



Legislation Text

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Res. No. 1397

Resolution calling upon the New York City Department of Education to prohibit the use of screens for admission into community school district middle schools for the 2021-2022 school year.

By Council Members Lander, Rivera, Barron, Powers, Reynoso, Menchaca, Chin, Rosenthal, Rose and Levin

Whereas, In 1954, the United States Supreme Court ruled in *Brown v. Board of Education* that segregated schools were unconstitutional under the Equal Protection Clause of the Fourteenth Amendment; and

Whereas, While the Supreme Court's ruling declared school segregation unconstitutional over 65 years ago, research shows that today the United States school system remains segregated, with New York City (NYC), one of the most diverse cities in the world, having one of the most segregated school systems in the entire country; and

Whereas, Most public elementary schools and some middle schools are zoned schools that prioritize students who live in the neighborhood for admissions; however, some middle schools are unzoned and select students from across the city based on different criteria, including those set forth through screening processes; and

Whereas, New York Appleseed reports that 37% of middle school programs use some form of competitive screening which evaluate students based on their attendance, interviews, grades, test scores, an exam, or some combination of these criteria, and advocates contend that these criteria limit choice for students who are struggling academically and students who have behavioral challenges; and

Whereas, Limited unscreened schools, which unlike screened schools do not consider academic and attendance records, give priority to students who have attended a school's open house event, table at a high

school fair, or informational session; however, attending these events

may be challenging for parents who work long hours and therefore cannot attend such events with their children; and

Whereas, According to some researchers, such as Gary Orfield of the University of California, Los Angeles, screening processes often perpetuate racial and economic segregation; and

Whereas, The School Diversity Advisory Group reports that Black and Latinx students are disproportionately excluded from screened programs, as well as students with disabilities, English Language Learners and students who qualify for free and reduced priced lunch; and

Whereas, Research shows that schools that are racially and socioeconomically integrated provide a host of academic benefits for students; and

Whereas, According to the Century Foundation, students in integrated schools nationwide have higher average test scores, and a 2016 analysis by Citizens' Committee for Children of New York found that students in integrated schools were more than twice as likely to meet proficiency standards on the English Language Arts exam than students in intensely segregated schools; and

Whereas, The Century Foundation also reports that students in integrated schools are less likely to drop out of school and more likely to enroll in college and that these students benefit from more equitable access to resources, such as highly qualified teachers, better facilities, more challenging courses, and increased funding; and

Whereas, Recognizing the benefits of school integration, schools and school districts across the city have implemented diversity plans, including District 15, which is the only community school district to eliminate all academic screens for middle school enrollment, opting instead for a lottery system; and

Whereas, In November 2019, the New York Daily News reported that District 15's plan increased

diversity with schools like M.S. 51 shifting from 47 percent White during school year (SY) 2018-19 to 28 percent in SY 2019-20, and the percentage of students who were living in temporary housing, experiencing poverty or learning English increasing from 34 percent to 50 percent from SY 2018-19 to SY 2019-20 respectively; and

Whereas, In August 2019, NYC’s Department of Education (DOE) announced changes to the middle school and high school admissions process that included reducing admission rounds from two rounds to one round and wait-listing students for schools they list higher on their application than the school that they receive an offer for; and

Whereas, The Department’s announcement and plans were silent on how it intended to address the consequences of screened and limited unscreened schools across the school system, and today advocates contend that the implications of the coronavirus pandemic on the education system may exacerbate an already inequitable admissions process; and

Whereas, As reported by The Century Foundation, New York State canceled state exams due to the coronavirus, remote learning has made it challenging for schools to accurately track student punctuality and attendance, and DOE amended its grading policies to include broader categories such as “meets standards,” “needs improvement” and “course in progress” in lieu of traditional letter and numerical grades; and

Whereas, The Century Foundation also notes that while some may contend that schools should use state test scores from the previous years, this process would be dubious as a student’s ability could have dramatically improved or declined from 12 months ago, and SY 2019-20 was many third grade students’ first year taking a statewide exam; and

Whereas, There are also some issues with using student grades from SY 2019-20 as during remote learning, not every student had a quiet place to study or sufficient technology and bandwidth to learn from

home, and while some people may consider using grades from the first semester of school, one semester of school does not adequately show a student's complete academic abilities; and

Whereas, While The Century Foundation contends that that the DOE should, in the short- term, suspend the use of screening processes for SY 2020-21 given the impact of the current pandemic, it also contends that, in the long-term, DOE should consider changing the way students are admitted into public schools; and

Whereas, New York City is one of the most diverse cities in the world, but the school system does not reflect that diversity; this is true for many reasons but is at least in part because it has adopted a screening process that disallows many of its students from benefiting from such diversity; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to prohibit the use of screens for admission into community school district middle schools for the 2021-2022 school year.

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8/24/20
KJ