



# Community Education Council For District One

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By First Class Mail and Electronic Mail  
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The Honorable Ira Schwartz  
Assistant Commissioner, Office of Accountability  
New York State Department of Education  
55 Hanson Place, Room 400  
Brooklyn, NY 11217

**2015-18 Title I School Improvement Section 1003(a)**  
**Socio-Economic Integration Pilot Program**

Dear Assistant Commissioner Schwartz,

Community District Education Council 1 (CEC1) is a body of elected and appointed parents and community members that advocates for the students and their families in Community School District 1 (CSD1). We act as a watch dog and policy monitor where required and are deeply invested in bringing about admissions equity to our highly segregated school district. We have a number of questions and concerns regarding the \$1,250,000 3-year Socio-Economic Integration Pilot Program Grant (Grant), awarded in July 2015 by the New York State Education Department (NYSED) to CSD1 and the New York City Department of Education (NYCDoE). We represent the community's interest and, because several CEC members were involved in Grant workgroups, have detailed knowledge of the process documented here. We would greatly appreciate: i) a written response to our questions and concerns; ii) your intervention with the NYCDoE to produce a timetable for the Grant's deliverables; and iii) your advice on how best to collaborate with the NYCDoE to achieve SEI admission for this year's Pre-Kindergarten admission cycle.

## 1. What is the current status of the Grant?

The planning period of the Grant, commenced in July 2015, has not to date resulted in a proposal to NYSED. The grant mandated, in sequence, a six-month Planning Period, community review of a proposed plan (the Plan) for Socio-Economic Status (SES) integration and target school (PS 15) improvement (\$250K awarded), submission of the Plan to the NYSED, and, upon NYSED approval, a 30-month funded Implementation Period of up to \$1million (year 1 (September 2015-June 16), year 2 (July 2016-June 17), and year 3 (July 2017-February 18)).

At a Town Hall on March 29, 2016, the three workgroups (the SES Target School Work Group (PS 15 workgroup), the SES Integration Work Group (SEI workgroup), and the Family Resource Center (FRC workgroup)) provided a mid-term activity report as part of a revised planning period. In early May, the SEI workgroup made formal recommendations to the NYCDoE and to the expert planner (Expert Planner) and asked the Planner to test the efficacy of certain of the recommendations (a beta test). Throughout May and through June, the FRC workgroup surveyed the families in the district's schools in the community as part of a needs assessment for the FRC planning.

The Grant mandated that the Expert Planner provide technical analysis, input, and testing of the workgroup recommendations, which were also to utilize (for the FRC recommendations) formal focus groups to receive the input of the most at-risk sub-groups who were under-represented in the survey data and (for the SEI) the beta test of the effectiveness of the recommended SES conscious assignment policy. 16 months from the award of the Grant though, the Expert Planner still has not been approved as a registered contractor, resulting in significant delays and minimal progress. NYCDoE data required for modelling purposes has, until very recently, been unavailable for one stated reason or another.

Now, without ever submitting or seeking approval (of either the community or NYSED) of a SES Integration Plan, the NYCDoE has declared that the Grant has reached Implementation Year 2, requiring immediate collaboration between the workgroups and the NYCDoE's Office of Student Enrollment (OSE) within parameters defined by OSE. Without a Plan, the most basic elements of the community-driven workgroup recommendations have been disregarded. Indeed, in late September 2016 and reiterated over three private meetings since, OSE has communicated that there will be no admission changes for admission cycles in CSD1 this year (to seat students in 2017-2018). NYCDoE has also equivocated about implementing a change to enrollment the following year (to seat students in 2018-2019), while also making it clear that admission changes, if any, would be driven by and subject to NYCDoE priorities, rather than fulfilling socioeconomic integration, per the terms of the Grant. Furthermore, the NYCDoE has proposed implementing as soon as January 2017 a "pop-up FRC" that would not, as designed in the Grant proposal, support SEI integration but would rather support current market-based choice, the NYCDoE's own pilot single school set-asides in 4 schools and the expansion of Pre-K (by including the CBO Pre-K's (NYEES) in the FRC purview for the upcoming enrollment cycle).

**2. Can you please clarify who submits the planning period reports and proposed plan for approval that would lead to possible implementation phase funding?**

- **Is it actually PS 15, the SIG-eligible target school?**

If so, it is unclear how this responsibility could be placed on the school, since the PS 15 portion of the grant (the magnet-type efforts to enhance programming, resources, and teaching skills at PS 15) represents only one-third of the total activities and one-half of the grant budget. The PS 15 workgroup has also been operating separately from the other legs of the grant, i.e., the Community Innovation Model portion, composed of the SEI and FRC workgroups and objectives.

- **Is it the District Leadership Team (DLT)?**

Is the District Leadership Team (DLT) (or its Planning Team subcommittee) accountable for creating the final report and proposal encompassing the recommendations of the workgroups and Expert Planner? This is the official body named in the Grant as responsible for overseeing planning.

- **Is it the DLT, the Community District Superintendent (CDS), and the Expert Planner?**

Or should a combination of the DLT, the CDS, and the Expert Planner create the proposal? This is what was specified in the work plans approved in the application made to NYSED in response to the RFP for the SIPP planning grant.

- **Is it the NYCDoE grants office?**

Should the final proposal instead come from the NYCDoE grants office, on behalf of NYCDoE? Up until now, but in the name of CSD1, the NYCDoE grants office has reviewed, submitted, revised, and overseen all other application and planning documents submitted to NYSED.

**3. What level of transparency can the community expect regarding the SIPP grant activities, timeline, and budget?**

The grant application explicitly outlines broad and rigorous community engagement, outreach, and participation. Yet, to date, media, outreach, participation, information, scheduling, and even general updates have been controlled and limited by the NYCDoE. What level of transparency is appropriate and how (if appropriate) can the NYSED help to ensure greater transparency around the grant going forward?<sup>1</sup>

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<sup>1</sup> For issues around transparency, see Appendix A.

**4. To what extent can resources from the grant be diverted from the prescribed grant elements and activities to fulfill unrelated educational goals and activities that do not further SES integration?**

The grant application called for the creation of a FRC to support the recommended SES admissions plan. Instead, the NYCDoE has proposed launching, as soon as January 2017, a stand-alone “pop up” FRC that would be severed from implementation of SES admissions, which, according to NYCDoE, may not begin until 2018, if ever. In parallel to NYCDoE’s refusal to consider undertaking the SES integration admissions program for several years, the NYCDoE announced in November 2016 that they would be implementing single-school set-aside (SSSA) programs in 2 more CSD1 schools (for a total of 4 (last year 2 CSD1 schools participated in the SSSA programs)). It is apparent then that the “pop-up” FRC would support the unrelated policy aim and limited impact of these set-aside programs, rather than and in preference to the Grant mandate that a FRC be established to further SES integration.<sup>23</sup>

NYCDoE also proposes that the “pop-up” FRC support any pre-Kindergarten program located in D1, including the NYCEECS located at Community Based Organizations and which constitute approximately half of the pre-Kindergarten seats in the district. The Grant, however, explicitly mandates SES integration for pre-K and K entry grades in CSD1 elementary schools only.

**5. How can SED help define and ensure authentic collaboration between the NYCDoE and the community workgroups and the larger CSD1 community?**

The Grant mandates a collaborative process among the community-driven workgroups, the larger community, and the NYCDoE. NYCDoE intervention has consistently limited rather than strengthened the collaborative process though, whether in carrying out Grant activities, reaching decisions about the Grant, and even in the rewrites to the initial application. The administration of budgets, disclosure of information, and revisions to the timeline, have likewise limited the opportunity for collaboration, as Appendix C and D below more fully demonstrate.

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<sup>2</sup> Asked about the perceived double-standard with regard to allowing the hastily implemented expansion of the SSSAs (only announced in November 2016) in distinction to the disallowed but long-planned SIPP Grant, Josh Wallack, Deputy Chancellor of Strategy and Policy, and senior representatives of OSE (including Rob Sanft, CEO of Office of Student Enrollment, Sarah Kleinhandler, Deputy CEO of OSE, and Sonali Murarka, Exec. Director of OSE) expressed that they could implement the SSSAs because they would have no impact in the district, including at 3 of the 4 schools, and an insignificant impact at the 4<sup>th</sup> school (resulting in a maximum of 6-8 students being displaced).

<sup>3</sup> For issues with the Grant budget and resources, see Appendix B.

## **6. Can NYSED intervene to enforce the grant implementation time line?**

DoE recently proposed the rezoning of hundreds of Kindergarten seats on the Upper West Side in CSD3 to achieve greater diversity. That rezoning has not yet been approved by local stakeholders (with a vote scheduled for Nov 22, 2016) but is nonetheless all-but-guaranteed to take effect in some form in the current admission cycle. In CSD1 though, NYCDoE has decreed that implementation of district-wide changes for Kindergarten seats for this enrollment cycle is a non-starter. Furthermore, NYCDoE has taken off the table any attempt to figure out a path forward to make district-wide changes for Pre-Kindergarten seats (whose admission cycle runs from late January through late March). If lack of time for analysis and outreach is the chief obstacle to implementing the proposal for either the Kindergarten or the later Pre-Kindergarten admission cycles, why is the Upper West Side subject to one standard and the Lower East Side another?

Further, the single-school set-asides were not based on community buy-in, outreach, and feedback, despite false claims by NYCDoE to the contrary. Initially, in November 2015, 2 principals were given a window of 2 days to decide to join an original pilot of 7 schools for the 2016-2017 school year. In a similar pattern, the newest 2 set-aside plans were first publicly announced in late October 2016, only two weeks prior to the announced submission deadline and effectively foreclosing any community feedback (including opposition to the single-school approach, requests for the use of more meaningful targets, or requests for expansion to other categories of at-risk students). There was also no prior outreach, despite the ample opportunity (after the fact, the set-asides were said to have been submitted in mid-summer, within a week or two of the announced expansion). The Community Innovation Model grant, premised on broad community support, is, in contrast, supported by the community, tailored to community concerns, and has managed to progress this far only thanks to incredible volunteer efforts from the community.<sup>4</sup>

### **Conclusion**

Many of these concerns have been shared privately, with the CDS and with the NYCDoE, and publicly, at CEC and DLT meetings and other forums, repeatedly. The CEC and the public have tried tirelessly to move this process forward. Nonetheless, in spite of the current standstill, we think action is possible this year, and we think the answers to the questions above can help NYSED ensure and provide a path forward. We think that NYCDoE, in control of the data, the planner, the communication, the process, the budget, the timeline, transparency, and, ultimately, implementation, can do much better. We also know NYSED is uniquely able to help demand that NYCDoE live up to our hopes and their promises. With that in mind, we also ask for your help in seeing that NYCDoE provide, no later than November 30<sup>th</sup>, a public timetable for all of the Grant's deliverables, which should at minimum include a timetable to allow for implementation of a SEI admission plan for this year's Pre-Kindergarten admission cycle.

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<sup>4</sup> See Appendix E, "Issues Related to the Grant Timeline."

**Issues Around Transparency**

- The CDS did not allow the CEC to do outreach, attributed to a desire to prevent confusion and a need to preserve CSD1 control and avoid possible questions of whether the Grant was a CEC or a CSD1 grant. Concerns attributed to separating CEC advocacy and advocates from Grant planning permeated Grant activities, from the formation of workgroups, to limitations on participation, and the limitations on community outreach.
- Work group information, outreach, and participation was consequently taken on by the CDS (since, at least, September 2015), who acted as a “gatekeeper,” between the NYCDoE and the CSD1 community. The CDS was without a network of contacts to facilitate this role though, owing to the reorganization and reconfiguration of CDS responsibilities.
- Planning team meetings were neither transparent nor consistent and were not constituted as described in the RFP.
- A local media or communication strategy was not allowed, despite numerous requests from the community and planning team (since October 2015 for example) to create one. All media requests and inquiries were referred to the NYCDoE Central Press Office. Dates and times of planning meetings were not regularly shared or announced to the public.
- There was no communication plan, supports, or even website for community access to grant information, documents, data, and announcements. No CSD1 website was developed, despite the Grant item provided to do so. Instead, the CEC website and the D1 Twitter account were used by default. Though promised, scheduled, and funded, the CSD1 website is only now under review and subject to revision by NYCDoE in accordance with social media guidance, but without any review by workgroup or community participants.
- DoE (via the CDS) insisted on a closed process for announcing the grant opportunity and for selecting and running the community engagement workgroups.
- PS 15 workgroup and activities were sealed off from rest of the Grant and the community, making the status of the PS 15 workgroup meetings and output not transparent. Similarly, when a CEC information session focused only on the SEI admissions workgroup and the FRC workgroup (but not PS 15 workgroup efforts), community members voiced concerns that the CEC was misappropriating a PS 15 Grant.
- There was no monitoring or evaluation process established either internally or externally to create and share periodic reports, gather information, and ask questions. Only the PS 15 “magnet” portion of the grant was monitored by NYCDoE/NYSED evaluators.

**Issues with Grant Budget and Resources**

- The Grant budgeted \$85,000 to the Planner for a report and other technical support analyzing and doing outreach on the community proposal. To date, there has been no comprehensive report or outreach.
- The Grant budgeted a website to further the aims of the FRC, assist families in accessing information about CSD1 schools, and provide information about the planning process. To date, there is no website and the local CSD has assumed control of its planning, but without input from SIPP participants and relying solely on NYCDoE design and guidelines.
- The “pop-up” FRC, and whatever resources are attached to that effort, will be used to support the local set-aside programs and support enrollment of pre-Kindergarten students at CBOs. These FRC resources would not support Grant-mandated SEI enrollment.
- NYCDoE provided no Grants Office support. They retained 3% indirect costs though, removed wholly from the SEI and FRC budget and, separately, as 3% of PS 15’s budget.
- NYCDoE claimed to have received only the Implementation Year 1 budget (\$450,000, said to be received in January 2016) (but not the Planning budget) from NYSED, resulting in line item scheduling issues, numerous delays in relinquishing funds, and missed deadlines.
- The Expert Planner has still not been hired, so all work to date was done by volunteers. The absence of guest speakers, experts to address and inform workgroups or provide technical advice or analysis, and formal beta testing, has contributed to the lack of a formal plan and missed Implementation (the 2017-18 admissions that have been ruled out by the NYCDoE).
- The FRC workgroup was unable to purchase supports for a trip to Boston (the first FRC activity outlined in the RFP) until mid-January and even then the wrong train was reserved, the hotel was not paid for in advance, and volunteers were initially asked to cover costs. There was no ability to provide incentives for Focus Group or survey participation.
- The Grant Office deducts a 3% indirect cost fee, but failed to assign a grant officer liaison to provide support, training, or even orientation to the CDS, who was newly assigned to the district leadership roles in CSD1 at the same time as the Grants was announced, leaving the CDS preoccupied, with limited capacity, and no support.
- As steward of the Grant funds, the NYCDOE provided no budget clarity or transparency, limited only to an occasional report at the DLT.
- Title 1 spending limitations imposed additional barriers (barred incentives for survey and Focus Group participation).
- Reliance on OSE for data resulted in numerous delays to the SEI workgroup and planner, ultimately causing a missed deadline (unannounced and arbitrarily imposed by OSE at the 11th hour) for Implementation for the current enrollment cycle. This delay for one

additional year means that the first students to be seated under Grant Implementation would be in 2018-19 (at best and with no guarantees from NYCDoE).

- The CDS has committed funds to district activities (e.g., an arts festival, teacher training activities) that are not related to grant activities, were not part of the planning activities outlined in the grant, and were not recommended by the planning groups as activities to be undertaken as part of implementation.
- Without an approved proposal as a result of the planning phase, there is no valid implementation plan or scheduled activities to be supported by Grant funds.



Issues Around Process

- NYCDoe Grants Office has acted as the financial and reporting intermediary between the CSD1 DLT and NYSED, changing the grant application in February 2015 and removing references to Controlled Choice / Expert Planner Michael Alves. After reviewers' feedback the Grants Office had to revise the application, putting back many removed elements (April 2015).
- The final approved revised version of the grant application was never made available to the CSD1 community. A February 13<sup>th</sup> early revision was declared the final official version.
- NYCDoe (via the CDS, her staff, and OSE) has acted as manager of the workgroups (rather than allowing organic organization by the community group leaders) and gatekeeper of outreach to the CSD1 community, putting restrictions on members and activities (flyering, emailing, and the use family home addresses for post card mailing; the post card mailing for the FRC was delayed until NYCDoe's parent satisfaction survey (green survey) was returned). Workgroup members were not allowed to do outreach on their own to their own school communities, and only when approved on individual Facebook pages.
- The PS 15 magnet aspect was given priority (over the Community Innovation Model (of which the magnet component was only 1/3) and granted one-half of the budget) and isolated from other workgroups, and from forums, Town Halls, and outreach efforts.
- No local project manager was hired. Coordination and organizing services were provided by volunteers with no formal power or channels of input to NYCDoe or to the Expert Planner, both of whom are removed from the D1 community.
- Absence of a point person to provide updates, expedite delays, and provide information to CSD1 community, negatively impacted scheduling, communication, data access and analysis. Furthermore, the direct but unacknowledged impact of competing policy initiatives (e.g., Pre-Kindergarten, SSSAs) contributed to a lack of implementation progress.
- NYCDoe decided on parameters for collaboration and implementation. NYCDoe has set last minute timelines and standards for adoption of the SIPP grant proposal (with glaring double-standards for outreach/timeline/beta tests/research for the D1 SIPP pilot as compared with NYCDoe's SSSAs pilot or the recent rezoning in CSD3).
- The Expert Planner, written into the grant application and with the unique ability to provide technical expertise and access to other experts and supports, has, to date, still not been hired/registered as contractor, approximately 16 months after the planning grant award announced.
- The Expert Planner, hired by NYCDoe, is dependent on OSE for data, reports to OSE, and is not accountable to community workgroups. OSE and NYCDoe are also not accountable.

- There has been a resulting lack of support and limited resources for the community planning process elements (no stipends, transportation reimbursements, incentives for focus groups, translation services, outreach via flyers and emails, and an empowered project coordinator) to form and run workgroups.
- Additional barriers were created by scheduling out-of-district meetings and multiple in-district meetings at inconvenient times by the Expert Planner, who was not local, had no local proxy or presence, and has had to fund all travel out of pocket for 16 months.
- The NYCDoe created and expanded a competing pilot, now in 5 D1 schools, with double-standard for analysis, outreach, and community buy-in, as well as thresholds for integration.
- The NYCDoe has not tested or implemented the community workgroup proposal for SEI admissions claiming insufficient time for study and outreach. Yet, on Nov. 9, 2016, the NYCDoe proposed a huge rezone to CSD3 (still to be approved by CEC3, by vote scheduled for Nov 22, 2016) for Kindergarten admissions starting Nov. 30, 2016.
- The NYCDoe wants to co-plan a “pop up” FRC to open in early (January) 2017 to support the current Kindergarten and Pre-Kindergarten enrollment process, that would, by order of one senior NYCDoe official, include outreach and recruitment for (non-CSD1, non NYCDoe) CBO Pre-K programs, as well as the 5 SSSAs in D1.

**Issues around Collaboration**

- The NYCDoE has decided even before an admission proposal has been made, tested, and shared to redraw the parameters of what is feasible and desirable.
- Recent questions about glaring double-standards for outreach, timeline, beta tests, and research justifications were mostly dismissed.
- After the missed deadline (by NYCDoE decree) for Kindergarten admission, attempts to find common ground in support of Pre-Kindergarten Implementation in 2017-2018 were likewise dismissed.
- NYCDoE conclusions about what is desirable (further admissions inaction until, possibly, 2018-2019) stand in opposition to the will of the Community and the terms of the Grant.
- Similarly, NYCDoE conclusions regarding feasibility are contradicted by NYCDoE efforts with regard to the set-asides, by NYCDoE efforts in District 3, and by sheer logic (the significant amount of time until the pre-Kindergarten admissions cycle allows for action).
- NYCDoE has sought to temper the inaction on SES admissions this year with the set-asides. These also lacked collaboration.
- The workgroups, an opportunity for authentic collaboration, were unfortunately insufficiently independent from NYCDoE management.
- The organization, composition, communication, scheduling, and outreach of the workgroups was passively and actively limited by the CSD. For example, the CDS was on all WG email lists, which had a limiting effect on workgroup discourse. A CSD employee or the CDS actively controlled most external outreach and communications, decided the parameters of the meeting schedule, and oversaw all budgeting (only presented piecemeal to the DLT on a very few occasions for a tacit rubber stamp).

**Issues Related to the Grant Timeline**

- The Grant specifically laid out a timeline: a proposal from the workgroups to the enrollment planner, to be followed by community approval, to be followed by approval by NYSED to become a blueprint for implementation. This time line was not respected:
  - the Planning Period of March 2015 to September 2015 was to result in an award of implementation based on NYSED evaluation of the community planning proposal;
  - in fact, the Grant award was announced only in late July; and
  - there has been no community proposal submitted by NYCDoE to NYSED, as required for the Implementation award and originally due August 31, 2016.
- Yet, as the NYCDOE proposes a shift to “Implementation”:
  - the enrollment planner is still working without a contract;
  - data necessary for planning has not yet or only recently has been made available;
  - NYCDoE has flatly refused to implement any admission changes prior to 2018; and
  - NYCDoE is proposing a “pop-up” FRC, severed from admission changes, prior to focus group input from of at-risk families, and absent formal recommendations.
- With regard to the terminally stalled SEI admission changes, OSE has also justified inaction on the need to model proposed admission changes. OSE hampered the ability of the Planner though to model changes and has yet to independently model proposed changes:
  - OSE controlled the timeline for entering into the contract, entering into a non-disclosure agreement, and consenting to the release of the data, all of which would have obligated and allowed the Planner to model outcomes;
  - OSE did not even execute the contract until September 2016;
  - not until October 2016 did OSE share any Pre-Kindergarten data with the Expert Planner, which followed a similarly delayed release of Kindergarten data; and
  - the inaction came despite many requests, public and private, for urgency and attention, which were ignored up until the point at which the planning team was told that SEI admission changes were not feasible for 2017-2018 enrollment.