fault you for that. This is a problem with the Department of Education, that on the one hand there's a tremendous amount of pressure to produce this one measure, the measure of graduation rates, and then there is a backdoor way for many of the kids to actually graduate by different parts of the system that really have a huge amount of incentive to make sure that these kids graduate. And even by your own testimony it's clear that there's no uniform standard. There is no uniform standard. Would you agree with that?

SANTIAGO TAVARES: I agree with the fact that we need to set the standard and that there isn't one right now.

COUNCIL MEMBER LIU: Right.

SANTIAGO TAVARES: And Ms. Ellwanger just spoke about working with the State in collaboration to do that, that was done, I think you said in April of 2009--

COUNCIL MEMBER LIU: [Interposing]  
And so combined with the--

SANTIAGO TAVARES: --and we would love to be able to do that in order to address

1  
2 those that you may hear about because we  
3 definitely want to make sure that every single one  
4 of our students is not shortchanged.

5 COUNCIL MEMBER LIU: Well I have no  
6 doubt, Santi, that you are committed to doing  
7 that. The problem is not you. The problem is far  
8 larger, it's the Department of Education. The  
9 fact that there is no standard combined with the  
10 fact that the Department doesn't even track the  
11 prevalence of the use of these Credit Recovery  
12 programs, one can only conclude that the reports  
13 out there are credible, if not 100% factual, they  
14 certainly are credible; that the graduation rates  
15 are being impacted with this lack of uniform  
16 standard with regard to the Credit Recovery rates;  
17 and that the graduation rates today-- it would be  
18 difficult to compare the graduation rates today  
19 with the graduation rates of previous years,  
20 because of the reports of increasing use of these  
21 Credit Recovery programs.

22 SANTIAGO TAVARES: One of the  
23 things that we started in Region 9 is the  
24 Manhattan High School's Graduation, which is at  
25 the end of the summer. And one of the things that

1  
2 I've been able to start in the City and give me  
3 the most pride is that all of these students  
4 actually get the opportunity to graduate with  
5 their cap and gown, with their family. The  
6 Chancellor has spoken at every single one of the  
7 six--

8 COUNCIL MEMBER LIU: [Interposing]  
9 No question that graduation is a happy ceremony.

10 SANTIAGO TAVARES: And the reason  
11 why I say that is if it is true what you're saying  
12 that there's ways around it, then why bother being  
13 in summer school when you could have gotten it  
14 another way. The fact that the students are going  
15 to summer school tells me--

16 COUNCIL MEMBER LIU: [Interposing]  
17 If the students were in summer school, Santi, then  
18 that would be great. If they were going to school  
19 after hours or in the evenings or on weekends or  
20 during spring breaks, that would be great. The  
21 problem is that you have no idea that that  
22 actually is being done.

23 SANTIAGO TAVARES: But Mr. Liu--

24 COUNCIL MEMBER LIU: [Interposing]  
25 Please. Just call me John. Johnny.

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2 SANTIAGO TAVARES: John. I'm glad  
3 that we're on a first name basis. That's great.

4 COUNCIL MEMBER LIU: All right.

5 SANTIAGO TAVARES: Because I would  
6 love to have this conversation really in depth  
7 with you because what I'm trying to say is that  
8 when you have students actually in summer school  
9 it tells me that Principals are doing the right  
10 thing and not allowing students to just graduate  
11 with whatever it is that they want to stamp and  
12 give away. It tells me that they're holding the  
13 kids to standard. And that's the point that I'm  
14 trying to make. I agree with you that we do need  
15 a standard, totally agree with you there, and  
16 that's something that we're working on. But I  
17 also want to say that it's not the common  
18 practice, and I invite you to the graduation on  
19 August 30th, I will check the date and I will send  
20 you the graduation note for you to see--

21 COUNCIL MEMBER LIU: [Interposing]  
22 I've been to a lot of graduations already.

23 SANTIAGO TAVARES: This one is  
24 different. This one is different, I guarantee you  
25 this one is different.



1  
2 COUNCIL MEMBER LIU: Your colleague  
3 seems to want to say something.

4 SANTIAGO TAVARES: I know. But for  
5 the simple fact that when you go into that  
6 graduation, you're going to see multiple colored  
7 cap and gowns which represents a beautiful piece  
8 of our system that these kids are coming from all  
9 different schools and it doesn't matter what  
10 school they're coming from, but they're actually  
11 there to graduate and say now we've completed our  
12 graduation requirements and they're moving on to  
13 college. You can ask those students when you  
14 attend that graduation, what college they're going  
15 to and most of them are going to tell you exactly  
16 what college they are. So I have to go to bat for  
17 the Principals, which are my colleagues to say  
18 that most of them are doing the right thing, and  
19 for those that are not, we want to know and we  
20 want to be able to set a standard.

21 COUNCIL MEMBER KOPPELL:  
22 Councilman, I think you've made the point 100%  
23 well. We do want to move along. I think the  
24 point's been made.

25 COUNCIL MEMBER LIU: Okay.

1  
2 COUNCIL MEMBER KOPPELL: So I'd  
3 like to call now on Council Member Foster.

4 COUNCIL MEMBER LIU: Could you just  
5 give her a minute to-- she wants to rebut, I  
6 think.

7 JENNIFER BELL-ELLWANGER: I'm  
8 sorry. I think to leave that on the note that  
9 says that this practice has been increasing over  
10 time and it calls into question the graduation  
11 rates, I think that we really do have to, you  
12 know, for the record really state that this is a  
13 practice-- making up for failed or incomplete  
14 credit is something that existed when all of us  
15 were in high school, around this table, figuring  
16 out multiple opportunities to do so. That we put  
17 some sort of malfeasance or intent upon that makes  
18 me concerned that that's the way that we leave  
19 that, because Credit Recovery is a long standing  
20 and important-- it's important for kids to be able  
21 to acquire credits when they are failing, and how  
22 do we keep them engaged in school and how do we  
23 ensure that they continue on the path to success,  
24 not into the path of failure.

25 COUNCIL MEMBER LIU: We're not

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2 suggesting that Credit Recovery programs should  
3 not be available. What I'm suggesting is the  
4 intense focus on these numerical measures, while  
5 at the same time the Department of Education not  
6 tracking all of the inputs into that measure is  
7 problematic, and therefore the idea that certain  
8 measures such as high school graduation rates are  
9 indeed increasing substantially, it calls into  
10 question the validity of those results. That's  
11 what I'm saying.

12

COUNCIL MEMBER KOPPELL: Okay. I'm  
13 going to stop the dialogue. I think the point's  
14 been made well by both sides in terms of their own  
15 view of this. Council Member Foster.

16

COUNCIL MEMBER FOSTER: I'll be  
17 brief, because Council Member Liu touched on most  
18 of it. But given that you don't track or have any  
19 way of knowing what students are in Credit  
20 Recovery, you wouldn't be able to give me the  
21 percentage of Credit Recovery students that go on  
22 to college.

23

SANTIAGO TAVARES: Correct. We  
24 wouldn't be able to do that, but what we could do  
25 is give you numbers for summer school, not that I

1  
2 have them here, but at least those kids are  
3 considered to have-- do Credit Recovery, just the  
4 fact that they attend summer school. So that's  
5 something that we could provide you.

6 COUNCIL MEMBER FOSTER: Well I  
7 think the point is the kids that are going to  
8 summer school are going to be the kids that have  
9 the interest in furthering their education, not  
10 the kids that miss classes for no other reason.  
11 And the analogy of the college player that injures  
12 his knee, you know, you can still go to class with  
13 a knee injury. But the concern I have is DOE who  
14 loves to shove numbers in terms of seat capacity  
15 and numbers in terms of everything else, the  
16 reason that they are not shoving numbers in terms  
17 of this Credit Recovery is concerning. And while  
18 it may have been going on, maybe going on for  
19 years, when we're looking and we're pointing to  
20 the reason the Mayor needs to be in charge of  
21 education and how the numbers are going up, if  
22 we're not tracking those on Credit Recovery, how  
23 do we know those numbers aren't inflated? So I  
24 think the biggest suggesting I would give to the  
25 committee and to the acting chair when the chair

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comes back is that these credit numbers need to be recovered. We have computerized everything. There is a way to know if Helen Diane Foster is doing Credit Recovery for math because either I missed it or I couldn't keep up or I need the extra credit or summer school, there should be some notation so that when I say to you of those kids that are in Credit Recovery how many go on to college, you should be able to point that out. Because while we can say numbers are going up, if they're going up and kids aren't going on to college or we are inflating that number, it is just that, a number.

SANTIAGO TAVARES: I think you're right, absolutely. It's something we'll take into consideration, because obviously I wish I had those numbers to share with you, but we are unable to do that at this point. And it's something that we'll take into consideration and look to how is the best way to collect that information as well.

COUNCIL MEMBER FOSTER: I think it's important and I don't want to undermine what you said in terms of the kids going to summer school and that graduation, and I agree with you.

1  
2 Giving them the ability to walk in cap and gown  
3 and for their families to be there is important.  
4 Those aren't the kids that right now I'm concerned  
5 about. It's the kids that may be lost in the  
6 middle with not attending class or choosing not to  
7 attend class, being allowed to make up. And we  
8 have no idea of knowing those numbers, so we have  
9 no idea of knowing if those kids after high school  
10 go on to four-year, two-year, you know, a trade  
11 school-- anything. We have no way of knowing  
12 that, and that's what I think is important. Thank  
13 you.

14 COUNCIL MEMBER KOPPELL: Did you  
15 want to say anything else? No? Okay. Does  
16 anyone else have a-- well before that, first of  
17 all, we're going to call the roll for Council  
18 Member Lou Fidler.

19 ERIC STEVENSON: Council Member  
20 Fidler.

21 COUNCIL MEMBER FIDLER: Aye.

22 ERIC STEVENSON: The vote now  
23 stands at 13 in the affirmative, one in the  
24 negative and no abstentions.

25 COUNCIL MEMBER KOPPELL: We are

1  
2 also joined by Council Member Gale Brewer, but  
3 she's not a member of the Committee, but we  
4 welcome her. Do you have any questions?

5 COUNCIL MEMBER BREWER: I was late  
6 because I was at graduations. Two of them.  
7 They're fabulous. My question is in some of my  
8 high schools some young people only go to PM  
9 school because they just don't get up in the  
10 morning. Are they considered-- which roll are  
11 they on? Are they on-- they would be on the high  
12 school roll? But in that case, it wouldn't be  
13 hard to differentiate.

14 SANTIAGO TAVARES: Right. So if  
15 they're going to the PM school or classes that are  
16 available for that same high school, so let's say  
17 it's School A--

18 COUNCIL MEMBER BREWER:  
19 [Interposing] You know which school I'm talking  
20 about. Go ahead.

21 SANTIAGO TAVARES: Okay, so they're  
22 going to the school in the evening, they are part  
23 of that register.

24 COUNCIL MEMBER BREWER: They are  
25 part of the PM school or the high school or is it

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a separate register?

SANTIAGO TAVARES: They can't just go to the-- they can't have the option of just going to the PM school. They have to go to the regular school--

COUNCIL MEMBER BREWER:

[Interposing] Afternoon classes of the high school and then the PM school is what they do.

SANTIAGO TAVARES: So they're in the school registry if they're going to some of those. But--

COUNCIL MEMBER BREWER:

[Interposing] Yes, but why would it be hard to keep track of student's like that, that are both in the PM school and--

SANTIAGO TAVARES: [Interposing]

You know, I don't know the details of that because there are schools that have multiple sessions because of the overcrowding. So you have schools that start at a zero period and go all the way to a 13th or 14th period, like Long Island City I remember going and remembering like, wow, why are these kids just going into school? And they're going to their regular eight period day, but



1  
2 they're coming in later in the day just because of  
3 the numbers. So I would need a little bit more  
4 details in order to give you a--

5 COUNCIL MEMBER BREWER:

6 [Interposing] Okay. Because you might have to  
7 incentivize some of the larger schools to tell you  
8 who is on the register for regular classes, the PM  
9 school, the summer school-- because there are some  
10 situations where there are morning classes of 30  
11 and there are only 7 students in the class and a  
12 lot of them are going to the PM school.

13 SANTIAGO TAVARES: Right.

14 COUNCIL MEMBER BREWER: That's just  
15 how it is.

16 SANTIAGO TAVARES: They're on  
17 register. I would definitely like to get more  
18 details just to find out exactly what those  
19 specifics are.

20 COUNCIL MEMBER BREWER: Right.

21 Thank you.

22 CHAIRPERSON JACKSON: Thank you,  
23 Oliver, for sitting in while I went downstairs.  
24 Deputy Chancellor, in their report CEJ called on  
25 the Department of Education to form an emergency

1  
2 working group, including key stakeholders, to  
3 create a comprehensive plan to prepare students to  
4 graduate with a Regents diploma. And CEJ also  
5 recommended that you, A, redesign the school day  
6 and year to expand time for learning by 25%, and  
7 B, transform low performing schools into, quote  
8 unquote, community schools with comprehensive  
9 support services. What is your response to these  
10 recommendations?

11 SANTIAGO TAVARES: So that's a lot  
12 of different pieces, right? So the first one  
13 about a comprehensive plan in general, I think  
14 that part of that is the standards and the  
15 requirements for graduation, whether it's the 44  
16 credits in the specific subject areas, so that's  
17 part of what the plan is, which are part of the  
18 requirements, and then there are the Regents  
19 requirements. Every school then has either  
20 academic intervention services or-- and  
21 supplemental educational services. And then they  
22 also have the inquiry teams that allows them to do  
23 that. Then you support that with the periodic  
24 assessments, which are tools that give you a  
25 diagnostic of the students several times a year,

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2 with provide you with concepts and skills that the  
3 student has mastered and concepts and skills the  
4 student needs to work on. In addition to that you  
5 have the progress report and the tracker which  
6 gives you the specific kids and what classes that  
7 they need and what Regents they haven't passed,  
8 right, for the entire four years of the student's  
9 career. And those come in each semester. So  
10 there are two semesters per year, depending on the  
11 school. Some schools do cycles and they may have  
12 four cycles in a year. So a one size fits all  
13 plan would not cover all of our different schools.  
14 Some of our schools are 6 through 12s and some of  
15 them are just high school. Some schools are  
16 college prep, which means that they provide  
17 students with college credit, and some schools are  
18 CTE schools, schools for careers in technical  
19 education, which provide additional courses in  
20 specific areas such as carpentry, plumbing, Cisco  
21 Systems. So there are many different answers to  
22 that part.

23 COUNCIL MEMBER JACKSON: And I  
24 appreciate you expanding on how the plan and how  
25 different aspects in order to support students

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reaching the graduation standards. But that was not really my question, and I'll go back to what my question was. But to stay on that topic for a second, you've explained that. Is that somewhere written so that parents will know all of the things that you talked about? Or is it incorporated in some plan so we know all of the things that you've said as far as incorporated into a document that we know that the school and or the support systems are in place where people can follow and track that. Is that written somewhere?

SANTIAGO TAVARES: Yes. It's online. If you go to the ARIS Parent Link, when you go to the--

COUNCIL MEMBER JACKSON:

[Interposing] ARIS Parent Link?

SANTIAGO TAVARES: ARIS Parent Link. You could go in there and it tells you all of the requirements, all of the different tolls available and all of the different reports available to schools in order to support the teachers. One of the most exciting pieces in my 20 years in the Department of Education is the

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reports that the parents now get in terms of what the students know and don't know specifically. And that helps parents prepare for the parent teacher conferences, which is also again, all of that information is in the ARIS Parent Link, and we have had over 100,000 parents already look at their student's-- their child's information. And we just opened that up, I believe it was in the late May, so we're very excited about it.

COUNCIL MEMBER JACKSON: Okay. But let me go back to my question, though. My question was, you know, CEJ called on the Department of Education to form an emergency working group including key stakeholders to create a comprehensive plan to prepare students to graduate with a Regents diploma. That was one of their recommendations. Is the Department of Education going to form an emergency working group including key stakeholders in order to make sure that there's a comprehensive plan that's agreed upon?

SANTIAGO TAVARES: So being my ninth day, that may have happened before I got here, so I'm going to refer to Jennifer to see if

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2 she has--

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COUNCIL MEMBER JACKSON:

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[Interposing] Okay.

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SANTIAGO TAVARES: That's not an excuse because I will meet with anybody anytime they want, especially when it comes about kids, but I don't know when that was done and if it was even started, so I'll let Jennifer respond.

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JENNIFER BELL-ELLWANGER: No, it has not been formed yet. We can certainly take that recommendation for consideration to think about how--

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COUNCIL MEMBER JACKSON:

[Interposing] Well the recommendation has already-

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JENNIFER BELL-ELLWANGER:  
[Interposing] We do have similar-- you know we do have a Middle School Advisory Task Force that many of our City Council Members also participate on. So we can certainly think about how to employ that.

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COUNCIL MEMBER JACKSON: Yeah, but this one here, this is in a report, so it's something that they called upon. And not only

1  
2 that but you're talking about high school  
3 graduation standards.

4 JENNIFER BELL-ELLWANGER: No,  
5 forming a group like that, the one that we have in  
6 middle schools.

7 COUNCIL MEMBER JACKSON: Oh,  
8 forming a group like that.

9 JENNIFER BELL-ELLWANGER: Yes,  
10 right.

11 COUNCIL MEMBER JACKSON: Okay.

12 SANTIAGO TAVARES: So Zekiyah  
13 [phonetic] is one of the members of CEJ. I  
14 already have her on my schedule to meet with her,  
15 so I will definitely follow up with her on that.

16 CHAIRPERSON JACKSON: Can you get  
17 back to the education committee formally--

18 SANTIAGO TAVARES: [Interposing]  
19 Sure.

20 CHAIRPERSON JACKSON: Whether or  
21 not the Department of Education is going to except  
22 the recommendation of the CEJ report to form an  
23 emergency working group which includes key  
24 stakeholders to create a comprehensive plan to  
25 prepare students to graduate with a Regents

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2 diploma.

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SANTIAGO TAVARES: I will

definitely get back to you, I've met with Zekiyah who is part of CEJ for over two years now.

CHAIRPERSON JACKSON: Well I'd like to know whether or not DOE, the Department of Education, you're the Deputy Chancellor for Curriculum and Instruction, so you're the point person when it comes to curriculum instruction, so I want to know whether or not you agree with that. And then a second part of that question was as far as they recommend that you redesign the school day and school year to expand time for learning by 25% and to transform low performing schools to community schools with comprehensive support services.

SANTIAGO TAVARES: So that is tougher in tough economic times and budget times. But one of the things that has been done is with the 37 and a half minutes that was incorporated by the UFT, that is something that a lot of the schools have already implemented where teachers work with smaller groups of students outside of the regular traditional school day.



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2                   CHAIRPERSON JACKSON: I know that  
3 you've heard about some of the not so positive  
4 things about 37 and a half minutes, because  
5 they're really not even 37 and a half minutes when  
6 all is said and done. And so they're talking  
7 about, you know, 25% more learning time and not...

8                   SANTIAGO TAVARES: Yes, believe me,  
9 as a Principal I heard it. As a local  
10 instructional superintendent I have heard it.  
11 It's one of those things that yes, it's out there  
12 and every school does different things to try to  
13 make it work. The bottom line is just trying to  
14 figure out which are the students-- identifying  
15 the students that need the additional work and  
16 trying to figure out what is the best course of  
17 action for each student.

18                   CHAIRPERSON JACKSON: And what  
19 about-- can I move to special education? Can you  
20 explain the variances provided for special  
21 education students?

22                   SANTIAGO TAVARES: Yes. So special  
23 education students will continue to be able to  
24 earn a local diploma with a 55 or better, that is  
25 something that they are right now able to do.

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2 They are even able to get a Regents diploma if  
3 they are able to get a 65 or more in the five  
4 Regents exams. So the local diploma with the 55  
5 to 64 will remain in place for those students in  
6 special education. And they also have the ability  
7 to take the RCTs as an alternative to the Regents  
8 exams, meaning they can pass these that are not as  
9 rigorous exams in order to earn a local diploma.

10 CHAIRPERSON JACKSON: And RCTs are  
11 equated to what grade level?

12 SANTIAGO TAVARES: What's the RCT?  
13 What grade level are they?

14 JENNIFER BELL-ELLWANGER: All  
15 grades.

16 SANTIAGO TAVARES: No, no, what  
17 grade levels--

18 CHAIRPERSON JACKSON: [Interposing]  
19 What grade levels are RCTs equated to and what  
20 grade levels are Regents exams equated to?

21 SANTIAGO TAVARES: I don't know the  
22 answer.

23 CHAIRPERSON JACKSON: Because my  
24 understanding that going back in the Campaign for  
25 Fiscal Equity lawsuit that the RCTs are equated to

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2 eighth and ninth grade level, and that the Regents  
3 exams are equated to higher level, 11th and 12th  
4 grade. Do you have any factual information on  
5 that?

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JENNIFER BELL-ELLWANGER: What we  
7 know is that Regents exams are equated to the  
8 actual course ending, not so much the actual tenth  
9 or 11th grade course. The RCTs are another form.  
10 I don't know what grade level they're equated to,  
11 you know, so for that. But RCTs is still a  
12 culmination of an English course or a Mathematics  
13 course etcetera.

14

CHAIRPERSON JACKSON: So  
15 concerning-- is it true that only special  
16 education students will be eligible to receive a  
17 local diploma? And that's up until when? Does  
18 that end somewhere?

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SANTIAGO TAVARES: No. So  
20 September 2009, general education students have to  
21 meet the 65 or more to get a Regents Diploma. As  
22 far as we know, there is no date in terms of  
23 special education students. Getting a 65 or more  
24 in order to get a local diploma, so that is still-

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CHAIRPERSON JACKSON: [Interposing]

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You say that that will remain in place for

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children with special needs?

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SANTIAGO TAVARES: Correct,

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correct. And the state is the one that makes

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those guidelines, so I'm not sure if they will

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change that in the future, but as of now students

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that have the IEP that are eligible for a local

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diploma will continue to be eligible for a local

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diploma.

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CHAIRPERSON JACKSON: And you don't

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know if that expires at any point in time in the

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near future?

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JENNIFER BELL-ELLWANGER: Not

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presently.

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CHAIRPERSON JACKSON: Okay. Well

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let me thank you for your patience this morning.

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As you know we passed a resolution on the Muslim

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school holidays and you were here and observed the

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discussion and voting on that, and obviously that

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interrupted the hearing process. But that's all

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part of the process when we have a resolution that

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we're voting out in any hearing, whether or not

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it's this committee or any other committee. And

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2 so we thank you for coming in and giving  
3 testimony, and we look forward to working with you  
4 in order to make sure that all of our students are  
5 meeting the new high school graduation  
6 requirements. And Mr. Santiago Tavares, we want  
7 to congratulate you on being promoted as the  
8 Deputy Chancellor for Teaching and Learning.

9 SANTIAGO TAVARES: Thank you.

10 CHAIRPERSON JACKSON: And we look  
11 forward to working with you. And Jennifer Bell-  
12 Ellwanger-- that's how you pronounce your last  
13 name? Yeah. We thank you as the Senior Advisor  
14 to the Chancellor for coming in, working with your  
15 new Deputy Chancellor for Curriculum Instruction.

16 SANTIAGO TAVARES: Thank you. I  
17 really want to thank you as well for all of the  
18 questions, because I think that when you raise the  
19 level of thinking, then you are able to really  
20 explore what are the best things for children; and  
21 my passion has been the children since I started,  
22 and I really appreciate the time. Anybody that  
23 wants to meet later about any of these topics, I'm  
24 more than happy to have those discussions. Thank  
25 you so much.

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CHAIRPERSON JACKSON: Thank you.

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And now we're going to turn to our first witness,  
Rosemary Thompson, Chapter Chair for Guidance of  
the United Federation of Teachers.

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[Pause]

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CHAIRPERSON JACKSON: Okay.

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Welcome to our hearing on the new high school  
graduation requirements and we welcome your  
testimony. Please introduce yourself and the  
person that's with you, and you may begin.

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ROSEMARY THOMPSON: Okay. Thank

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you very much. Good afternoon. My name is

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Rosemary Thompson and I am the Guidance Counselor

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Chapter Leader for the United Federation of

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Teachers and I am joined today by James Vazquez,

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High School Rep for Queens. I want to thank the

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City Council and the members of the Committee for

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this opportunity to share our views on high school

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graduation requirements. The current regulations

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on high school student graduations state that

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students need to take five Regents examinations,

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one in English, one in Math, one in Science and

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two in Social Studies. They need to score a 65 or

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above on all to pass with a Regents endorsed

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2 diploma. There is an alternative route to a  
3 Regents diploma, a waiver that students can opt  
4 for to receive a local diploma. Local diplomas  
5 require a score of 55 to a 64. The current plan  
6 is to phase out this local diploma option and  
7 require all students to score a 65 or above on all  
8 their exams and graduate with a Regents diploma.  
9 We do not oppose high standards for students,  
10 however we are concerned that as the new policy  
11 phases in, students will fall between the cracks.  
12 For this shift to be a painless and trouble free  
13 transition, the Department of Education should be  
14 required to implement extra efforts. Many of the  
15 students that graduate in the 55 to 64 category in  
16 with a local diploma, generally graduate by using  
17 the Credit Recovery process. Students lacking  
18 credits have the opportunity to make them up by  
19 ways other than retaking a class or enrolling in  
20 summer school. This process often includes the  
21 students showing up on vacation days for weeklong  
22 intensive sessions. The shift to mandatory  
23 Regents diplomas will create an acute problem when  
24 all of these students who have historically been  
25 passing with 55 will now need a 65 to graduate.

1  
2 This group of students who missed coursework and  
3 rely on Credit Recovery to graduate will be left  
4 in the lurch when they're expected to suddenly  
5 pass with a 65 or higher. According to a recent  
6 report by the Milano School for Urban Management  
7 and Policy at the New School University for the  
8 Class of 2007, 49% of students in large schools  
9 had Regents diplomas, took and passed all Regents  
10 and had the necessary credits. 17% had local  
11 diplomas, 33% didn't graduate on time and 1% was  
12 special education students. This problem is  
13 particularly pervasive in smaller schools. In  
14 smaller schools 39% of students receive the local  
15 diploma, which in many cases is the bare minimum  
16 of requirements. If the State phases out this  
17 form of diploma, the graduating class of 2012 will  
18 have to pass all five Regents exams with a 65 or  
19 better in order to graduate. The Department of  
20 Education claims significant success in high  
21 school graduation rates with its rising by 10%  
22 since 2002. However the Milano Report claims that  
23 we're facing a potential time bomb that threatens  
24 the progress that has been made. A switch in  
25 requirements will result in teachers and



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2 Principals driving to get more kids to graduation,  
3 without the option of the local diploma. It is  
4 predicted that this would result in sharp declines  
5 in graduation rates. This change has the  
6 possibility of creating a crisis if we do not plan  
7 properly and provide supports to the system to  
8 ensure success. According to the Milano report in  
9 2007<sup>1</sup>, 269 schools had graduating classes. Of  
10 those, only 103 had a four-year graduation rate of  
11 75% or higher, and this number includes the local  
12 diploma. If students had been required to obtain  
13 a Regents diploma in 2007, only 33 schools would  
14 have had a graduation rate of 75% or higher. The  
15 sort of things we would do, like lowering class  
16 sizes and having Regents classes with  
17 individualized attention for students taking the  
18 Regents, aren't available. We're going in the  
19 opposite direction. I am going to make some  
20 suggestions that we at the UFT think could help in  
21 avoiding the worst pitfalls of the all or nothing  
22 consequences of switching to a minimum score of 65  
23 for graduation. Our recommendations include a  
24 campaign of awareness; Principals, teachers,  
25 guidance counselors all need to be aware and know

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2 how to address this situation. There must be an  
3 overhaul of the use of Credit Recovery. A  
4 reinstatement of central oversight and  
5 accountability to ensure students are getting  
6 credit only from meaningful work that demonstrates  
7 that they have mastered core material. Short cuts  
8 hurt kids. Additional resources and support in  
9 classes that culminate in a Regents examination.  
10 Students will need further time enriched academic  
11 and support services. We need more middle school  
12 guidance counselors who can help guide students  
13 through the process of choosing a high school.  
14 When students find the right match they are more  
15 likely to be inspired by their coursework and  
16 teachers and they often graduate on time. The  
17 Department of Education wants to see marked  
18 improvement with a large section of the  
19 population, but the very things that have been  
20 proven to improve student achievement are on the  
21 chopping block, namely recruiting and retaining  
22 qualified teachers, after school education  
23 programs, smaller class sizes and meaningful  
24 professional development for teachers and guidance  
25 counselors. If this persists, we can kiss goodbye

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2 any chance for all of our students to make  
3 sustained progress in these critical subject  
4 areas. We're working with the Department of  
5 Education to help establish plans so that each  
6 school has the proper strategy and support needed  
7 to meet these new standards. We would hope that  
8 the City Council would help monitor this progress  
9 as it goes on for the next three years. We would  
10 advise the City Council to convene a task force to  
11 monitor this transition. Unless a support system  
12 is set up to relay additional services to  
13 students, the Department of Education will likely  
14 see a sharp drop in graduation rates. Thank you.

15 CHAIRPERSON JACKSON: Council  
16 Member Lou Fidler, a question.

17 COUNCIL MEMBER FIDLER: Thank you,  
18 Mr. Chairman and I apologize that I wasn't here to  
19 ask these questions of DOE. I was, ironically, at  
20 three graduation ceremonies this morning. And  
21 frankly, I imagine that the answers that I would  
22 have gotten from them would have been a load of  
23 bull anyway. And so speaking of bull, I want to  
24 talk to you about this Credit Recovery mechanism.  
25 You're on the frontline, you're actually doing

1  
2 this stuff. Isn't the Credit Recovery system just  
3 a totally, you know, arbitrary and bogus way to  
4 give kids credit for a class that they weren't  
5 passing otherwise? I mean go home, do a diorama  
6 of the Battle of the Bulge and you've passed World  
7 History? Is that, I mean, you know would it be  
8 fair to say that the two competing reasons for  
9 granting Credit Recovery to a student are either  
10 that the teacher kind of likes the kid and feels  
11 bad, or there's pressure on the teacher to  
12 maintain the graduation rates to the school?

13 ROSEMARY THOMPSON: Well I think  
14 every school wants to see that every child  
15 graduates. So I know every school has to become  
16 creative in addressing issues of students who fail  
17 courses. Credit Recovery with this big  
18 conversation is not something that really has been  
19 define. It's nothing that can say what seat time  
20 is needed, what type of coursework that the  
21 student should be doing. Other provisions that  
22 were done by the Department of Ed and in schools  
23 were PM school and also to help with graduation  
24 rates, we used to have evening school. Evening  
25 school has not existed now for quite some time,

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2 for about five years. And these were actual  
3 courses that students took at night and they sat  
4 for an entire semester at big sites and was able  
5 to make up a course. Credit Recovery is quite  
6 questionable because there are no set parameters  
7 and how schools go about implementing that is  
8 what's in question.

9 COUNCIL MEMBER FIDLER: First of  
10 all, how long has Credit Recovery been going on?  
11 I mean I just had two sons graduate from New York  
12 City high schools in the last five years, never  
13 heard of it.

14 ROSEMARY THOMPSON: I would say it  
15 has come up within the last five years. I can't  
16 say that that term has been-- I can't say  
17 definitively how long the term has been around. I  
18 think--

19 COUNCIL MEMBER FIDLER:  
20 [Interposing] Well how about the practice? I'm  
21 not so interested in the term as the practice.

22 JAMES VASQUEZ: If I may say--

23 COUNCIL MEMBER FIDLER:  
24 [Interposing] Did it preexist Chancellor Klein?

25 JAMES VASQUEZ: I believe it did,

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2 but it was nowhere near as prevalent as it is now.  
3 And unfortunately, as Rosemary had mentioned, some  
4 of the things that we notice have happened, there  
5 are no parameters. The Department of Education  
6 has not created any centralized way of-- or  
7 uniform way, universal way for all the schools to  
8 be able to follow. So we have hundreds of high  
9 schools that are out there doing whatever it is  
10 that they need to do and no one is really  
11 monitoring it. So as I think Councilman Liu said  
12 earlier in this hearing, is that there is no real  
13 way of knowing what is going on, and yes, it is  
14 quite rampant in all of the schools. But it was  
15 around before, just that wasn't the crux of it.  
16 And I think what Rosemary also mentioned before,  
17 the Credit Recovery in and of itself is not, I  
18 don't think is the issue. I think we miss the  
19 issue of instruction and what the students are  
20 actually learning. And I think you touched upon  
21 that, Councilman. It's not just a make up of  
22 making up a project, as you said about the Battle  
23 of the Bulge-- I'm a social studies teacher  
24 myself-- it's more about knowing the content and  
25 then being able to, and what's our real concern is

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mastering it for the Regents exam and for the future.

COUNCIL MEMBER FIDLER: And mastering it is kind of an overstatement too, since you need a 65 to pass a Regents exam. And I think I also heard briefly when I stepped into the room before the DOE say that they do not track statistics on how many Credit Recovery units are awarded anywhere. That's correct?

JAMES VASQUEZ: I believe so.

ROSEMARY THOMPSON: That's correct, yes.

COUNCIL MEMBER FIDLER: So, you know, as schools are judged by their graduation rates by this Chancellor, and as this Mayor points to graduation rates as a measure of the success and improvement of our school system, this issue, this Credit Recovery issue really comes to the crux of whether or not we are cooking the books on graduation rates. You're shaking your head yes. I just want the tape recorder to know you're shaking your head yes.

JAMES VASQUEZ: I don't think there is any argument about it. Because of-- and the

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2 Chancellor has claimed again that all of the  
3 schools and the Principals in each of the schools  
4 are empowered to make those decisions. And as  
5 accountable as the Chancellor and the Mayor are  
6 for this, and they're claiming the Principals are  
7 this-- obviously, they also said they don't know  
8 what they're doing.

9 COUNCIL MEMBER FIDLER: Well but  
10 beyond that. They're going to come down on the  
11 Principals who's graduation rate goes down. If  
12 his graduation rate goes down because he's being  
13 more stringent with Credit Recovery classes, he's  
14 going to pay a price for it. It's circular and  
15 asinine.

16 JAMES VASQUEZ: And I agree and I  
17 honestly would tell you that I think staff members  
18 feel that way as well, and over the past few years  
19 they've felt more about that as well. And when  
20 you see some of the articles that come out in the  
21 newspapers about some of these programs, then  
22 everyone starts to question, well is this really  
23 going to be helping our students in the future  
24 just by having them come in on the weekends and on  
25 the holidays.



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2 COUNCIL MEMBER FIDLER: I'm just  
3 sorry that my colleagues in the State Assembly  
4 weren't treated to this, to hearing about this  
5 before they voted the other day on Mayoral  
6 control. Because I know that the argument is that  
7 they're doing such a wonderful job improving  
8 education and graduation rates that they deserve  
9 four more years of Mayoral control. And quite  
10 frankly I'm very proud of the fact that my  
11 Assembly Member voted no. And I think that we are  
12 all being sold a bill of goods, and I think this  
13 is the main product in the bill of goods. This  
14 graduation rate is nonsense. And frankly I  
15 absolutely and positively agree with you that we  
16 want every child to graduate. I know the Chair in  
17 his statement said it's critically important that  
18 we find a way to address the needs of the kids who  
19 are not going to be able to get the local  
20 diplomas. Handing them a diploma based upon  
21 nonsense and bull is not what we want either. All  
22 right? And so we have said this in this Committee  
23 room a hundred times, that if they would just  
24 teach and stop all the other nonsense-- if they  
25 would find a way to reduce class size, the one

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2 thing that we know works, provide the  
3 individualized instruction for the kids that are  
4 on the cusp of passing a Regents exam and need  
5 that extra help-- if they would just do all of  
6 that instead of all of the other nonsense, it  
7 might be real. So I just have one other question  
8 for you because you said something in your  
9 testimony that I'm not sure I understand, but  
10 interested me. You said that the problem in the  
11 smaller schools is greater. What do you mean by  
12 the smaller schools?

13 ROSEMARY THOMPSON: Smaller schools  
14 are limited to what they can really offer as  
15 course offerings at many times. I'm in a smaller  
16 school. I'm in a small school in the Bronx. And  
17 whereas you can offer students more options if  
18 they fail a course, smaller schools are limited to  
19 offering a course once. If you fail it again, you  
20 may end up having to come back the following year,  
21 because they can only offer certain courses one  
22 semester. And if you fail it, you may be finding  
23 yourself in jeopardy of graduating. So their  
24 resources are much more limited. Their scheduling  
25 is much more limited. Their space in the building

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2 is much more limited.

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COUNCIL MEMBER FIDLER: Oh, I get all of that clearly and I'm going some place with this. But by smaller schools do you mean for example when they closed Tilden High School--

ROSEMARY THOMPSON: [Interposing] Right.

COUNCIL MEMBER FIDLER: --and put four smaller schools in there, are you telling me that the problem is more pervasive in schools like that, after Tilden has closed?

ROSEMARY THOMPSON: I believe they really are. I'm in a small school now at Belmont Prep in the Bronx. We find ourselves struggling tremendously to offer more courses to students so that they can graduate on time. So schools end up having to become creative in how courses are being given. So I think smaller schools turn to Credit Recovery as a way of graduating students on time, which is really not what we need to do.

COUNCIL MEMBER FIDLER: That is just so bitterly ironically sweet. Since they, over the objections of many of us, closed schools like Tilden, South Shore and Canarsie, all in and

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2 near my district, based upon the Chancellor  
3 sitting in the well saying to me, well Councilman  
4 look at the graduation rates. And now he's  
5 putting in schools where they're cooking the books  
6 to make the graduation rates look better when  
7 they're really not. All right? And it's just  
8 another big wheelbarrow full of bull that is being  
9 sent to us by the Department of Education about  
10 graduation rates. And, you know, I have objected  
11 to their policy of closing the larger schools as  
12 opposed to trying to fix them and improve them and  
13 work with them to succeed. I know the head of  
14 your union was with me at Tilden high school when  
15 we objected to it, a school that they had just  
16 given a B to on its progress report card and then  
17 closed three months later. All right? It's all  
18 about the statistics and selling that they're  
19 doing a good job instead of actually doing a good  
20 job. And this is terrific information for making  
21 the argument that our neighborhood high schools  
22 ought to remain intact and remain neighborhood  
23 high schools that we can improve, that we can make  
24 better, instead of dismantling them and shuffling  
25 kids around and cooking the books. So I

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appreciate your testimony very much.

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ROSEMARY THOMPSON: Thank you.

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JAMES VASQUEZ: Council Member, if

I could just add, just to note this isn't only the UFT saying this, this was from the Milano Report, an independent report from a university who came up with this idea, and came up with the statistics showing that this-- and honestly the pervasiveness isn't even clear yet. Because if you remember, all of these small new high schools have just been created. So the graduation rates are not even clear yet. And so again, we ask the City Council to form a task force to monitor this and to see what actually happens in the next few years.

COUNCIL MEMBER FIDLER: Well I

suspect that the Chancellor probably hired his own independent consultant who came to a different conclusion at the cost of \$500 an hour.

CHAIRPERSON JACKSON: Thank you

Council Member Fidler. Council Member Gale Brewer of Manhattan.

COUNCIL MEMBER BREWER: Thank you.

Is that the Clara Kim report? Is that what I'm listening to? The Kim Clara Report? First of

1  
2 all, thank you for your clear, good testimony,  
3 because that was really clear. Earlier we heard  
4 that the DOE doesn't track. Why would it be so  
5 hard in your opinion to track the students who are  
6 participating in the Credit Recovery?

7 ROSEMARY THOMPSON: Well they're  
8 really not part of your school most times. If you  
9 have a PM program running in your school, that's  
10 part of your school. I believe that's the  
11 question you were asking before. And you are on  
12 that school's register. Some of these programs  
13 are offered by independent organizations, and  
14 they're done online many times. And that  
15 information somehow gets back to the school that  
16 the student has participated in whatever amount of  
17 seat time is necessary. And I believe that's why  
18 the DOE has a very hard time tracking that number.  
19 You can track it if it is in your own school, but  
20 you really cannot track it if you're hiring  
21 outside organizations to come in and to provide  
22 services for students. You don't even really know  
23 the curriculum yourself, and I believe that's the  
24 problem in tracking it.

25 JAMES VASQUEZ: And also I think

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2 they've eliminated any central authority to be  
3 able to do anything about this. There used to be  
4 a high school-- a person to oversee the high  
5 schools. And now because everything has come back  
6 to-- and as a high school teacher, absolutely we  
7 need our elementary schools and middle schools to  
8 be focused on, but they've completely eliminated  
9 any sort of relationship to monitor the high  
10 schools in any way. So if that's the case, then  
11 there is nobody there to monitor and find out  
12 what's going on. And yes, they're following the  
13 grades three through eight and their test scores,  
14 and that's all wonderful, but they are forgetting  
15 what's actually happening in the high schools and  
16 I think it's a real tragedy.

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COUNCIL MEMBER BREWER: Okay. I  
18 mean in today's world of technology it does seem  
19 to me we can figure out a way to track students.  
20 We can have another discussion about that. It's  
21 not hard to do. Over the counter, I represent the  
22 West Side of Manhattan and we've had to phase out  
23 Brandeis High School unfortunately. I share the  
24 Council Member from Brooklyn's concern about that.  
25 And over the counter, those students I assume

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2 often end up in Credit Recovery because they're  
3 coming in after the school year has started, they  
4 aren't there for the whole time period. Are those  
5 students, in your opinion, tracked? Or do they  
6 often end up in Credit Recovery? What's your  
7 experience?

8 ROSEMARY THOMPSON: I believe those  
9 students often end up in Credit Recovery.

10 COUNCIL MEMBER BREWER: That's my  
11 understanding.

12 ROSEMARY THOMPSON: And or having  
13 to attend, if the school has it, PM school. I'm a  
14 big advocate for the fan or evening night school  
15 when they existed, because you lessened the drop  
16 out rates. Students were older. They had an  
17 opportunity to finish high school. They had an  
18 opportunity to go back and take classes, and that  
19 has been removed. So if a student now is 21 years  
20 old, that student really has no recourse other  
21 than obtaining a GED.

22 COUNCIL MEMBER BREWER: Okay.  
23 Because now there's this new high school at  
24 Brandeis for students who are older. So is that a  
25 new Credit Recovery kind of situation? What is



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2 that?

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ROSEMARY THOMPSON: I would think  
4 it's another high school-- somewhat of an  
5 alternative high school addressing the needs of  
6 the older population. So they may have classes  
7 that may begin later for students who work, or  
8 they may have it beginning earlier in the morning  
9 so they can leave at the end of the day for those  
10 who also work. It sounds as if it's also somewhat  
11 of an alternative program for students in jeopardy  
12 of not graduating.

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JAMES VASQUEZ: And if you recall a  
14 few years ago, I think it was two years ago, when  
15 the Department of Education dismantled District 79  
16 and the alternative high schools saying how it  
17 wasn't working, they all of a sudden have  
18 recreated similar programs that they said weren't  
19 working before and are working again, amazingly.

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ROSEMARY THOMPSON: Right. But not  
21 in the same way. Not 100% the same way.

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COUNCIL MEMBER BREWER: So that  
23 would be another aspect of the situation to  
24 monitor.

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ROSEMARY THOMPSON: Yes.

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2 COUNCIL MEMBER BREWER: So if you  
3 don't have 79 but you do have this other thing,  
4 what is it? Is it working?

5 JAMES VASQUEZ: Yeah. District 79  
6 still exists, so they still have it. I mean I  
7 don't know what that particular school is, but by  
8 all means all of those types of schools should be-  
9 -

10 COUNCIL MEMBER BREWER:  
11 [Interposing] Okay. And the other question is,  
12 when you mentioned graduation. Obviously in the  
13 Brandeis case, unfortunately, if you look at the  
14 four-year graduation rate, it's 22%. If you look  
15 at the five or six year, it's really high because  
16 many of these students do come back and do do well  
17 and do graduate. And I think that's an unfair  
18 comparison. You have many over the counters. You  
19 have many who have challenging circumstances at  
20 home, etcetera, language issues. So my question  
21 is, is that also your experience, that you might  
22 have a challenging four-year graduation rate, but  
23 five-year you're able to pull it off?

24 ROSEMARY THOMPSON: I think we have  
25 a hard time having students meet their graduation

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2 rate in four years. I think it's very challenging  
3 for students coming in who are immigrant families,  
4 they're new to the country, they have to sit  
5 through Regents examinations and get through  
6 those. I think it's going to be harder for  
7 special education students who may be immigrants  
8 and who may not be, and it's going to be a little  
9 harder for them to graduate. I think  
10 realistically students are graduating between a  
11 four and a six-year period, realistically.

12 COUNCIL MEMBER BREWER: Right.  
13 That's my experience at Brandeis. And then the  
14 question would be, to my mind would be, if that's  
15 possible for the student, it would make more sense  
16 to sit through the thorough mastering of the  
17 classes--

18 ROSEMARY THOMPSON: [Interposing]  
19 That's correct.

20 COUNCIL MEMBER BREWER: Rather than  
21 try to do something that's not mastering in four  
22 years, but actually do it correctly in five or  
23 six, where you actually do master the topic?

24 ROSEMARY THOMPSON: That is  
25 correct.

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2 COUNCIL MEMBER BREWER: All right.

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3 JAMES VASQUEZ: You're correct.

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4 And imagine that they will be successful when they  
5 get to college or whatever post--

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6 COUNCIL MEMBER BREWER:

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7 [Interposing] Correct. Because they're prepared.

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8 Okay, final question. Size of high school. You  
9 just made my day. The issue is we're trying very  
10 hard in this Brandeis complex to build a very  
11 diverse 800 student high school as opposed to 400.  
12 We're taking on Mt. Everest and we're going to  
13 climb. So my question is, do you think that would  
14 provide some of these alternatives in terms of  
15 classes to be made up and so on? Is that the kind  
16 of size that you think would make sense in order  
17 to have a diverse body that would accomplish what  
18 we're trying to accomplish?

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19 ROSEMARY THOMPSON: I think having

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20 a larger school provides a lot more incentive for  
21 students. I think when high schools were taken  
22 apart, bigger schools, you broke down sports teams  
23 that were NCAA accredited schools, you broke down  
24 debate teams, you broke down clubs. I think if  
25 you can build population and teach children to

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2 work independently amongst themselves you get them  
3 to prepare for life a little bit better.

4 COUNCIL MEMBER BREWER: And then  
5 you can have a good graduation rate with mastering  
6 the topics?

7 ROSEMARY THOMPSON: Of course.

8 COUNCIL MEMBER BREWER: Thank you.  
9 Go ahead, you wanted to say something?

10 JAMES VASQUEZ: Just quickly just  
11 also, and not to take away from the successes of  
12 small schools, but when you really want to have  
13 some choices, I believe the mid-sized school that  
14 you're describing is an excellent way of being  
15 able to give students real choices and it does  
16 provide other abilities than the small schools  
17 would.

18 COUNCIL MEMBER BREWER: I'm glad  
19 this is being taped today. Thank you very much.

20 ROSEMARY THOMPSON: Thank you.

21 CHAIRPERSON JACKSON: Council  
22 Member Fidler.

23 COUNCIL MEMBER FIDLER: I'm always  
24 glad it's being taped. And I apologize to  
25 everyone. You know we're still in the middle of

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2 getting a budget passed and I still have to go to  
3 other meetings and I apologize particularly to the  
4 other witnesses that are here and to the Chair.  
5 But I just had to say one other thing, I mean you  
6 know listening to this Credit Recovery nonsense  
7 and its pervasiveness and knowing how they cook  
8 the books on graduation rates anyway, and  
9 certainly the State disagrees with the City as to  
10 what the graduation rate is here. I just can't  
11 help but think about the ballyhoo from this  
12 administration and from Tweed about ending social  
13 promotion. And yet, you know, it's perfectly  
14 clear that what we have here is social graduation,  
15 that, you know, they are passing kids in classes  
16 that they haven't passed so that they can say that  
17 they've graduated and give them a diploma. And  
18 while, you know, as I go to graduations and I look  
19 down at the kids, I know the sense of  
20 accomplishment and there is a value to giving  
21 every kid a diploma. You know it's kind of like  
22 you're in little league and your team finishes in  
23 last and they give you a trophy anyway for having  
24 played. A diploma needs to be worth more than  
25 that trophy. And I think it is grotesquely

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2 hypocritical of this administration to, you know,  
3 beat its chest about having ended social promotion  
4 and yet engage in this practice of social  
5 graduation. There's no doubt in my mind that is  
6 what they're doing. And Mr. Chairman, we do need  
7 to sit down and figure out a way to either curtail  
8 or to monitor in some way this Credit Recovery  
9 process, because it is absolutely the most bogus  
10 thing that I have heard in my entire time sitting  
11 on the Education Committee. Thank you.

12 CHAIRPERSON JACKSON: Thank you.  
13 Obviously that is a huge, major concern. And the  
14 Staff and the Committee is going to communicate  
15 with the Department of Education. But I have one  
16 or two questions. You talked about that in  
17 certain schools the Credit Recovery program may be  
18 run by an outside organization. Well who is  
19 paying for that organization to run these  
20 programs? Is it the school? Is it the Department  
21 of Education? Are they getting a contract or  
22 students have to pay out of their pocket? If you  
23 know.

24 ROSEMARY THOMPSON: I would like to  
25 say that the school has to have some type of an

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2 affiliation with that organization, so some type  
3 of contract would have to then be broached and  
4 that's how the students are able then to take the  
5 courses.

6 JAMES VASQUEZ: But in the end it's  
7 the Principal who gives the credit, so however  
8 it's gotten, it's the Principal who will say, I  
9 will accredit this student did such and such a  
10 thing. So it's up to the Principal in the end.  
11 So that's why we're thinking it is coming out of  
12 the school, you know, not knowing whether or not  
13 it actually comes out of a school budget per se.  
14 I don't think it comes out of students' pockets.

15 ROSEMARY THOMPSON: No, it's not  
16 coming out of their pockets.

17 JAMES VASQUEZ: But I believe, it  
18 is approved by the school. And because, again,  
19 the Chancellor has empowered all of the  
20 Principals, and even with the best intention  
21 Principals, if there's no real guidance out there,  
22 if no one's telling them you really shouldn't do  
23 this, they'll do whatever they can to sit there  
24 and to get the kids to get these credits. And  
25 that's where the unfortunate thing is. And again,



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2 going back to that centralized idea of somebody  
3 watching this and monitoring this and making sure  
4 that the kids are really going to be-- because you  
5 know as well as I do, unlike our younger children,  
6 you know, they'll still be in the system for a few  
7 more years-- these kids, once they graduate we no  
8 longer have them and we can no longer-- it will be  
9 so much harder for us in the city to be able to  
10 play catch up with them then.

11 CHAIRPERSON JACKSON: Well let me  
12 thank you both for coming and representing your  
13 union, United Federation of Teachers, and giving  
14 us a different perspective than the Department of  
15 Education. We appreciate it.

16 ROSEMARY THOMPSON: Thank you.

17 CHAIRPERSON JACKSON: And now we're  
18 going to hear from Lenore Brown, the New York City  
19 Coalition for Educational Justice, commonly known  
20 a CEJ; and from Megan Hester, the Annenberg  
21 Institute for School Reform.

22 [Pause]

23 CHAIRPERSON JACKSON: Good  
24 afternoon. Just introduce yourself and you may  
25 begin your testimony.

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2 MEGAN HESTER: Good afternoon,  
3 Council Members. I'm Megan Hester with the  
4 Annenberg Institute for School Reform and the New  
5 York City Coalition for Educational Justice. You  
6 have referenced the CEJ report a lot of times  
7 today, so I won't summarize our findings. I do  
8 want to just note in response to the DOE's  
9 testimony earlier that we have found, not only as  
10 you cited, through almost three-quarters of Black  
11 and Latino students not graduating with a Regents  
12 diploma in four years, and 90% of English Language  
13 Learners, but that those numbers increase a very,  
14 very small amount for students who stay five and  
15 six years-- that for the most recent data we have  
16 for the class of 2005 shows that only an  
17 additional three percent of students receive a  
18 Regents diploma if they stay for six years. So  
19 most of the students who are going to get a  
20 Regents diploma, they'll get it in four years.  
21 And as we know, not enough of them are getting it.  
22 I also just want to note that this looming crisis  
23 is not isolated to just a handful of low  
24 performing high schools. You may know that at one  
25 out of three New York City high schools, more

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2 than three-quarters of the students are not  
3 earning a Regents diploma in four years, and the  
4 averages that we've talked about today mask the  
5 fact that many of these schools appear to be doing  
6 well. So for example at George Westinghouse High  
7 School, 78% of students graduate in four years.  
8 But only 28% of those get a Regents diploma. At a  
9 lot of small schools, like Bushwick Leaders High  
10 School, 70% of students are graduating in four  
11 years, but 9% of them are getting a Regents  
12 diploma. So that gives you a sense that even  
13 though, you know, the Department of Education  
14 talks about the fact that the Regents Diploma rate  
15 is rising, that there are small schools and large-  
16 - so schools of all types really, that have a huge  
17 mountain to climb with this new Regents graduation  
18 requirement. And that the sort of business as  
19 usual strategies that the Department of Education  
20 described today are not going to be enough for a  
21 school to raise its graduation rate from 9% to an  
22 acceptable rate over the next couple years. We  
23 also-- it hasn't been mentioned here today, but  
24 even the Regents diploma is really a very low  
25 standard in many way, that even the CUNY colleges

1 do not accept a Regents diploma as evidence of  
2 college readiness. They require students to get a  
3 75 on both the Math and the English Regents in  
4 order to pass out of remedial courses. So to not  
5 forget that while we talk about raising-- getting  
6 students ready for the Regents diploma, that that  
7 65 is not a meaningful threshold; it doesn't  
8 represent success for students at all. When CEJ  
9 released this report in February, we expressed  
10 concern that the DOE didn't have a comprehensive  
11 plan beyond the business as usual strategies that  
12 they described today to get students ready to meet  
13 the new requirements. Over the last couple of  
14 months I have been to a lot of parent meetings. I  
15 have been to schools. I have, you know, talked  
16 with teachers and Principals and have been even  
17 more alarmed as we have, you know, talked about  
18 this report to people that parents do not know,  
19 teachers do not know and even many Principals are  
20 not aware of these new requirements. So people  
21 are not ready for this. You know, they may be  
22 aware that some time in the future the graduation  
23 requirements are going to change, but neither the  
24 DOE nor the many individual schools are on top of  
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1  
2 tracking where their students are and what they're  
3 going to do to get the students ready to meet the  
4 new requirements. And my colleague Lenore Brown  
5 will talk about some of the steps that we  
6 recommend for addressing this.

7           LENORE BROWN: Good afternoon,  
8 Council Members. My name is Lenore Brown and I'm  
9 a member of Cypress Hill Advocates for Education  
10 and the New York Coalition for Educational  
11 Justice. I have five grandchildren that attend  
12 public schools and I'm proud to say that two of my  
13 grandsons graduated from high school this year,  
14 and today one of my grandsons is graduating from  
15 the eighth grade, and he will be required to get a  
16 Regents diploma. So this is something that's very  
17 special to my heart. In February CEJ sounded the  
18 alarm around a looming graduation crisis and  
19 called on the DOE to create an immediate plan of  
20 action to address it. CEJ experience with middle  
21 grade reform is an example of how diverse  
22 stakeholders in the public schools can work  
23 together to create solutions. Several years ago,  
24 CEJ sounded the alarm around the crisis in the  
25 middle grade. We called on the City Council to

1  
2 create the Middle Grade Task Force, which  
3 investigated best practice in middle grades and  
4 came up with recommendations for reform. At CEJ's  
5 urging the DOE turned these recommendations into  
6 the Blueprint for Middle School Success, which is  
7 now a guide for middle grade reform across the  
8 City. Due to the CEJ's effort, this fall more  
9 than 100 low performing middle grade schools will  
10 use grants from the City Council and the DOE to  
11 implement reforms from that Blueprint. Student  
12 achievement from the schools that have received  
13 these grants so far have increased significantly  
14 more than the citywide average. CEJ believes that  
15 only by bringing together the expertise, efforts  
16 and resources of all stakeholders, unions,  
17 universities, teachers, Principals, service  
18 agencies and all groups, can we address a crisis  
19 of this magnitude. We are pleased that at CEJ's  
20 urging, the DOE recently agreed to form an  
21 advisory group of community partners to inform its  
22 post-secondary readiness and success efforts.  
23 However, time is short and the DOE will have to  
24 act aggressively to create a plan that will impact  
25 next year's ninth graders and tenth graders.

1  
2 Principals, teachers, parents at the many schools  
3 where only 10, 20 or 50% of their students are  
4 graduating with a Regents are going to need a lot  
5 of help to get students up to speed in time. The  
6 DOE should analyze the current Regent exam results  
7 to find out how many of this year's ninth graders  
8 are not on track to earn a Regents diploma. They  
9 should provide this information to Principals as  
10 soon as possible along with strong guidance and  
11 effective strategies for getting these students on  
12 track immediately. It is not acceptable to leave  
13 it up to each individual Principal to figure it  
14 out on its own. That just won't work. CEJ  
15 believes that two of those strategies must be a  
16 redesign and expansion of the school day and  
17 community schools, which you mentioned earlier  
18 today, so I don't have to really go into it. We  
19 recognize that these are difficult steps to take  
20 in the current economic situation, however the  
21 economic crisis does not excuse us from the  
22 responsibility to prepare students for college and  
23 the world of work. In fact, tight economic times  
24 make it even more important that students leave  
25 schools with solid skills that will allow them to

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succeed. The new high school graduation requirements can either be a looming crisis or an historic opportunity to take bold action to raise academic rigor, close the achievement gap and finally prepare all students for the lives they want. The first of students who will be required to earn Regents diplomas is taking Regents exams as we speak. And if nothing else is done to help them as they enter tenth grade, it will really be too late for them. Let it not be too late for our children. Let's make something happen. Thank you.

CHAIRPERSON JACKSON: Council

Member Gale Brewer.

COUNCIL MEMBER BREWER: Thank you.

I have seen the press about your report, but I haven't read it. So my question is the UFT made some suggestions. Can you just summarize, obviously you said you went around to different schools and it was even worse than what you thought. I think that means in terms of what people graduated with and the numbers of non-Regent diplomas is probably what you're talking about. So can you just summarize some of your



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recommendations?

MEGAN HESTER: Sure. I mean Lenore mentioned that the DOE has convened--

COUNCIL MEMBER BREWER:  
[Interposing] The Education--

MEGAN HESTER: [Interposing] Yeah. They've convened this committee around post-secondary readiness and success, but it's really aimed more at a long-term strategy than a ready for September strategy. So we think that the DOE needs to create a plan of action for-- that goes into place for the ninth and tenth graders in September that will really identify who's not ready, who hasn't passed the ninth grade Regents exams with a 65 and has an aggressive plan to get students ready. I think Council Member Jackson it was you earlier maybe who asked which are the Regents exams that students are least likely to pass and they said science. Well, there needs to be a plan around amping up the science curriculum then for those students to make sure they can get the 65 on science. But we have met with the DOE repeatedly on this issues and it's very clear that aside from everything they have-- the normal

1  
2 things that they have in place there is nothing  
3 targeted at the incoming ninth graders and the  
4 rising tenth graders to get them ready for the new  
5 requirements.

6 COUNCIL MEMBER BREWER: So do you  
7 think that this Credit Recovery has gotten out of  
8 hand and that we should be taking things back into  
9 the schools to be able to address them? And then  
10 the other issue that came up is that some of the  
11 smaller schools don't have the ability to make up.  
12 What do you think about that?

13 LENORE BROWN: Well when I heard  
14 that today, I heard that today for the first time  
15 because I thought that the small schools were  
16 really on the road to be successful. So when I  
17 heard that today I was really astonished that  
18 they, you know, if they fail they fail. And they  
19 cannot make up, so they will automatically take  
20 that class over again the following year. That  
21 was news to me.

22 MEGAN HESTER: And we really  
23 haven't looked very closely at the issue of Credit  
24 Recovery, so I don't think I can add anything to  
25 that.

1

2

COUNCIL MEMBER BREWER: Thank you.

3

Thank you, Mr. Chair.

4

CHAIRPERSON JACKSON: Thank you.

5

Obviously I am so happy that CEJ, the Coalition

6

for Educational Justice, along with their partners

7

came out with this report. Because I tell you, as

8

Lou Fidler, our colleague, basically stated, it

9

seems as though the Department of Education is

10

shamming us, clearly, by cooking the book by any

11

means possible to ensure that they give a

12

projection that the high school graduation rates

13

are up. And even though they may be up, our kids

14

are failing and they're not ready for college.

15

And that's why, as what you said, that CUNY, the

16

City University of New York, in order to go into a

17

college level course, you have to at least get a

18

minimum of 75 on the Math, I believe and you said

19

the English Regents exam. Is that correct?

20

MEGAN HESTER: Yes.

21

CHAIRPERSON JACKSON: In order not

22

to take remedial class in order to bring them up

23

to that standard. That's very telling, obviously.

24

And we know that so many of our students in New

25

York City that go on to colleges have problems in

1  
2 their first year. And the first year is just an  
3 adjustment period from high school to college.  
4 But if you're not academically prepared for the  
5 rigor, that's when kids fall behind and eventually  
6 fall out of college, and that's not what we want  
7 for our students. So let me just say I appreciate  
8 everything that you're doing in order to push the  
9 system to be more, I guess, in tune with really  
10 what the needs are. And you've raised a lot of  
11 questions that we have that we're going to be  
12 asking the Department of Education. So for  
13 example, you know, I had asked based on the CEJ  
14 report, a working group to come up with a plan.

15 LENORE BROWN: Right.

16 CHAIRPERSON JACKSON: You heard I  
17 asked him, do you have one. You know, the answer  
18 is they don't have one as of yet. But the report  
19 came out in February. And my question to you--  
20 has DOE responded to creating an immediate plan of  
21 action to address the looming graduation crisis?  
22 Have they responded?

23 MEGAN HESTER: No.

24 LENORE BROWN: No, they haven't.

25 CHAIRPERSON JACKSON: No. Okay?

1  
2 And that's a question that I have. Also, you say  
3 the DOE recently agreed to form an advisory group  
4 of community partners to participate in this post-  
5 secondary readiness and success efforts. Well I'm  
6 glad they agreed. Has that group met as of yet?

7 MEGAN HESTER: It has met once.

8 LENORE BROWN: Yeah.

9 CHAIRPERSON JACKSON: It has met  
10 once. Well I'm glad to hear that.

11 MEGAN HESTER: But again, it's  
12 really more focused on the bigger picture, the  
13 long term college readiness than the immediate  
14 issues around the Regents diploma.

15 CHAIRPERSON JACKSON: And who is on  
16 that advisory group?

17 LENORE BROWN: Well it met once and  
18 I attended the meeting and I'm planning on  
19 attending the meeting again.

20 CHAIRPERSON JACKSON: No. The  
21 group members, is it only CEJ and DOE or are there  
22 other partners?

23 MEGAN HESTER: No. There's a bunch  
24 of community partners-- College Summit, College  
25 Now, Advocates for Children, Children's Aid

1

2 Society. I can give you the list.

2

3

CHAIRPERSON JACKSON: And what  
4 level in the Department of Education is partners  
5 in that advisory group?

4

5

6

MEGAN HESTER: Greg Betheil from  
7 the DOE is convening it.

7

8

CHAIRPERSON JACKSON: What's his  
9 position?

9

10

MEGAN HESTER: He's now in charge  
11 of post-secondary efforts with the DOE. I don't  
12 know what his exact title is.

11

12

13

CHAIRPERSON JACKSON: Okay. He's  
14 in charge of post secondary.

14

15

MEGAN HESTER: I believe so.

16

CHAIRPERSON JACKSON: Okay. Well  
17 we're going to be asking them for a full list.  
18 Where are you meeting at? At Tweed?

17

18

19

MEGAN HESTER: The first meeting  
20 was at Tweed. I don't know where the next meeting  
21 is going to be.

20

21

22

CHAIRPERSON JACKSON: Okay. And  
23 are minutes being taken of those meetings?

23

24

MEGAN HESTER: That's a good  
25 question. I don't know.

25

1  
2                   LENORE BROWN: At the last meeting  
3 there were no minutes taken.

4                   CHAIRPERSON JACKSON: Are  
5 recordings being...?

6                   LENORE BROWN: At the last meeting,  
7 no.

8                   CHAIRPERSON JACKSON: Is anyone  
9 summarizing the results of each meeting and what  
10 the expectations are of future meetings?

11                   LENORE BROWN: I guess that's  
12 something we need to bring up at the next meeting.  
13 We'll discuss that at the meeting.

14                   CHAIRPERSON JACKSON: I would  
15 strongly suggest that. So in essence you have  
16 documentation as to what occurred and what are you  
17 going to be doing as far as overall and what are  
18 the next steps and who has to follow up on what  
19 and so forth and so on. That's very important. I  
20 thank you for coming in and I look forward to  
21 working with you. Obviously we have a lot of  
22 questions that we're going to be putting in  
23 writing to the Department of Education concerning  
24 this whole subject area of the new high school  
25 graduation rates, and especially about this Credit

1  
2 Recovery programs that they don't even have a clue  
3 as to how many programs-- whether or not they're  
4 in the morning, afternoon, evening, night; how  
5 many students attending, whether or not it's an  
6 outside group or an inside group. To not monitor  
7 this is absolutely, totally unacceptable. And I  
8 think, as you said, well at what high school you  
9 indicated there was a graduation rate of 70% but  
10 only 20% graduated with Regents diplomas? You  
11 know what that says to me? That says to me that  
12 all the other 50 or 48% that are graduating with  
13 local diplomas, they're not going to college. Or  
14 if they are, unless they get remedial help they're  
15 not going to be successful.

16                   LENORE BROWN: And that's the sad  
17 thing.

18                   CHAIRPERSON JACKSON: That's what  
19 it says to me. Now, I hope I'm wrong. I hope I'm  
20 wrong. But what it says to me is they're not  
21 ready.

22                   LENORE BROWN: You're right.

23                   MEGAN HESTER: Right.

24                   LENORE BROWN: And it's a very,  
25 very sad thing as a parent and a grand parent to



1  
2 know that my grandchildren are going to college  
3 perhaps, or maybe going into a trade, which is  
4 good too, but it's very sad to me to hear that my  
5 grandchildren will be required-- which is a good  
6 thing to raise the bar; I'm not saying it's not a  
7 good thing to raise the bar. But put everything  
8 in place that they will need before you raise that  
9 bar. Don't raise it for failure.

10 CHAIRPERSON JACKSON: Well the bar  
11 has been raised not only by DOE but by the entire  
12 state, and clearly the Department of Education has  
13 to do more in order to make sure that our children  
14 are prepared for that rigorous academic standards.

15 LENORE BROWN: Right.

16 CHAIRPERSON JACKSON: And I don't  
17 even call it rigorous, because a 65, I was saying  
18 to the Counsel of the Education Committee, as a  
19 parent with three daughters, 33, 28 and 22,  
20 passing the Regents exam was expected and not at a  
21 minimum of 65. 80, 85, 90, 95.

22 LENORE BROWN: That's true.

23 CHAIRPERSON JACKSON: That's my  
24 expect-- our parents', my wife and I, expectation.  
25 But obviously we were involved in our children's

1  
2 education from day one, as parent activist and  
3 what have you and so forth. But it was without a  
4 doubt we expected all of them to pass all Regents  
5 exams. We expected all of them to graduate from  
6 high school. We expected all of them to graduate  
7 from college. There's no question in our mind  
8 about that. And I think that the Department of  
9 Education and parents and activists have to have  
10 that same high expectation so that our kids can  
11 grow up, and if they want to be an MD, a teacher,  
12 an advocate, a city council member, or whatever  
13 they want to be, that they have the academic  
14 requirements in order to be what they want to be.  
15 That's the expectation that we want for our  
16 children, no matter who they are. So let me thank  
17 you for coming in.

18 MEGAN HESTER: Thank you for  
19 holding the hearing.

20 CHAIRPERSON JACKSON: And I could  
21 go on about this, but I'm not happy about some of  
22 the responses, with the lack of information that  
23 the Department of Education has concerning Credit  
24 Recovery. Some of their plans as far as  
25 intervention and what have you, sounds good.

1  
2 Monitoring kids, knowing where they are, knowing  
3 what their needs, sounds great. One of the things  
4 I asked counsel, I want to know what the cohort  
5 that's coming in now, where they must meet all  
6 exams, okay-- ninth graders, I want to know the  
7 aggregate number. How many ninth graders are  
8 there? How many took the Regents exams, each  
9 Regents exam? How many passed them at a 65? How  
10 many did not pass at 65 but between 55 and 64?  
11 Okay, so we know. Next year? Tenth graders,  
12 which includes those ninth graders, how many took  
13 the tenth grade, bah, bah, bah [phonetic], and how  
14 many in the ninth grade? Next year, 11th graders,  
15 10th graders, 9th-- so we want to track from an  
16 aggregate number so we know how many are passing,  
17 how many are not passing; how many are in that 55  
18 to 64 that they said need a little extra help to  
19 pass. So we are going to be asking that  
20 information.

21 MEGAN HESTER: Right.

22 CHAIRPERSON JACKSON: And I hope  
23 that you also will be asking to track that year  
24 after year after year.

25 MEGAN HESTER: Definitely.

1  
2 CHAIRPERSON JACKSON: So thanks for  
3 coming in.

4 MEGAN HESTER: Thank you so much.

5 LENORE BROWN: Thank you very much.

6 CHAIRPERSON JACKSON: I'm sorry. I  
7 can go on. It's just so important that we prepare  
8 our children. You know? The next panel is going  
9 to be Valerie Armstrong-Barrows, Esq., the  
10 Citywide Council on High Schools; and Christie  
11 Hill, Advocates for Children of New York. Please  
12 come forward. And I'm sorry that we're, you know,  
13 spending so much time, but this is such an  
14 extremely, extremely important area that we must  
15 pay attention to. So Valerie Armstrong-Barrows,  
16 Esq., Citywide Council on High Schools. Please go  
17 forward.

18 VALERIE ARMSTRONG-BARROWS: I'm  
19 Valerie Armstrong-Barrows, and I'm the president--

20 CHAIRPERSON JACKSON: [Interposing]  
21 Just move the mic over a little bit towards your  
22 mouth, if you don't mind.

23 VALERIE ARMSTRONG-BARROWS: I am  
24 Valerie Armstrong-Barrows, and I am the president  
25 of the Citywide Council on High Schools. We are

1  
2 an elected body of parents with students in New  
3 York City high schools. We also have a high  
4 school student on our council to represent the  
5 voice of the students. Our responsibility  
6 includes investigating and advising the DOE of  
7 parents' concerns with DOE policies. As we face  
8 the elimination of local diplomas and  
9 implementation of Regents diplomas required for  
10 graduation, we can't help but be anxious and  
11 highly concerned with the impending catastrophe  
12 spiraling towards our children and anticipate that  
13 thousands of children will join the already high  
14 numbers of students currently failing to meet  
15 graduation requirements, and many more of them  
16 dropping out as a result. According to the DOE  
17 data in 2007 59% of students graduate from high  
18 school. I've sat in several district leadership  
19 team meetings and heard DOE officials exclaim in  
20 delight over this increased number, while I sit  
21 there saddened by the number. According to the  
22 New York City Coalition for Educational Justice,  
23 only 52% of the students graduated in four years.  
24 When you separated out those students based upon  
25 race, you find that only 47.2% of Blacks and 43%

1  
2 of Hispanics graduated, while 68.8% of Whites  
3 graduated. Now although DOE reports increases  
4 across the board for all students except Native  
5 Americans, one look at the Regents graduation  
6 rates brings you back to reality. The DOE's data  
7 indicates that in 2007 the percentage of white  
8 students earning a Regents diploma was 57%, while  
9 Black students were 28 and Hispanic students were  
10 26%. In high poverty schools, 32% of students  
11 receive Regents diplomas. So in addition to the  
12 overall problem of over 40% of high school  
13 students currently not achieving Regents diplomas,  
14 we also must consider the existing achievement  
15 gap, resulting in more than 70% of Black and  
16 Hispanic students not passing and achieving  
17 Regents diplomas. Our English Language Learner  
18 high school students must master the subject  
19 material as well as become proficient in English.  
20 Only 37.8% of them graduated in 2007. And worst  
21 of all, the graduation rate of students with  
22 disabilities is only 19.8% after four years, 23.6%  
23 in five years and only 10.6% of those in self-  
24 contained classes. It distresses me that those in  
25 charge of learning in the DOE sat here today and

1  
2 could not tell you what the level of equivalency  
3 of RCT exams were. Current students with IEPs  
4 will still be able to obtain a local diploma.

5 However our understanding is that this is only for  
6 the next two years and that there is a time period  
7 for that waiver, although DOE indicated that there  
8 was not cut off. Now the DOE has known for the  
9 last ten years that this day was coming. So what  
10 has been done to prepare teachers and equip them  
11 with adequate resources and materials,

12 professional development and a conducive learning  
13 environment and support for the 2012 graduating  
14 classes? Budgets have been cut. Programs have  
15 been eliminated. Many small high schools opened  
16 without necessary resources. Schools opened in  
17 trailers or students happened to travel to other  
18 school buildings for some of their classes. At  
19 one of my monthly Citywide Council high school  
20 meetings, we had representatives from the Bronx  
21 high school called the Young Women's Leadership  
22 School where their science labs were being  
23 conducted in bathrooms that were no longer being  
24 used. And what about those high schools and  
25 transfer high schools opening up in middle schools

1  
2 or buildings intended to house elementary  
3 students, like the Transfer High School opening up  
4 in Brooklyn off 107th Street and Flatlands Avenue,  
5 where we will have 17 to 21 year olds being  
6 educated along with 10 to 13 year olds in a  
7 building intended to house 6 to 10 year olds? No  
8 science labs, when science Regents are the hardest  
9 ones for our students to pass. We're starting  
10 these students off with an impediment to their  
11 success. As parents we want our children to come  
12 out of high school prepared for college level  
13 work, so we want realistic graduation  
14 requirements. Obtaining a 65 on a Regents exam  
15 should not be a lofty goal. CUNY four-year  
16 colleges require 75 or better on English and Math  
17 Regents for admission. Our children should be  
18 able to achieve 80s and 90s. The DOE says that  
19 students have multiple opportunities to re-take  
20 the regents. But as parents, we know that without  
21 intense encouragement and the individualized  
22 attention to those problem areas that students had  
23 on previous Regents, they will not take those  
24 Regents and may in fact drop out. We are very  
25 concerned about the increasing drop out rate.



1  
2 Curriculum. It should be uniform throughout the  
3 City and proper resources and alternative teaching  
4 methods used after taking the students' needs into  
5 consideration. At one of our monthly CCHS  
6 meetings, I had several parents with students at  
7 different high schools bring in their child's  
8 syllabus for their Living Environment Regents  
9 classes. All of the syllabus were different.  
10 Some syllabus covered all of the material, some  
11 covered the bare minimum. There were some  
12 students who had no syllabus and the parents had  
13 no ability to figure out what their children would  
14 be learning that year. DOE needs to review the  
15 curriculum for all Regents classes across the City  
16 and implement more stringent, uniform standards.  
17 Some Principals, teachers and staff will need to  
18 receive race and culture sensitivity training to  
19 assist them in properly preparing our students for  
20 greater achievements. We see with the achievement  
21 gap that it has made a difference. There also  
22 must be a stronger emphasis on reading and writing  
23 skills, as mastery of these skills will improve  
24 test scores in Regents exams. Parents want  
25 textbooks that meet State guidelines and thorough

1  
2 coverage of the material. Parents want teachers  
3 that have high goals for all of our children, no  
4 matter what their race, culture, disability or  
5 place of origin. Parents want comprehensive plans  
6 of supported instruction, well equipped science  
7 labs, adequate facilities, properly stocked  
8 libraries, support services for the students and  
9 up to date Regents materials used as well as extra  
10 time for instruction, whether that time is  
11 provided after school, before school or on the  
12 weekends. Parents want the DOE to immediately  
13 assist those schools with the lowest achievement  
14 records to meet the new graduation standards. We  
15 want to know how often the information in the ARIS  
16 system is actually being used. Who will monitor  
17 the Principals who are supposed to be monitoring  
18 the teachers' use of that information? Parents  
19 expect the DOE to take these steps and more to  
20 ensure the success of our students. We don't want  
21 more failures, we want more success. Thank you.

22 CHAIRPERSON JACKSON: Thank you.

23 Next we are going to hear from Advocates for  
24 Children. Just introduce yourself and you may  
25 begin. Christie Hill. Is that correct?

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CHRISTIE HILL: Yes, thank you.

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CHAIRPERSON JACKSON: What's your position with Advocates for Children?

4

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CHRISTIE HILL: I'm a staff attorney with AFC.

6

7

CHAIRPERSON JACKSON: Okay, go ahead, please.

8

9

CHRISTIE HILL: Good afternoon.

10

Thank you for allowing me to speak today.

11

Requiring and expecting high standards for all of

12

our students is an important and necessary goal.

13

However, imposing this requirement without

14

providing supports to see it realized is a recipe

15

for disaster and will potentially harm more

16

students than it seeks to help. Beginning with

17

ninth graders in 2009, almost all students in New

18

York State will be required to earn a Regents

19

diploma. In the class of 2007, less than 30% of

20

African American and Latino students received a

21

Regents diploma. In the same year only one-tenth

22

of ELLs graduated with a Regents, and for students

23

with disabilities it was less than five percent.

24

Starting in Fall of 2009, students with

25

disabilities will be unable to earn a local

1  
2 diploma, starting this fall. Just as entering  
3 ninth grader entering general ed were unable to  
4 earn a local starting this school year. Once this  
5 change occurs, the only alternative to a Regents  
6 diploma for students with disabilities will be an  
7 Individualized Education Program diploma, an IEP  
8 diploma. In the class of 2006, 20.5% of students  
9 with disabilities graduated with an IEP diploma.  
10 These are extremely high and troubling numbers.  
11 The IEP diploma is not a regular high school  
12 diploma. Students that receive this diploma  
13 cannot attend most colleges, vocational programs--  
14 it would be an unacceptable outcome if students  
15 because of their inability to meet Regents  
16 standards were left with an alternative that cuts  
17 off opportunities rather than opening doors for  
18 them. The IEP credentials are already overused in  
19 the City and the potential for more misuse will  
20 likely only increase with the elimination of the  
21 local diploma. The Regents diploma has already  
22 left thousands of students, especially students of  
23 color, ELLs and students with disabilities behind.  
24 It is our hope that adequate supports and services  
25 will be expanded and created to ensure that all

1

2 students have a meaningful access to earning a  
3 Regents diploma before the local diploma is  
4 eliminated completely. Thank you. I'll be happy  
5 to answer any questions that you have.

6

CHAIRPERSON JACKSON: So, you  
7 finished your statement by saying you hope that  
8 meaningful access to programs in order to earn a  
9 Regents diploma before the local diploma is  
10 eliminated completely. Well the elimination of  
11 the local diploma, a decision is made at the State  
12 board of Regents level.

13

CHRISTIE HILL: Right.

14

CHAIRPERSON JACKSON: So it-- is  
15 Advocates for Children recommending that the  
16 elimination of the local diplomas be delayed? Or  
17 are you saying that the date of the  
18 implementation, which already started for general  
19 education, and next year for children with IEPs,  
20 that between now and then that the Department of  
21 Education needs to step up immediately in order to  
22 do whatever they have to do to ensure our children  
23 graduate with Regents diplomas?

24

CHRISTIE HILL: Yeah.

25

CHAIRPERSON JACKSON: Or are you

1

2 saying both?

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CHAIRPERSON JACKSON: The latter.

4

So ideally the DOE should, you know, increase

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services so that all students should be able to

6

achieve the high standard that the Regents diploma

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stands for. And as we heard today that standard

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isn't necessarily that high, but it's higher than

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the local. And we understand that at this point

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the services aren't in place to allow all students

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to have that opportunity. So before they cut off

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the local diploma, there needs to be some services

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created to ensure that students have the

14

opportunity to actually compete and earn a Regents

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diploma. Otherwise we're going to see an increase

16

in our drop out rates and in the case of students

17

with disabilities an increase of IEP diplomas in

18

the City, we believe.

19

CHAIRPERSON JACKSON: Ms. Barrows,

20

let me thank you as a-- are you the President of

21

the Citywide Council on High Schools?

22

VALERIE ARMSTRONG-BARROWS: That's

23

correct.

24

CHAIRPERSON JACKSON: Let me thank

25

you-- it's a volunteer-- you're a parent of a

1

2 child in high school. Is that correct?

3

4

VALERIE ARMSTRONG-BARROWS: That's correct. I have two children in high school.

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CHAIRPERSON JACKSON: Well let me thank you for your leadership as a parent leader in coming in on behalf of the Citywide Council on High Schools and expressing the Council's position on this very, very important subject area. We're so pleased to see you here representing high schools and in listening to your testimony I ask you to please to submit your testimony in writing, if you don't mind, and to please put us on your mailing list, if you have one--

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VALERIE ARMSTRONG-BARROWS:  
[Interposing] Yes we do.

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CHAIRPERSON JACKSON: So that whenever your meetings-- or whatever the agendas are or whenever the materials are handed out that we will get copies of that. And we understand that you are on our mailing list and that's one of the reasons why you are here testifying today. But let me ask the question, I believe both of you were here when my colleague Council Member Lou Fidler basically said, you know, we're basically

1  
2 being sold a bill of goods that are not really up  
3 to the standards that the DOE said that they are.  
4 We're basically being told that the graduation  
5 rates are increasing, which if you ask  
6 statistically, maybe they are. But it's really a  
7 sham because the number of kids that are  
8 graduating are not really meeting the requirements  
9 in order to achieve the academic-- that have  
10 achieved the academic rigor and are ready to go on  
11 to college. In your opinion, and I'm asking you  
12 if you have an opinion, would you call this a sham  
13 also? And I'm asking the both of you that.

14 VALERIE ARMSTRONG-BARROWS: I would  
15 say that, while I may not want to use the word as  
16 a sham, I do believe that they are over  
17 calculating the statistics, as we know that data  
18 can be used to show whatever it is that we want it  
19 to use to show. It depends upon which way we  
20 decide to use it. They compare the state  
21 graduation rates to the local graduation rates. A  
22 different method is used in making those  
23 calculations. So they don't really compare. You  
24 can't compare apples to oranges. In relation to  
25 what the Councilman Fidler was talking about with



1  
2 the small high schools, a lot of the small high  
3 schools were put into place in such large numbers  
4 and so quickly because this was supposed to have  
5 been the saving grace of our schools. What was  
6 done at Tilden and Canarsie, which are schools  
7 that I cover because I'm also the Brooklyn  
8 representative, the reason why they split it up  
9 into those smaller schools was because they said,  
10 this way we can give individualized instruction to  
11 each child. However by putting them into smaller  
12 schools, the amount of resources they have  
13 available to the students are much less. They  
14 don't qualify for having a guidance counselor  
15 until their second year of being in existence. We  
16 don't have graduation rates for any of these  
17 schools yet because they haven't been in place  
18 long enough. We don't know what's occurring as  
19 far as this Credit Recovery program, because they  
20 call it different things. I haven't heard it be  
21 called Credit Recovery.

22 CHAIRPERSON JACKSON: What have you  
23 heard it be called?

24 VALERIE ARMSTRONG-BARROWS: I've  
25 heard it called, oh well, if you were out because-

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2 - it's home schooling and we're going to use that.  
3 Or a child missed something and has to take some  
4 days off because of an illness and they just have  
5 to repeat the assignments and hand them in and  
6 then they can go forward and pass the class. The  
7 problem with that is we have children who will end  
8 up graduating but not be prepared for college.

9 CHAIRPERSON JACKSON: Well you  
10 know, Council Member Fidler also used the  
11 terminology, besides a sham, he said it was a-- he  
12 said that they were cooking the books. And in  
13 essence, what you're saying, they're manipulating  
14 the numbers to show that-- success. Would you  
15 call that cooking the books?

16 VALERIE ARMSTRONG-BARROWS: Yes I  
17 would. Yes I would.

18 CHAIRPERSON JACKSON: Okay.

19 VALERIE ARMSTRONG-BARROWS: And I  
20 do believe the numbers are being made to show what  
21 they want it to show. I don't believe that the  
22 numbers of students that they say are graduating  
23 are graduating in the fashion that they should be.  
24 There are methods being used so that the numbers  
25 are higher. And I don't think that it's of a

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2 benefit to our students. I don't think it's a  
3 benefit to our teachers. And with all the budget  
4 cuts and the elimination of more of the seasoned  
5 teachers, I think that we are at-- we have a big  
6 problem coming on. We also realize that we have  
7 two individuals who have been the head of the  
8 special education program for several years, one  
9 has put in for retirement and one is moving to  
10 another state to take over their school system.  
11 SO that makes a big problem with our special ed  
12 department.

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CHAIRPERSON JACKSON: And also--

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VALERIE ARMSTRONG-BARROWS:

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[Interposing] Who is going to replace them?

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CHAIRPERSON JACKSON: And also our  
Deputy Chancellor for Curriculum Instruction,  
Marcia Lyles, has also left and is going to take  
over a school system in Delaware. So you were  
here earlier, so you just heard the new Deputy  
Chancellor of Teaching and Learning. And we asked  
the question, you know, which you said.

VALERIE ARMSTRONG-BARROWS: And I  
met Mr. Santi. I actually had him last week as  
one of the speakers at my meeting--

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CHAIRPERSON JACKSON: [Interposing]

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But you know the question--

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VALERIE ARMSTRONG-BARROWS: --and a

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lot of the people that you have here as witnesses

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I've had at my meetings.

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CHAIRPERSON JACKSON: But the

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question that I asked him quite clear, and he's

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now the Deputy Chancellor, he was a regional

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superintendent, he was a Principal and a senior

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advisor to the chancellor. I asked him, so, is

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the IEP-- is the general education diploma for

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children with special needs that have IEPs, is

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that going to expire within a year or two years--

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the local diploma, for those classes of students,

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meaning children with special needs that have

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IEPs, individualized educational plans. And their

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response was, you heard him, what did they say?

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VALERIE ARMSTRONG-BARROWS: It's

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going to continue.

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CHAIRPERSON JACKSON: It's going to

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continue. When you know and staff knows that it

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expires when? In 2010. Now I ask you a question,

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should they have known the answer to that

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question?

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2 VALERIE ARMSTRONG-BARROWS: Of  
3 course they should have.

4 CHRISTIE HILL: Of course. And  
5 there's lots of confusion.

6 CHAIRPERSON JACKSON: Excuse me?

7 CHRISTIE HILL: There's lots of  
8 confusion in the system. And we've gotten so many  
9 calls this year from parents either going to  
10 schools and people thinking it's no longer  
11 available to any students whatsoever.

12 CHAIRPERSON JACKSON: So if the  
13 Deputy Chancellor for Curriculum and Instruction  
14 and the Senior Advisor for the Chancellor does not  
15 know that it expires in 2010, my conclusion, we're  
16 in trouble.

17 VALERIE ARMSTRONG-BARROWS: We are  
18 definitely in trouble.

19 CHAIRPERSON JACKSON: We're in  
20 trouble. You agree?

21 VALERIE ARMSTRONG-BARROWS: And  
22 that's why we as parents are very concerned.  
23 We're very concerned.

24 CHAIRPERSON JACKSON: Okay. Let  
25 me--

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2 VALERIE ARMSTRONG-BARROWS:

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3 [Interposing] Because it's our children that this  
4 is affecting.

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CHAIRPERSON JACKSON: Ms. Hill,  
6 Staff Attorney for Advocates for Children, I had  
7 asked a question whether or not you think the  
8 system is a sham or that they're cooking the  
9 books. Do you have an opinion on that as a Staff  
10 Attorney for Advocates for Children of New York?

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CHRISTIE HILL: The transparency  
12 has always been an issue at the DOE, and to touch  
13 on the small school issue, the small schools  
14 excluded ELL and Special Ed students for the first  
15 two years, so they weren't serving, you know, some  
16 of the most at risk students in our system.

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CHAIRPERSON JACKSON: Because  
18 they're small schools they were not required to  
19 accept ELL and children with special needs for the  
20 first two years.

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CHRISTIE HILL: Right.

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CHAIRPERSON JACKSON: They had a  
23 waiver for the first two years.

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CHRISTIE HILL: Right. And there's  
25 still a problem right now with the schools not

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doing that. We released a report yesterday talking about that and the impact of small schools on ELLs and how it's really an empty promise for that population.

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CHAIRPERSON JACKSON: So does that have a negative impact on the students?

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CHRISTIE HILL: Of course.

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CHAIRPERSON JACKSON: Does it have a negative impact on the schools' graduation rate?

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CHRISTIE HILL: Well it has a positive impact on the graduation rate.

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CHAIRPERSON JACKSON: Oh. That's what they've said, that the small schools are graduating at a higher level, and that would be cooking the books if in fact ELL and children with special needs are not-- the schools are not required to accept them for the first two years, then that would mean that the schools are only with general education students that are not ELL, English Language Learners, and or children with special needs. So in essence then when your first graduating rate class would come up that it would give you a higher graduation rate. Is that correct?

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2 CHRISTIE HILL: Probably, yes.

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CHAIRPERSON JACKSON: Which would  
4 give the perception that the system is doing a lot  
5 better, but in reality, is the system doing a lot  
6 better in your opinion?

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CHRISTIE HILL: Not in all areas.

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I mean when you have schools creaming the crop and  
9 not serving all students like it should be, then  
10 that's not serving our students well.

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VALERIE ARMSTRONG-BARROWS: There

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are some schools that are doing well and that's

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because they are getting their pick of the best

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students, and then we have some schools where

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they're ending up with extremely large percentages

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of the students who have-- ELL students, a lot of

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students with disabilities or a lot of students

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with low grades. So of course it's going to be

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harder for them to reach those same type of

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success rates.

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CHAIRPERSON JACKSON: Now I don't

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know if you were here when I gave my opening

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statement. And I read where-- about 21 or 22% of

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the students in high school are discharges. Do

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you know what that means? Discharges basically



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says they've been discharged to another school.  
But my feeling is that they've been discharged,  
meaning they've dropped out or gone to some  
alternative programs, because basically they were  
not on track to graduate. Do you have an opinion  
on that?

CHRISTIE HILL: Yeah. There was a  
report released a couple of months ago by the  
Public Advocate's office as a follow up to the  
push out report that AFC did. And the discharge  
rate for incoming ninth graders has actually  
doubled over the last, I believe it was over the  
last seven years.

CHAIRPERSON JACKSON: The discharge  
rate--

CHRISTIE HILL: [Interposing] For  
incoming ninth graders has actually doubled.

CHAIRPERSON JACKSON: Has actually  
doubled?

CHRISTIE HILL: Yeah. So ninth  
graders are being discharged, and discharges not  
only include discharges to other schools but also  
to GED programs, to out of the City and by other  
state's calculations, those discharges to GED

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2 programs are actually counted as drop outs, not a  
3 discharge. You're no longer in the regular school  
4 system.

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CHAIRPERSON JACKSON: So you're  
6 saying within the past seven years under the  
7 Bloomberg administration, the number of discharges  
8 have doubled.

9

CHRISTIE HILL: Yeah, I believe  
10 it's seven years. I believe it's seven years.

11

CHAIRPERSON JACKSON: Okay. So  
12 assuming that those children stayed in school, and  
13 let's assume the discharge rate is the same as it  
14 was prior to the Bloomberg administration taking  
15 over Mayoral control, the graduation rates would  
16 be less than what they're congratulating  
17 themselves about, correct?

18

CHRISTIE HILL: Probably the four-  
19 year graduation rate. And all the attention and  
20 incentives go to the four-year graduation rate,  
21 but when you look beyond the four-year graduation  
22 rate, as was alluded to today, five-year, six-  
23 year, seven-year, some of the harder to serve  
24 student populations do much better after four  
25 years. But schools aren't rewarded for serving

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2 those students beyond four years.

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CHAIRPERSON JACKSON: You mean the stats are not included in that, because the state looks at the graduation rates from high school for four years, is that correct?

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CHRISTIE HILL: Yeah. The incentives are geared more heavily for having high graduation rates-- have four-year graduation rates.

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CHAIRPERSON JACKSON: But as far as you're saying, four and five-year graduation; if you look at the five and six-year graduation rates, some of these kids are graduating in five years or six years.

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CHRISTIE HILL: Oh definitely. Definitely.

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CHAIRPERSON JACKSON: Which is positive because they're graduating. Is that correct?

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CHRISTIE HILL: Right.

CHAIRPERSON JACKSON: But what if the kids-- are they being serviced if they're over age 21?

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CHRISTIE HILL: No.

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2 CHAIRPERSON JACKSON: No they're  
3 not.

4 CHRISTIE HILL: Not in the  
5 Department of Education.

6 CHAIRPERSON JACKSON: Not in the  
7 New York City public school system.

8 CHRISTIE HILL: No.

9 CHAIRPERSON JACKSON: So in  
10 essence, a fifth and sixth year, and or seventh  
11 year, all has to take place when they're under 21  
12 years of age. Is that correct? Okay. Well let  
13 me thank you both for coming in and we look  
14 forward to working with you. Because let me tell  
15 you, we're going to stay on top of this,  
16 especially with the Credit Recovery nonsense. And  
17 I ask you, Ms. Barrows, to raise that-- you want  
18 to know the same questions we want to know. High  
19 schools, how many Credit Recovery programs are  
20 there? Can you give me the names of all of them?  
21 Can you tell me who's running each and every one  
22 of them? Are they being run in school or out of  
23 school? What's the name of the organization? How  
24 many students are attending? Who is paying for  
25 it? How much does each one cost? How many are

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there in the City of New York? How many are there in each high school? How many students are attending each one? I asked you a question. I asked many of those questions. There are like 20 questions that I just-- or maybe 15 questions I just asked. Do you think that the Department of Education should have the answer to those questions?

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VALERIE ARMSTRONG-BARROWS: They

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should, since numbers is their game. They have

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numbers for everything else. Why wouldn't they

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have numbers for that? It just seems to be

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suspect that for something as important as that,

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there are no numbers when you can have so many

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different numbers for everything else.

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CHAIRPERSON JACKSON: Well thank

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you both for coming in. We look forward to

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working with you.

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VALERIE ARMSTRONG-BARROWS: Thank

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you.

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CHRISTIE HILL: Thank you.

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CHAIRPERSON JACKSON: For the

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record, we received information, testimony from

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the Coalition for Asian American Children and

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2 Families. Our next panel is Karin Goldmark,  
3 College Summit New York; from Rafael Rivas,  
4 Brooklyn Center for Independence of the Disabled,  
5 I believe it says; and Carmen Santana, a Parent  
6 Advocate; and Matt-- I can't hardly read this.

7 MATT SHOTKIN: Shotkin.

8 CHAIRPERSON JACKSON: Okay. He's  
9 representing himself. Is there anyone else that  
10 wishes to testify today? Anyone else that wishes  
11 to testify? Did you raise your hand, sir? Did  
12 you fill out a slip?

13 RAFAEL RIVAS: Yes, I did.

14 CHAIRPERSON JACKSON: Come forward  
15 please and we'll look for your slip. Just tell us  
16 what your name is who you-- come sit down, please.

17 RAFAEL RIVAS: Okay. Rafael Rivas,  
18 Brooklyn Center for the Independence of the  
19 Disabled.

20 CHAIRPERSON JACKSON: Yeah, I did  
21 call you, Rafael.

22 RAFAEL RIVAS: Oh, I'm sorry.

23 CHAIRPERSON JACKSON: Yeah,  
24 Brooklyn Center for the Independence of the  
25 Disabled.

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2 RAFAEL RIVAS: Yes.

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CHAIRPERSON JACKSON: Is that  
4 correct? I called you. Okay. Karin and then  
5 Rafael and then Carmen and then Matt. Please?

5

6

KARIN GOLDMARK: Good afternoon.  
7 I'm Karin Goldmark. I'm the executive director of  
8 College Summit New York--

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CHAIRPERSON JACKSON: [Interposing]  
10 And what is that?

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KARIN GOLDMARK: --and Connecticut.  
12 College Summit is a National Non-Profit and our  
13 mission is to increase the college enrollment rate  
14 of low income and underrepresented students. And  
15 the way we do that is by working with high schools  
16 and districts to help schools and districts  
17 strengthen the school-based college going culture.

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CHAIRPERSON JACKSON: Is that a  
19 national organization?

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KARIN GOLDMARK: Yes.

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CHAIRPERSON JACKSON: Okay, very  
22 good. Go ahead.

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KARIN GOLDMARK: And the work that  
24 we do isn't exactly, exactly on point to the topic  
25 today, but it is related because what we have

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1  
2 found nationally and in New York is that-- first  
3 of all the importance of student voice in school  
4 culture and in college going culture cannot be  
5 underestimated and students are powerful drivers  
6 of what happens in schools and that when schools  
7 and districts begin to incorporate student voice  
8 into the conversation amazing and wonderful things  
9 can happen, specifically around expectation  
10 shifts, which is really what we're talking about  
11 today in terms of the-- it's a regulatory shift,  
12 but it's also an expectation shift as a country,  
13 we're trying to move to a place where students--  
14 all students are graduating college ready and  
15 ready for career success. And one of the things  
16 that we've learned is that students really don't  
17 motivate around high school graduation. It's not  
18 very compelling for a teenager to think, well let  
19 me just do this so I can pass the exams. What  
20 motivates students is when high schools are able  
21 to connect the work of high school to the  
22 student's future. So what is important about that  
23 is schools really have to think about the  
24 conversation with students as, one, being about  
25 college readiness and career readiness and that



1  
2 college readiness and career readiness are  
3 essentially the same thing in terms o the kinds of  
4 careers that students are looking for. What we've  
5 seen in New York-- we've not been here very long,  
6 this is our third year here and we've grown very  
7 quickly from starting three years ago-- we now  
8 work with 40 high schools. And we've seen a  
9 couple of things in the schools. One is that  
10 we've seen the schools can and have increased  
11 their college enrollment rates over time. So  
12 nationally--

13 CHAIRPERSON JACKSON: [Interposing]  
14 You say have increased or decreased?

15 KARIN GOLDMARK: Increased.

16 CHAIRPERSON JACKSON: Okay. Can  
17 you pull your mic up a little closer please?

18 KARIN GOLDMARK: Sure. And I  
19 should be clear that we're talking about the  
20 schools that we work with.

21 CHAIRPERSON JACKSON: The 40  
22 schools.

23 KARIN GOLDMARK: The 40 schools  
24 that we work with, which I tried to do a quick  
25 calculation, I heard you were interested in small,

1  
2 medium and large-- many of them are small. 33 are  
3 small, five of them are medium, two are large high  
4 schools and one is a transfer alternative school.

5 CHAIRPERSON JACKSON: Okay, and  
6 we'll ask you to give us that list, email that  
7 list in the future.

8 KARIN GOLDMARK: Yes.

9 CHAIRPERSON JACKSON: Okay, go  
10 ahead.

11 KARIN GOLDMARK: I certainly can do  
12 that. And because we've been growing so quickly  
13 we don't have multi-year data for every school.  
14 And let me just say, measuring college enrollment  
15 rate is very, very difficult. It's a sign of the  
16 gap between high school and college that it's very  
17 hard to figure out. There are very few high  
18 schools in America that know from their graduating  
19 class of the prior year were in college one year  
20 later. That's just not a statistic that lots of  
21 schools have access to. It's not a statistic that  
22 the DOE currently has, although the DOE is trying  
23 figure out how to measure that. It's just a sign  
24 of the gap between institutions. It's a national  
25 challenge and it's something that College Summit

1  
2 has been working really hard to help the schools  
3 we work with measure college enrollment rate. And  
4 so what we've seen for the first group of schools  
5 that have multi-year data is that in the  
6 aggregate, the schools increased their college  
7 enrollment rate by 20.6%.

8 CHAIRPERSON JACKSON: Increased.

9 KARIN GOLDMARK: Yes. Which is  
10 just to put that in context, what we aim for  
11 nationally is to reach that increase over the  
12 course of three years. So the New York City  
13 schools are out pacing College Summit nationally,  
14 and obviously we're happy about that. But it is--  
15 since there is so much gray space in the pie  
16 charts, if you think of it that way, there are so  
17 many students we're not sure where they're going.  
18 We know that we're undercounting CUNY enrollment  
19 because the numbers that we get back from the  
20 national database that we use show lower CUNY  
21 enrollment than other data sources. So even with  
22 this undercounting, we're seeing schools are able  
23 to increase their college enrollment rate. That  
24 doesn't speak specifically to the question of  
25 whether students are passing with the 55, the 65

1  
2 or the 75-- but we are seeing that that can change  
3 the tone in the school to one where students  
4 understand why those marks matter and can  
5 understand why it matters to take a more rigorous  
6 college prep curriculum. And I can say that the  
7 conversation with schools has shifted. Three  
8 years ago when I started, it was really a case of  
9 trying to convince people that this issue  
10 mattered. And it really seemed like schools have  
11 figured out that just because they're on the hook  
12 for graduation does not mean that the work ends  
13 there and that it matters that they have to think  
14 about this broader issue of how do they help  
15 students connect to their own aspirations and to  
16 the work of high school. So I don't have a whole  
17 lot to say specifically about the question of what  
18 the DOE is doing about the specific students who  
19 are coming in now. I really can only speak to the  
20 schools that we work with, and I will say that  
21 they choose whether or not to work with us, but  
22 they are making strides in the work that we're  
23 doing with them. And I'll stop there.

24 CHAIRPERSON JACKSON: Thank you. I  
25 have some questions for you later, but we're going

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to hear from the other witnesses.

KARIN GOLDMARK: Yes.

CHAIRPERSON JACKSON: Okay. Next,  
just identify yourself and you may begin your  
testimony.

RAFAEL RIVAS: Good afternoon  
Councilman Jackson and the rest of the education  
committee. My name is Rafael Rivas. I am the  
Youth in Transition Coordinator at the Brooklyn  
Center for Independence of the Disabled, BCID. I  
work with high school youth in high schools in the  
Borough of Brooklyn to help youth in high school  
transition out of high school. I am here today to  
speak about the elimination of the local diploma,  
which will take effect for students in special  
education starting Fall of 2009. So that means  
fall, students who are freshmen who are in special  
education-- let me move this back-- and have an  
IEP, will not be able to obtain a local diploma.  
This means that the only options that students who  
are receiving special education services have for  
incoming freshman and next year will either A, a  
Regents diploma or B, an IEP diploma. And an IEP  
diploma, as I have said at previous hearings and

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2 as everybody well knows, it is worthless. It  
3 cannot get you into the military. It cannot get  
4 you into college, and even employers don't  
5 recognize it as a regular high school diploma.  
6 There have been cases where employers do  
7 background checks and the person who has a  
8 disability thinks they have a regular high school  
9 diploma, and they wind up being considered lying  
10 because they don't realize that it's not a real  
11 high school diploma. The best it can do is get  
12 you eligible for VESID services where you can  
13 either go into a job training program or job  
14 readiness to help develop your skills. Many of  
15 these students have the potential to earn a local  
16 diploma and go on to college. The great thing  
17 about a local diploma is that it can get you into  
18 college. It can get you into CUNY. I myself am a  
19 person with a disability and I received special  
20 education services when I was in school. I was  
21 forced to go to a non-public high school because  
22 the public high schools in my community when I was  
23 growing up on Manhattan's Upper West Side could  
24 not serve me properly. So my family had to go to  
25 an impartial hearing to fight to get me into a

1  
2 Board of Ed approved non-public school. I was  
3 able to fight and pass through all my RCTs and  
4 obtain a local high school diploma and then go on  
5 to LaGuardia Community College and Baruch College  
6 in CUNY. This local diploma option gives students  
7 who are receiving special education a way into  
8 college and be successful. Now I had to take a  
9 remedial class in math, but if you're persistent  
10 and you keep fighting, you can still obtain your  
11 goals. It may have taken me six years to finish  
12 college, but I still obtained my goal. And  
13 students who are in special education have the  
14 right to stay in school until they're the age of  
15 21, according to IDEA. They also have the right  
16 to a free appropriate public education. There is  
17 no excuse why students should not receive a  
18 regular high school diploma by the age of 21. Now  
19 I understand why they're going to these higher  
20 requirements in the Regents diploma. If the local  
21 diploma does not stay and we stay to these Regents  
22 diplomas, the services have to be vastly improved  
23 so that students who are in special education can  
24 receive a Regents diploma. For example, there  
25 needs to be better counseling. There could be

1  
2 better tutoring services, more preparation for  
3 these Regents and these higher standards, as  
4 students who are in special education need better  
5 and longer preparation to obtain these standards.  
6 It's not saying that they can't get there; it's  
7 saying that they need more time, more preparation,  
8 more reinforcement. The services have to be  
9 stepped up in order for students in special  
10 education to continue succeeding. It's bad enough  
11 that not enough of them are succeeding. And  
12 oftentimes, students with an IEP diploma fall  
13 through the cracks because there is no tracking  
14 after they leave the Department of Education  
15 system. There's no showing where do they go.  
16 Because oftentimes it takes them forever to find  
17 something, up to often a year and beyond. From  
18 the students that I track that leave my program  
19 and graduate, it often takes them at least a year  
20 to find something, whether it's a program or job  
21 training or what have you. So in order for  
22 students in special education to be successful,  
23 the services need to be stepped up so that they  
24 can get the appropriate services and the  
25 appropriate preparation that they need to meet the



1  
2 higher standards. So I also want to add one  
3 question as the Council Member Jackson was talking  
4 about, the Credit Recovery. One more question I  
5 would like to add is how many students with  
6 disabilities, how many students in education are  
7 receiving-- are in these programs? How many of  
8 them are being successful? Because one thing the  
9 Department of Education is lacking is statistics  
10 in regards to students in special education.  
11 There's no saying how well they're doing on  
12 Regents, how long do they graduate and what are  
13 they doing afterwards. Students have the right to  
14 be in school until they're 21 if they're receiving  
15 special education services. There's no reason why  
16 they shouldn't use as much time as they need to  
17 receive a regular high school diploma and go on to  
18 either employment or hopefully college and forever  
19 become successful. Thank you for allowing me to  
20 speak today.

21 CHAIRPERSON JACKSON: Well thank  
22 you for coming in on your organization. And I  
23 look forward to asking you a couple of questions.  
24 Next? Carmen Santana, a Parent Advocate.

25 CARMEN SANTANA: Good afternoon

1  
2 Council Member Jackson and everyone here on a  
3 rainy and dreadful day. I'm sorry that I'm late.  
4 I really wanted to be here early, because I wanted  
5 to hear what other people had to say, particularly  
6 the Board of Education. I am the parent of a  
7 child that has disabilities, and he's actually  
8 graduating, scheduled to graduate by the end of  
9 this month from a state approved private school,  
10 which he will be-- the goal will be to graduate  
11 with a Regents diploma. And it's taken me only 17  
12 years to see him through this-- and still  
13 counting. We're not completely finished, because  
14 at the end of it all, even with a Regents diploma  
15 or a local diploma there is still a great deal of  
16 obstacles that we have to overcome. So my  
17 estimate is that maybe, maybe by the time he's 30  
18 I'll be free and say he can stand on his own two  
19 feet. Meanwhile, a lot of the kids, when they age  
20 out-- when they become 18 years of age, a lot of  
21 the times the services start changing. They now  
22 say, well, the parent can no longer advocate for  
23 the child, now the child has to advocate for  
24 themselves, even though he's entitled under  
25 federal laws to the age of 21, whichever comes

1  
2 first, either he exits high school or 21. Now  
3 here's my concern, and I've been dealing with  
4 special education for over 30 years, first of all  
5 the IEP is the most important tool--

6 [Pause]

7 CARMEN SANTANA: It's okay. The  
8 IEP is the most important tool, but in order to  
9 establish an IEP the children have to be evaluated  
10 properly. This is not-- I've seen many IEPs and I  
11 think in my 30 years I've only seen two IEPs that  
12 have been written up correctly or that the  
13 evaluations are on point. And what happens is,  
14 for most kids that are learning disabled, you  
15 can't expect the public school system,  
16 particularly here in New York City, to evaluate  
17 them with what's called a neuropsychological eval.  
18 They're not equipped, you don't have them.  
19 Period. Because it's a doctor's evaluation. It's  
20 a medical evaluation that then makes academic  
21 recommendations for that evaluation. It costs  
22 money, but wait just a moment, it's not as costly  
23 at the end of the road, because if you do prepare  
24 a correct IEP, now you can prepare the services  
25 for those children to be correct. The other

1  
2 problem I've seen many times, over and over again  
3 is the violations of the federal laws that protect  
4 children with disabilities. What do I mean by  
5 that? What I mean is if let's say for instance a  
6 child's IEP is marked off for a Regents diploma,  
7 and now you're talking about the goals and how to  
8 transition. Sometimes there is no transition plan  
9 for that kid, if he's going for a Regents diploma,  
10 who is going to design the Regents diploma? I  
11 haven't seen and I have never heard to date, I've  
12 never had the experience of meeting-- and I'm not  
13 saying that there isn't any, but I've never had  
14 the experience to meet a kid with a learning  
15 disability in the New York City public school  
16 system who has existed out with a Regents diploma.  
17 If anybody has that statistic, I certainly would  
18 like to see it. I have never ever seen. And I've  
19 asked for it and nobody has been able to provide  
20 them to me. Same thing with-- if for instance in  
21 the transition there should be something properly  
22 prepared that says, well these are the Regents  
23 that this child is going to take, these are how  
24 it's going to be design. Does this child need a  
25 reader and a scribe? Does this-- who is designing

1  
2 the test, is it approved by the State? Okay,  
3 before you start jumping and saying we're going to  
4 eliminate the local diploma, we're going to go to  
5 Regents diploma, you have to go back and consider  
6 how many students in special education do you  
7 have? How many of them, which is the vast  
8 majority of them, are LD, Learning Disabled? What  
9 do those IEPs look like? And I can assure you I  
10 have still yet to see one really exemplary IEP  
11 that says from page 1 to 16 including the psych  
12 evaluations that it is concurrent to the child's  
13 need and that you provide those services. Okay,  
14 because otherwise when you talk about discharging  
15 and transitioning into other programs, look at  
16 your special needs-- excuse me. Look at your  
17 special needs child. Where is he? Most of them  
18 have transitioned in to the prison system. Okay,  
19 when you look at the prison system, see how many  
20 of them are reading on third, fourth and fifth  
21 grade levels, if they can function. Then the  
22 prison system for the vast majority of them has  
23 eliminated educational programs. Let's not even  
24 go there. The thing is now we're talking about  
25 changing over to a Regents diploma for all

1  
2 children. When you say all and you're inclusive  
3 of the special needs child, I want to know who is  
4 designing the Regents, who is designing the  
5 courses leading up to the Regents, the curriculum  
6 and how are you going to accommodate and modify  
7 those tests for that particular child's needs?  
8 And the biggest problem is, again going back to  
9 the evaluations, are that with a child that has an  
10 IEP you don't see-- you normally, very seldom, but  
11 for college it may be-- and the lady to my left  
12 can answer this, I don't know if you're familiar,  
13 but at some point they have to have a  
14 neuropsychological leading I to be able to in to  
15 college, collegiate courses and the collegiate  
16 life. Yeah, or a four-year bachelor program,  
17 whatever. But the thing is if they're  
18 transitioning over into college, at some point, if  
19 not the New York City Board of Ed, somebody is  
20 going to ask for that neuropsychological and it  
21 has to be done two to three years at some point  
22 window from high school to college. Now you have  
23 the remedial courses, which are a doozy. You  
24 cannot, under any circumstances, expect children  
25 with learning disabilities to just jump into maybe

1  
2 a junior college that would have been two years  
3 and now it's three years because they're doing  
4 remedial courses. The remedial courses don't give  
5 them any college credits, don't give them any  
6 supportive services, and now are under 504 federal  
7 laws it doesn't cover-- it changes. So now the  
8 advocate is the young person going into that  
9 college setting and they're lost. And nobody's  
10 tracking them in high school. Nobody is preparing  
11 a correct curriculum for them in high school, and  
12 the IEPs first and foremost have to be written up  
13 correctly, and the evaluations are what's going to  
14 make that IEP the difference. So we're talking  
15 about jumping to a Regents diploma, why don't we  
16 roll back a little bit here. And cooking the  
17 books, that's an understatement. They've been  
18 doing this for 30 years that I'm looking and I  
19 don't represent any organization. I can speak  
20 clearly. These books are not cooked; they're  
21 fried. Okay? Because my sister also, she's 42  
22 years old and I remember at one point they said to  
23 me, you need to institutionalize her in a place  
24 like Bernard Feinstein [phonetic]. I'm not going  
25 to even use the term, but that was not true. I

1  
2 fought tooth and nail. My sister is very  
3 independent and I taught her how to travel by  
4 landmark, use her hands and teacher her, since she  
5 couldn't-- according to the Board of Ed she was  
6 diagnosed-- not diagnosed but the evaluation said  
7 mildly mentally retarded. After high school she  
8 was independently evaluated; she was dyslexic.  
9 Now her life is ruined for the rest of her life.  
10 Who wants to go back into an intense program,  
11 which are non-existent. Because again, you have  
12 ELL students that are being tested for special ed.  
13 There's a small test, maybe \$50, it's not too  
14 expensive, that they can use for children who are  
15 ELL students so that they can be tested  
16 appropriately. Then you have methodologies,  
17 teaching methodologies like the Lindamood-Bell  
18 Curve, which most-- the vast majority of Learning  
19 Disabled children that have a language impairment  
20 of some sort would benefit from, because the  
21 public school system no longer is teaching our  
22 children by phonics. They're teaching to the  
23 test, as many of us know, but they're not teaching  
24 phonetically. Therefore the Learning Disabled get  
25 even more lost.



1

CHAIRPERSON JACKSON: Okay.

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CARMEN SANTANA: That's why they can't go beyond that third and fourth and fifth grade reading level. So in essence you have to develop the supportive services, I mean for real. Not that, oh we're going to do this and it looks good here, but you can't implement it and allow them-- because it's their federal right. And here's the last thing I'm going to say, under U.S.C 15009, which is the--

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13

CHAIRPERSON JACKSON: [Interposing]

I'm sorry, what is that?

14

15

16

CARMEN SANTANA: That's the federal law that protects children with disabilities in the school system.

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CHAIRPERSON JACKSON: Go ahead.

CARMEN SANTANA: Besides IDEA, is something that maybe the Board of Ed should try to look at and implement, because it is their federal right to not have their IEPs violated. And they're violated each and every single day in the public school system in New York.

24

25

CHAIRPERSON JACKSON: Okay, thank you.

1  
2 CARMEN SANTANA: So, I thank you  
3 for allowing me to come here today and speak my  
4 two cents. I hope that it will be-- maybe you can  
5 take a hearing into the different boroughs. Speak  
6 to the parents, speak to the advocates that really  
7 know their business and passionate about it and  
8 not getting paid to do the service. They will  
9 tell you the truth and give you the true numbers  
10 and the true recommendations.

11 CHAIRPERSON JACKSON: Thank you.

12 CARMEN SANTANA: Thank you.

13 MATT SHOTKIN: As was stated at the  
14 last Koppell hearing at the end of the day--

15 CHAIRPERSON JACKSON: [Interposing]  
16 Introduce yourself.

17 MATT SHOTKIN: --the room gets very  
18 empty.

19 CHAIRPERSON JACKSON: Just  
20 introduce yourself.

21 MATT SHOTKIN: I'm sorry. My name  
22 is Matt Shotkin and I'm an advocate. Before I  
23 start my testimony, Mr. Chairman, I'd like to  
24 commend you on proposed Reso 1271A. I think that  
25 as a suggestion to Mr. Koppell, Councilman Koppell

1  
2 that Jewish holidays like Friday should not be  
3 included in the proposed Reso as well. And take  
4 that under advisement. And the second thing is  
5 that my late Aunt was in the school system when  
6 the Regents exams were 55. As a schoolteacher for  
7 over 20 years. So good morning, afternoon. My  
8 name is Matt Shotkin and I'm an advocate. We've  
9 been saying all along enough is enough with the  
10 City budget. Can you imagine \$1,800,000, which is  
11 1.9% of the total budget, for a budget of \$59  
12 million. This was reported by MAS, some arts  
13 society, at a Borough President's press conference  
14 back on June 9th. Also there should be money in  
15 the budget for things lick potholes and cracks in  
16 the sidewalk and on the curb. The City's  
17 financial plan, beginning September the 1st of  
18 2009, is \$7.66 million. This was because there  
19 was a projected \$1.6 billion budget gap for the  
20 State fiscal year. This means no or less money  
21 for the public schools and even no or more money  
22 later for the schools or general education. My  
23 personal opinion is that June the 22nd shouldn't  
24 have been a real deadline in the first place.  
25 Sometime in the fall is a better deadline with

1

2 this new political party coup. Thanks for your  
3 time today.

4

CHAIRPERSON JACKSON: Thank you all  
5 for coming in. And let me just say that I'm happy  
6 that--

7

[Pause]

8

CHAIRPERSON JACKSON: I'm glad that  
9 Rafael and Carmen, that you spoke about children  
10 with special needs and other advocates that spoke  
11 about that, because clearly that is extremely  
12 important, as you indicated so many times, the  
13 IEPs are not followed the way they're supposed to.  
14 And some students, and I don't know how many, are  
15 not evaluated properly. And clearly under these  
16 new requirements I think the IEPs are going to  
17 have to be revised in order to say whether or not--  
18 - what are they going to do in order to make sure  
19 that each individual student with an  
20 Individualized Educational Plan, how are they  
21 going to achieve getting those Regents diplomas,  
22 unless they're not going to have high expectations  
23 and only believe and think that those children  
24 with IEPs are only going to receive their IEP  
25 diploma or IEP certificate, because quite frankly

1  
2 it's going to take so much work and it's going to  
3 cost a lot of money in order to ensure that those  
4 students can graduate from high school with a  
5 Regents diploma. And I don't know whether or not  
6 the Department of Education as a whole is ready to  
7 step up to the plate and hit that home run on  
8 behalf of those children with IEPs. I mean it  
9 also, if you were here you heard about the opinion  
10 expressed that they are cooking the books right  
11 now and using these Credit Recovery programs,  
12 which they don't even know how many exist. They  
13 don't know where they're at. They don't know how  
14 many students are involved, in order to boost the  
15 graduation rates overall. I don't have faith that  
16 the system is going to provide for our students  
17 what our students really need.

18 CARMEN SANTANA: Council Member,  
19 excuse me. Could I say one thing? First of all--

20 CHAIRPERSON JACKSON: [Interposing]  
21 Sure. Just identify yourself.

22 CARMEN SANTANA: I'm sorry. Carmen  
23 Santana. I just wanted to add to what I said  
24 before that one of the things that should be told  
25 and should be explained thoroughly is the options

1  
2 of special needs children that they have the  
3 right, they have every right to want to have-- to  
4 exit the high school system with a Regents diploma  
5 or a local diploma. Right now the vast majority,  
6 you could pull from anywhere you want, an IEP of a  
7 child from high school and you will not find a  
8 Regents diploma written on there with a plan of  
9 action. So that has to be foremost important that  
10 they be informed that they have a right to also go  
11 for a Regents diploma and be provided with the  
12 services so they could meet that goal.

13 MATT SHOTKIN: Mr. Chair, just to  
14 correct something that Carmen said, nowhere in  
15 Section 504 of the ADA does it say that. No  
16 place.

17 CHAIRPERSON JACKSON: Okay. And  
18 let me just say that I'm reading from a report  
19 from the New York City Department of Education.  
20 The class of 2007 four-year longitudinal report,  
21 and 2006, 2007 even drop out rates, this is dated  
22 August 2008. And it says nearly 3%, meaning 2.7%  
23 of the District 75 cohort graduated in four years  
24 in the class of 2007. So nearly three percent,  
25 reflecting a slight increase in the four-year

1 graduation outcomes of students in this cohort.  
2 1.9% of District 75 students graduated in 2006.  
3 2.0% in 2005 and less than 2% in 2004. The four-  
4 year graduation rate for special education  
5 students in self-contained classes, however, was  
6 10.6% for the class of 2007, a decrease from 2006,  
7 when there was 12.8%. Now, this is only  
8 graduation. It doesn't say what percentage  
9 graduated with Regents diplomas. So mind you,  
10 we're just talking about graduation. And overall  
11 as you know, the New York City graduation rates in  
12 general, and then specifically as far as Regents  
13 diplomas and or general diplomas and or IEP-- they  
14 call them IEP diplomas or certificates?

15  
16 RAFAEL RIVAS: It's IEP diploma  
17 right now.

18 CHAIRPERSON JACKSON: Okay. That's  
19 what they classify it?

20 CARMEN SANTANA: Right.

21 RAFAEL RIVAS: Yes, that's correct.

22 CHAIRPERSON JACKSON: Rafael, as  
23 you know, the statewide standards are much higher  
24 for the entire state than in New York City. Much,  
25 much higher. And I wanted to read those

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statistics because clearly we have a long way to go for the general population. But the children with IEPs, it's like climbing Mt. Kilimanjaro in Tanzania, which I plan on doing next year. I really do. But I mean it's not a joke. This is a serious problem. And unless the resources are put there and unless the will and determination to make sure our children succeed-- we're in big trouble, especially with children with IEPs.

RAFAEL RIVAS: Can I add something quickly?

CHAIRPERSON JACKSON: Sure.

RAFAEL RIVAS: This is Rafael Rivas. To piggyback a little bit on what Carmen said about the transition plan, each student who has an IEP has to have a transition page developed on or after the child's 15th birthday, whenever the IEP meetings take place.

CHAIRPERSON JACKSON: So you mean in high school every child who has an IEP, the fifth page or the last page should be a transition--

RAFAEL RIVAS: [Interposing] It's page 10 is the transition page.



1  
2 CHAIRPERSON JACKSON: Page 10 is  
3 the transition page, which should spell out what,  
4 Rafael?

5 RAFAEL RIVAS: It basically should  
6 spell out what the child is going to be doing once  
7 they leave high school. And often not, that  
8 transition page is very vague. It's very general.  
9 It's not specific to the particular student and  
10 it's not really changed every single year. And  
11 one of the things about the IEP-- I am an  
12 advocate, I advocate for parents and youth at IEP  
13 meetings, oftentimes the IEP is not typed; it's  
14 handwritten and it's very difficult to understand  
15 when it's handwritten. So that's another problem.

16 CHAIRPERSON JACKSON: And they're  
17 not electronically emailable to whoever in within  
18 the system?

19 CARMEN SANTANA: That is the number  
20 one violation is that an IEP should be not in  
21 longhand but typewritten so it is legible.

22 CHAIRPERSON JACKSON: Is that a  
23 violation?

24 CARMEN SANTANA: Absolutely.

25 CHAIRPERSON JACKSON: Is that a

1

2 requirement?

3

CARMEN SANTANA: From my

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understanding it is. And I'm not an attorney but

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I've heard that it is a violation because it has

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to be legible. Here is a big, big problem. And

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like I've said early on, I've seen two in my 30

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plus years of dealing with special education, two;

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one of them being my son's because I've commanded

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that it be typewritten. I don't want anything

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longhand. I want to make sure that it's legible.

12

It is a violation, as far as I know. And there

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are so much. I mean there's 14 to 16 pages, am I

14

correct, maybe one or two pages here and there

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depending on the disability of the child, but one

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page piggybacks off the other. And page 10 has to

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concur with page 1. It's not just one and not the

18

other.

19

CHAIRPERSON JACKSON: I hear you.

20

Ms. Goldmark, concerning College Summit New York,

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you said that you're in 40 schools. If you can

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submit a list to us of the schools that you're in

23

and who is paying for this? Who is paying for it?

24

And then I have another question. Go ahead. Who

25

is paying for it and how much?

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2 KARIN GOLDMARK: So it's a national  
3 non-profit. Our costs-- about a little over 80%  
4 of our costs are funded through philanthropy--

5 CHAIRPERSON JACKSON: [Interposing]  
6 Good.

7 KARIN GOLDMARK: Individual and  
8 foundations. And the schools pay a per student  
9 fee. And so the schools decide to partner with us  
10 and the schools pay the fee.

11 CHAIRPERSON JACKSON: And what is  
12 the fee per student?

13 KARIN GOLDMARK: The fee is \$200  
14 per student.

15 CHAIRPERSON JACKSON: Per student?

16 KARIN GOLDMARK: Sorry, \$200 per  
17 senior.

18 CHAIRPERSON JACKSON: Per senior.

19 KARIN GOLDMARK: Because it's  
20 mostly a 12th grade curriculum and program, and  
21 then the 9th, 10th and 11th pieces are basically  
22 the curriculum is a little more.

23 CHAIRPERSON JACKSON: Is all of  
24 that described somewhere as to the fees and what  
25 you do as far as--

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KARIN GOLDMARK: [Interposing] Yes.

2

3

CHAIRPERSON JACKSON: And where is

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that?

5

KARIN GOLDMARK: I can actually

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leave you with a PowerPoint that will describe all

7

of that if it's helpful.

8

CHAIRPERSON JACKSON: Good. That

9

will be great. Now you said also that some of

10

your schools, you increased the College acceptance

11

when you were involved in the school by like 25,

12

26%.

13

KARIN GOLDMARK: Just 20. 20.6, so

14

it's really 20.

15

CHAIRPERSON JACKSON: Okay, 20.6.

16

In a nutshell, how did you do it? Make it quick,

17

and then I will follow up. But in a nutshell, you

18

know, that's a huge gap-- not gap. That's a huge

19

achievement.

20

KARIN GOLDMARK: So it's 20%

21

growth, I just want to make it clear.

22

CHAIRPERSON JACKSON: Growth.

23

Okay, but growth.

24

KARIN GOLDMARK: So it's not like

25

it goes from 20% to 40%.

1

2

CHAIRPERSON JACKSON: No, I

3

understand. 20% growth from wherever they are,

4

and they may have only been like 3%, and when you

5

go up to 20%--

6

KARIN GOLDMARK: [Interposing] So

7

thank you for that. First of all it's the schools

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that do it. We help the schools do it and we're

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sort of-- we're alongside the schools working with

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them, but it's really the schools that do it. So

11

the schools make a commitment that this is really

12

what they want to do. They want to make sure that

13

all students have the opportunity to go if that's

14

what the students choose to do. So the really

15

powerful pieces of it is that every 12th grader

16

takes a class and that class guides them through

17

the process so that all of that information that

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is often assumed to be having-- I mean the

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standard model is that if somebody goes to the

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College often and asks for help they get it. But

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a student who doesn't know that they're College

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material, a student who doesn't think of

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themselves that way may not ask, may not get the

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help. And parents aspire for their children to go

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to college, but if they didn't go or they didn't

1  
2 go in this country, they may not know the  
3 questions to ask. So we have a textbook, I have  
4 one in my bag. It's 100 pages long, every  
5 question that you could possibly ask about the  
6 process. And so they teach--

7 CHAIRPERSON JACKSON: [Interposing]  
8 Is that online too?

9 KARIN GOLDMARK: The textbook isn't  
10 online, but sort of the general description of it  
11 is. It's online for the students, yes. In  
12 schools that use our program there's an online  
13 component, yes.

14 CHAIRPERSON JACKSON: Okay.

15 KARIN GOLDMARK: But I meant the  
16 whole book isn't available to the general public.  
17 So every 12th grader takes a class. Teachers  
18 teach the class and the counselor works  
19 individually with teachers and with students on  
20 the more complicated aspects of the transition and  
21 the FAFSA and all of that. And then the students  
22 10 to 20% of the students spend four days in the  
23 summer before senior year on a college campus  
24 doing an application and writing a personal  
25 statement, learning about financial aid--

1

CHAIRPERSON JACKSON: [Interposing]

2

And this is before their senior year.

3

4

KARIN GOLDMARK: Before, so that

5

when they go back in the fall and someone says--

6

CHAIRPERSON JACKSON: [Interposing]

7

They're ready.

8

KARIN GOLDMARK: --hey, what are

9

you doing next year, they can say--

10

CHAIRPERSON JACKSON: [Interposing]

11

They're ready. They're already in the process.

12

Okay.

13

KARIN GOLDMARK: And so that's in a

14

nutshell how it works. And so the schools, it's

15

about being relentless about that effort for the

16

school.

17

CHAIRPERSON JACKSON: And so you've

18

grown, you've been involved in New York for three

19

year and you've grown to be involved in 40

20

schools.

21

KARIN GOLDMARK: Yes.

22

CHAIRPERSON JACKSON: Are you going

23

to sell yourself to schools or are schools coming

24

to you? Or a combination of both?

25

KARIN GOLDMARK: So obviously when

1

2 we started it was knocking on doors saying don't  
3 you want to try this.

4

CHAIRPERSON JACKSON: Okay.

5

6 call us. As I said, it's a different landscape in  
7 terms of schools are realizing that in order to  
8 address graduation and drop out rates they really  
9 have to be clear about the purpose.

10

CHAIRPERSON JACKSON: Are you  
11 following, tracking the students that are going to  
12 college and whether or not they're staying in  
13 school for the first or second year?

14

KARIN GOLDMARK: We do one year per  
15 system so far. And so for New York, that sample  
16 size is very small.

17

CHAIRPERSON JACKSON: Okay.

18

KARIN GOLDMARK: It's very high,  
19 but it's very small and so I don't feel  
20 comfortable relying on that number.

21

CHAIRPERSON JACKSON: Okay.

22

KARIN GOLDMARK: Our national  
23 number shows that the persistence rate for  
24 students nationally, at colleges and partner  
25 schools, a little under 70% which is way above--



1

2

CHAIRPERSON JACKSON: [Interposing]

3

You mean that they stay in school after the first

4

year?

5

KARIN GOLDMARK: From first to

6

second year of college.

7

CHAIRPERSON JACKSON: Okay.

8

KARIN GOLDMARK: Which is far above

9

the average for low-income students, and is about

10

the average for all income groups. So the

11

process-- so high schools can do something about

12

college persistence, even when they are still in

13

high school because our program does not go

14

through into college.

15

CHAIRPERSON JACKSON: Okay. Well

16

let me thank you all for coming in. And maybe if

17

you have a copy of that book the Education

18

Committee would like to see that. Okay? Listen,

19

we appreciate all of you coming in and giving

20

testimony. This is an extremely important subject

21

area, now and in the future. Because as you know

22

based upon the standards that are set by the

23

State, all of our children, unless they're changed

24

or extended, are going to have to meet the

25

requirements. And from what I hear today, DOE is

1

2 saying that they have a plan to monitor, to try to  
3 get those that are between 55 and 64 to get up to  
4 the next level, but from what I'm hearing about  
5 the Credit Recovery program, what I'm hearing  
6 about from advocates as far as, you know, the IEPs  
7 and the general diploma and the IEP diploma-- and  
8 the representative from the Department of  
9 Education not even knowing that it expires-- the  
10 general diploma expires beginning next year for  
11 ninth graders with IEPs, you know, that's very,  
12 very scary. And especially scary when the Deputy  
13 Chancellor for Curriculum and Instruction, even  
14 being nine days on the job, and I congratulated  
15 him, but he was a Regional Superintendent. He was  
16 a Principal of a school. She is a Senior Advisor  
17 to the Chancellor. They knew that this hearing  
18 today was about the new graduation requirements.  
19 It would seem as though they would know that that  
20 answer as to the local diploma expires for all  
21 students with IEPs ending this year and starting  
22 the fall of 2009, which is only three months away,  
23 kids coming into the ninth grade with IEPs, that  
24 they must before they graduate, they must pass all  
25 Regents exams like everybody else to get a Regents

1  
2 diploma. Because their only other option would be  
3 an IEP diploma, which as Rafael Rivas, who is an  
4 advocate for the Brooklyn Center for Independence  
5 of the Disabled, is not worth anything basically.  
6 I'm saying that. You didn't say it, but it's  
7 almost not worth anything. It can't get you into  
8 the-- I don't want to say the military first. It  
9 can't get you into college. It can't get you into  
10 military and some employers don't even accept it  
11 as a diploma because it doesn't meet the minimum  
12 requirements for people really doing the job.

13 CARMEN SANTANA: Council Member, I  
14 would love to see an action plan, a real  
15 comprehensive detailed plan, not only for children  
16 with special needs but children in general  
17 education itself. How are they going to-- New  
18 York State is the only state right now that has  
19 Regents diploma. I don't know of any other state,  
20 New Jersey, Connecticut, that are doing Regents  
21 diploma. So they're really setting the standards  
22 extremely high. I would like to see a really  
23 comprehensive detailed plan on how they intend on--  
24 - and what is the timeline--

25 CHAIRPERSON JACKSON: [Interposing]

1

2 You mean with students with IEPs you're talking  
3 about.

4

CARMEN SANTANA: For everyone.

5

6 Because you got kids that are disabled but you  
7 also have general ed students that are also being  
8 challenged and having to meet the requirements.

9

10 What are the services going to be available for  
11 those special-- not only special ed, but general  
12 education students? Will there be some sort of a  
13 plan? Courses? Remedial courses should not have  
14 to happen at Junior College. It should happen in  
15 high school so they can lead up to those diplomas.

16

CHAIRPERSON JACKSON: Okay. Well

17

thank you very much.

18

MATT SHOTKIN: Mr. Chair, can I

19

just make some--

20

CHAIRPERSON JACKSON: [Interposing]

21

Final observations.

22

MATT SHOTKIN: A final observation

23

24 or something that, yeah, I don't know if you heard  
25 Carmen earlier, the age requirement is 14 and not  
15. And I would just recommend to you as the

26

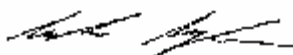
esteemed Committee Chair and the full Council that  
you hold further hearings on this before the fall.

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11

CHAIRPERSON JACKSON: Thank you. I don't know if we're going to have it before the fall, but clearly the indication is today that we need to hold additional hearings on this very, very important subject. I want to thank you all for coming in and appreciate it. Now this hearing on the graduation requirements, the new graduation high school requirements, oversight hearing of June 18th is now adjourned at 2:27 p.m.

C E R T I F I C A T E

I, Erika Swyler certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.



Signature \_\_\_\_\_

Date July 23, 2009