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# Learning to Listen

## Why the City Shouldn't Give Up on P.S. 114

*A Report by:*



Office of  
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PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

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## **Introduction**

Shutting down a school has a profound impact on the lives of students, parents and teachers. Closure decisions should require careful examination and extensive consultation with the school community -- including students, parents and teachers. These stakeholders are a critical element to understanding the context behind the school data, which is generally used to propose school closures. Regular feedback from the school community also provides essential information regarding a school's circumstances so it can be improved early instead of being at risk of closure.

The Department of Education ("Department") did not take input from the school community into account sufficiently before announcing plans to close P.S. 114 Ryder Elementary in Canarsie, Brooklyn for the 2011-2012 academic year. Conversations with teachers and parents reveal that the Department received but did not adequately respond to numerous pleas for help in the years leading up to the closure decision. The Office of the Public Advocate came to these conclusions by reviewing several documents -- including the Educational Impact Statement<sup>1</sup> ("EIS") for the proposed closure of P.S. 114, the public comment documents, and the Department's analysis of public comments. The Office of the Public Advocate also spoke with teachers and parents to better understand the issues at the school and to assess viable alternatives to closing the school.

The Department's analysis for closure is flawed for the following reasons:

- **Ignored parent and community complaints for 4 years.**
- **Ignored the school's history of positive Progress Report grades.**
- **Focused their performance evaluation solely on a year when many schools suffered from grade deflation because of outside factors.**
- **Ignored parents' high level of satisfaction with P.S. 114's education reported in School Surveys; and**
- **Disregarded the fact that the New York State Education Department declared P.S. 114 to be 'In Good Standing' in the most recent school year.<sup>2</sup>**

The Office of the Public Advocate believes that the Department should commit to supporting and turning around P.S. 114 and defer plans to close the school.

**"We were crying out to the DOE for attention. That's why parents and teachers recorded their opinions in that environment survey. They gave it bad marks because they were saying, 'Pay attention to us. This is what's really going on here.'"**

*P.S. 114 classroom teacher for 10 years*

**"It's been sort of a downward spiral. We've gone through three administrators in the last couple of years. We were mismanaged by one administrator for 4½ years... We've lost services. We're paying back a debt that the former principal amassed... Through it all, though, one constant has been the relationship between the teachers and the kids."**

*P.S. 114 staff for five years*

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<sup>1</sup> Educational Impact Statements are documents explaining the education impact and space impact on schools being proposed for major school utilization changes.

<sup>2</sup> New York State Education Department, "The New York State School Report Card, Accountability and Overview Report: PS 114 Ryder Elementary," February 5, 2011, <https://www.nystart.gov/publicweb-rc/2010/05/AOR-2010-331800010114.pdf>

Specifically, the Department should implement a four point plan to help strengthen the school:

- **Forgive P.S. 114's debt**
- **Recruit a new P.S. 114 Principal with experience in improving school performance**
- **Work to improve school safety at P.S. 114**
- **Provide P.S. 114 teachers with targeted professional development**

## **The Warning Signs**

As school surveys, public comments, and one-on-one interviews show, the community at P.S. 114 has tried for years to improve the school. Instead of supporting these voices and carefully examining the evidence, the Department ignored warning signs and did not provide sufficient institutional support.

**“They took away all of our afterschool programs. They took away our AIS programs. They took away our coaches. They took away every resource that you could possibly think of... When they took that away, we had no one to go to. No one. There were times when you had children in your classroom that you could clearly see needed help other than just you, and you had no one to turn to.”**

*P.S. 114 classroom  
teacher for 8 years*

For four years, teachers and parents repeatedly voiced their distress regarding the previous Principal Maria Penaherrera, who severely destabilized during her tenure. Under her mismanagement, the school accrued a budget deficit of \$180,000 that led to the loss of guidance counselors, support services, and educational resources.<sup>3</sup> Ms. Penaherrera also failed to follow basic safety and security measurements. For example, she failed to evacuate the building, inform staff, or notify the appropriate authorities when a bomb threat was phoned in to the school.<sup>4</sup> She was later investigated when the school's carbon monoxide alarm went off and she was not in the building.<sup>5</sup> Likewise, when the School Surveys were distributed in 2008, Ms. Penaherrera sent letters to parents that warned that budget cuts were

possible if the survey results were unfavorable.<sup>6</sup> These offenses were indicative of a general unwillingness to support and communicate with staff, students, and parents.

The school community made numerous efforts to draw the Department's attention to P.S. 114's leadership failures. The United Federation of Teachers members of P.S. 114 took a "Vote of No Confidence" on Penaherrera on

<sup>3</sup> "The Failure of P.S. 114: 1, 2, 3" *New York 1*, January 18-20, 2011,

[http://www.ny1.com/content/news\\_beats/education/132433/the-failure-of-ps-114--part-1/](http://www.ny1.com/content/news_beats/education/132433/the-failure-of-ps-114--part-1/)

<sup>4</sup> Letter to Chancellor Klein from P.S. 114 Parents, April 2008

<sup>5</sup> Special Commissioner of Investigation for New York City School District, "An investigation found Maria Penaherrera, a principal formerly assigned to PS 114 in Brooklyn, committed various financial infractions," please see: <http://www.nycsci.org/reports/07-10%20Penaherrera,%20Maria%20Ltr.pdf>

<sup>6</sup> Carrie Melago, "Schools urge teachers make positive comments on surveys vital to funding," *The New York Daily News*, March 31, 2008, [http://www.nydailynews.com/ny\\_local/education/2008/03/31/2008-03-31\\_schools\\_urge\\_teachers\\_make\\_positive\\_comm-2.html](http://www.nydailynews.com/ny_local/education/2008/03/31/2008-03-31_schools_urge_teachers_make_positive_comm-2.html)

November 20, 2007. Parents of P.S. 114 students also sent a letter to Chancellor Klein in April 2008 that outlined serious complaints regarding lack of educational opportunities, poor communication, and safety concerns. They explicitly requested a change of leadership at P.S. 114. However, Ms. Penaherrera remained in place until 2009 and left the school in need of a substantial rebuilding.

An investigation released July 21, 2010 by the Special Commissioner of Investigation for New York City School District found substantiated serious misconduct by Principal Penaherrera at P.S. 114. In interviews with individuals and consultants who worked with the school, one consultant explicitly stated that in “his years of working in education he had never seen a school being run as poorly as P.S. 114.”<sup>7</sup> The P.S. 114 is now at risk of closure largely because the Department demonstrated consistent apathy and inaction when red flags were raised by the school.

### **The Department’s Rationale for Closure**

According to P.S. 114’s EIS:

*The DOE considers the closure option for schools which fall into one or more of three categories: (1) schools that received poor grades on their annual Progress Report; (2) schools that received a poor rating on their annual Quality Review; and (3) schools that have been identified by the New York State Education Department as Persistently Low Achieving. Specifically, under the DOE’s accountability framework, all schools that receive a D or F, or a third consecutive grade of C or lower on their annual Progress Report and all schools that received a rating below Proficient on their most-recent Quality Review are evaluated for intensive support or intervention, including the possibility of closure.*<sup>8</sup>

Below is a summary of the Department’s specific rationale for closing P.S. 114.

- *Poor performance on the 2009-2010 school year Annual Progress Report;*
- *P.S 114 was rated “Under developed” on the 2008-2009 school year;*
- *P.S. 114 failed to provide students and parents that fosters the proper learning conditions that students and their families- this is evidenced by the fact that it has received an F on the Environment subsection of the Progress Report for three consecutive years. These scores are reflective of a school that has failed to provide high expectations for its students and has been ineffective in communicating with its parent body;*
- *P.S. 114 students have not shown signs of growth over the last three years. 2009-2010 P.S. 114 was in the bottom 8% of Citywide elementary schools in terms of learning English. In 2008-2009, P.S. 114 was in the bottom 12% of Citywide elementary schools in terms of percent of students making one year progress in math;*
- *There is low demand at P.S. 114, only 43% of students reside in the zone chose the school;*
- *Safety has been a concern at P.S. 114, on 2009-2010 survey, 13% of parents respondents reported that they did not think their children were safe at school. 50% of teacher respondents reported that they*

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<sup>7</sup> Special Commissioner of Investigation for New York City School District, “An investigation found Maria Penaherrera, a principal formerly assigned to PS 114 in Brooklyn, committed various financial infractions, ” please see: <http://www.nycsci.org/reports/07-10%20Penaherrera,%20Maria%20Ltr.pdf>

<sup>8</sup> New York City Department of Education, “Amended Revised Educational Impact Statement: The Proposed phase-out of P.S. 114 Ryder Elementary (18k114),” January 14, 2011, [http://schools.nyc.gov/NR/rdonlyres/82BD34E7-2A94-4F6F-8F77-92618E7661C7/0/EIS\\_PS114\\_phaseout\\_revised\\_amended\\_final.pdf](http://schools.nyc.gov/NR/rdonlyres/82BD34E7-2A94-4F6F-8F77-92618E7661C7/0/EIS_PS114_phaseout_revised_amended_final.pdf)

did not feel safe at school. 86% of teachers indicated that order and discipline were not maintained at P.S. 114.<sup>9</sup>

As noted in the Department's rationale, P.S. 114 is currently struggling but this assessment does not capture the full image of P.S. 114 and its recent history, which shows that, despite challenges, the school is capable of success.

### **Insufficient Support from the Department of Education**

The EIS suggests that the Department offered numerous supports to P.S. 114 in an effort to improve the school, but the lack of accountability mechanisms makes it impossible to assess whether they actually provided the assistance and, if so, how effective it was.<sup>10</sup> There is a lack of evidence to understand if and how support services were implemented at the school level, especially when they were at the discretion of the principal. For example, it is unclear how the Department provided instructional support by "helping teacher teams promote collaboration and align P.S. 114's curriculum across grade levels and content area." In a similar vein, there is a lack of evidence to show how the Department provided student support by "working with schools to identify strategies to improve school safety."<sup>11</sup> In the EIS, the Department claimed it provided school support programs but there are no existing accountability mechanisms to assess their effectiveness.

**"It's not the teachers, it's not the students, it's not the parents. It's the administration that went wrong. And [the DOE] knew about this for years, and they just closed their eyes and tried to deny that they knew about it"**

*Michael P. Hall,  
P.S. 114 parent*

Another mechanism that could have helped the Department assess the school's progress is a Quality Review where external evaluators visit the school and make the assessment if a school is organized to meet the educational needs of students.<sup>12</sup> The Department did not conduct a Quality Review Assessment for the 2009-2010 academic year, even though in the preceding Quality Review assessments determined the school to be 'Underdeveloped' in 2008-2009, and 'Underdeveloped with Proficient Features' in 2007-2008.<sup>13</sup> The Department should have conducted a Quality Review on P.S. 114 in the 2009-2010 school year in light of the previous year's assessment of being "Underdeveloped." It is difficult to contextualize the 'D' grade on the 2009-2010 Progress Report in the absence of a more extensive external assessment, such as the Quality Review, especially in light of the State's classification of P.S. 114 as 'In Good Standing.'<sup>14</sup>

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<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> Please see: <http://schools.nyc.gov/Accountability/tools/review/default.htm>

<sup>13</sup> The Department of Education specifies a complex scoring mechanism on multiple factors within the Quality Review process. Schools are classified according to their overall score into the following categories: 'Well Performing' (with a score of 92-100), 'Proficient' (72-91), 'Developing' (47-71), or 'Underdeveloped' (25-46). Please see: New York City Department of Education, "Reviewers Guide to the Quality Review, 2010-2011," <http://schools.nyc.gov/NR/rdonlyres/722C909F-91F1-48A0-A3DF-F8F9FCA3544/0/QRReviewerHdbkFINAL101410.pdf>

<sup>14</sup> New York State Education Department, "The New York State School Report Card, Accountability and Overview Report: PS 114 Ryder Elementary," February 5, 2011, <https://www.nystart.gov/publicweb-rc/2010/05/AOR-2010-331800010114.pdf>



## **The Department Ignored P.S. 114's past successful Progress Report Grades<sup>15</sup>**

When proposing to close P.S. 114 the Department only looked at the 2009-2010 progress report grades, ignoring the previous two school years when the school was getting a B, which is illustrated in Figure 1.

**Figure 1: P.S. 114 Progress Report Grades<sup>16</sup>**

	2007-2008	2008-2009	2009-2010*
Overall Progress Report Grade	B	B	D
Student Performance	B	B	F
Student Progress	B	B	D
School Environment	F	F	F

\*In 2010 the New York State Education Department recalibrated the State English and Math Exams, raising the proficiency levels for students to receive a level 3 and 4.

Additionally, the Department's evaluation of P.S. 114's grade is focused solely on a year when many schools suffered from grade deflation because of outside factors. P.S. 114 was one of hundreds of schools that saw a decline in their 2009-2010 Progress Report grades because of the recalibration of scores on statewide English and math exams, as well as the Department's restructuring of the distribution of Progress Report grades. The recalibration of scores on State exams led to a decline in annual Progress Report grades of most elementary, middle and high schools. Also, during the 2009-2010 school year, the Department restricted the total number of schools that could receive good grades, regardless of their individual performance. This meant that 25% of schools were eligible to receive A's, 35% B's, 25% C's, 10% D's, and 5% F's.<sup>17</sup>

**Because of these outside factors, Department records show that 342 elementary and middle schools declined by two grades" in 2009-2010, including P.S. 114.<sup>18</sup> However, out of these 342 schools, P.S. 114 is one of 6 slated for closure.**

According to the Department's own guidelines, the main lesson from the 2009- 2010 school year reports is that P.S. 114 should received intensive support, not be shut down. The reports indicate that P.S. 114 was underperforming which have signaled that the school needed support to make improvements according to the Department's Progress Report Overview which state that, "schools that receive Ds or Fs... are evaluated to determine the reasons for their poor performance and provided with intensive support so they can improve."<sup>19</sup>

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<sup>14</sup> New York City Department of Education, "Amended Revised Educational Impact Statement: The Proposed phase-out of P.S. 114 Ryder Elementary (18k114)."

<sup>15</sup> The NYC School Progress Report grades are made of three sections: 60% is student progress, 25% is performance, 15% is school environment.

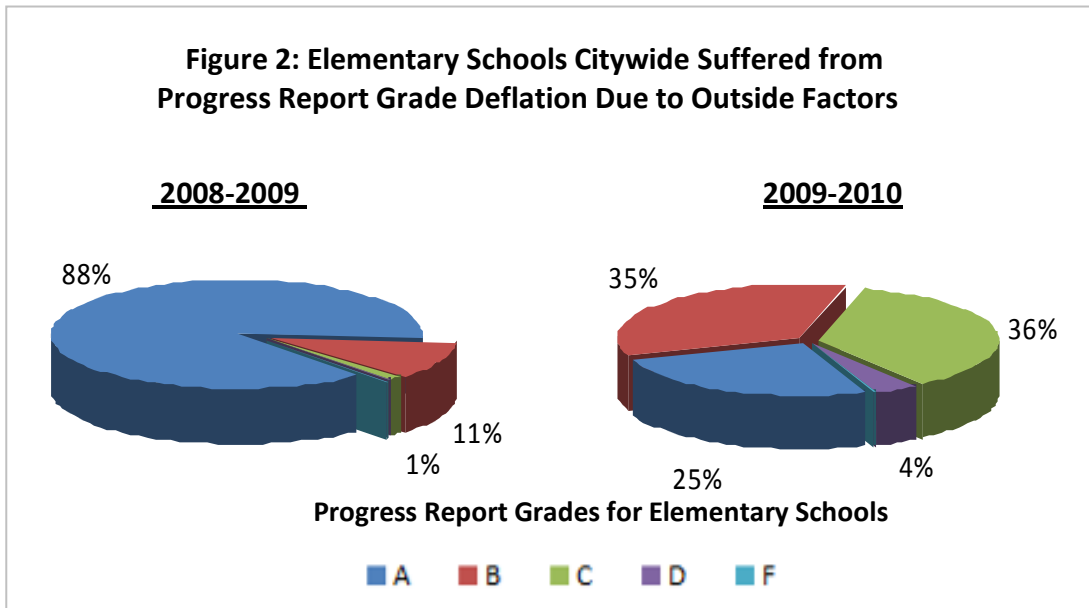
<sup>16</sup> New York City Department of Education, "Amended Revised Educational Impact Statement: The Proposed phase-out of P.S. 114 Ryder Elementary (18k114)."

<sup>17</sup> New York City Department of Education, "Final Changes to Elementary and Middle School Progress Reports Last Updated: September 27, 2010," [http://schools.nyc.gov/NR/rdonlyres/2702A532-5B65-48D6-9C1F-0E84A3A406E5/89125/FinalChangestoEMSPROGRESSREPORTS2010\\_09\\_29.pdf](http://schools.nyc.gov/NR/rdonlyres/2702A532-5B65-48D6-9C1F-0E84A3A406E5/89125/FinalChangestoEMSPROGRESSREPORTS2010_09_29.pdf)

<sup>18</sup> "Chancellor Klein Releases 2010 Progress Reports for Schools Serving Students in Grades Kindergarten-8," last modified September 20, 2010, <http://schools.nyc.gov/Offices/mediarelations/NewsandSpeeches/2010-2011/2010ProgressReportsAnnouncement.htm>

<sup>19</sup> New York City Department of Education, "2009-2010 Progress Report Overview: Elementary and Middle schools. P.S. 114 Ryder Elementary (18K114)," [http://schools.nyc.gov/OA/SchoolReports/2009-10/Progress\\_Report\\_Overview\\_2010\\_EMS\\_K114.pdf](http://schools.nyc.gov/OA/SchoolReports/2009-10/Progress_Report_Overview_2010_EMS_K114.pdf)

Figure 2 illustrates the differentiation in Citywide annual Progress Report grades for elementary schools before and after the changes to the distribution changes and the State recalibration of the exam.



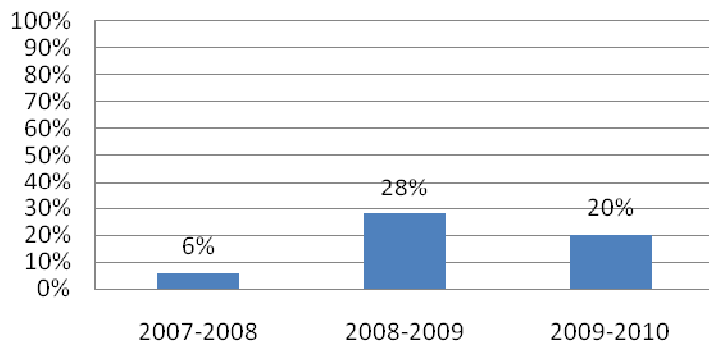
### **Incomplete Reading of P.S. 114 School Surveys**

The School Surveys for P.S. 114 demonstrate a consistent absence of effective leadership. After the long-overdue removal of Principal Maria Penaherrera in 2009, the school has cycled through multiple principals. This has undermined the school’s ability to succeed, and the School Surveys illustrate this concern by teachers and parents. *The School Surveys are one of the only outlets that the teachers and parents believed they could use to get the Department’s attention.*

In its EIS on the proposed closure of P.S. 114, the Department argued that the ‘F’ on environment (an aggregate of the School Survey responses) is

“reflective of a school that has failed to provide high expectations for its students and has been ineffective at communicating with the parent body.”<sup>20</sup> **This is an incomplete reading of the surveys:** during the 2009-2010 school year, 83% of parents surveyed agreed or strongly agreed that the school has high expectations of its

**Figure 3: P.S. 114 School Survey Results – Few Teachers Believe the Principal is an Effective Manager**

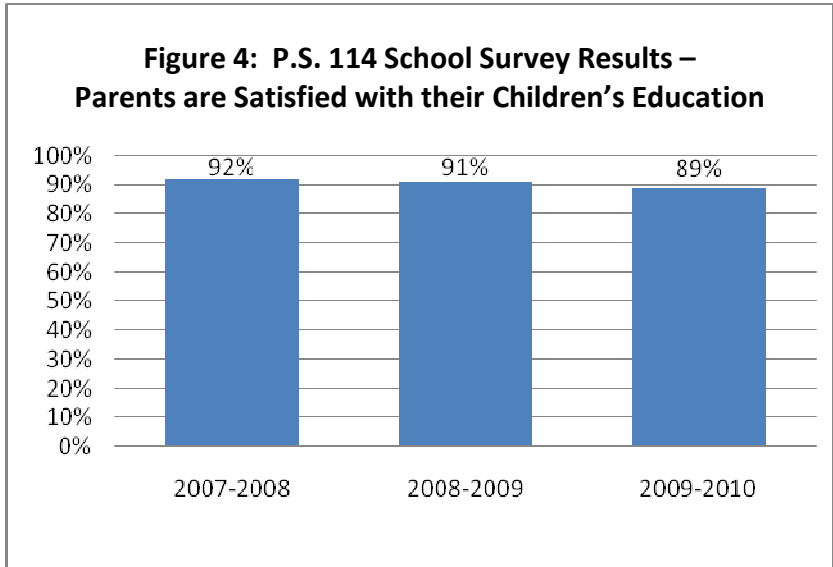


Percent of teachers at P.S. 114 who "strongly agreed" or "agreed" with the statement: "The principal is an effective manager who makes the school run smoothly".

<sup>20</sup> New York City Department of Education, “Amended Revised Educational Impact Statement: The Proposed phase-out of P.S. 114 Ryder Elementary (18k114),” 3.

students, 89% of parents were satisfied or very satisfied with the education their child received, and 80% agreed or strongly agreed that the school clearly communicates its expectations for student learning (please see Figure 4).<sup>21</sup>

In contrast, the teacher responses on school leadership have consistently been the lowest scoring aspects of the School Surveys. Over the past three years, responses on school leadership have been dismal: over the 2009-2010 school year, 80% of teachers disagreed and 60% strongly disagreed with the sentiment that the principal was an effective manager who makes the school run smoothly. In addition, 93% did not feel that school leaders gave regular and helpful feedback about their teaching.<sup>22</sup> Other teacher responses on Academic Expectations demonstrated a general frustration with institutional support, with only 53% agreeing that the principal places the learning needs of students over all other interests.<sup>23</sup>



The Department has inappropriately characterized the ‘Failing’ grade that has resulted from the School Surveys, interpreting it as a reflection of low expectations for student performance and insufficient parent communication. It should have instead interpreted the poor results as a consequence of inadequate and unstable leadership and directed its support accordingly.

## **4-Point Plan for Turning Around P.S. 114**

P.S. 114’s students, parents and teachers are uniquely invested in their school’s future; instead of giving up on P.S. 114 the Department should reverse its habit of ignoring the community and demonstrate a shared level of commitment to saving this school.

My office presents the following 4- point plan to help P.S. 114 achieve success as recommendations to the Department of Education. Specifically, the Department should consider taking the following actions:

### **(1) Forgive P.S. 114’s Debt**

P.S. 114’s community made it clear to the Department via letters and press conferences in 2008 that the school was being mismanaged financially. The Department states that the school accrued debt due to declining enrollment. However, teachers contend that the elementary school was assigned four assistant

<sup>21</sup> New York City Department of Education, “NYC School Survey 2009-2010 Report: P.S. 114 Ryder Elementary,” [http://schools.nyc.gov/OA/SchoolReports/2009-10/Survey\\_2010\\_K114.pdf](http://schools.nyc.gov/OA/SchoolReports/2009-10/Survey_2010_K114.pdf)

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*



principals and three guidance counselors by its Principal, which is excessive for a school with declining enrollment. Consequently, the school lost important educational services, such as reading and math coaches and after-school programs, all of which would have helped P.S. 114 as its students struggled academically in the 2009-2010 school year.

- **Since the Department was on notice about the school's mismanagement, especially in light of the investigation of the previous principal at P.S. 114, the Department should forgive the school's \$180,000 debt.**

## **(2) Recruit a new P.S. 114 Principal with experience in improving school performance**

School leadership is a critical element in improving school performance.<sup>24</sup> Holabird Academy, in Baltimore, Maryland brought in a specialist with expertise in school turnarounds and worked with the leadership team, teachers and parents to develop a data driven plan, which resulted in increased academic performance for the school.<sup>25</sup> Over a span three years after receiving help from a specialist and new principal Holabird Academy saw a 36% increase in students' reading performance and a 58% increase in students' math performance.<sup>26</sup>

Understanding the financial constraints of our education system, the Department cannot afford to hire a school based specialist for each failing school. Instead, the Department should assess its pool of principals and identify an effective leader for P.S. 114.

- **The Department should bring in an effective leader from its own pool of principals with experience in turning around schools. Like Holabird Academy, this principal should build relationships with the school community and develop buy-in so that P.S. 114 will continue to improve in the years ahead.**

## **(3) Work to Improve School Safety at P.S. 114**

P.S. 114 received an F in school environment for three consecutive years, which affected the school's overall Progress Report grades. Specifically, in the 2009-2010 school year, 37% of parents said that students at P.S. 114 bully other students often or fairly often.<sup>27</sup> An elementary school environment with a bullying problem is not conducive to learning. The Department should take steps to help address the problem.

The EIS for P.S. 114 states that the Department gave P.S. 114 guidelines for best practices on school safety. However, based on conversations with school personnel, it is unclear whether or how these best practices were ever implemented.

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<sup>24</sup> Bryk, A.S. et al, *Organizing Schools for Improvement: Lessons from Chicago* (University of Chicago Press, 2010).

<sup>25</sup> Brinson, D. & Morando, L. "Breaking the Habit of Low Performance: Successful School Restructuring Stories," Center on Innovation and Improvement, 2009, accessed at: [http://www.centerii.org/survey/downloads/breaking\\_the\\_habit\\_of\\_low\\_performance.pdf](http://www.centerii.org/survey/downloads/breaking_the_habit_of_low_performance.pdf)

<sup>26</sup> *Id.*

<sup>27</sup> New York City Department of Education, "School Survey 2009-2010 Report: P.S. 114 Ryder Elementary," [http://schools.nyc.gov/OA/SchoolReports/2009-10/Survey\\_2010\\_K114.pdf](http://schools.nyc.gov/OA/SchoolReports/2009-10/Survey_2010_K114.pdf)

Providing the elementary school with a new age-appropriate school safety plan and making sure it is actually implemented could help the school reduce bullying. The School-Wide Positive Behavior Support (PBS) model,<sup>28</sup> which has worked for Rachel Carson Elementary School in Chicago, is recognized as a national best practice for helping to increase school safety in elementary schools.

A comprehensive plan could include the following steps from the School-Wide Positive Behavior Support model:

- **Like Rachel Carson Elementary School, P.S. 114 should work with parents to help school staff create a safe environment.**
- **P.S. 114 should create universal rules and routines and have parents sign on to the policies.**
- **If a student continues to act out or bully, the school should provide secondary support, such as having a staff member set up a meeting with the student's family.**
- **Lastly, if a student continues to act out or bully, the school must have a more intensive intervention in place, such as a supervised study hall rather than suspension which would remove the child from the classroom.**

#### **(4) Provide P.S. 114 Teachers with Targeted Professional Development**

Conversations the teachers at P.S. 114 make it clear that they are committed to developing their skills as educators. Several teachers expressed a deep interest in rebuilding professional development at the school to the level it had once attained. According to conversations with teachers at P.S. 114, the school had professional development coaching until 2009, when it was eliminated due to budget constraints. During the time period when the school had coaching, it earned B grades in student performance; once coaching was removed in combination with the recalibration of the State test score, the student academic performance grade declined to an F. As one teacher at P.S. 114 stated: "We could use some coaches in reading and math. Just give us the things that you took away, at the minimum, and then we can go on from there."

- **Research shows that professional capacity is a decisive factor in improving schools.<sup>29</sup> The teachers at P.S. 114 should receive at minimum the targeted professional development they were previously given; this targeted professional development can be administered in collaboration with the Departments current school support structure, the Children First Network.**

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<sup>28</sup> Harvard University Civil Rights Project, "Opportunities Suspended: The Devastating Consequences of Zero Tolerance and School Discipline," June 2000, [http://eric.ed.gov/ERICDocs/data/ericdocs2sql/content\\_storage\\_01/0000019b/80/17/21/dd.pdf](http://eric.ed.gov/ERICDocs/data/ericdocs2sql/content_storage_01/0000019b/80/17/21/dd.pdf), as cited in Human Rights Watch "A Violent Education: Best Practices in School Discipline," 2008

<sup>29</sup> Bryk, A.S. et al.