



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK

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July 10, 2013

Dr. Pamela C. Brown, Superintendent  
Buffalo Public Schools  
712 City Hall  
Buffalo, NY 14202

Dear Superintendent Brown:

State Education Department (SED) staff has completed the review of your School Improvement Grant (SIG) Restart applications under Section 1003(g) of the ESEA for East and Lafayette High Schools. I regret to inform you that these applications have been denied because Buffalo Public Schools (BPS) has failed to create the conditions necessary to allow the proposed Educational Partnership Organization (EPO), Johns Hopkins University, to fully and effectively implement the Restart model as required by Education Law.

As I have written to BPS several times in past years, the continued failure of Lafayette High School and East High School must be addressed. Far too many students have been left educationally abandoned, their futures cast into distress by the poor academic services they have received. I am compelled to take action. The steps I am taking today are unprecedented in New York State, but the situation at these schools, which continues to hurt hundreds of students, cannot continue.

He should be ashamed of himself for this!! as well as

Since the 2009-10 school year, when the State Education Department identified these schools as Persistently Lowest Achieving, the graduation rates for these schools have declined precipitously. At Lafayette High School, the four year graduation rate fell from 48 percent for the 2005 cohort to 23 percent for the 2008 cohort. At East High School, the graduation rate has declined from 59 percent to 28 percent.

the rest of this attack.

BPS has applied unsuccessfully three times to implement a federal intervention model at Lafayette High School and two times unsuccessfully for East High School. Because BPS has failed to secure a Federal School Improvement Award for these schools, Lafayette and East have operated under stop gap School Under Registration Review (SURR) plans. Even those stop gap plans have not been effectively implemented so that these schools are making the academic progress that SURRs are required to make.

The district has been placed in Corrective Action for failing to provide school choice to students in Priority and Focus Schools as required by Commissioner's Regulations. As a result of the failure of the BPS to create viable alternatives, students from East and Lafayette do not have the opportunity to attend schools in Good Standing or schools that are effectively implementing a redesign model designed to dramatically improve

performance. As highlighted in quarterly status reports from Buffalo's assigned Distinguished Educator, Dr. Judy Elliott, the district's internal capacity is not commensurate with what these schools need from their district to support and sustain the dramatic changes necessary to increase student achievement. Dr. Elliott has further informed me that in her assessment, there is immediate need to offer students at these schools an alternative to their present educational options, which are failing to meet the academic needs of the large majority of students who attend these schools.

Both schools are at risk of having their registration revoked if they do not demonstrate improvement in their academic performance and continue to be in SURR status.

I therefore direct BPS to develop a revised SURR plan for each of these schools for the 2013-2014 school year for approval by the Commissioner. Such revised SURR plans must be submitted for approval by no later than August 12, 2013. In order to ensure that students at these schools are afforded the opportunity to be educated in high quality programs or schools that are effectively implementing a redesign model designed to dramatically improve performance, I will require BPS as part of its revised SURR plans to take at least one of the following actions:

1. enter into an agreement with the Erie 1 Board of Cooperative Educational Services (BOCES), or other BOCES, to provide Career and Technical Education (CTE) to any student from East or Lafayette High School who wishes to enroll in a high quality CTE program, beginning with the 2013-2014 school year. By no later than August 12, 2013, BPS must submit the following:

- The formal, signed agreement with the BOCES that describes how the BOCES will provide CTE to students from East and Lafayette High Schools.
- A description of how BPS will pay the BOCES for the provision of a CTE program to East and Lafayette High School students.
- The plan for providing transportation for East and Lafayette students who wish to enroll in the BOCES CTE program.
- The steps that BPS will take to ensure that all East and Lafayette students and parents are aware of the option to enroll in BOCES CTE programs and have received complete information about these options.
- The steps that will be taken to enroll all East and Lafayette students who wish to do so in the BOCES CTE program prior to the beginning of the 2013-2014 school year.

or

2. enter into an agreement with the Erie 1 BOCES, or other BOCES to serve as an EPO for these schools in the 2013-2014 school year, whereby the BOCES shall assume the powers and duties of the superintendent for purposes of implementing the educational program of the school, including but not limited to, making budgetary, staffing, curriculum, daily schedule and school calendar, and student discipline decisions.

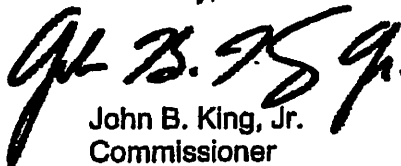
In addition to these required elements, BPS should consider as part of its revised SURR plans other options for addressing the academic needs of the students in these schools.

This directive does not preclude my taking further actions related to the registration status of East and Lafayette High Schools or taking steps to ensure students at these schools have the opportunity to be educated at a school in Good Standing. If the above plan is not successfully implemented and/or academic results at these schools do not improve, I will consider requiring BPS to enroll all East and Lafayette students in schools in Good Standing, and/or recommending to the Board of Regents that the registration of these schools be revoked. I also remind you that a school district's history of unsatisfactory performance with respect to federal grants – including Race to the Top and Title I – could result in a determination that such district is a "high risk grantee" pursuant to the federal Education Department General Administrative Regulations (34 CFR §80.12).

I have directed Deputy Commissioner Ken Slentz to arrange a meeting with you and your team and Dr. Elliott to discuss the next steps that must be taken by BPS to address the needs of students at these schools. At that time, Deputy Commissioner Slentz will specify the requirements for high quality CTE programs for which the district must enter into an agreement with the BOCES to provide as one way to meet my requirements for a revised SURR plan. Deputy Commissioner Slentz will also inform you regarding the assignment I have given Dr. Elliott to ensure successful implementation of the plans for these schools, including in the event BPS chooses Option 1 for either or both schools, working closely with the district to improve the instructional program for any students who do not enroll in a CTE program.

For too long, students at Lafayette High School and East High School have been waiting for adults to step forward on their behalf. I am committed to working with you to make sure these students get the education that they deserve and that they need to graduate high school ready for college or a career.

Sincerely,



John B. King, Jr.  
Commissioner

c: Judy Elliott  
Ken Slentz  
Ira Schwartz  
Sally Bachofer  
Owen Donovan  
Alexandra Pressley