

**CFE Evaluation of Utica City School District
Final Report In Lieu of Direct Testimony**

Maisto v. State of New York

Dr. Peggy Wozniak

November 2014

I am Dr. Peggy Wozniak, for a summary of current position and main qualifications please refer to resume.

Purpose of the Final Report

This final report presents the findings and conclusions from my assessment and evaluation of whether the Utica City School District is currently providing the resources determined to be necessary to provide the District's students a sound basic education under the New York Constitution by the New York Court of Appeals in the Campaign for Fiscal Equity (CFE) rulings. This final report is based upon an initial report completed in 2013 -- attached to this report -- and updated to reflect current 2014-15 conditions in the district. This final report is presented to the Court in lieu of direct expert testimony on behalf of Plaintiffs at trial of this matter.

The CFE Evaluation Framework

I am familiar with the Court of Appeals rulings in the Campaign for Fiscal Equity (CFE) case, most importantly Campaign for Fiscal Equity v. State, 86 N.Y.2d 307 (1995) (CFE I), which established the basic standards and requirements for a sound basic education; the decision of Judge Leland DeGrasse applying those standards to the evidence presented in the trial concerning the deficiencies in funding and resources for New York City students, 187 Misc. 2d, 1 (2001); and Campaign for Fiscal Equity v. State, 100 N.Y.2d 893 (2003), the Court of Appeals ruling upholding and affirming Judge DeGrasse findings and conclusions of the failure of the state to provide the funding and resources necessary for a sound basic education for New York City students.

I have used the constitutional standard and essential elements established by the Court of Appeals in the CFE rulings as the basis for my evaluation of whether the Utica City School District (UCSD) is providing students a sound basic education. Specifically, I examined the educational opportunities available to students in UCSD against the elements of the evaluation framework established by the CFE rulings, as follows:

- 1) Constitutional Standard: CFE defines a sound basic education as an education that provides all students with the opportunity for a "meaningful high school education."
- 2) Essential Inputs: CFE identifies a "template" of essential resources that the state must ensure are available in districts to provide a meaningful high school education, specifically a) sufficient numbers of qualified teachers, principals and other personnel; b) appropriate class sizes; c) adequate and accessible school buildings, with sufficient space for appropriate class size and sound curriculum; d) sufficient, up-to-date books, supplies, libraries, technology and laboratories; e) suitable curriculum, including an expanded platform of programs for at-risk students; (f) adequate resources for students with extraordinary needs; and (g) a safe orderly environment.
- 3) Outputs: CFE identifies state assessment results, high school graduation rates, drop-out rates and other performance measures to determine whether districts are providing students a meaningful high school education.
- 4) Causation: CFE requires demonstration of a causal connection or link between the deprivation of essential inputs and sub-standard outputs and inadequate school funding, resulting in a failure to provide students the opportunity for a meaningful high school education.

My evaluation of Utica City School District focused mainly on the availability of essential CFE inputs in district schools and recent performance outputs of district students. However, I also examined relevant factors related to the district's basic community, school and student profile and fiscal capacity and funding levels.

My evaluation consisted of the following: 1) review of data; 2) visits and interviews with district officials; 3)

follow-up with district personnel; 4) review of appropriate literature on New York school finance and educational research and policy, as set forth in the Appendix of my initial report; and 5) review of NYSED accountability reviews which were required due to low student achievement.

Key Findings

The following are my key findings based on my initial 2013 report, updated, where appropriate, for the current school year.

Community, District and Student Profile:

1. Utica is a "small city" located in Oneida County, with a population of 60,000 residents. Utica, is like many Upstate New York cities that are struggling to make the transition from a former manufacturing hub. High poverty, low per capita income, low property wealth and high property tax rates plague the city. These conditions are the result of decades of decline in tax rates and the loss of manufacturing employment. The unemployment rate was 9.8% as of February 2012. The city's credit rating was downgraded to a triple-b rating, two rungs above junk territory (Fitch Ratings). The cost of living index is 88. This is below the national average of 100.

An initiative, coordinated through the Madison Oneida BOCES, established literacy zones in the city to focus comprehensive effort in a distressed community of concentrated poverty and limited English proficiency. The zones are divided into east and west Utica. The characteristics are as follows:

WEST UTICA ZONE

26% Families below federal poverty level
16% of families are single female households
45% children under age 5 years of age living in poverty
16% do not speak English

EAST UTICA ZONE

24% families below federal poverty level
45% children under 18 years of age living in poverty
16% of 65+ year olds living in poverty
28% do not speak English.

School taxes are currently \$21.23 per \$1000 of assessed valuation. The city taxes are \$20.06 per \$1000.

2. The UCSD provides free public education to children residing in the city of Utica. In 2012-2013 UCSD had an enrollment of approximately 9,709 students. This number has steadily increased. The demographics of the student body are as follows: Caucasian 38%, Black 25%, Hispanic or Latino 18%, Asian or Native Hawaiian/Pacific Islander 15%, Multi-racial 4%. Despite an increase in students, there have been numerous cuts to teaching staff.
3. Approximately 81% of the students enrolled are entitled to free lunch or reduced price lunch. A student who is entitled to free or reduced price lunch is identified as economically disadvantaged.
4. The most recent 4 year graduation rate is approximately 59.4% for all students and approximately 45% for students with disabilities; 37% for limited English proficient students; and 57% for economically disadvantaged students. 17% of the enrolled students are students with disabilities and 15% are limited English proficient.
5. Located within the city of Utica is one of the largest refugee camps in the U.S. The district has absorbed in excess of 1,000 students from the camp over the years. It is reported that there are approximately 42 different languages spoken by the district's students.
6. The district is comprised of 13 individual schools. There are 10 elementary schools, 2 middle schools and 1 high school. Those schools

include: Thomas R. Proctor High School, Donovan Middle School, Kernan Elementary School

7. The District's general fund budgeted expenditures for the 2013-2014 fiscal year are \$138.8 million, funded primarily with about 75 % state aid and 22 % real property tax. (Utica City Schools Website)
8. The District's cost per student is approximately \$15,581. This is compared to the state average of \$20,906.
9. The District has eliminated approximately 200 teaching positions from 2011-2012 through 2013-2014. (Which are teachers, reading teachers, special education teachers, counselors, psychologists, AIS math, guidance counselors, social workers, literacy coaches, speech therapists, occupational therapists, physical therapists, etc.) The District has also eliminated 13.5 administrative staff positions since 2011-2012 and approximately 95 other staff positions.
10. The District relies heavily on state aid. Had foundation aid been fully phased in at its full level in 2013-2014 school year, the District would have received \$133,950,664. Instead it received \$72,413,005. This is a loss of approximately \$61,537,659. Further, due to the opening of a charter school in the area, the district has lost approximately \$1.8 million in revenue.

Essential Inputs

- A) School Buildings:
 11. Overcrowding exists throughout the high school. Every available space is being used for classes and programs. The enrollment of 2,750 students exceeds the school's capacity of 2,200.
 12. There is only one gym for 2,750 students at the high school.

13. The library at the high school is small for the population it must serve.
14. There is an extensive ROTC Program, however, it must run its drills in the halls because there is no other large space available.
15. At Kernan Elementary School the classrooms are not appropriate for kindergarten students. The kindergarten students must walk down the hall alone to use a bathroom that is not appropriate for their age and size. Many of the kindergarten students are unable to use the doorknob to access the facility. Kindergarten students must be assigned age-appropriate classrooms and bathroom facilities.
16. In Kernan Elementary School there is no working public address (PA) system. This is unsafe in an emergency situation.
17. The auditorium in Kernan Elementary needs extensive repair and is not ADA compliant. Many seats are broken, curtains are torn, and in general the facility is not suitable for performance use with large student groups. This limits the fine arts program that is offered to the students.
18. In Kernan, there are exposed pipes and holes in the ceiling in portions of the building creating a health and safety hazard issue for the students and staff. Essential repairs to the facility are necessary to insure a safe environment for students and staff.
19. The Utica District is in the unique situation of having a growing student enrollment and a declining fiscal situation. There is a need for more space to accommodate the growing student population. Many of the existing facilities are in need of repair and/or modernization. The current capital project cannot meet the facility needs and the district is at its debt ceiling limit as determined for Small City School

Districts therefore an additional capital project is not feasible at this time.

20. The school has lost approximately 11 homerooms despite a continuing growth in enrollment.
 21. The main office of the high school is small and inadequate for the needs of a high school this large. Supplies were stored in the main entrance.
- B) Up-to-date books, supplies, libraries, technology and labs.
22. At the high school, access to technology continues to be lacking for students and staff. There is only one desktop computer in each classroom, a few smartboards throughout the school, and one computer lab for the entire school. In addition to desktop computers in each classroom, there should be a laptop computer and/or ipads available to students in each classroom. Every classroom should also have a smartboard.
 23. The library media center is small with inadequate resources. There are only a few desktop computers available for student use. It needs to be transformed into a 21st century resource center with appropriate technology and adequate staff.
 24. Donovan Middle School does not possess adequate instructional technology. Every classroom should be equipped with a smartboard with laptop and/or ipad technology available to students and teachers as needed.
 25. School science laboratories are not fully operational. Some of the laboratory equipment is broken and in need of repair.
- C) Appropriate Class Size
26. Class size for the high school are large, averaging about 30 students per class. Class sizes need to be reduced below 20 students per

class.

27. Class size in the middle school are also large, there are science classes with 30-34 students. Class sizes need to be reduced to below 20 students per class from the 30 plus average that currently exists. The large science classes observed are unsafe for conducting experiments.
 28. AIS classes at Donovan Middle School are too crowded. There are 17-20 students in each ELA intervention class and 25-29 in each math intervention class. These classes should be reduced to 10 students per class to be effective.
 29. Class sizes in Kernan Elementary school are in the high 20s. This is too large. Class sizes should be reduced to 13-17 students, especially in grades K-3.
- D) Qualified Teachers and Other Personnel
30. The counseling staff at the high school has loads of over 300 students each. Recently, counselors were reduced from 14 to 9 and Social workers were reduced from 5 to 3. Some students with disabilities are not receiving social and psychological services and assessments as required.
 31. Due to lack of school administrators, there is not sufficient time to regularly observe teaching and learning. The district recently lost three full-time assistant principals in the high school.
 32. In the middle school all literacy coaches were cut. These positions had been implemented upon recommendation from the Audit of Curriculum, another state accountability review required of the school. These positions should be reinstated with one at each of the middle schools. It is critical to address the literacy needs of middle school students before they move to the high school level. Inadequate reading ability is one

of the primary causes of failure in middle and high school.

33. In Kernan Elementary School there is only one administrator, the principal for a school of 687 students. The assistant principal position was eliminated for the 2012-2013 school year due to budget constraints. This principal must supervise and evaluate approximately 60 staff following the new APPR process.
 34. There is only a .5 social worker position and a .5 psychologist position for the entire elementary school. These positions were reduced from full time due to budget cuts.
 35. There are not enough AIS teachers to service the needs of the students in Kernan Elementary School.
 36. Central office administrators have an overload of job responsibilities. Administrative positions were cut due to the budget.
 37. There is no DASA (Dignity for All Students Act) coordinator as required by recent legislation. Instead, the responsibility is delegated at the site level to each principal.
 38. In the past two years approximately 310 positions have been cut from the district despite a growing student body, the majority of which were teachers.
 39. According to the latest school report card, no one teacher is out of certification and all are considered highly qualified.
- E) Platform of Expanded Services for At-Risk Students
40. Several programs that had been in place as a result of the JIT review have been cut due to the budget. They include an internally managed alternative education program, several

remedial programs, Fine Arts and technology offerings. An evening program was significantly reduced. The high school principal shared that the reduction in fine arts and technology offerings resulted in additional study halls in the master schedule there are now not enough available classes for the students.

41. There is no internal alternative education program. There should be an alternative program for the students most at risk of failure and dropping out before achieving a high school diploma. A minimum of two teachers exclusively assigned to the alternative program is needed to teach the core subjects. Additional teachers, counselors, social workers, may be assigned for a part of their placement depending on the need of the students in the program.
 42. In the middle school, AIS classes are crowded. There are 17-20 students in each ELA intervention class and 25-29 in each math intervention class.
 43. Extended learning time after school and summer school programs have been eliminated.
 44. In Kernan Elementary school, there are not enough AIS teachers to service the needs of the students. Additional teaching staff is needed to provide effective AIS services in the core subjects.
 45. The "SPIFFY" program, designed to address student need before it is at the level of a PINS referral, was eliminated.
 46. Students with disabilities comprise 19% of this school's population. Support services must be increased.
- F) Outputs
47. I examined ELA and mathematics assessment cohort results for Utica elementary, middle and high school students from the 2010-11 and 2011-12 NY

State school report card. I also analyzed data from the 2012 school report card. I examined the assessment results for economically disadvantaged students, English language learners (ELLs), and students with disabilities (SWDs) to evaluate the performance of important subgroups of Utica students.

48. According to recent data from the New York State school report card, less than half of students in Utica meet state academic benchmarks on English/Language Arts and math assessments at the elementary and middle school levels.
49. On the 2012-2013 ELA assessments, only 15% of all Utica elementary and middle school students scored at a proficient level, compared to the state level of 31%.
50. On the 2012-2013 State assessments, only 14% of all Utica elementary and middle school students scored proficient in mathematics, compared with the state level of 36%.
51. On the 2011-12 School Report Card less than half of the students in grades 3-8 scored at or above Proficiency, Levels 3 or 4, on the State Assessments. At the secondary level in 2010-11 35% of the students failed the state assessments with only 65% scoring proficient in ELA and in Math. As a result the Utica District has continued in a negative accountability status. They did not make adequate yearly progress for all students in ELA and Math for elementary, middle and secondary levels not did they make adequately yearly progress in graduation rates.
52. The most recent school report card (2012-13) posted on the NYSED website indicates that adequate yearly progress was not made for all accountability groups in ELA or in Math for both Elementary-Middle and Secondary levels. In addition, adequate yearly progress (AYP) was not made in graduation rate for all accountability subgroups. Based on this continued lack of progress in making AYP the district remains as a

Focus District, one of the 10% lowest performing districts in the State.

53. Throughout all grade levels, but particularly in high school, low-income (at-risk) students, students with disabilities, and English language learners achieved proficiency at much lower levels than the overall student population.
 54. Almost 40% of the students in Utica fail to graduate in 4 years from high school and a significant achievement gap remains for the subgroups of students especially SWDs and ELL. The ELL student subgroup graduation rate was only 37% and the student with disabilities rate was only 45%.
- G) Budget and Funding (Causation)
55. The local tax rate for the Utica City School District in 2013-2014 is \$21.23 per \$1000 of assessed property valuation. PAGE 32
 56. Utica has a combined wealth ratio of .281 for 2013-2014. Page 32
 57. The combined wealth ratio (CWR) for the Utica District has been consistently decreasing for the past 20 years. The tax base is declining, resulting in a higher tax rate for the remaining taxpayers and an increased reliance on state aid.
 58. In 2012-2013 the Utica City School District spent \$15,581 per pupil. Similar districts spent \$20,045 per pupil. The Utica City School District spent only \$18,706 per pupil for students with disabilities (SWD) while the similar districts spent \$30,069.
 59. The basic state aid to a school district is Foundation Aid. The amount allocated to school districts had been frozen at the 2008-09 level. The 2012-13 budget provided a minimal increase to Foundation Aid of 1.7%. In recent years the State has reduced the aid to each school district with the gap elimination adjustment (GEA) to help

the State with its overall budget. The enacted State Budget for 2013-14 includes a partial restoration of the GEA. The amount of GEA restoration a district may receive is capped at 41.5% of its 2012-13 state aid. After applying the \$2.1 million restoration figure Utica still loses \$2.8 million in state aid for the 2013-14 budget. The gap elimination adjustment alone has resulted in a loss of \$14.3 million to the Utica City School District since 2010. If Foundation Aid had been fully phased in as planned in 2007 the Utica District would have received an additional \$133,950,664.

60. The Utica City School District has experienced significant reductions in state aid in 2012 and 2013 through the GEA resulting in cuts to essential staff and programs and services needed to provide a meaningful high school education, particularly for the districts large proportion of low income (at-risk) students and ELLs and SWDs.
61. Due to the reduction in state aid, the UCSD has had to make significant budget cuts. In 2013-2014 93 staff positions were reduced including: 58 teachers, 5.5 administrators, 11 teaching assistants, 6 custodial and trade and 12.5 clerical. In the prior school year, 2012-2013, 217 staff positions had been cut.

CONCLUSIONS

Based on my assessment of The Utica City School District under the CFE evaluation framework, I conclude:

1. The Utica City School District serves a lower income community, with low property wealth and high local tax rates. Despite these factors, UCSD makes a substantial local effort to support its students and schools and lacks the local fiscal capacity to make needed improvements to its school buildings and educational program or to support the district's significant number of at-risk students.

2. A significant portion of Utica's students are low income, English language learners and Students with Disabilities. These students need an expanded platform of

essential services to provide the opportunity for a meaningful high school education.

3. The district has significant deficits in essential CFE inputs, as follows: qualified teachers supported with necessary professional development and training; sufficient social workers and guidance counselors; class sizes at appropriate levels, especially in the elementary grades; and an expanded platform of services for low-income, academically at-risk students, including AIS services, instructional before and after school and summer school, and drop-out prevention counseling.

4. The district's students are, at all grade levels, performing well below State proficiency standards. The significant portion of low-income (at risk) students, ELLS and SWDs are performing even further below State standards than Utica's students overall.

5. Utica's graduation rate is well below the minimum state standard of 80 percent.

6. Utica has experienced significant reductions in state aid under the GEA mechanism, resulting in cuts to necessary programs, staff and services.

7. The Utica City School District is not providing students with the essential CFE inputs, nor is the district meeting state-established proficiency levels and graduation rates.

8. The Utica City School District is not providing its students, particularly its sizeable population of students at-risk of academic failure, with the opportunity for a meaningful high school education, the standard for a sound basic education.

Maisto v. New York State: The Case for the Utica City School District

Introduction

School District

The Utica City School District is a small city school district of approximately 9,480 students located in Central Upstate New York. There are 57 small city school districts in New York State. According to the New York State Association of Small City School Districts, small cities often have similar demographic characteristics as the five large city school districts in New York State, including “higher percentages of disadvantaged students, limited English proficient students, dropouts and students with special educational needs.”

The demographics of the Utica District support this definition of a small city school district. The poverty rate, as defined by federal income guidelines, is 74% free lunch and 6% reduced-price lunch. The most recent 4 year graduation rate figures (SRC 2012-13) for the 2009 cohort are 59.4% for all students, 45% for students with disabilities, 37% limited English proficient students and 57% for economically disadvantaged students. 17% of the enrolled students are students with disabilities, and 15% are limited English proficient. Utica has become one of the largest federal relocation centers for immigrants coming to the United States. The District has absorbed in excess of 1,000 students over the past few years. Recently, Utica has seen a large influx of refugees from Thailand and Somalia. This increase has led to a diverse and growing student enrollment. Utica is unique among most small city school districts in that its enrollment is growing while others are declining or remaining steady.

Community

Utica, with a population of approximately 60,000, is like many Upstate New York cities that are struggling to make the transition from a former manufacturing hub. The individual poverty rate is double the national average. Unemployment is 9.8% as of February 2012. The city’s credit rating was downgraded to a triple-b rating, two rungs above junk territory (Fitch Ratings). While visiting the school district I observed many run-down buildings and blight in the urban core of the city indicative of a declining community. While there were neighborhoods of modest middle-income homes there were also many substandard multiple family homes, apartments and low-income housing developments.

The cost of living index is 88. This is below the national average of 100 (US Census). An initiative, coordinated through the Madison Oneida BOCES, established literacy zones in the city to focus comprehensive effort in a distressed community of concentrated poverty and limited English proficiency. The zones are divided into East and West Utica. The characteristics of each are:

West Utica Zone

26% families below federal poverty level
16% of families are single female households
45% children under 5 years of age living in poverty
16% do not speak English

East Utica Zone

24% families below federal poverty level
45% children under 18 years of age living in poverty
16% of 65+ year olds living in poverty
28% do not speak English

Tax rates are high in this economically distressed community. School taxes were \$21.23 per \$1,000 for 2013-14. The city taxes are \$20.06 per \$1,000. (Utica City Schools website)

As established by the court ruling in the Campaign for Fiscal Equity (CFE) Case all students in New York State have a constitutional right to a sound, basic education and a meaningful high school education that adequately prepares them for civic participation. The Board of Regents define that education as one that will allow all students to meet a challenging set of academic standards. The educational challenges in a poor district like Utica located in an economically distressed community make it impossible to provide these basic rights to every student without adequate state aid funding which accounts for 74% of revenue to the school district budget. The district is not meeting the Regents Standards of an 80% passing rate on State Assessments, including five Regents Exams in high school, nor is it achieving an 80% graduation rate for all students.

The following sections of this report will detail the demographics, student performance, staffing, facilities, and budget issues in the Utica City School District. Comparisons will be made with districts in the region that are achieving the standard of an 80% or greater graduation rate. Conclusions will be reached about what is lacking in this school district to provide a sound basic education for all of its students.

District Information and Data

Demographics

The **enrollment** in the Utica District was 9,709 for the 2012-13 school year. While many upstate school districts are experiencing declining enrollment, Utica's enrollment continues to grow as reported by district administration. It is the largest school district in Oneida County.

The **race and ethnic background** of the students is as follows: African-American, 25%, Latino, 18%, Asian, 15%, White, 38%, Multiracial 4%. The classification rate for **students with disabilities** is 17% as reported in the most recent school report card (2012-13). This is above the state average of 13%. 15% of the students are **limited English proficient** and the district reports in excess of 42 different languages spoken by their students.

As is typical of most small city school districts, the percent of students in Utica identified as “economically disadvantaged,” or living in **poverty**, is high. A disadvantaged student is one who qualifies for a free or reduced school lunch by federal standards. In Utica 81% of the student body are considered in the accountability subgroup, “economically disadvantaged” due to their socio-economic status. Ruby Payne and other researchers write about the tremendous challenges schools have in educating children from poverty. These challenges imply not only different pedagogical approaches but also greater expenses if we are to provide a sound basic education to children from poverty.

As shown in the chart below, Utica is the most diverse district with the greatest poverty when compared to districts with approximately 1200 or more students in the Oneida County region who have achieved at a minimum an 80% graduation rate.

Utica and Comparison Group Demographics-2012-13 (SRC)

	Utica	New Hartford	Clinton	Camden	Holland	Sherrill	Whitesboro
Enrollment	9709	2613	1298	2197	918	1932	3301
Poverty	81%	11%	16%	56%	21%	37%	25%
Black/Af Am	25%	2%	1%	1%	1%	1%	2%
Latino	18%	3%	3%	1%	1%	1%	2%
Asian	15%	6%	2%	0%	1%	1%	1%
White	38%	86%	92%	97%	97%	96%	94%
LEP/ELL	15%	1%	1%	0%	0%	0%	1%

Student Performance

The majority of the students served by the Utica District have increased need for resources and support due to their unique needs relative to their socio-economic status, limited English proficiency and/or disability. Under the right conditions and provided adequate resources all children can achieve, however there is an increased cost associated with providing these resources.

There are common themes in the research on what is needed to close the achievement gap for students in poverty, those whose primary language is not

English, and those students with disabilities. Researchers such as Pedro Noguera and Eric Jensen have written extensively on closing the achievement gap. The Education trust conducts ongoing research on equity in education. Some of the needs highlighted in the research include:

Staff must have high quality and appropriate training to meet the unique needs of their students.

Intervention for students must be early and effective.

Extended learning time and enrichment activities should be provided.

All students should have access to appropriate technology.

The non-academic needs, especially for students living in poverty, must be met.

Outreach to students and families must be provided in the families' primary language in order to engage them in their students' education.

Student Performance

The Utica District does not have the fiscal resources necessary to meet the unique needs of all of its students. As a result the District has consistently been unable to achieve levels of student performance that would place them in a positive accountability status as defined by State and Federal standards. In 2007 the district was identified as a Contract for Excellence (C4E) District because they had at least one low performing school by state standards. They remain as a C4E District today. They are required to target foundation aid funds to support the Regents Reform Agenda in adherence to C4E regulations.

On the 2010-11 School Report Card less than half of the students in grades 3-8 scored at or above Proficiency, Levels 3 or 4, on the State Assessments. At the secondary level in 2010-11 35% of the students failed the state assessments with only 65% scoring proficient in ELA and in Math. As a result the Utica District continued in a negative accountability status. They did not make adequate yearly progress for all students in ELA and Math for elementary, middle and secondary levels nor did they make adequate yearly progress in graduation rate.

Under NCLB regulations they were identified as a District in Need of Improvement with specific schools also in need of improvement. Recently New York State was granted an ESEA Flexibility Waiver from the NCLB regulations. Under New York State's ESEA waiver Utica was initially identified as a Focus District in 2012-13 and remains in this negative accountability status. **This places the district among the 10% lowest performing school districts in the State.** Six of the ten elementary schools, both middle schools and the high school are identified as Focus Schools and one **elementary school** is a **Priority School** based on the inability to achieve AYP for all accountability groups. A Priority School is **performing among the lowest 5% of schools in the State.**

The most recent school report card (2012-13) posted on the NYSED website indicates that adequate yearly progress was not made for all accountability groups in ELA or in Math for both Elementary-Middle and Secondary levels. In addition, adequate yearly progress (AYP) was not made in graduation rate for all accountability subgroups. Based on this continued lack of progress in making AYP the district remains as a Focus District, one of the 10% lowest performing districts in the State.

English Language Arts (ELA) State Assessment Results Utica Compared to State (2011-13)

Grade	% Proficient Utica 2011-12	% Proficient State 2011-12	% Proficient Utica 2012-13	% Proficient State 2012-13
3	36%	56%	15%	31%
4	42%	59%	11%	30%
5	30%	58%	14%	30%
6	36%	56%	16%	30%
7	31%	52%	15%	31%
8	33%	50%	15%	34%

English Language Arts (ELA) State Assessment Results Grades 3-8 (2013-14)

(Results for the most recent ELA assessment were available only for the average of grades 3-8 combined at the time of this report.)

State 31% of students **proficient** (scoring a Level 3 or 4)
Utica 15% of students scoring at the **proficient** level.

There was a significant decline in the performance of Utica students on the state assessments in ELA from 2011-12 to 2012-13 as shown in the chart above. While the state average student performance also dropped, Utica experienced a significant decline in the percent of students achieving proficiency. **Less than 20% of the students in grades 3-8 were proficient on the 2012-13 ELA State Assessment.**

On the 2014 ELA State Assessment Utica students continue to score significantly below the statewide average.

Math State Assessment Results Utica Compared to State (2011-13)

Grade	% Proficient Utica 2011-12	% Proficient State 2011-12	% Proficient Utica 2012-13	% Proficient State 2012-13
3	46%	61%	18%	34%
4	50%	69%	17%	36%
5	44%	67%	11%	30%
6	41%	65%	20%	31%
7	41%	65%	6%	28%
8	43%	61%	9%	28%

Math State Assessment Results Grades 3-8 (2013-14)

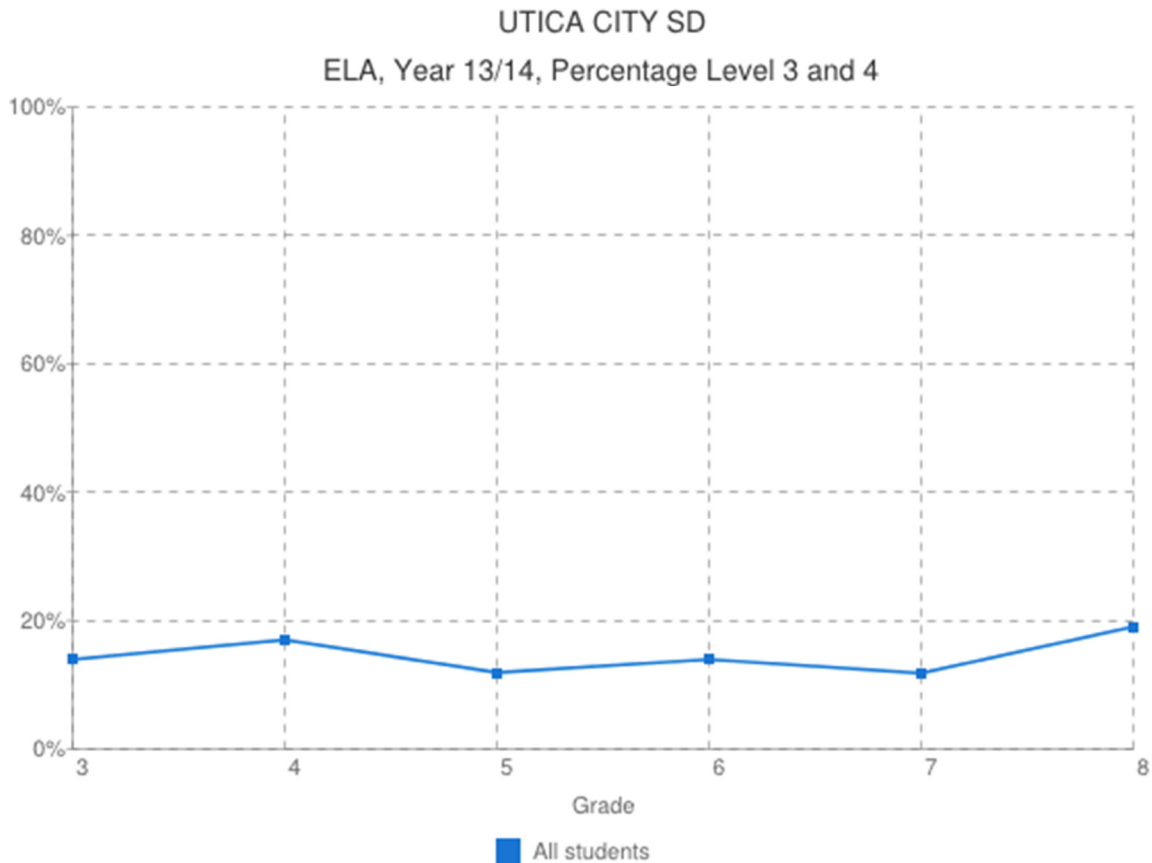
(Results for the most recent ELA assessment were available only for the average of grades 3-8 combined at the time of this report.)

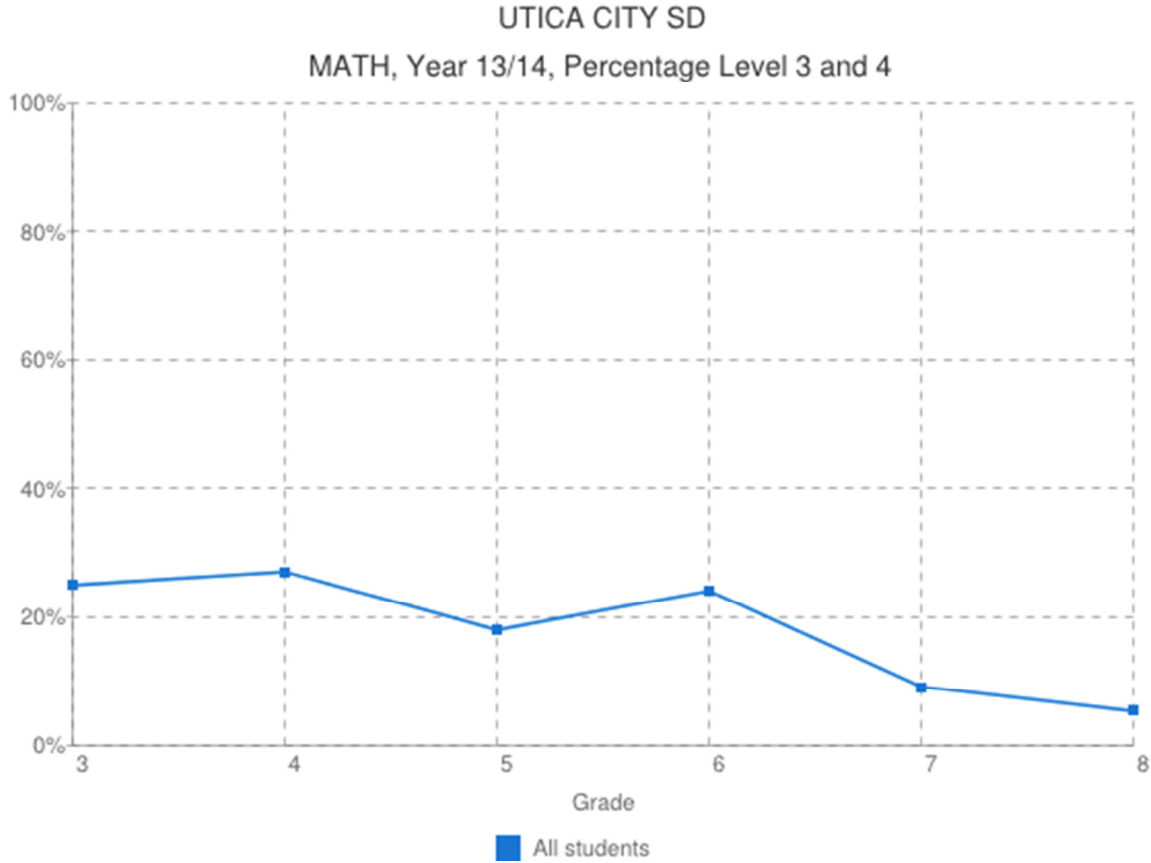
State 36% of students **proficient** (scoring a Level 3 or 4)

Utica 14% of students scoring at the **proficient** level.

There was a significant decline in the performance of Utica students on the state assessments in Math from 2011-12 to 2012-13 as shown in the chart. While the state average student performance also dropped, Utica experienced a dramatic decline in the percent of students achieving proficiency with less than 10% of 7th and 8th grade students scoring at the proficient level.

The Utica District continued to score well below the Statewide average in both ELA and Math on the most recent state assessments (Spring 2014). The percent of Utica students scoring proficient (Levels 3 & 4) on the Spring 2014 assessments is illustrated in the following charts. (nyruralschools.org/w/data-tools)

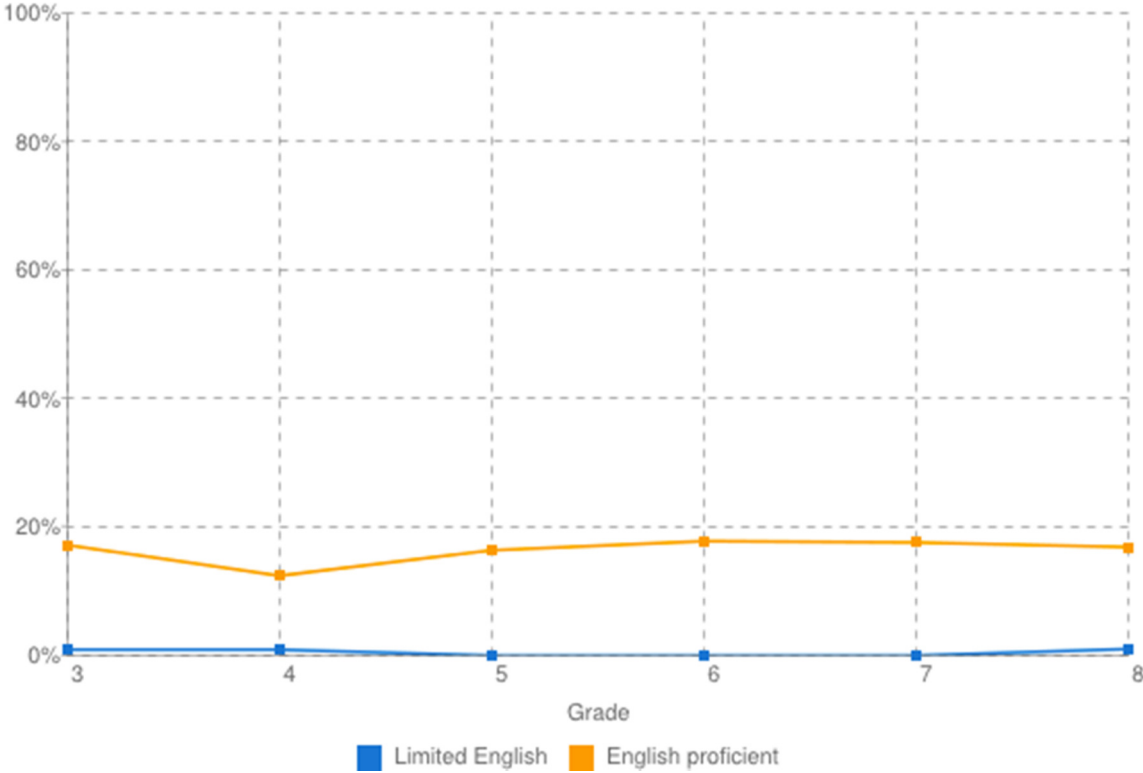




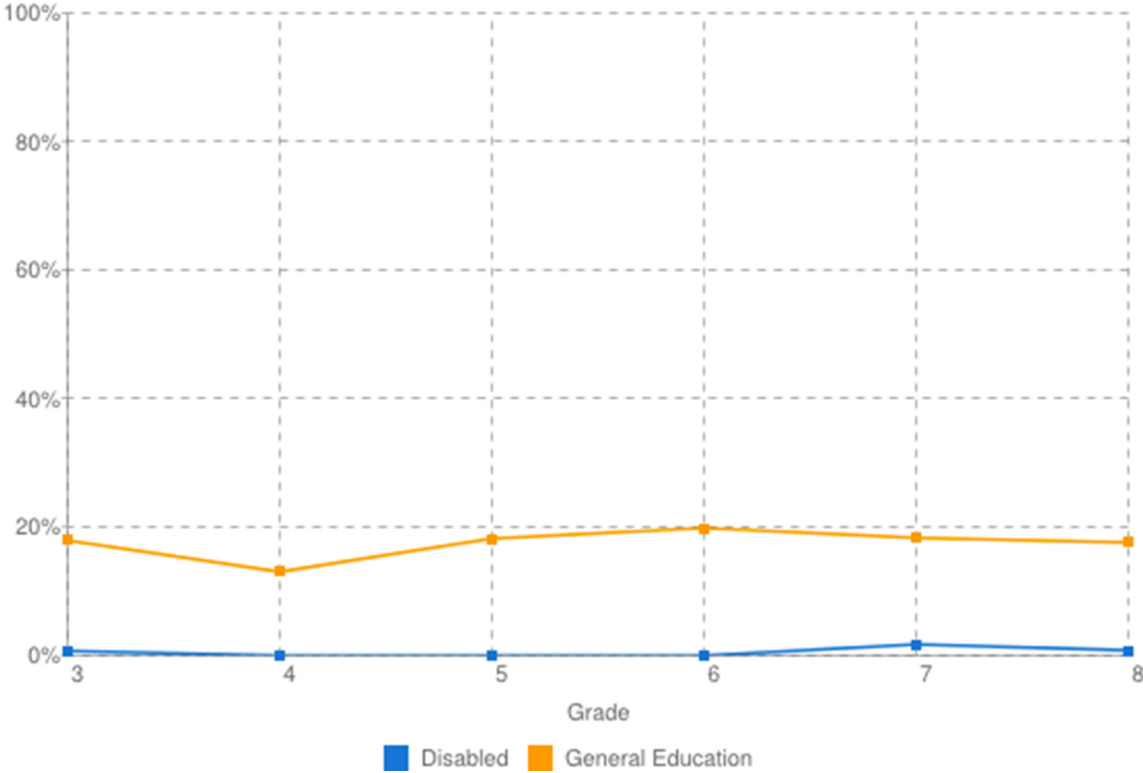
Subgroup Achievement and Gaps

The following charts show disaggregated data for the significant subgroups of limited English proficient, students with disabilities, and economically disadvantaged subgroups as compared with English proficient, general education, and not economically disadvantaged students for the 2012-13 ELA and Math Assessments. Comparative data for subgroups was not available for the 2013-14 assessments for this report.

UTICA CITY SD
ELA, Year 12/13, Percentage Level 3 and 4



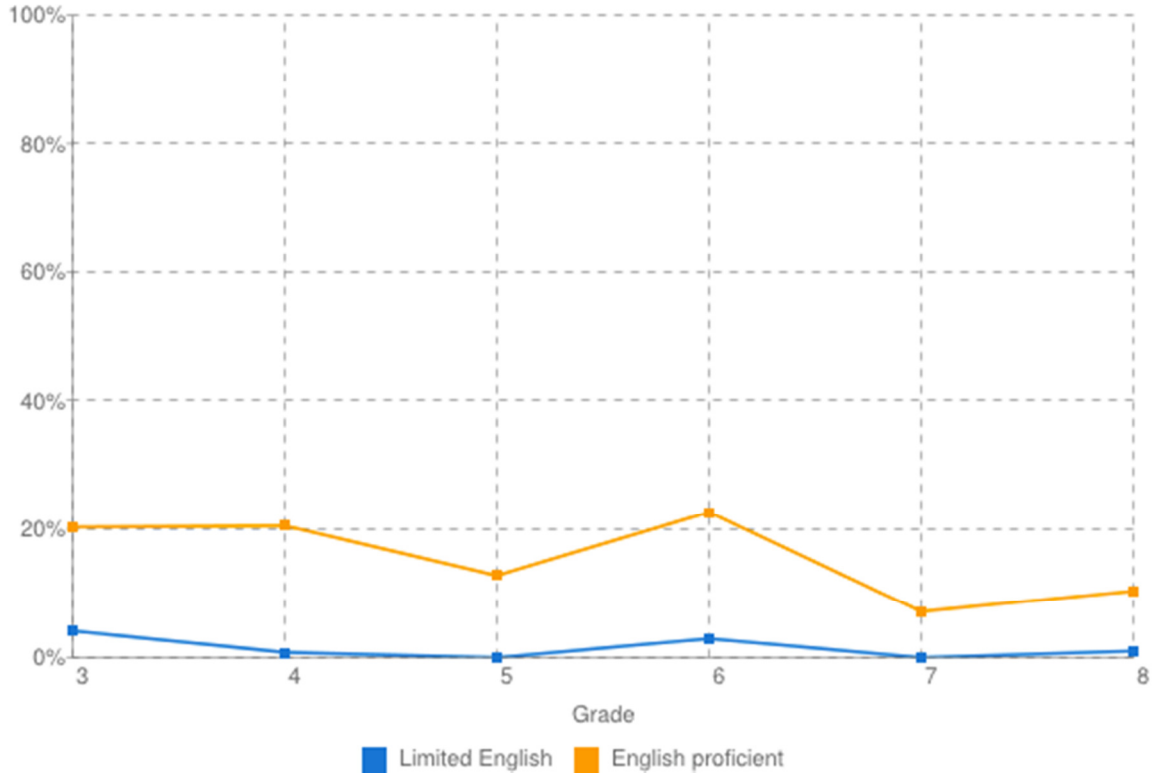
UTICA CITY SD
ELA, Year 12/13, Percentage Level 3 and 4



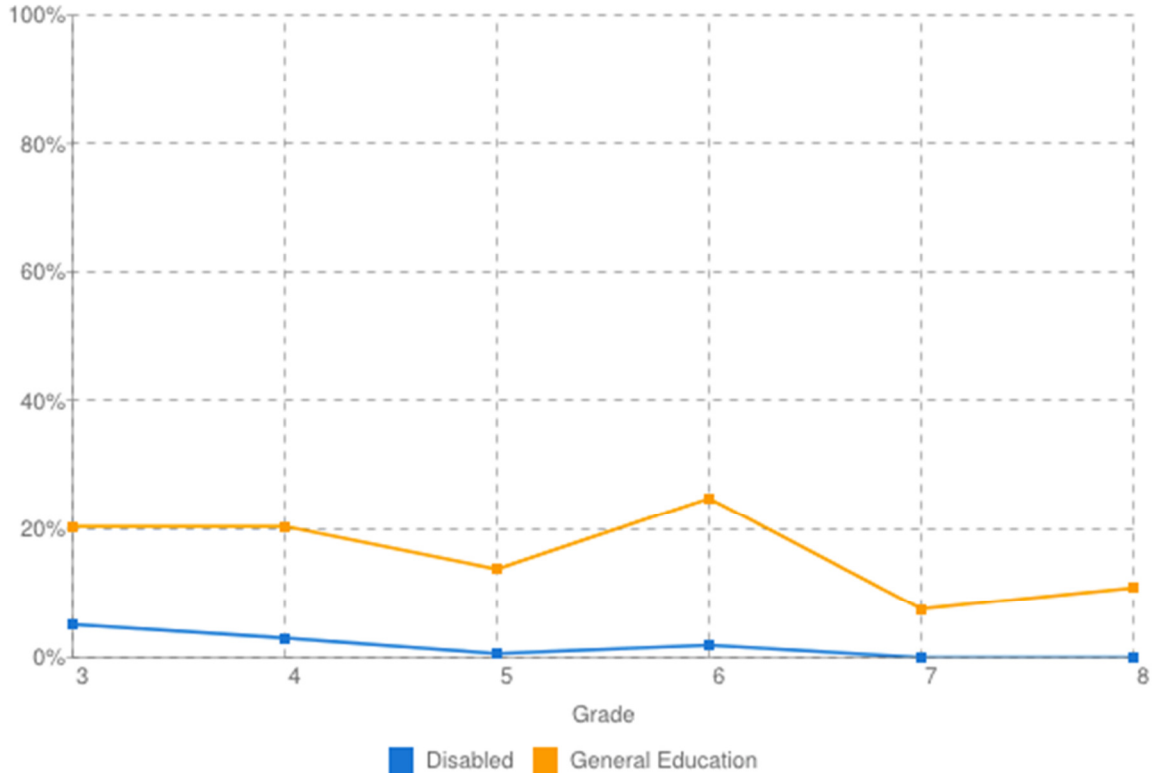
UTICA CITY SD
ELA, Year 12/13, Percentage Level 3 and 4

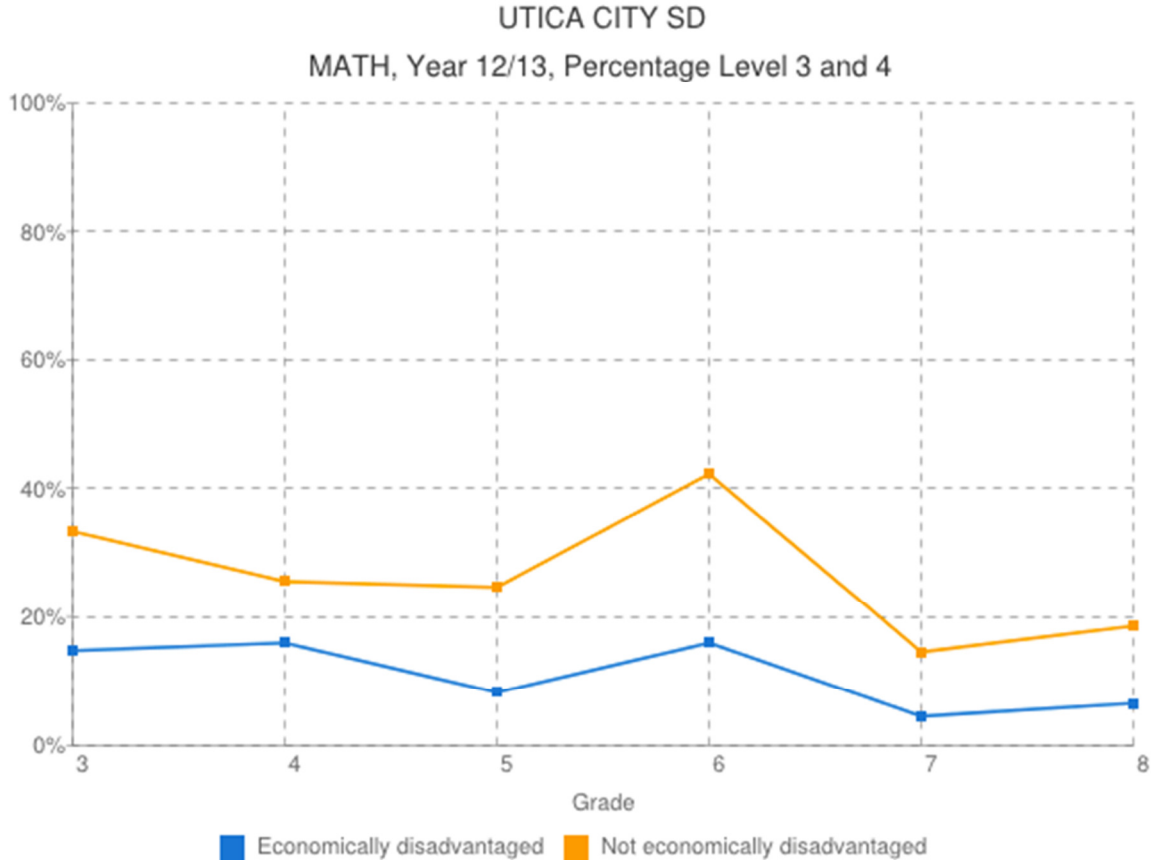


UTICA CITY SD
MATH, Year 12/13, Percentage Level 3 and 4



UTICA CITY SD
MATH, Year 12/13, Percentage Level 3 and 4





Graduation Rate

The 4-year graduation rate for the Utica District remains significantly below the 80% Regents Standard. It was reported at 57.8% in 2010-11 and remained relatively flat at 58% in 2011-12. The graduation rate rose slightly to 59.4% for the 2009 cohort all student subgroup as reported on the NY Rural Schools website (nyruralschools.org/w/data-tools) however the limited English proficient student subgroup graduation rate was only 37% and the students with disabilities rate only 45%. Even with these modest gains almost **40% of the students in Utica fail to graduate in 4 years from high school and a significant achievement gap remains between significant subgroups of students.**

The chart below compares the student performance for all students in the Utica School District to that of all students in Oneida County school districts achieving an 80% or greater graduation rate. The data is from the NY Rural Schools website at Cornell and the 2012-13 school report cards published on the NYSED website. The factors compared are graduation rate, the percent of students receiving an advanced designation Regents Diploma, the percent of students scoring 65% or better on the Regents Comprehensive English and Integrated Algebra exams and the district's accountability status. The student performance in each of the comparison districts exceeds that of Utica's.

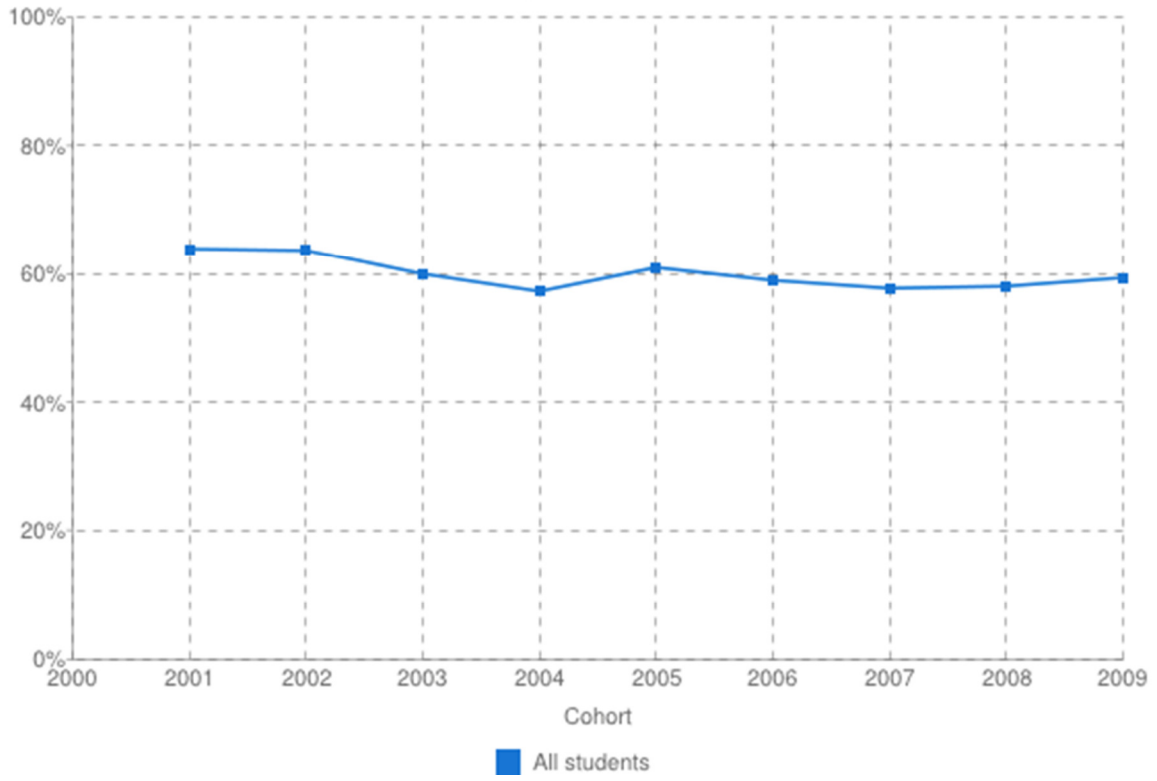
Utica and Comparison Group Student Performance-2012-13 (NY Rural Schools data & SRC)

	Utica	New Hartford	Clinton	Camden	Holland	Sherrill	Whitesboro
Grad Rate 4 yr. cohort	59.4%	96%	91%	82%	94%	92%	88%
Advanced designation Regents Diploma	13%	47%	57%	30%	45%	28%	46%
Comprehensive English	65%	97%	97%	88%	96%	87%	86%
Integrated Algebra	64%	96%	95%	78%	92%	85%	87%
Accountability Status	Focus District	Good Stand.	Good Stand.	Good Standing	Good Standing	Good Standing	Good Standing

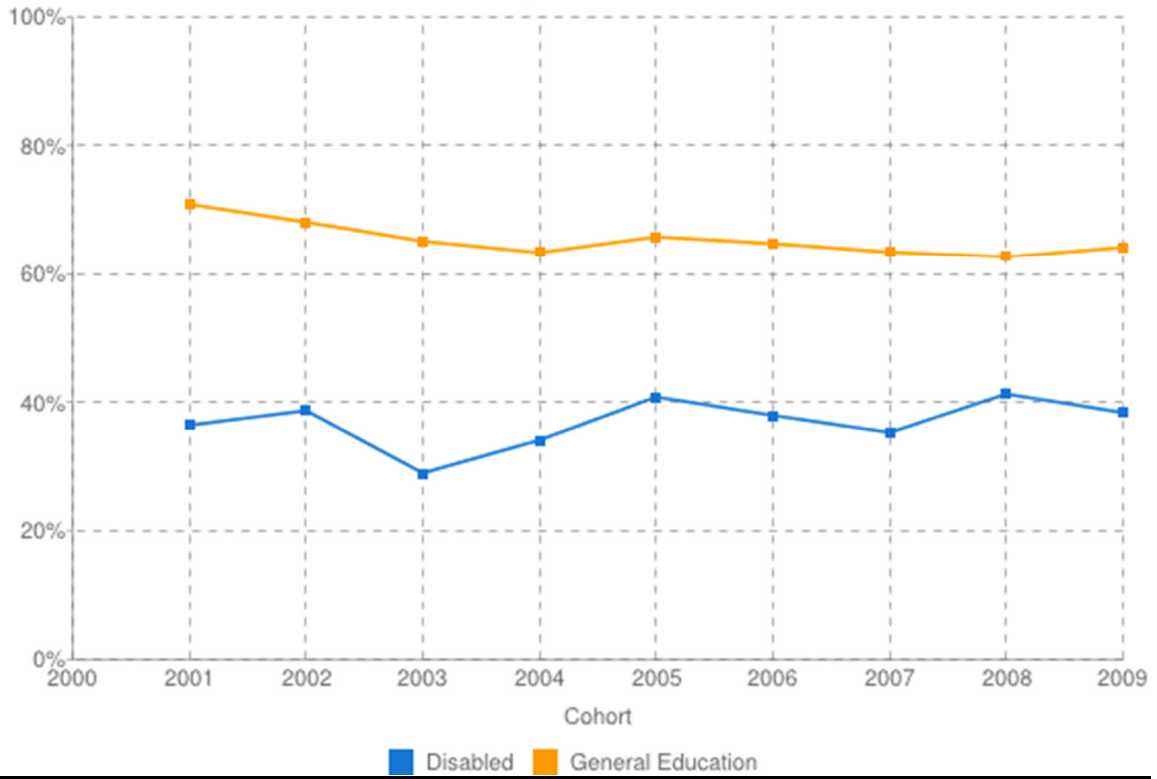
Graduation Rate Subgroups 2012-13 (2009 Cohort)

The following charts illustrate the significant gap in the 4-year graduation rate for all students with the Regents standard of a minimum 80%. Graduation rates are also compared for students with disabilities and general education students, limited English proficient and English proficient students and economically disadvantaged and not economically disadvantaged student subgroups. In each chart there are gaps in achievement between each group.

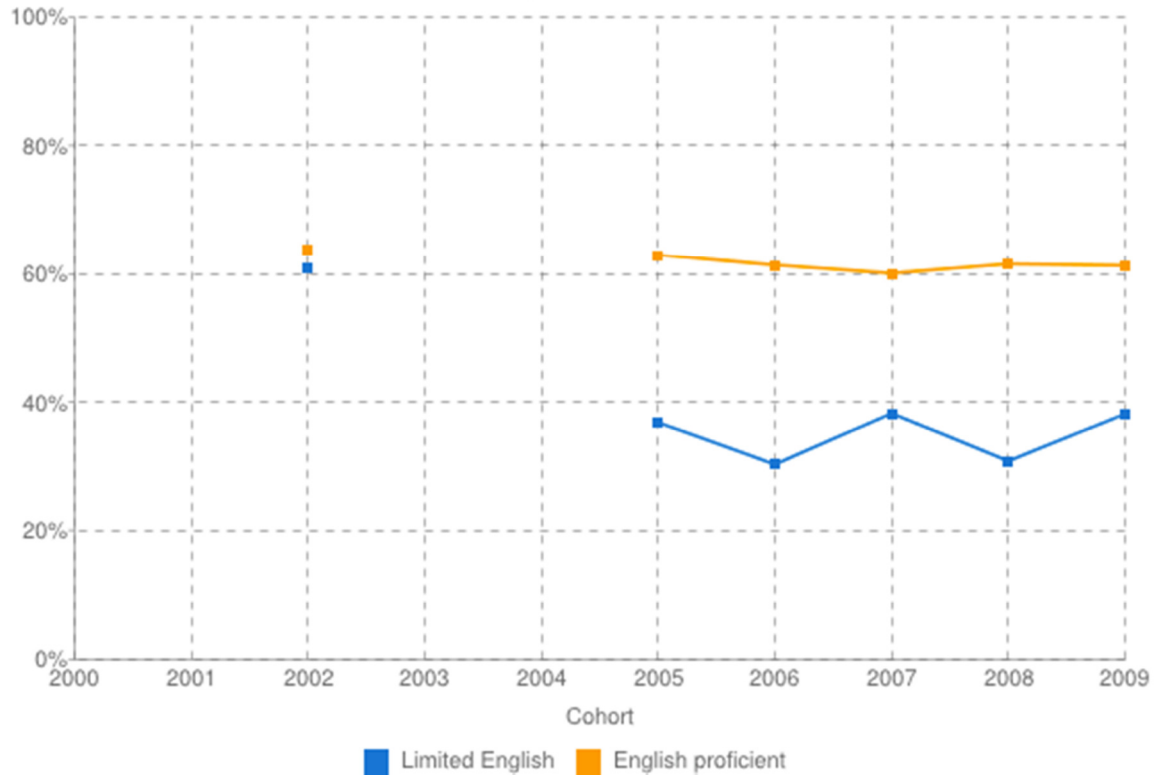
UTICA CITY SD
After 4 year, % Graduates

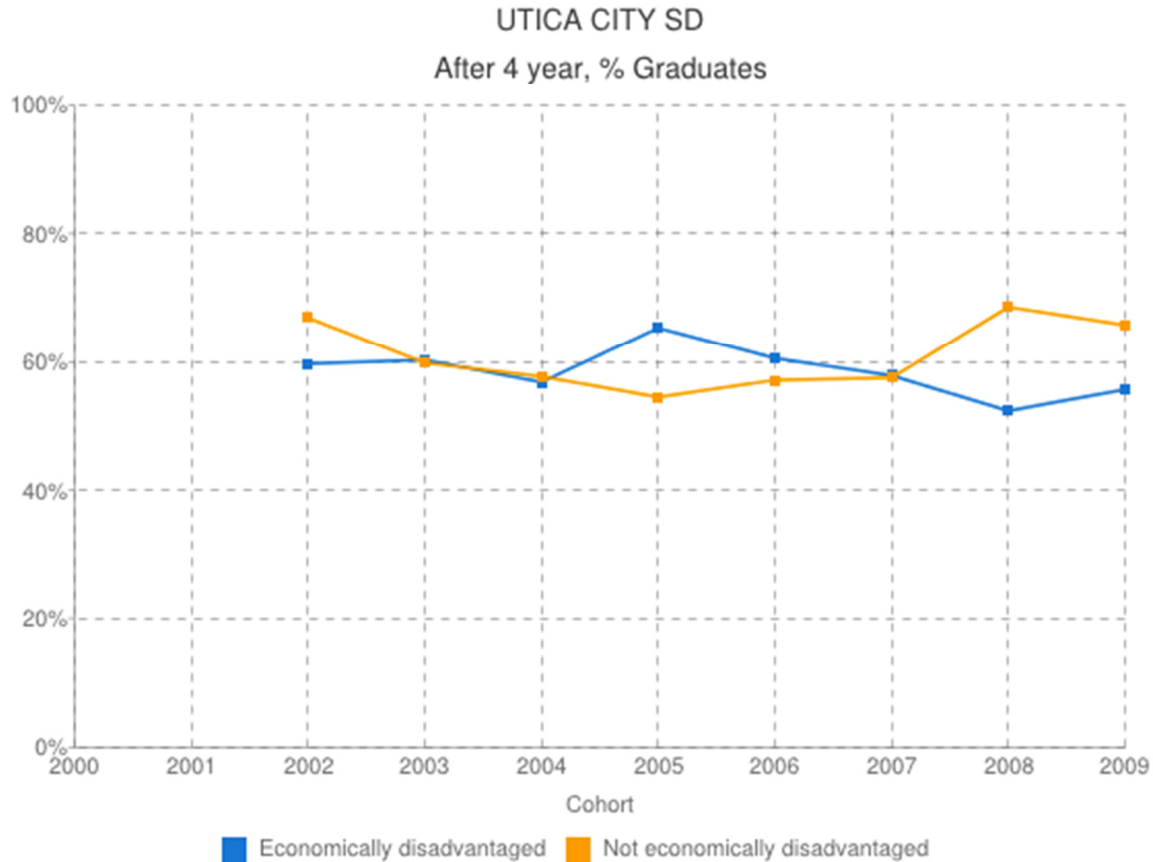


UTICA CITY SD
After 4 year, % Graduates



UTICA CITY SD
After 4 year, % Graduates





NYSED Reviews

The Utica District has had many state reviews of their schools and programs due to their negative accountability status as a result of student performance below the state standards. The expectation of the NYSED is that the recommendations resulting from the reviews will be implemented, however the district lacks the financial resources to implement all recommendations.

Some of the significant findings from previous reviews are presented beginning with the NYSED Joint Intervention Team (JIT) review of the high school. **A JIT Review** was required at the **high school** because the school is in the Restructuring Advanced/Focused accountability status.

Findings & Recommendations Proctor High School JIT Review (12/2010)

- Not all students eligible for AIS are receiving services.
- Adequate instructional technology is not readily available to students and instructional staff.
- The library media center lacks adequate resource materials for addressing cultural diversities.

- There are limited programs and offerings addressing character education, positive reinforcement, and cultural diversity for students and staff.
- There is a need for more professional development for teachers to meet the needs of ELL, students with disabilities, and all at-risk students.
- Implement smaller learning communities
- Improve student transition from middle to high school through summer transition programs or freshman academies.

I visited the Utica School District in January, 2013 and observed many of the same issues that were identified in the JIT Review. The following are additional observations I made during my visit to the school.

Personal Observations Site Visit (1/13)

-Commissioner's regulations for Academic Intervention Service (AIS) are not being met in social studies and science for eligible students.

-Access to technology continues to be lacking for students and staff in this large (2,750 students) school. There is only one desktop computer in each classroom, a few smartboards throughout the school, and one computer lab for the entire school.

-Library media center is small with inadequate resources. There are only a few desktop computers available for student use. The collection of library books is small and outdated. The room is small compared to the large student population it must serve. One of the librarian positions was cut due to budget constraints therefore there is only one librarian for this large high school.

-Overcrowding exists throughout the school. Every available space is being used for classes and programs. The enrollment of 2,750 students exceeds the school's capacity of 2,200. There is a capital project to construct additional space for the high school, however administration stated that it would not meet all of the space needs for the size of the student body.

-Class sizes were large averaging about 30 students per class.

- Several programs that had been in place as a result of the JIT Review have been cut this year due to the budget. They include an internally managed alternative education program, several remedial programs, Fine Arts and technology offerings. An evening program was significantly reduced. The high school principal shared that the reduction in Fine Arts and technology offerings resulted in additional study halls in the master schedule because there are now not enough available classes for the students.

-

There is only one gym for 2,750 students.

- There is an extensive ROTC Program, however it must run its drills in the halls because there is no other large space available.
- Counseling staff has loads of over 300 students each. Counselors were reduced from 14 to 9 this year.
- Social workers were reduced from 5 to 3 this year.
- There is no internal Alternative Education Program
- Main office is small and inadequate for the needs of a high school this large. Supplies were stored in the main entrance to the office.

Conclusions

The reduction of staff, the inadequate facilities, and the overcrowding conditions at the high school make it impossible to provide a sound, basic education for the nearly 3,000 students, 68% of whom are socio-economically disadvantaged and 15% English Language Learners. Any of the recommendations from the JIT review that were implemented, such as intervention programs to improve student achievement, have been cut for the 2012-13 school year due to the severe lack of funding to the district. Not only is the high school unable to implement the recommendations from this state accountability review, but in some cases they are unable to meet even the Commissioners basic regulations. As a result the school remains in a negative accountability status and under the new accountability process is designated as a Focus School and as such will have another State Accountability Review during the 2012-13 school year.

Recommendations

- In my opinion one of the most critical needs for the high school is additional staff including teachers, counselors and social workers.
- **Class sizes need to be reduced below 20 students per class from the 30 plus average that currently exists. While the large body of research on class size reduction focused on the primary grades of K-3, research results were consistent in showing a correlation between reduced class size and improvement in student achievement. The benefits began to emerge as class size fell below 20 students. A study done by Rice in 1999 found that high school math teachers with small classes were found to engage with individual students and small groups more frequently than teachers with larger classes.**

- The number of counselors should be returned to the 14 that were previously in place. Nine counselors cannot meet the needs of a school whose student population is characterized by high poverty and large numbers of English Language Learners and Students with Disabilities.
 - Reduce the number of study halls by providing more Fine Arts, Technology and other elective classes. Large study halls often result in behavior and attendance problems.
 - Immediately implement the needed and required AIS in small classroom settings of no more than 10 students per class. Any larger class size in these classes makes it impossible to delivery a remedial program suited to the individual needs of each student.
 - Implement an alternative program for the students most at risk of failure and dropping out before achieving a high school diploma. A minimum of two teachers exclusively assigned to the alternative program is needed to teach the core subjects. Additional teachers, counselors, social workers may be assigned for a part of their placement depending on the need of the students in the program.
 - In addition to a desktop computer in each classroom there should be laptop computers and/or ipads available to students in each classroom. These may be provided on carts that could be shared with other classrooms as the need arises. Every classroom should have a smartboard.
 - The library media center needs to be transformed into a 21st century resource center with appropriate technology, adequate staff and space to accommodate the needs of all the students in the school.
 - The Utica District is at the constitutional debt service limit for small city school districts in New York State and therefore cannot bond for additional funding to further expand the high school facility unless they achieve a super majority in the referendum vote. Alternatively an additional grant of State building aid is needed for additions to the high school.
-

A **JIT Review** was also required for **Donovan Middle School** because of its accountability status as a Restructuring Advanced School/Comprehensive.

Findings Donovan Middle School JIT Review (12/2010)

- AIS Program does not effectively meet the individualized needs of identified subgroups
- The school should revise the current AIS plan to insure differentiation for students at risk and most especially for students with disabilities and English Language Learners.
- Adequate instructional technology is not readily available to students and staff.
- School leaders do not have sufficient time to regularly observe teaching and learning.
- The District should strongly consider returning to three full-time assistant principals.
- Some students with disabilities are not receiving social and psychological services and assessments as required.
- Library media center lacks adequate resource materials for addressing cultural diversities.
- School science laboratories are not fully operational. Some of the laboratory equipment is broken.
- Parent involvement is limited.
- The District should seek alternative methods for delivering professional development (PD) to protect classroom instructional time. This may include expanding PD opportunities after school hours or during summer.

I visited the Utica School District and Donovan Middle School in January, 2013 and observed many of the same issues that were identified in the JIT Review. These are additional observations I made during my visit to the school.

Personal Observations Site Visit (1/13)

-AIS classes are crowded. There are 17-20 students in each ELA intervention class and 25-29 in each Math intervention class.

-Instructional technology continues to be inadequate for students and teachers.

- Extended learning time after school and summer school programs have been eliminated.
- Class sizes are large. There are science classes with 30-34 students.
- Fine Arts and PE program was reduced 50%.
- Science laboratories continue to lack necessary equipment and supplies.
- An effective mediation program to reduce student behavior problems was cut. The principal reported an increase in discipline issues resulting in additional administrative time spent resolving these issues.
- Intra-mural sports were eliminated.
- Literacy coaches were cut. These positions had been implemented upon recommendation from the Audit of Curriculum, another State accountability review required of the school.
- Parent liason position was eliminated, therefore there is no formal parent involvement program.
- Only minimal professional development (PD) is provided to staff despite the recommendation from the State Review to provide intensive PD for staff in a number of areas.

Conclusions:

The middle school had several successful programs in place, some as a result of recommendations following State Reviews. These were reduced or eliminated in the past year due to the severe lack of funding. The middle school is unable to implement the recommendations from the JIT Review or provide a sound, basic education to its students. Effective programs for students have continued to erode in the 2 years since the review. As a result, the school remains in a negative accountability status.

Recommendations

- The numbers in the ELA and Math AIS classes should be reduced to 10 students per class. Remedial intervention classes must be small to be effective.
- **Class sizes need to be reduced below 20 students per class from the 30 plus average that currently exists. While the large body of research on class size reduction focused on the primary grades of K-3, research results were consistent in showing a correlation between reduced class size and improvement in student achievement. The benefits began to**

emerge as class size fell below 20 students. The large science classes I observed do not provide a safe environment for students to conduct experiments.

- Every classroom should be equipped with a smartboard with laptop and/or ipad technology available to students and teachers as needed.
- Appropriate Equipment should be provided in science labs to insure the ability to deliver the required curriculum and provide access to the curriculum for all students.
- Literacy coach positions should be reinstated with one at each of the middle schools. It is critical to address the literacy needs of middle school students before they move to the high school level. Inadequate reading ability is one of the primary causes of failure in middle and high school.
- Provide quality after school programs. Families living in poverty generally cannot afford to provide after school activities for their children.
- Implement an effective schoolwide behavior management program such as PBIS. This will require professional development for all staff.
- Increase the number of assistant principals to 3 as recommended in the JIT Review. Since this review was completed the new mandated teacher evaluation system (APPR) has been implemented. This system requires significant additional work by the supervising administrator.
- Reinstatement of the cuts to the Fine Arts and PE Programs to insure that State requirements are met for all subject areas.

Six of the ten elementary schools in the Utica District were required to have a School Quality Review (SQR) by the State Education Department because they were not meeting state standards for student achievement and therefore are in a negative accountability status. The following are significant results from the Kernan Elementary School review in January 2012.

Findings & Recommendations Kernan Elementary School SQR (1/2012)

- Instruction is focused on test taking strategies rather than on building student conceptual understanding; developing comprehension and writing processes.
- School leaders should monitor instructional practice and rigor in classrooms.
- School leaders should set specific expectations for instruction and monitor these expectations with frequent instructional walkthroughs and feedback.

- There is no evidence of the alignment of curriculum with the NYS P-12 Common Core Learning Standards (CCLS).
- The frequency and scheduling of social work and counseling services to address needs of special education students should be increased.
- There has been a large turnover of staff, resulting in only nine veteran staff members remaining. Mentors in this school are assigned up to three mentees.
- District and school leadership should review AIS and Response To Intervention (RTI) rules and regulations and work with staff to create an action plan for meeting the regulations.
- Parent involvement and engagement is limited.

I conducted a site visit to Kernan Elementary in January 2013. These are observations I made in my site visit to the school.

Personal Observations Site Visit (1/13)

- There is only one administrator, the principal, for a school of 687 students. The assistant principal position was eliminated for the 2012-13 school year due to budget constraints.
- There is a .5 social worker and a .5 psychologist assigned to the school. These positions were reduced from full time due to the budget.
- The principal as the only administrator for a school of almost 700 students must supervise and evaluate approximately 60 staff following the new APPR process. The principal shared that he could not complete all of his scheduled observations last week because there were issues of student behavior and other management tasks he needed to deal with first. As a result he was trying to double up on his observations the week I visited.
- There are not enough AIS teachers to service the needs of the students. The AIS is delivered in large groups. The principal said now AIS is “activity without achievement.” He shared that before staff cuts it was more effectively delivered in small groups especially at the primary level.
- Enrollment has grown from 615 (SRC 2010-11) to the present 687. The school makes use of every available space to accommodate the increase in students.
- The principal reported the school has lost 11 homerooms while continuing to grow in enrollment.
- **The average class size is in the high 20s.**

- Classrooms are not appropriate for kindergarten students. Kindergarten students must walk down the hall alone to use a bathroom that is not appropriate for their age and size. I observed a kindergarten student leave her classroom, ask the principal where the bathroom was, and then be unable to reach the doorknob to access the facility as it was not an age-appropriate facility.
- The classrooms are smaller than State specifications due to the age of the building.
- Before and after school programs have been cut.
- The “SPIFFY” Program, designed to address student need before it is at the level of a PINS referral, was eliminated.
- The parent liason position was cut. There is no formal parent involvement program.
- There is no working public address system (PA) in the school.
- The auditorium needs extensive repair and is not ADA compliant. Many seats are broken, curtains are torn, and in general the facility is not suitable for performance use with large student groups. This limits the Fine Arts Program that is offered to students.
- There are exposed pipes and holes in the ceiling in portions of the building creating a health and safety issue for students and staff.

Conclusions

This is the oldest school building in the district. Most (93%) of its students are considered socioeconomically disadvantaged and 13% are English Language Learners. They are housed in an over crowded building with inadequate facilities to meet their needs. The majority of the teachers have little experience and insufficient mentoring. The administration and support staff are greatly understaffed for the student need. They are challenged to meet even the students’ basic needs for a safe and secure environment let alone provide a sound, basic education.

Recommendations

- An assistant principal is needed to support the principal in the implementation of the new APPR evaluation process and to assist with the daily management of the building. Without additional administrative support it will be impossible to implement the new APPR process with

fidelity as well as comply with the recommendations from the SQR for more frequent classroom walkthroughs.

- An assistant principal is needed to insure a safe and secure school environment. The layout of the school is such that all areas of the school are not easily accessible from the main office. If there is an emergency situation or a behavior situation that must be dealt with immediately the principal will have difficulty getting there in a timely manner if he is not in that section of the school. The problem of no working PA system further delays response to emergency situations.
- The principal does not have the resource support needed for him to be the instructional leader for the school.
- Provide mentors for the large number of new teachers. This may be in the form of lead teachers given release time or stipends to provide the support. The principal does not have time to provide mentoring support.
- Students with disabilities comprise 19% of this school's population. It is clear from the SQR recommendation and my observation that support service to these students should be increased. The social worker and psychologist positions need to be returned to full time positions.
- Additional teaching staff is needed to provide effective AIS services in the core subjects.
- Provide quality after school programs. Families living in poverty cannot afford to provide after school activities for their children.
- A Literacy coach position should be added to the staff at each elementary school. It is critical to address the literacy needs of students through early intervention. Inadequate reading ability is one of the primary causes of failure in school.
- **Class size should be reduced to 13-17 students, especially in grades K-3. More than 20 years of research has shown that reduced class size (15 to 18 students) is associated with increased student achievement especially in the primary grades and when students were in smaller classes for more than one year. The most influential contemporary evidence that smaller classes lead to improved achievement is Tennessee's Project Star. This project in the mid 1980s used a scientifically valid research design to determine the impact of class size on academic achievement. The most significant findings of the research were that:**

- **Students in smaller classes (13-17 students) did better than those in larger classes throughout K-3 grades**
- **Minority and inner-city children gained the most from smaller classes**
- **The more years spent in reduced classes, the longer lasting the benefits.**

Wisconsin's SAGE Project (1999) found similar results with class size of 15 students to one teacher.

- Kindergarten students must be assigned age-appropriate classrooms and bathroom facilities.
- A working PA system is essential in the school for safety and communication.
- Essential repairs to the facility are necessary to insure a safe environment for students and staff.

The State Accountability Reviews from previous years made several consistent recommendations for **Central Office Administration**. The key findings and recommendations are as follows:

- Monitor improvement plans and provide support, guidance and resources to schools to implement recommendations from accountability reviews.
- Provide extensive professional development especially focused on the needs of the various subgroups including ELL and SWD students.
- Provide professional development focused on the implementation of the Common Core Learning Standards (CCLS) throughout the district.
- Many reviews found that inadequate services were provided to ELL and SWD students.

I visited the Central Office and interviewed staff in January 2013. The following are my observations, conclusions and recommendations.

Personal Observations Central Office Site Visit (1/13)

- Central Office Administrators, none of whom are designated at the Assistant Superintendent level, have an overload of job responsibilities.
- Administrative positions were cut due to the budget.

- One Central Office Director is responsible for curriculum and instruction, Fine Arts, Athletics and supervision of the principals. In my experience it takes a minimum of 4 hours to complete one observation of a principal following the new APPR process. This includes a pre and post observation conference, scripted note-taking of the actual observation, analyzing the evidence and writing the summary of the observation including recommendations. This administrator must observe and evaluate all the principals in addition to her other administrative responsibilities.
- Another Central Office Director is responsible for all grants, contracts and compliance including accountability, i.e., administration of Contract for Excellence, Focus District, Focus Schools, compliance reviews, etc. There are many days of training away from the district required for Focus Districts Under the NYS ESEA waiver.
- The Superintendent is in charge of safety and security for the entire district.
- Administrators shared that they were “jack of all trades” and just do whatever it takes to keep the district operating.
- There is no district DASA (Dignity for All Students Act) Coordinator as required in the legislation. This responsibility is delegated at the site level to each principal.
- The “Administrator” of Special Education is a title of lesser authority than other central office administrators who are “Directors.” The percent of special education students in the district exceeds the state average.
- The district is at its debt service maximum for a small city school district. The current capital project is not sufficient to meet all of the critical facility needs within the district and the district cannot fund more capital improvements at this time.
- The district professional development budget was reduced by \$500,000 for the 2012-13 school year.

Conclusions

Central Office does not have enough staff with the appropriate levels of responsibility to manage a high need/low wealth district of this size with its increasing challenges. Central Office cannot adequately support schools and comply with all the responsibilities of increased State and Federal accountability. They are unable to implement the recommendations from recent State Accountability Reviews including the oversight of the school improvement plans due to lack of staff and funding. The reduction in central office personnel makes it nearly impossible to implement the recommendations from State reviews, monitor all improvement plans, meet requirements for accountability as a Focus District and fulfill basic administrative duties. These inadequacies in Central Office support negatively affect the schools ability to provide a sound, basic education for all students.

Recommendations

- Create an Assistant Superintendent position exclusively for K-12 Curriculum & Instruction
- Add a districtwide Athletic Director
- Add a districtwide director for Fine Arts
- Delegate safety & security responsibility to an administrator who is not the superintendent.
- Delegate a DASA Coordinator for the district as required in the legislation.
- Elevate the administrator in charge of special education to a greater position of authority. A district with a high percentage of SWDs like Utica will require additional administrative time to manage the programs for these students.
- Provide sufficient funding to implement the professional development recommended in the State Accountability Reviews.

In addition to these reviews, the District is now required to implement a new series of accountability reviews due to its status as a Focus District with identified Focus and Priority Schools. Following the reviews the District must develop new improvement plans that include a District Comprehensive Improvement Plan (DCIP) and individual School Comprehensive Education Plans (SCEP). This process is labor intensive with extensive training required for staff involved in the new process. The results of the NYSED led Integrated Intervention Team reviews were not available at the time of writing this report.

Budget

The Utica District continues to be designated as a Focus District, one of the 10% lowest performing districts in the state, and the majority of its schools remain Focus or Priority Schools and therefore subject to State review. They must submit to an Integrated Intervention Team (ITT) Review and complete a district comprehensive improvement plan and individual school improvement plans using the Diagnostic Tool required by the New York State Education Department. The district has not had the resources to implement all of the recommendations from previous reviews and has not been able to provide a sound, basic education for all of its students.

The charts below illustrate expenditures per pupil in the Utica District compared to similar districts statewide, all districts statewide, and the comparison group of regional districts that have achieved or exceeded the Regents Standard of at least an 80% graduation rate. The data shows that Utica spends less per pupil than the average of districts statewide and significantly less for students with disabilities

(SWD), a subgroup for which they have been consistently in a negative accountability status. The second chart illustrates that Utica spends the least on SWDs in the Oneida County region while having the greatest percent of SWDs in the region to educate.

Utica Expenditures per Pupil Compared to Statewide Expenditures per Pupil

2012-13 NYS School Report Card

	Utica District	Similar Districts	All Districts
Expenditure per pupil Gen Ed	\$9,752	\$11,462	\$11,615
Expenditure per pupil SWD	\$18,706	\$30,069	\$30,207
Expenditure per pupil total	\$15,581	\$20,045	\$20,906
SWD Classification Rate	16.1%	12.6%	13.1%

Utica and Comparison Group Expenditures per Pupil 2012-13 NYS School

Report Card

	Utica	New Hartford	Clinton	Camden	Holland	Sherrill	Whitesboro
Expenditure per pupil SWD	\$18,706	\$33,449	\$29,033	\$26,622	\$22,100	\$20,279	\$21,481
SWD Classification Rate	16.1%	8.5%	7.6%	13.4%	12.5%	9.9%	14.5%

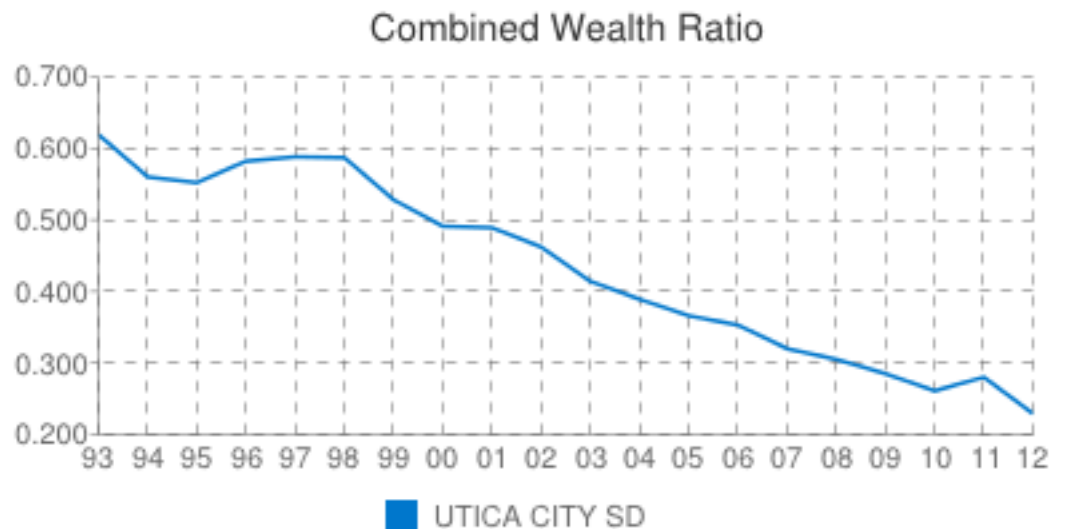
Utica and Comparison Group Financial Data (NY Rural Schools data)

In the chart below the CWR represents the index of total property wealth and total income wealth that supports each student in a school district. The state average index is 1.0. Utica is significantly below the state average and has the lowest CWR in the region. In addition, **Utica is the only district in the comparison group whose CWR decreased from the 2012-13 to the 2013-14 data. The tax rate in the**

Utica District increased for the 2013-14 year. All other comparison districts had a decrease in the tax rate except for Sherrill that saw a slight increase. The district is dependent on **state aid for 74%** of its general fund budget and has a limited tax base from which to generate the remaining 26% of its budget.

	Utica	New Hartford	Clinton	Camden	Holland	Sherrill	Whitesboro
CWR 2012-13	.293	.903	.83	.427	.551	.542	.638
CWR 2013-14	.281	.931	.858	.438	.588	.569	.652
Tax Rate 2012-13	\$19.64	\$21.88	\$21.16	\$14.59	\$19.08	\$35.83	\$20.26
Tax Rate 2013-14	\$21.23	\$21.81	\$21.45	\$6.80	\$15.03	\$33.12	\$18.48

The combined wealth ratio (CWR) for the Utica District has been consistently decreasing for the past 20 years as illustrated in the chart. The tax base is declining, resulting in a higher tax rate for the remaining taxpayers and an increased reliance on state aid.



Utica City School District State Aid 2010-2014

The basic state aid to a school district is called Foundation Aid. The amount allocated to school districts had been frozen at the 2008-09 level. The 2012-13 budget provided a minimal increase to Foundation Aid of 1.7%. In recent years the State has reduced the aid to each school district with the gap elimination adjustment (GEA) to help the State with its overall budget. The enacted State Budget for 2013-14 includes a partial restoration of the GEA as illustrated in the chart below. The amount of GEA restoration a district may receive is capped at 41.5% of its 2012-13 state aid. After applying the \$2.1 million restoration figure Utica still loses \$2.8 million in state aid for the 2013-14 budget. The gap elimination adjustment alone has resulted in a loss of **\$14.3 million** to the Utica City School District since 2010. If Foundation Aid had been fully phased in as planned in 2007 the Utica District would have received an additional **\$133,950,664**.

Utica City School District	Found. Aid 12-13	Found. Aid 13-14	GEA 11-12	GEA 12-13	GEA 13-14	GEA Restore 13-14	Adj. GEA 13-14
	\$72.1 million	\$72.4 million	\$6.6 million	\$4.9 million	\$4.9 million	\$2.1 million	\$2.8 million

The historic underfunding of state aid to the Utica District and the more recent application of a gap elimination adjustment have resulted in the following significant budget deficits and cuts to staff and programs in the past two years:

Significant Budget Cuts 2012-13

- \$10 million budget deficit
- 2% tax increase
- 217 staff positions including 7 administrators, 144 teachers and 66 other staff positions.
- \$.5 million cut from curriculum development and materials

Budget and Cuts 2013-14

- \$6.2 million budget deficit
- 2% tax increase
- 93 staff positions including 58 teachers, 5.5 administrators, 11 teaching assistants, 6 custodial and trade, 12.5 clerical.
- Additional reduction in supplies and staff development
- Decrease from 7 to 4 curriculum leaders at each of the middle schools
- Projected loss of \$1.78 million to new charter school 2013-14
- Projected loss of \$2.7 million to charter school 2014-15

Recommendations & Conclusions

The data in this report support the significant challenges facing the Utica District to meet the Regents Standards and provide a sound, basic education for all its students. The district is the largest in Oneida County with a growing enrollment. It serves a diverse student population with a large percent of ELL and SWD students. The community is poor and therefore the tax base is weak and declining. A charter school was approved for the 2013-14 school year that will result in an additional loss of \$1.78 million to the district. There is the potential that a second charter school may be approved that will result in additional loss of revenue to the district. State Aid, which has been frozen at 2008-09 levels, accounts for 74% of the District's budget. No increase in state aid, except for a minimal increase for the 2013-14 school year (\$313,164), the GEA applied to the budget for the past three years, and the tax cap combined with increased need for resources, services, and programs for students make it impossible for a high needs/low wealth district such as Utica to provide the constitutionally mandated education for all of its students.

The summary of the most critical needs of the district based on State Reviews, available data, interviews with staff and my personal observations follow.

Staffing

One of the most critical areas of need for the Utica City School District is additional staff. Even prior to staff cuts the district was not providing a sound, basic education. The continual loss of staff due to budget issues has severely impacted the district's ability to offer a sound, basic education for all students. In the past two years **310 positions have been cut** from the district, the majority of which were teachers. This has resulted in increased class size in all classes K-12 including remedial classes. The reduction of support personnel has resulted in some Students with Disabilities not receiving required services, and many students at risk of failing not receiving the help they need to be successful.

Administrative personnel have been reduced so greatly that remaining administrators have assumed many additional responsibilities making it impossible for them to provide the support needed to the teachers and schools. In some cases the safety of the school environment may be compromised due to administration being stretched so thin.

Programs & Materials

The mandated AIS programs must be in place for all students who qualify for these services. Many of the remedial and intervention programs that were implemented as an outcome of NY State Education Reviews have been cut or reduced due to fiscal constraints. The reinstatement of these programs, as well as the required AIS programs, is critical to the academic achievement of the students.

There is a need for extensive professional development for staff to meet the diverse needs of the students. There is also a need for an effective mentoring program and support for new teachers.

Technology resources are not adequately and equitably available for staff and students. All schools need more access to appropriate technology for staff and students. There is also a need to provide modern and ample equipment to outfit science laboratories at the middle and high school levels.

Facilities

The Utica District is in the unique situation of having a growing student enrollment and a declining fiscal situation due to the lack of state aid and a weakening local tax base. There is a need for more space to accommodate the growing student population. Many of the existing facilities are in need of repair and/or modernization. The current capital project cannot meet the facility needs and the district is at its debt ceiling limit therefore an additional capital project is not feasible at this time. Utica is not able to provide adequate facilities for each school to have a physical environment conducive to learning that is necessary to provide a sound, basic education for all students.

Summary Conclusion

Utica is unable to provide the opportunity for a sound, basic education for all of its students with the state aid it is allocated. It is impossible to provide what all students need including those with the greatest needs, the students with disabilities, the English language learners, and the economically disadvantaged. There are higher costs associated with the resources needed to provide these students with the opportunity for a sound, basic education. It is impossible to meet their needs with the existing resources and funding model.

Peggy J. Wozniak, Ed.D.
Professional Judgment Panel Member

Note: The information in this report does not represent the opinion of the New York State Education Department.

APPENDIX

List of acronyms used in report

Charts of ELA and Math student performance

Charts of student outcomes after 4 years

Frequently Used Acronyms

CWR = combined wealth ratio

ED = economically disadvantaged

ELL = English language learner

ESEA = Elementary and Secondary Education Act

ESL = English as a second language

GEA = Gap Elimination Adjustment

LEP = Limited English Proficient

NCLB = No Child Left Behind

SWD = Students with Disabilities

I hereby affirm that the foregoing report is true and accurate to the best of my knowledge.

Peggy J. Wozniak

Peggy J. Wozniak

Sworn to and subscribed before me on this
18 day of December 2014

Jihan Abdulla
Notary Public

