



Legislation Text

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**File #:** Res 0198-2014, **Version:** \*

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Res. No. 198

Resolution calling upon the New York City Department of Education (DOE) to require all high schools under its control, excluding specialized high schools and schools defined by the State as Schools Persistently Low Achieving (PLA), to be assigned “over the counter” late applicant students based on a consistent percentage of the school’s total enrollment.

By Council Members Reynoso, Chin, King, Levine, Miller, Rose, Espinal, Rosenthal, Menchaca, Mendez, Levin, Rodriguez and Gibson

Whereas, According to the New York City Department of Education (DOE), the high school admissions process is centered on the principles of equity and choice; and

Whereas, This process, often described as complex by advocates and parents, requires a student to list up to 12 schools on his/her application, which are then matched based on various criteria; and

Whereas, Depending on the school, a number of variables are used to decide upon acceptance; and

Whereas, For example, screened schools require high grades and good attendance records; some schools accept everyone who lives in their zone, and yet others may accept students by lottery; and

Whereas, However, for various reasons, some students may not be matched and others may not even apply through this traditional process and yet still need placement in high school; and

Whereas, Many of these students are more likely to be new immigrants, have special needs, have a prior history of behavioral issues or be homeless; and

Whereas, According to a 2013 report by Brown University’s Annenberg Institute for School Reform, every year approximately 36,000 students enroll in New York City high schools without participating in the high school choice process; and

Whereas, These students are labeled as “over-the-counter” or OTC students and are assigned a school

by the DOE; and

Whereas, This report, entitled “Over the Counter, Under the Radar,” Inequitably Distributing New York City’s Late-Enrolling High School Students” (“the report”), indicates that these OTC students are disproportionately assigned to high schools that have higher percentages of low-performing students and English language learners (ELLs); and

Whereas, The report’s findings indicate that many of the OTC students who have special needs are being placed in schools that are less equipped to handle their needs; and

Whereas, In addition the report reveals that the higher the eighth grade scores of a school’s incoming freshmen class, the lower the assignment rate of late-enrolling students; and

Whereas, Further findings show that struggling high schools had a population of late-enrolling students that was almost twice that of better performing schools; and

Whereas, According to media reports, State Education Commissioner John King has voiced concerns that it appears the City has concentrated high-needs students in some schools without providing them suitable support; and

Whereas, Thus the report makes several recommendations in order to remedy such disparities; for example, the researchers suggest that the DOE should assign OTC students to all high schools at an annual rate of between 12 and 20 percent of their respective student populations; and

Whereas, Further, the report makes recommendations for steps to be taken by the DOE in order to achieve its stated purpose of equity in admissions; and

Whereas, One recommendation calls for the DOE to commission an independent study of the demographics and academic performance of OTC students; and

Whereas, The findings could then be used to identify high schools in which these students are shown to achieve in order to replicate such practices in other schools; and

Whereas, Furthermore, another recommendation calls for all schools be assigned students based on a

consistent percentage of the school's population with exceptions for schools identified by the State as Persistently Low Achieving until such school improves enough to be removed from the State's list; and

Whereas, Many school reform advocates such as the Annenberg Institute assert it is imperative that the DOE adjust its practices to provide equitable access for all students entering high school in New York City; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education (DOE) to require all high schools under its control, excluding specialized high schools and schools defined by the State as Schools Persistently Low Achieving (PLA) to be assigned "over the counter" late applicant students based on a consistent percentage of the school's total enrollment.

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