



Stuck in the Middle:
The Problem of Overage
Middle School Students in New York City

A report by the Out of School Youth Coalition
Written by Advocates for Children of New York

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EXECUTIVE SUMMARY

In recent years, community-based providers and school officials that serve students in the public school system have been noticing a disturbing number of sixteen-year-old seventh graders or seventeen-year-old eighth graders who are appearing (or staying) in middle schools across the city. Educators and advocates are scrambling to understand the special needs of this population. Finding resources to help overage middle school students who are disillusioned by an education process that has been out of touch with their academic and social needs is a challenging task, but it is a task that the New York City Department of Education (NYC DOE) must rise to meet.

New York City does not have a good record of being able to prepare all middle school students to succeed in high school. Leading education advocacy groups in the city, such as the New York City Coalition for Educational Justice, have documented that middle schools have largely been a place of failure for blacks and Latinos with “twice as many White and Asian eighth-graders meet[ing] the New York State standard in ELA [English Language Arts] than African American and Latino students.”¹ Research demonstrates that middle grade achievement is strongly connected with achievement in, and ultimately graduation from, high school. Given that only one in four black and Latino students can expect to receive a Regent’s diploma, New York City must make a serious commitment to improving middle school performance.

Over the years, the NYC DOE has adopted a variety of strategies designed to address the failure of middle schools to prepare students for high school. These strategies have ranged from retention policies to classes specifically for retained students. For the most part, these citywide strategies have yielded disappointing results, and the newest reform, the eighth-grade promotion policy, appears to be nothing more than a reincarnation of a failed reform from years prior. All of these policies failed to address adequately the unique challenges presented by overage middle school students.

The NYC DOE does not make data on overage middle schoolers publicly available, but educators and advocates working in this field have evidence that the population is substantial. In nine middle schools in the Bronx that serve a combined student population of over 6,000 students, 26% of the students are overage. Advocates for Children of New York has identified 30 recent cases of middle school students who are overage in its office alone. Although the individual stories of the students vary, common themes can be gleaned from their experiences that provide insight as to where reform is needed. This report looks at actual student scenarios to identify the following three common reasons a student can become overage:

- (1) A student's schooling is interrupted. Factors such as domestic violence, foster care placement, or frequent family relocation can cause a student to fail to meet requirements for promotion.
- (2) Appropriate academic supports are not provided. Students who need special education services, counseling, or other intensive supports fall further and further behind if these supports are not provided competently and consistently.
- (3) A student who needs to change schools cannot find an alternative placement. Students who need to change schools for reasons related to safety, discipline, or family circumstances sometimes find themselves discharged from their old school with nowhere else to go.

In attempting to reach the overage middle school population, individual schools in New York and other cities have developed promising programs ranging from separate overage schools to special programs within schools targeting seventh and eighth graders. The programs may use varying techniques, but the unifying principle behind them is a recognition that schools must respond to the unique needs of overage middle school students and cannot merely subject these students to repeating the same classes they previously failed to pass.

This report relies on a review of past and present programs, along with conversations with educators, parents, students and advocates, to offer recommendations to the NYC DOE about how it can improve the middle school system to address the needs of overage middle school students. These recommendations include:

- ❖ Implementing the recommendations for middle school reform that were developed by the New York City Coalition for Educational Justice and the Middle School Taskforce appointed by City Council Speaker Christine Quinn in 2007;
- ❖ Making data publicly available about the overage middle school population;
- ❖ Developing an early warning system to identify students that are likely to become overage;
- ❖ Promoting educational stability at points of transition; and
- ❖ Developing innovative programs and flexible options that encourage overage middle schoolers to stay in school.

Overage middle school students are not a homogeneous population, and it is important that we do not use a one-size-fits-all approach in addressing their needs. Middle schools should be places that offer all students a chance to be successful and not create needless obstacles for students to overcome. Educators must consciously address how to engage the significant number of students who are languishing, and feel stuck, in middle school.

*“I just want to get out of eighth grade.” -
J.K., sixteen-year-old eighth grader*

INTRODUCTION

There are 187,951 students in middle schools in New York City. In 2006, less than half of middle school students met or exceeded the English Language Arts (ELA) standard.ⁱⁱ In three out of four middle schools, a majority of eighth graders are unable to read at standards set by New York State.ⁱⁱⁱ Factor race and poverty into the equation, and the picture becomes even starker. Low performing middle schools in the city almost exclusively serve a student body that is comprised of blacks and Latinos.^{iv} Students who do not receive the preparation they need in middle school enter high school with a disadvantage. Only one in four black and Latino students can expect to receive a Regents diploma.^v

Middle school education presents unique challenges. These students are going through a myriad of changes as they enter adolescence and transition to a new school structure. The schools that seek to educate these students have to find ways to meet not only their academic needs, but their social and emotional needs as well. The stakes for middle school success are high. Research demonstrates that middle grade achievement is strongly connected with achievement in, and ultimately graduation from, high school.^{vi} In New York City, performance in middle school also may determine what type of high school a student can attend. Many of the better-performing high school programs screen applicants based on their previous year’s academic performance, considering seventh-grade standardized test scores, classroom grades, and a review of attendance records.^{vii}

Thanks to the work of the New York City Coalition for Educational Justice (CEJ) and the Middle School Taskforce that was appointed by City Council Speaker Christine Quinn in 2007, the NYC DOE has designated a Director of Middle School Initiatives and committed to adopting certain reforms, such as offering Regents-level classes in all middle schools by 2010. CEJ in particular continues to push the NYC DOE to make a substantial and meaningful investment in middle school success.

However, little attention has been paid thus far to the unique needs of the overage middle school student. Overage ninth-grade students who have literacy issues are the most challenged population of overage, under-credited students to serve.^{viii} Eighty-four percent of New York City students who are sixteen years old or older and have fewer than eight credits end up leaving the school system.^{ix} Based on

this statistic, a sixteen-year-old eighth grader has a 16% chance of walking away with a high school diploma once she reaches high school. The costs to society of the dropout crisis have been well documented; we know that students who leave high school without a diploma are at higher risk of poverty, are more likely to end up in prison, and have children at younger ages.^x Yet, overage middle school students remain a largely unexamined segment of the dropout population.

This policy report seeks to document the problem of overage middle school students in New York City and serve as an impetus for innovation and policy reform. The first section will provide a context for how the city has responded to students unprepared for high school both historically and presently. The second section will describe what the overage middle school population looks like in New York City based on conversations with youth, parents, advocates and school officials who work and interact with middle school students on a regular basis. The third section will identify promising approaches in working with overage middle school students developed in individual New York City schools and other cities, and the final section will offer recommendations to address the needs of overage middle school students in the city's schools.

REFORM EFFORTS IN NEW YORK CITY

Over the years, the NYC DOE has adopted and later rejected a variety of programs designed to address the failure of middle schools to prepare students adequately for ninth grade. For the most part, these citywide strategies have yielded disappointing results. Three of the major initiatives are discussed below:

PROMOTIONAL GATES

Starting in 1981, New York City implemented a program called Promotional Gates, which retained students in the fourth and seventh grades if they did not pass standardized tests. The students were given a second chance to pass the tests during summer school, but if they failed, they were required to repeat the fourth or seventh grade. The program held back 25,000 students in its first year.^{xi} The City initially reported that students had made gains in the program, but an independent audit revealed that this analysis was faulty. In actuality, the scores of retained students were similar to students who had not been retained.^{xii} Furthermore, students in the Promotional Gates program dropped out at much higher rates than comparable students who had been promoted.^{xiii} News articles during this time reported that the remedial

classes offered under Gates provided no more than ordinary classes.^{xiv} As one official succinctly summed up a central flaw of the program, “[a] second or third year in a grade in a badly run school is no cure.”^{xv} The Promotional Gates program was abandoned in 1991.

EIGHT-PLUS PROGRAM

In addition to retention policies, the city also experimented with a program, known as Eight-Plus, that targeted struggling eighth graders who had been held back by providing them with intensive academic services. As described in a NYC DOE memorandum, the “Eight-Plus initiative provide[d] additional resources to support eighth grade students who have not yet met the promotional criteria for high school admissions.”^{xvi} This initiative was supposed to provide a “teaching and learning environment supported by advisories, guidance, and youth services” in an effort to “address the needs of the whole child.”^{xvii} As of the 2007-2008 school year, Eight-Plus is no longer available, and conversations with principals and superintendents who had been responsible for managing and implementing the program indicate that it is not a great loss.^{xviii}

Despite its promise on paper, Eight-Plus fell short in practice. The eighth-grade curriculum was not changed to address the difficulties experienced by the students, resulting in students reviewing the exact same material they had been unable to master the first time around with no additional supports offered. Principals reported that the counselors they had been promised to address the behavioral and social needs of students were not provided. Principals also expressed frustration with the lack of decision-making authority they had in the program. For example, when the program began, principals had the flexibility to promote students mid-year, but the NYC DOE then eliminated mid-year promotion into high school, something that many principals felt was a useful incentive for students. Principals with whom we spoke also expressed frustration that the program was implemented fairly quickly, and as a result, there was not a lot of time to find experienced teachers.

2008 EIGHTH-GRADE PROMOTION POLICY

For the 2008-2009 school year, students will encounter a new eighth-grade promotion policy purportedly aimed at raising standards in middle schools. Parents, advocates and government leaders fought vigorously against this policy, but to no success. In the face of research clearly showing that retention does not help students succeed and in fact puts students on a course toward dropping out of school,^{xix} the NYC DOE aggressively pushed the policy through to formal adoption.^{xx}

Upon close examination, the new policy is actually very similar to the Promotional Gates program described above. The current retention plan has the potential to hold over 18,000 students based on their inability to pass state standardized tests and core subjects in middle school.^{xxi} Students who do not pass the state standardized tests in English or math, or who fail a core subject, will have the opportunity to pass the tests or course in summer school, but if they do not pass, they will repeat the grade. The NYC DOE says that it will help struggling middle school students succeed through academic interventions, summer school, remediation, support for English Language Learners, and special education supports, but few details indicating any type of plan for implementation have been provided.^{xxii}

OVERAGE MIDDLE SCHOOL STUDENTS: **IDENTIFYING THE PROBLEM**

In recent years, school officials and community-based providers that serve students in the public school system have been noticing a disturbing phenomenon – overage middle school students. Sixteen-year-old seventh graders or seventeen-year-old eighth graders are appearing (or staying) in middle schools across the city. These students are often frustrated with an education process that has been out of touch with their academic and social needs. As one reporter observed in another city, “Unless you’re the teacher, being the oldest person in your sixth-

“My clients and I are often frustrated by the lack of educational options available to the overage middle school student, who doesn’t qualify for [alternative] or GED programs and is stuck attending school with much younger, less mature students.” - Sarah Hudson-Plush, Staff Attorney / Skadden Fellow working with families in the child welfare system

Important Definitions

Overage middle school student: A student in grades six through eight who has been held back one or more times. Although a student is technically overage once she or he has been held back once, the examples and figures in this report will focus on those students who have been held over two or more times, as school districts, including New York City, commonly use this definition to categorize overage students.^{xxiii}

Middle school: Middle schools for the purposes of this report are defined as schools with grades six through eight, and they usually serve students between the ages of 11 and 14.

grade class doesn’t put you in charge. More than likely, it puts you on the defensive.”^{xxiv} These students typically have self-esteem issues, low reading and math skills, behavioral/emotional needs, a high need for individualized attention, and a history of academic failure.^{xxv} Educators and advocates attempting to re-

connect these students to school are confronted with minimal options.

The NYC DOE has not made data on the number of overage middle school students in the city publicly available.^{xxvi} However, advocates and some school administrators indicate that the numbers appear to be significant. Similarly, the Academy for Educational Development, a Partnership Support Organization

supporting nine middle schools in the Bronx, found that out of 6,052 students in nine of its middle schools, 26.3% (1,592) are overage. Over eight percent (489) of these students are overage by two or more years. One middle school reported that over one third (33%) of its student body is comprised of overage students. Reports from community-based

organizations and advocacy groups further indicate the significance of this population. Advocates for Children alone has identified over 30 cases of students who are overage and in middle school. The Legal Aid Society, Juvenile Rights Practice in New York City conducted a survey of its staff and found that its caseload includes over 200 overage middle schoolers.

In trying to define issues confronting this population as it exists in New York City, we have relied on conversations with principals, teachers, and service providers, as well as middle school students and their parents. The following real-life examples are intended to serve as a starting point in the conversation about the complex needs of overage middle school students and the types of interventions and strategies needed to reach them. For the sake of discussion, the examples are organized into three categories illustrating three major reasons why students become overage: (1) schooling is interrupted; (2) students need to change schools but have nowhere to go; and (3) appropriate academic supports are not provided.

Overage Middle School Students: A Bronx Tale

Profile of 9 middle schools in the Bronx

Populations served

Latino students make up 69% of the students served
Asian students make up 23% of the students served
African-American students make up 3% of the students served
White students make up 1% of the students served
Students classified as Other make up 3.1% of the students served

Overage students

1,592 students or 26.3% of the total population of the nine schools are overage
1,103 students or 18.2% are one year overage
397 students or 6.6% are two years overage
92 students or 1.5% are three years overage

Average Attendance

Non-overage students have a 92% attendance rate
Students who are one year overage have an 88% attendance rate
Students who are two years overage have an 82% attendance rate
Students who are three years overage have a 67% attendance rate

STUDENTS WITH INTERRUPTED SCHOOLING

Tonya is sixteen years old and is in her fourth year of eighth grade. She has been held back in eighth grade three times. Tonya has had poor attendance and behavioral issues since her first year in eighth grade. No special education or other support services were offered to address her behavioral issues, which social workers believe were related to mental health needs. In her first year of eighth grade, Tonya requested a transfer to a new school for safety reasons, then missed about a month of school while waiting for a new placement to be identified. She was not promoted after refusing to attend summer school. The following year, she had problems at home, stopped going to school, and was held over a second time. At fifteen in the eighth grade, her case planner began looking for alternative programs for her, but was unable to find anything. Once she turned sixteen, her case planner attempted to refer Tonya to General Educational Development (GED) programs, but none of the programs would accept sixteen-year-olds as a result of a new DOE policy for the 2007-2008 school year. Tonya has not been attending school and says she is waiting until she turns seventeen so that she can begin a GED program.

Laila was sixteen years old in the eighth grade. Laila's family life was troubled, and there was a long history of domestic violence in her home. Laila often did not attend school when her father was home, which resulted in long periods of truancy. Academically, she was capable, but emotional factors due to the domestic violence had gotten in the way of consistent attendance. After her father left the home, Laila returned to school, but because of her age, she felt embarrassed and discouraged from going because she felt like she was a target for harassment and teasing.

Joseph was sixteen in seventh grade when he refused to attend school. He was classified as a student needing special education services and was performing below grade level academically. He had been held over in sixth grade for three years and wanted to move on to high school. Part of the reason Joseph was held over was that he was unable to settle down in one school, as he had been moving between multiple foster care placements. His caseworker contacted the NYC DOE to see what could be offered to Joseph so he could attend high school, but was told that until he passed eighth grade, there was nothing that could be done for him.

Eduardo is a sixteen-year-old young man enrolled in the sixth grade in a bilingual general education setting. Eduardo is an immigrant student from the Dominican Republic who has traveled back and forth to the United States on several occasions for months, sometimes even years, at a time. Most recently, he returned to the United States in September 2007 and was enrolled in middle school because he never finished the eighth grade. The school social worker reports that Eduardo is often truant and also has recently been suspended.

Students may experience interrupted schooling for a variety of reasons. Tonya, Joseph and Laila were all involved in the child welfare system, and their attendance reflected issues occurring in their family life. Eduardo's attendance issues were in part due to the time he spent traveling between the United States and the Dominican Republic to visit family. These visits could last for months, or even years, at a time. As a result of substantial time away from school, all of these students felt embarrassment and frustration about being the oldest student in the classroom and being left behind their peers. Eventually, they all stopped

going to school for substantial periods of time. Tonya's desire to leave school until she is old enough to pursue her GED is a common response from overage middle school students who are frustrated with an unresponsive school system and see no way out in the near future. Unfortunately, many may lack the academic skills to be successful in a GED program or the discipline to achieve the GED.

STUDENTS WHO NEED TO CHANGE SCHOOLS

Terrance is a sixteen-year-old sixth grader. He was in the fifth grade when he was beaten up across the street from his school by a group of boys who held a knife to his throat. After this incident, he became afraid to walk to school. His mother asked for a safety transfer, but she was told it would not be granted because the incident did not actually occur on school property. Terrance refused to walk to school alone and would usually leave the house, wait for his mother to leave for work, and then go back home. Three years later, when he was fifteen and still in the sixth grade, the school reported his mother to child welfare officials for educational neglect. Terrance then obtained legal help, and the NYC DOE finally granted a safety transfer. When the transfer came through, it was to another school in the same building. Terrance, still fearful, refused to attend the second school. The Administration for Children's Services (ACS)^{xxvii} sent Terrance to a residential treatment center (RTC) where he was immediately classified as a student with an emotional disability and placed in a ninth-grade special education classroom based on his age. Terrance is now sixteen years old, and the RTC agrees that he is ready for discharge, except for one thing - they are unwilling to release him until the NYC DOE offers him an appropriate placement. The NYC DOE still considers Terrance a sixth-grade student and says he will have to return to his old school and complete middle school. Terrance has said very clearly that he is unwilling to attend school in that building, and he does not want to be a sixteen-year-old in the sixth grade. Consequently, six months after the RTC said he was ready for discharge, Terrance is still there and separated from his family.

Jack was a fourteen-year-old seventh grader with no history of special education. He was held over twice in middle school. This past year, Jack received a safety transfer out of his middle school, but the NYC DOE had difficulty locating a new placement for him. The NYC DOE attempted to place him in at least three different middle schools, but none of the schools wanted a child of Jack's age. His case worker expressed, "It's challenging to place a child that old in seventh grade." Jack was out of school for three months before a middle school placement was found.

Peter has a learning disability and at age fourteen, was in sixth grade for the second time. Peter was suspended for one year and sent to a one-year suspension site. While at the site, he received no special education services and fell even further behind. As his time for discharge approached, his caseworker asked to have Peter's special education needs re-evaluated, but the suspension site neglected to arrange for the evaluation or modify Peter's special education program to meet his needs. Although Peter was legally entitled to return to the school he attended prior to his suspension, the school refused to re-enroll him. Peter was out of school for almost two months before he found another middle school. Peter is currently fifteen in the seventh grade and becoming increasingly truant.

Amaya is a sixteen-year-old seventh grader who attended a middle school in Harlem. Last year, she completed a one-year suspension and after trying to return to school, was illegally told she could not attend because she was six months pregnant. She tried to enroll in another school and was told she could not because the school was “phasing out.” She had her son a few months later in April and stayed out of school for the rest of the calendar year. In January, the district referred her mother to a high school, but the high school would not accept her as she had not passed eighth grade. Although Amaya’s mother tried hard to find another placement, school officials told her they had absolutely no spots for a sixteen-year-old seventh grader and that she needed to go back to her initial middle school in Harlem – the one that had told her she could not come back. Several more attempts were made to find a school for Amaya, and a new middle school was eventually located, though not until Amaya had been out of school for an entire school year. Amaya attended the middle school for two months, but was uncomfortable being the oldest seventh grader in the school. She left to pursue her GED.

Students who are transitioning from one educational setting to another can sometimes get lost in the shuffle, creating or exacerbating learning gaps between students and their same-age peers. Amaya and Peter were both trying to re-enter school after leaving suspension sites, but were left languishing without placements. Amaya’s situation was further complicated by the fact that she was pregnant and the school illegally discriminated against her by refusing to re-enroll her. Students who are pregnant and/or parenting can experience interruptions in their schooling due to time missed because of medical appointments during their pregnancy and parenting obligations. Jack and Terrance experienced trouble locating school placements even though the alternative was to attend school in an unsafe environment. Terrance’s situation also demonstrates the difficulty students in residential treatment centers can encounter when trying to re-enter the school system.

Students fall out of the system during points of transition as a result of poor planning, as well as a shortage of schools that will accept them or meet their needs. Because of these students’ ages, administrators are reluctant, and sometimes outright refuse, to accept them into their schools. When middle schools turn these students away, the students are left with no options, as high schools cannot accept them until they pass the eighth grade.

STUDENTS WHO DO NOT RECEIVE APPROPRIATE ACADEMIC SUPPORTS

Jeremy was fourteen years old and in seventh grade and had been held over two times. He had been having behavioral issues since the third grade and received multiple suspensions. His elementary school never provided supportive services, such as counseling, for Jeremy or assessed his academic and behavioral needs. Finally, in seventh grade, Jeremy was evaluated for special education services. His evaluation revealed that he had a disability and was several years behind in reading and math.

Lauren is a fifteen-year-old eighth grader with a learning disability. Lauren was held back twice in the eighth grade and once in second grade. She is reading on a third-grade level, and despite her needs, her mother says that she has not received appropriate support services in middle school. For example, in her first year of sixth grade, she was supposed to receive small group instruction in a resource room setting, but never did. On several occasions, Lauren's mother contacted the school based support team to request additional services, including tutoring, but Lauren never received any additional help.

Jeremy and Lauren's situations illustrate how the repeated failure of the school system to provide appropriate academic supports results in barriers to middle school graduation. Students with disabilities that are undiagnosed or misunderstood may be subject to inappropriate actions, such as suspensions as seen in Jeremy's case, which cause them to miss important time in class and thus fall further behind. Jeremy and Lauren's situations also illustrate how retention at the elementary school level impacts a student's academic success in middle school. Students who arrive overage to middle school may need extra supports to succeed. Due to insufficient resources, inexperience, or lack of knowledge about special education services and students' rights, teachers and other school officials may fail to provide mandated services, or fail to make adjustments to academic programs that do not appear to be working.

WHAT CAN BE DONE? PROMISING SOLUTIONS IN NYC AND BEYOND

Despite the significant challenges confronting the school system in educating overage middle school students, there are successful strategies taking place at the school level in New York City as well as in other cities.

Students are going to have behavioral issues because you can't treat a sixteen-year-old like an eleven-year-old. They are not the same. I have clients that are overage in middle school and there is no where to send them." – Educational Specialist working with at-risk youth

The overage middle school population is not homogeneous, and the strategies highlighted in this section offer diverse approaches to engage overage middle schoolers. Middle School 80 (MS 80) in the Bronx focuses on creating an individualized experience for all students, while making the needs of overage middle school students a priority. Public School 89 (PS 89), also in the Bronx, offers an integrated program for overage and high-performing middle school students that combines middle school and high school work. STAR Academy in South Carolina creates a separate school for overage middle school students that seeks to minimize distractions and promote success in a focused learning environment. Each of these strategies will be discussed in turn.

MS 80

MS 80 recognizes that its students have unique needs and offers a variety of services to meet these needs. For example, an on-site mental health clinic is available. The principal, acknowledging the important role families play in a student's academic success, felt it was necessary to allow the clinic to serve not only all students, but also their families. In addition, a social worker is assigned to meet with all seventh graders and their families who have been deemed "in crisis."

MS 80 invests in its students' academic success in a number of creative ways that emphasize attention to the individual. Every student receives a mentor, and a guidance counselor is located on each floor of the school. Listening to the concerns of students is also a high priority at MS 80. In response to a survey conducted with the school's overage students, the principal developed an innovative internship program for overage students that allows them to earn money by working in the school's office. MS 80 also provides professional development to staff on issues specifically related to overage middle school students, such as on how to connect with a sixteen-year-old student who is in sixth grade.

Principals Speak Out:

What does the school system need to do to reach middle school students?

We held small group discussions with a total of thirteen principals over two days, and the following are some highlights of what steps they believe the NYC DOE needs to take to reduce the population of overage students in middle school.

- Create better relationships between elementary schools and middle schools to ease the transition into middle school.
- Develop extracurricular activities for students before and after school.
- Improve communication between agencies in the city, specifically the Administration for Children's Services (ACS), foster care agencies and the NYC DOE.
- Train ACS workers to work with families of middle school students as well as middle schools. Middle schools need to be made a priority for ACS workers. Currently, they are focused on students in elementary school and do not focus on middle school until they see a crisis situation.
- Offer incentives to get parents involved in their children's education at the middle school level. Develop training programs, such as computer literacy workshops, that target both parents and students.
- Invest more in the arts. Many students find success and motivation in the arts, but schools are unable to focus on this area because of the emphasis on testing.
- Develop more models based on team teaching
- Develop full-service mental health clinics in schools.

SEVEN PLUS PROGRAM

The “Seven Plus Program” is an innovative program located at PS 89 in the Bronx. It does not wait until students have failed eighth grade, but focuses on seventh graders who appear to be at risk. Unlike the old Eight-Plus Program that placed low-performing students in separate classes, the Seven Plus Program has integration of high- and low-performing students at its core.

This program has two components. The first component creates an accelerated seventh-grade class that allows students to complete seventh grade by the beginning of spring and eighth grade by the end of the summer of that school year. All students are expected to attend summer school at a local high school (Truman High School), and the goal is that they will earn high school credits during the year as well as in summer school, enabling them to prepare for the rigor of high school work and arrive at high school with some credits already under their belts. The class consists of an average of 35 students, one third of whom have low scores on standardized tests and have been held back at least once. The remainder of the students in the class are average-to-high performing.

The first component of the program has been running for one-and-a-half years. The first class to enter this program included 10 at-risk students, and only one of these students did not go on to successfully complete the class.

The other component to this program is called Spring Forward, and it will begin in Fall 2008. Students in seventh grade will have the opportunity to take Saturday engineering and math classes for high school credit at PS 89 and Truman High School. This program is open to all students who have repeated seventh grade.

The principal attributes the success of the program to the following factors: (1) having a teacher serve as a mentor for students, (2) the combination of high, middle and low achieving students, (3) creating a team teaching situation, and (4) ensuring that teachers are familiar with seventh and eighth grade curriculum.

STAR ACADEMY PROGRAM ^{xxviii}

STAR (Students Taking Active Roles) Academy was developed in Pickens County, South Carolina in 2005 to address the needs of the more than 500 overage middle school students in the district. The stated purpose of the program is to place “overage middle school students, the group most likely to drop out of school, in a focused interactive learning environment.”^{xxix} The program is an acceleration program for

students who are in seventh or eighth grade and are a year or more behind. All work is completed at school. No homework or outside projects are assigned, as they believe students benefit from having a teacher present to assist with the work. All transportation is provided to the off-site location at no cost to parents, and the textbooks and materials are also provided free of charge. Students enrolled at STAR go to school every day at a high school, and upon entering STAR Academy, are classified as ninth graders. While at STAR Academy, students are able to earn at least seven credits toward their high school graduation. Upon completing their first year at STAR Academy, they are able to move on to tenth grade. There is a full-time guidance counselor and behavioral health specialist on staff. This program was expanded to another site after administrators saw the results in Pickens County. Both sites show promising results, and the Aiken County Public School district wants to expand the initiative to other high schools in the district.

For the 2007-2008 school year, 52 of the 57 students in the program will be going on to tenth grade in the fall. For the first two years of the program, it was located on a middle school campus, but in this third year, the program was moved to another site that houses middle and high school programs.

Administrators believe this relocation has been a positive development, as the youth are around other students closer to their age. The Administrator of the program, Tim Mullis, identified the following as strengths of the program: (1) small class sizes, (2) off-site location of the program, (3) quality of the teachers, and (4) uniforms.

“I’m not a dropout, even if I’m 16-years-old in the eighth grade. I can’t stop going to school. I want to go to college. I have goals I want to accomplish.” – M.J., sixteen-year-old eighth grader

RECOMMENDATIONS

Overage middle grade students need our collective attention as school administrators, teachers, parents, funders, advocates, and city officials. This population is not likely to decrease, given the current priorities in middle school reform, which place a premium on retention over preventive and recuperative strategies. It will take the concerted effort of all of those involved in the lives of our middle school students to make changes and improvements to address the needs of this diverse population. What follows are recommendations for the NYC DOE that were developed through research of promising models and from conversations with school administrators, advocates, teachers, students, parents, and other community stakeholders:

1. **Adopt the reform package recommended by the Middle School Taskforce and the Coalition for Educational Justice to improve significantly the overall quality of middle school education.** The City Council’s Middle School Taskforce developed recommendations in August 2007 for DOE officials to implement.^{xxx} These recommendations should be fully implemented by the DOE. In addition, the Coalition for Educational Justice has put forth a list of recommendations that should be adopted in full.^{xxxi} The following recommendations of these two groups are particularly important in addressing the needs of overage middle school students:

- a. **Create a Middle Grades Professional Development Academy (PDA)/Support Center for teachers.** Both the CEJ and the Middle School Taskforce recommend developing an academy to support middle grade teachers in meeting the needs and challenges of middle school students. The PDA/Support Center would provide professional development activities for middle school teachers that “strengthen content knowledge, increase understanding of adolescent development and refine teaching skills to best meet the needs of adolescent learners.”^{xxxii} The middle school years are difficult, and it is important that teachers and other school officials working with middle school students are aware of the specific needs of this population, including those who are overage.
- b. **Develop a database of effective intervention programs in math and literacy.**^{xxxiii} The Middle School Taskforce recommends developing an easily accessible database that lists various programs that target students that are failing in math and literacy. This database should be housed at the PDA/Support Center and school-based teacher centers. Research shows that students are entering high school with low literacy and math skills, and if these students are overage, they are one of the most challenging populations to reach. Effective literacy and math strategies in the middle grades could help improve the graduation chances of these students. PS 89 in the Bronx, for example, has emphasized literacy and has done so on two levels: (1) providing training to teachers and (2) providing reading and writing workshops for eighth-grade students to help them improve their skills.
- c. **Expand parent-focused professional development opportunities, workshops and classes offered for parents.** The Middle School Taskforce recommends expanding the ways in which parents are engaged with their child’s education beyond parent-teacher conferences. These activities could include curriculum-sharing workshops, family math nights or joint parent/student field trips. Intermediate School 166 in the Bronx provided computers to families, but in order to get the computers, parents and students had to attend a day-long computer literacy workshop. This requirement not only developed skills for the parents, but also

provided a way to engage the parents and students together in an activity that could help impact the students' academic skills.

- i. **Develop workshops geared toward parents who are immigrants.** Although this specific recommendation was not mentioned by CEJ or the Middle School Taskforce, we believe it falls within their recommended framework for reform. Educators expressed the need to recognize that some parents are from other countries where the school system is set up differently, and where attendance at school may not be mandatory. It is important that these cultural differences are discussed and acknowledged.
- d. **Create Middle Grade Student Success Centers.**^{xxxiv} CEJ recommends that student success centers be created in order to provide social and emotional supports in a centralized manner. The centers would be staffed by counselors familiar with school and community resources. Personalizing the school experience for students is one way to individualize how education is delivered and address or prevent student disengagement. In several of the programs developed by cities to address the needs of overage middle school students, mentoring programs and guidance counseling were significant components that administrators credited for their ability to reach students successfully. Poor attendance is a huge problem for overage middle school students, and providing a connection to an adult mentor or counselor within the school allows for the student to be held accountable and to feel like someone is invested in his/her future.
- e. **Invest in mental health services in all middle schools.** The Middle School Taskforce and CEJ both recommend investing in mental health services for students. At MS 80 in the Bronx, the mental health clinic is open not only to students but to their families as well. This strategy recognizes the important role parental involvement and strong families play in the educational success of a child.
- f. **Expand Regents-level curriculum to all middle grade schools by 2010 and in the interim, create a plan to provide access to Regents-level courses for students who do not currently have access to them.**^{xxxv} The Middle School Taskforce noted that many low-performing middle schools do not offer Regents-level courses. Offering courses to middle school students that count toward high school credits allows those students that are off track to make up for some time they lost in middle school. PS 89, described above, has made the connection to Regents programming and connections with other high schools a priority for its program.

2. **Develop flexible options that encourage overage middle school students to stay in school.**
 - a. **Create and implement models that allow for two grades to be completed in a single year.** Successful programs in New York City and other cities, allow for students to complete two grades in one year. If a student knows that she or he can finish two years of schooling in one year, it provides an extra incentive to complete school.
 - b. **Allow for mid-year promotion to high school.** At one point, the NYC DOE permitted schools to promote students mid-year into high school. Administrators with whom we spoke said this flexibility was a huge benefit, as students who were overage and required to repeat a grade felt better knowing that they would be able to leave to go to high school and be with their peers after just an additional semester in middle school.
 - c. **Permit flexible school day schedules to allow students to pursue job opportunities.** A survey conducted with overage middle school students at MS 80 revealed that students were concerned about life skills and wanted to see how academics connected to their ability to succeed in the real world. In response to the survey, the principal created an internship program for overage middle school students which allows for the students to work in the school's office. Students appreciate this opportunity because they are able to earn money, and it acknowledges that overage middle school students' priorities are different from eleven and twelve year olds. It also provides a way in which they can pursue new opportunities while staying in the middle school setting.
3. **Invest in promising interventions that schools in New York City and in other cities are pursuing with respect to overage middle schoolers, and make information on the interventions available in a database for educators.** Whether students are served in separate classes with other students that have failed, or in classes with students of a variety of achievement levels, it is imperative that programs be developed to address the specific needs around attendance, academic failure and social/emotional stress of overage middle school students. These programs must have capacity to serve English Language Learners and students with special education needs. NYC DOE should evaluate effective interventions to pilot and expand in the city. This information should be made available in a database so principals and other education leaders can access it in developing programs/schools to target overage middle school students.
4. **Promote educational stability at transition points.** Transitions to new schools or programs create the risk that students will become lost in the process and miss valuable time in school. For

example, students who are seeking transfers within the school system for safety reasons or because they have changed foster care placements may need extra support to ensure their transfers are completed. Similarly, students who are leaving suspension sites and residential treatment facilities are at risk of having gaps in their education if adequate planning is not done before discharge.

- a. **Provide training to special population liaisons located in NYC DOE's Office of Student Enrollment, Planning and Operations (OSEPO) and increase their ability to place students in appropriate placements.** Special population liaisons assist students involved with the child welfare system and students leaving court-ordered placements. They are supposed to ensure that students transition from their placements back into the community school system, or between school placements, in as seamless a manner as possible. It is critical that the liaisons are familiar with the supports available for students, and have the flexibility to refer and place students into schools that meet their unique needs. As seen in the case examples discussed in this report, students can languish between referral and placement for months at a time.
- b. **Appoint a suspension transition liaison who reports to the Director of Suspensions in each borough.** Students leaving suspension sites are at great risk of missing substantial amounts of school time and need to receive targeted guidance and counseling to plan for successful completion of the suspension and return to school. The suspension transition liaison should work with the student, his or her family, the home school, the suspension site, and any new school in the event of a transfer to ensure a successful transition back to school. The suspension transition liaison should be responsible for tracking enrollment, attendance, and promotion after a student leaves a suspension site.
- c. **Family Court Liaisons (FCLs) should have the ability to effect placement of court-involved students.** FCLs are based in the Family Court, but work for the NYC DOE. They are responsible for facilitating school placements and processing school record requests. FCLs are under the supervision of District 79 (the alternative school district) and in order to effect school placements, must make referrals to OSEPO. In order to expedite return of youth involved with the New York City Department of Juvenile Justice to appropriate schools, FCLs should be part of OSEPO. FCLs should have the ability to place students directly in school programs. FCLs should receive supervision, training, and funding to accompany this new responsibility. This change will allow youth to return to schools immediately upon their release from detention, or the following morning, more frequently than currently possible.

- d. **Create an immigrant/ELL enrollment advocate position in each borough enrollment office.** Immigrant and ELL students may experience interruptions in their education due to traveling between their home country and the United States. It is important that adequate transitional supports are provided to ensure that students re-enrolling in the school system after being abroad are not inappropriately placed and are able to re-enroll in their previous placements when practicable. The immigrant/ELL enrollment advocate should receive training about all available educational options and supportive services for immigrant and ELL students and their families.
 - e. **Provide training to principals regarding the rights of parenting and pregnant students, and ensure that appropriate academic supports and transitional planning services are available to students who are pregnant and/or parenting.** Students who are pregnant and/or parenting can miss extended periods of class time due to doctor appointments and/or parenting responsibilities, and it is imperative that schools provide academic supports to these students to ensure that they remain on track to meet academic demands. Advocacy agencies report that clients have stated that they have been denied enrollment at schools because of their pregnancy status, and providing professional development to school personnel about the policies and laws in place to protect the rights of pregnant and parenting students could prevent students from unnecessarily losing time in school.
5. **Make data on overage middle school students publicly available, and conduct an analysis regarding overage middle school students in NYC.** It is critical to know how many students fall into the overage middle school student category in order to gauge the magnitude of the problem effectively. In addition, a longitudinal analysis should be done to find out how overage middle school students fare over the course of their school careers. A study of this nature is needed to inform interventions and strategies that are developed. This information should be made publicly available.
 - a. **Define overage to mean one year or more behind in relation to expected age and grade level.** Current NYC DOE definitions about overage students require them to be two years or more off-track. Research shows that being held back just once is enough to derail a student off the graduation path.^{xxxvi}

6. **Develop an early-warning system to identify students that are likely to become overage.** This system should be triggered for students who are, or are on the path to become, one year or more behind. Monitoring attendance, academic performance, and behavior can identify those students who need interventions.^{xxxvii} Research has shown that attendance is a huge warning flag as to whether a student will be successful in high school and that poor attendance beginning in sixth grade is a sign of student disengagement and should be cause for intervention.^{xxxviii}

7. **Clarify criteria to prepare for and appeal promotion decisions successfully.** Principals expressed frustration with the appeal process for students who do not satisfy the promotion criteria. To appeal a promotion decision, a school must compile a portfolio of a student's work to demonstrate that she or he has met the standards necessary to be promoted to the next grade. Once the portfolio is compiled, the principal submits it to the superintendent for final approval. The regulation governing promotion (Chancellor's Regulation A-501) states that the superintendent will then "make a final determination based upon standard system-wide rubrics."^{xxxix} One school reported that only 1 appeal out of the 46 submitted in her school was successful. It is important to provide professional development to schools about what is expected in the portfolio created for the appeal and to also share this information with parents and students.

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ⁱⁱⁱNYC Coalition for Educational Justice, *New York City's Middle-Grade Schools*, *supra* note *i* at 2.

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^v*Id.* at 2.

^{vi}*Id.* at 17-18.

^{vii}See generally Directory of the New York City Public High Schools, New York City Department of Education, 2007-2008, available at <http://schools.nyc.gov/ChoicesEnrollment/High/Directory/default.htm> (last visited June 19, 2008).

^{viii}Michele Cahill, JoEllen Lynch & Leah Hamilton, New York City Department of Education, *New York City DOE Multiple Pathways Strategy Summary Findings* 17 (October 23, 2006) (nineteen percent of overage, under-credited students enter high school *overage* and with literacy challenges).

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^{xii}*Id.* at 8.

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^{xv}Raymond Domanico, *Ending Social Promotion, Once Again*, Gotham Gazette, February 5, 2004, available at <http://www.gothamgazette.com/article/education/20040205/6/861>.

^{xvi}Memorandum from the New York City Department of Education, School Allocation Memorandum NO. 51, FY06 (July 7, 2005) (available at http://schools.nyc.gov/offices/d_chanc_oper/budget/dbor/allocationmemo/fy05-06/datafiles/sam51.pdf).

^{xvii}Memorandum from Carmen Fariña to Regional Superintendents (July 7, 2005) (available at http://schools.nyc.gov/offices/d_chanc_oper/budget/dbor/allocationmemo/fy05-06/datafiles/sam51.pdf).

^{xviii}For this section of the report, we interviewed three principals who ran Eight-Plus programs, along with two former superintendents who managed the Eight-Plus program.

^{xix}NYC Coalition for Educational Justice, *Reform Not Retention: A Summary of the Research on School Retention Policies* (March 2008); Advocates for Children, *An Overview of Research on the Effectiveness of Retention on Student Achievement for New York City Schoolchildren* (2004); House, *supra* note *xi*.

^{xx}Elissa Gootman, *Passing Eighth Grade Gets a Little Harder*, N.Y. Times, March 18, 2008, available at <http://www.nytimes.com/2008/03/18/nyregion/18promotion.html>.

- xxi Carrrie Melago, Protesters of Eighth-grade Promotion Policy Prep for Vote, Daily News, March 17, 2008, available at, http://www.nydailynews.com/ny_local/education/2008/03/17/2008-03-17_protesters_of_eighthgrade_promotion_poli.html.
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- xxiii Office of Multiple Pathways to Graduation, New York City Department of Education, *Multiple Pathways Research and Development: Summary Findings and Strategic Solutions for Overage, Under-credited Youth 2*, available at <http://schools.nyc.gov/NR/rdonlyres/119CD965-BC52-4579-A37A-5E33C1364D2A/31611/FindingsoftheOfficeofMultiplePathwaystoGraduation.pdf>; New York City Department of Education, *Preparing Middle School Students*, *supra* note xxii at 10.
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- xxv Nancy J. McGinley, Charleston County School District, *Core Strategy V Update: Safe and Orderly Schools* (September 11, 2006).
- xxvi Advocates For Children sent a Freedom of Information Law request (FOIL) to the NYC DOE and NYSED requesting information about overage middle school students, but the NYC DOE has not provided the information to date and the NYSED did not provide the requested information in full.
- xxvii ACS is New York City's child welfare agency.
- xxviii Information obtained from materials supplied in a phone interview with Tim Mullis, Administrator, STAR Academy, May 21, 2008.
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- xxx Noguera, *supra* note ii.
- xxxi NYC Coalition for Educational Justice, *New York City's Middle-Grade Schools*, *supra* note iii; NYC Coalition for Educational Justice, *Reform Not Retention*, *supra* note xix.
- xxxii Noguera, *supra* note ii at 28; NYC Coalition for Educational Justice, *New York City's Middle-Grade Schools*, *supra* note iii; NYC Coalition for Educational Justice, *Reform Not Retention*, *supra* note xix.
- xxxiii Noguera, *supra* note ii at 29.
- xxxiv NYC Coalition for Educational Justice, *New York City's Middle-Grade Schools*, *supra* note ii; NYC Coalition for Educational Justice, *Reform Not Retention*, *supra* note xix.
- xxxv Noguera, *supra* note ii at 24; NYC Coalition for Educational Justice, *New York City's Middle-Grade Schools*, *supra* note iii; NYC Coalition for Educational Justice, *Reform Not Retention*, *supra* note xix.
- xxxvi Robert Balfanz, Liza Herzog & Douglas J. Mac Iver, *Preventing Student Disengagement and Keeping Students on the Graduation Path in Urban Middle-Grades Schools: Early Identification and Effective Interventions*, 42 Educational Psychologist 223, 226 (noting that previous studies showed retention in any grade had a negative impact on a student's odds of making it through the ninth grade, but retention in the middle grade was particularly problematic).
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