

Making Choice Real:

Improving the High School Application Process for Immigrant and Low-Income Families

Carly Huelsenbeck

The New York City Public Schools After Mayor Bloomberg

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Professor David Bloomfield

Introduction

“New York City offers families more choices than any other public education system in the country,” proclaims the New York City Department of Education (NYCDOE) website. In order for a student to attend a public high school in this city, participation in a months-long (or years-long) choice process is mandatory. This system’s structure and requirements continue to advantage those from families with certain types of economic, linguistic, and cultural capital. Overreliance on rhetoric about the virtues of markets masks these inequities and limits the DOE’s institutional responsibility to address them. How does the NYC high school admissions process further disadvantage many of those who it is intended to help? How should the DOE change its policies on information distribution to better address the needs of these students and their families?

The promises and pitfalls of school choice

School choice “is growing rapidly and is heavily concentrated in districts with many of the nation’s most disadvantaged students and most troubled public schools” (Orfield and Frankenberg, p. 5). It takes different forms including interdistrict and intradistrict transfer programs, magnet schools, and charter schools. The idea of school choice arose in response to *Brown v. Board* in the mid-1950s and was originally a tool to encourage desegregation. Concurrently, it was promoted by Milton Friedman as a way for families to break free from public school monopolies. Currently, integration discourse takes a backseat to the promotion of the supposed virtues of the market. NYCDOE school choice rhetoric focuses on the market but also attempts to frame it as a tool for equity.

A central goal of the “market theory of choice” is “providing better educational opportunities for students in inferior neighborhood public schools” (Orfield and Frankenberg, p.

38). Advocates claim that poor students and students of color stand to benefit the most from school choice. Neighborhood schools of widely varying quality – dependent on the socioeconomic status of area residents and consigning poor children to educational failure – are portrayed as the only alternative to the market. “Public school choice – allowing parents a choice among a variety of schools rather than automatically assigning their children to the closest school – [...] moves us beyond a system in which schools necessarily reflect residential segregation” (Chaplin, p. 19). When these are the only two alternatives, it’s difficult to argue against the virtues of school choice systems.

In the market theory of choice, the parent is seen as a consumer who has the “freedom” to choose the best option for their child, and schools will supposedly compete to provide the best services:

The theory of school choice that has been most widely adopted in the past three decades in the United States, the market theory, argues that giving parents the right to choose for themselves [...] will have a powerful educational impact. **The goal of this theory is equal opportunity to make a choice**, assuming that parents know what is best and will equally understand and take advantage of broader opportunities without assistance. (Orfield and Frankenberg, p. 42, emphasis added)

When the roots of school choice in *Brown v. Board* are decentered, choice in and of itself becomes not only the means but also the goal, ignoring integration and racial and economic justice. In recent decades, “conservatives who denied that the problem of failing schools was rooted in social inequality and systemically unequal schooling shifted the blame to families and school bureaucracies” (Orfield and Frankenberg, p. 18). Following this logic, architects of systems of choice are not responsible for considering how race, culture, and socioeconomic status affect participation in the market. However, a growing body of research indicates that unrestricted school choice markets do not function as they are purported to. “Many of the mechanisms of choice put into place today lack proper public justification; and [...] their

outcomes are different from most of the goals their advocates set to achieve, particularly for minority families and communities” (Ben-Porath, p. 171-172). “There is some evidence that unregulated public school choice actually increases segregation [...] because the most motivated middle-class families work the system to their advantage” (Chaplin, p. 19).

This paper focuses on the dissemination of and access to information about NYC’s high school choice process because the market does not function as intended when the distribution of information is absent, inaccurate, uneven, or unclear. Research shows that parents tend to have less information about their schools than is assumed (Buckley and Schneider, p. 122).

Market theory assumes that people know what they are buying and make decisions based on comparisons of offerings from many providers. If people do not know what they are buying or have false information, markets are inefficient. [...] Empirical studies show that rates of both knowledge about and the use of choice programs strongly skew toward the more educated, the more affluent, and the better-connected families. [...] **If unequal knowledge reflects family inequalities, choice can become a mechanism to reinforce rather than overcome stratification.** (Orfield and Frankenberg, p. 54, emphasis added)

“Research suggests that families’ access to the educational marketplace is unequally constrained by a number of factors, including [...] language barriers, [and] socioeconomic status [...] It follows that **school choice, unless carefully constructed and implemented with consideration for the above obstacles, will almost always exacerbate inequality**” (Frankenberg and Siegel-Hawley, p. 6-7, emphasis added).

School choice in NYC and the high school application process

The New York City public schools have experimented with various forms of school choice for over a century. Specialized high schools began appearing at the start of the twentieth century. The 1960s brought the Open Enrollment Program and Free Choice Transfer Policy, widely considered to have failed. District 4 initiated middle school choice in the 1980s. An elementary and middle school choice plan attempted in the early 1990s by Chancellor Fernandez

“set the stage for an era of expanded choice.” Beginning in the late 1980s, the transformation of large comprehensive high schools into smaller themed schools was an important step toward a high school market open to all students (Corcoran and Levin, p. 200-202).

As of the 2012-2013 school year, there were “nearly 700 programs at over 400” public, non-charter high schools in the city (New York City Department of Education, p. 1) with a wide range of sizes and specializations. However, many choices doesn’t mean many *good* choices, and many choices doesn’t mean a better choice system. “[T]here is considerable evidence that too many choices can overwhelm some consumers. [...] In these cases, consumers often limit the choices they will consider and make a selection that satisfies them, even if it is not ideal. In the worst-case scenario, some consumers, faced with too many options, become frozen and overwhelmed, either refusing to make a choice or throwing up their hands and making a random choice out of frustration” (Teske et al, p. 16). Students are admitted into these 700 programs via eight different methods (NYCDOE, p.8; Hemphill et al, p. 61).

This process (ideally) starts long before a student is in eighth grade (Hemphill et al, p. 61). In sixth and seventh grades, some students begin to prepare for the Specialized High School Admissions Test, and/or for the portfolio and audition requirements for arts schools. Near the end of seventh grade or the beginning of eighth grade, students receive a copy of the nearly 600-page-long high school directory and are expected to use it to identify schools they are interested in. High school fairs are held in all boroughs; some middle schools host fairs as well. Students return from these fairs laden with flyers and brochures about schools’ offerings. Individual high schools offer tours families can sign students up for and hold evening open houses for families. Websites like InsideSchools provide reviews targeted toward an audience of possible “customers;” prospective students and parents can ask questions in the comments

section of each review. By December, all eighth graders must fill out the application form, which requires them to list up to twelve programs in order of preference. In March, most students receive an offer of admission. However, each year, a certain percentage of the eighth grade cohort does not receive any offers of admission at this time. These students must then participate in Round Two, in which they choose from a list of high schools that have remaining seats (including schools that are opening for the first time in the coming fall).

Changes to the application process under Bloomberg

Stakeholders from many groups are wont to criticize Mayor Bloomberg's version of mayoral control. However, it is hard to deny that changes to the high school application process that have occurred under the Bloomberg administration have made the process marginally better. "City officials intended to replace a school-choice system that gave an advantage to students with high test scores and aggressive parents with one that gave all students a fair shot" (Hemphill et al, p. 52).

Prior to Bloomberg and Klein's reforms, large zoned comprehensive high schools became dumping grounds for students who were not competitive. Many of these buildings now house collections of small themed schools, which some studies claim do a better job of educating the same students as the large schools did. School closings – controversial at their best – are far from a net gain, and other studies contradict the claims of the small schools; they are most often criticized for failing to take equitable numbers of ELLs and students with IEPs. Still, the intention of the small schools is to provide students and families with greater choice; average and low-performing students who may have been stuck at a large underperforming zoned school in the past now ostensibly have a greater range of possibilities.

Second, the matching system implemented for the first time during the 2003-2004 school year (Fleisher) has made the admissions process less susceptible to manipulation by parents and principals, and has resulted in fewer students going unmatched. (Also, more students now get choices that are higher up on their lists.) While specialized high schools still make it possible for a student to receive multiple offers, and while some students still have to go through a second round to be matched, many more students receive offers of admission than under the old system, where some students might receive as many as five or six offers while a sizable proportion of their cohort received none.

Finally, information available to parents has increased; the Klein administration increased the number of parent workshops and high school fairs. The Translation and Interpretation Unit was created in 2006 (Sattin-Bajaj 2011, p. 161). Some translation is available at fairs, and the high school directory is available online in different languages. However, just because some information is “out there” doesn’t necessarily mean that it’s good information or that it’s in a form that families can understand.

However, because of the way the process is structured, and because of the kinds of capital it demands, students from certain groups continue to be at a disadvantage in this process. **NYC’s system of high school choice poses significant challenges to students with immigrant parents, and students from low income families,** especially those who are English Language Learners and/or students with IEPs. These groups make up a sizable portion of NYC public school students, and are some of the students who school choice advocates say they intend to help. Because the NYCDOE has undertaken reforms intended to help these populations, the Department should be responsive to ways in which the reforms leave these populations at a disadvantage.

Problems experienced by students

Currently, some students have to navigate the high school application process with little to no guidance from adults at home or at school. When students rely on peers who don't know any better than they do, they resort to counterproductive strategies like copying a classmate's application just to get it done. The information about schools presented in this process can't be thoroughly analyzed by a thirteen-year-old. Even those who are "good students" may have trouble, as the process assumes too much self knowledge and capacity for reflection and projecting into the future. "Adult advocacy gives advantages to some students over others who must make life-shaping decisions largely on their own. Its absence undermines equity" (Hemphill et al, p.3). Without adult support, successful participation in the application process is not likely to happen. The burden of responsibility placed by the NYCDOE on the shoulders of 13-year-olds is unconscionable.

While many students receive help from a guidance counselor, there is no citywide mandate for guidance counselor/student ratios. Consequently, many guidance counselors are overwhelmed with their workloads; high school articulation is just one of many demands placed upon them. Guidance counselors are also hampered by the fact that the inadequate supply of *good* programs limits their ability to find a good match for each student. According to a guidance counselor at a Manhattan middle school, "For the strong students [...] there are good options among the selective or 'screened' schools, which require an 85 average, a good attendance record, and strong standardized test scores. But for average or weak students, the good options are more limited. 'It's sort of discouraging,' he says. 'In Manhattan, there are only a handful of schools [for average or below-average students] that I would send my own children to. The rest, you take your chances. When you run out of schools, you have to put something

down” (Hemphill et al, p. 57). The proliferation of new schools each year devalues the expertise of counselors: “With new schools opening every year, many counselors say they just don’t have enough information about the city’s 400 high school options to give meaningful advice” (Hemphill et al, p. 56).

It’s not just students who are picking and choosing; one must remember that schools also rank the students they want, shutting low-performing and average-performing students out of some of the best high schools. “Ed Opt” programs, intended to provide better options for these students, make up a smaller proportion of the high school landscape than they used to (Nathanson et al, p. 6), and historically, some programs that started out as ed opt have shifted to being screened (Fruchter et al, p. 8). Students’ “choices” are tempered by the admissions rules of the schools.

Problems experienced by parents

Parents/guardians must have access to certain forms of capital required by school choice systems. In the New York City high school marketplace, parents must first and foremost be literate, preferably in English. (Although some translation at fairs and of materials is provided by the city, not all speakers of the nine languages in which the NYCDOE translates are literate.) The NYCDOE provides translated high school directories on their website, but not in print, putting those without internet access at a disadvantage. Even with translated directory information available, parents often need to use English to get further information.

Even for parents with some English proficiency, these additional forms of information are not easy to access. Describing the issues faced by the low-income Latino/a families she studied, Madeline Pérez wrote “Not only was it a challenge to navigate the bureaucracy to secure a high school visit, but some high schools had other stipulations that did not allow families to

visit. Even more troubling is the fact that despite the DOE's insistence that families visit high schools before submitting their applications, some high schools did not offer school visits of any kind. High schools are not held responsible for non-compliance with all of the DOE's dictates, such as providing open houses and school tours" (Pérez, p. 408). It is currently too easy for schools to control who attends these events by targeting certain types of families. "Research has shown how schools design their marketing deliberately to attract desired groups of students to apply" (Orfield and Frankenberg, p. 262). "[These] families were hampered by insufficient information or misinformation, missed the open house deadlines, or engaged with high schools that were not organized and did not offer open house events. It was imperative to document the attempts of low-income mothers of color who sought out information as the DOE continuously blamed them for not 'doing their homework' and insinuated that they didn't take an active interest in their children. None [...] were able to gain access to visiting schools at open house dates, despite their attempts" (Pérez, p. 407).

The adult must also be familiar with the culture of American schools; adults who have grown up in countries where a different relationship between parents and schools is customary may not be able to advocate for their children in the ways that are expected by the system. In her dissertation, Madeline Pérez described the different ways in which families from different backgrounds engaged with the information provided to them during the high school choice process (Pérez, p. 400). Not all families know [how] to manipulate the process in this way. Families with different class and cultural backgrounds have histories of interacting with institutions in different ways. It is unrealistic for the NYCDOE to expect all families to act in the same way, and to place so much of the burden for making this process make sense on the families themselves. "Developing questions, identifying gaps in the data, and engaging

confidently with school staff were all tasks that middle-class parents were already comfortable with. They had prior school choice experience to build off of and their work experiences reinforced these practices and behaviors. The DOE made it clear that it was their expectation that families must engage in this way, creating an uneven playing field for low-income families of color” (Pérez, p. 401) The process of successfully interacting with information about the high school application “required that parents have the dominant cultural capital to interpret the text and respond in a way that institutions recognized and valued” (Pérez, p. 423).

The adult must also have free time to spend on this process. Without time to read materials with the student, discuss the student’s preferences and goals, schedule tours for the student, accompany him or her at fairs, take him or her to auditions, interviews, and tests, the adult’s ability to help is severely limited. Parents and guardians who work long hours at jobs that do not afford them the flexibility to take time off to be with their children on school tours etc may very well want to help their children, but are constrained but the reality of having to provide for them economically.

Not all children of immigrant parents are ELLs, but many are. Due to limited information about ESL and bilingual programs presented in the high school book and other application materials, kids can end up at schools that can’t adequately address their needs. The same is true for students with IEPs; especially now, under the city’s current special education reform, these students can land in a high school that can’t provide the proper supports. “‘There’s an implicit tradeoff: you can go to any school, but you may not have services there,’ says Gisela Alvarez, a lawyer for Advocates for Children. ‘That’s not really choice.’” (Hemphill et al, p. 30). When a student finds himself or herself at a school that isn’t serving his or her needs, it’s difficult to transfer. Experienced educators stress that this is something many parents don’t

know (Hemphill et al, p. 55). The lack of comprehensible information sources about these issues increases the likelihood of these students finding themselves in inappropriate school placements.

The efforts of the Translation and Interpretation Unit are inadequate; many important forms of information are not translated. Translation services provided at the school level have also been found to be insufficient in some cases. In her research, Carolyn Sattin-Bajaj discovered that translation services offered at middle school events to prepare students and families for the high school application process varied widely in quality. Sometimes, direct linguistic translation was not enough support to help parents understand concepts they had not encountered in their own experiences (Sattin-Bajaj 2011, p. 161-167).

Finally, too much reliance on the Internet in this process creates an added burden for those without online access. In addition, many of the outside websites recommended by the DOE as resources in this process – such as InsideSchools and HopStop, are available only in English. (Sattin-Bajaj 2011, p. 167-168).

Recommendations

“The central challenges of policy making are to clarify what we mean by *choice*, to create the conditions under which wise choices can be made, and to provide opportunities that are truly worth choosing” (Orfield and Frankenberg, p. 255). It is the issue of creating the conditions that lead to wise choicemaking that this section is concerned with. Efforts to address the failures of the high school application process need to be implemented at the **school** level. “Middle schools are the most important link between eighth-grade families and the high school admissions process and their ability to support families heavily relies on the amount of resources, time and expertise that staff members have available” (Pérez, p. 420). “On average, lower-income, less-educated parents have been found to rely heavily on school-based sources of information”

(Sattin-Bajaj 2012, p. 337). Recognizing the strengths and preferred communication methods of these families will enable the NYCDOE to better harness the supposed power of school choice.

#1: The high school directory must be overhauled. Although print information can only do so much, the high school directory plays a central role in communicating information about the high school choice process in NYC. For many middle schoolers, the massive “high school book” is their first point of interaction with the high school choice process. Therefore, it is imperative that this book be improved in order to make it more widely accessible. Currently, it provides unclear and incomplete information that is not equally accessible to all families.

The book is currently translated into nine additional languages, but is only printed in English. The other versions are available in PDF form on the NYCDOE website. While it can be argued that families without computers and internet at home may still have access via cell phones or libraries, the consequences of the still-extant “digital divide” are well-documented. Therefore, **the high school book must be printed in all of the languages in which it is currently translated.** Using the home language data already in ATS/ARIS, the book must be delivered to all schools in appropriate languages so that students receive versions that they and their parents can read toward the end of seventh grade. Printing the translated directories is the most simple and immediate way to address the problems with the process. It requires no creation of new content or new data systems.

Researchers have documented the extra challenges faced by ELLs and students with IEPs and their families in finding appropriate high school placements. In order to assure that these students’ needs are being addressed, **the high school directory must provide more specific information about schools’ ESL, bilingual, and special education programs.** Data already in BESIS (the Bilingual Education Student Information Survey) can be transferred to the high

school directory in order to explain how many students are at the school are being served in what kind of program (push-in, pull,-out, or self contained ESL, transitional bilingual, or dual language). More information about what programs are offered and how services are delivered will enable parents to make better informed decisions. Again, this requires no creation of new materials or systems.

In addition, the information about special education programs must be revised in order to better address the needs of students with IEPs. Due to the current special education reform, the latest version of the book has even less specific information about special education services than it used to. Each school's page says only "This school will provide students with disabilities the supports and services indicated on their IEPs" (New York City Department of Education). This places a greater burden on parents to do the work to find out what services are currently offered at schools they and their children may be considering. Families may find themselves under pressure to agree to changes to an IEP when they end up somewhere that isn't used to providing services to students with their child's needs. Adding information to the book about the services currently offered at the school simply gives parents information about a school's current capacity; information is easily taken from SESIS (the Special Education Student Information System).

#2: Procedures around attending school tours and open houses must be standardized and communicated to all families. The process for scheduling and publicizing tours and open houses and the mechanisms by which parents sign up for these events must be standardized systemwide. (This does not in any way affect the content of such events.) These events are an important way to learn more about individual schools, and in some cases,

attendance at these events is a prerequisite for admission. The burden of getting into these events must be shifted from parents to schools.

#3: The translation unit must begin a new initiative to bring cultural translation of the choice process into schools. In addition to careful translations of all materials and workshops, the NYCDOE must also recognize the limits of what can be communicated in print, and what can be communicated through straightforward linguistic translation. The DOE must shift toward making the high school choice system comprehensible to those with different cultural knowledge and should draft a citywide policy about what cultural translation is and how it is to be provided. This should be a joint effort of the Translation and Interpretation Unit and the Division of Family and Community Engagement.

Supported by parent coordinators, the Translation and Interpretation Unit's new responsibilities should include informing parents of their rights and responsibilities in this process as soon as their children enter middle school. In addition, comparisons must be drawn between the NYC system and forms of schooling in parents' countries of origin. Workshops throughout the year should be delivered at schools at times convenient to parents.

#4: The NYCDOE must clarify, mandate, and fund a minimum acceptable level of guidance to be delivered at the school level. It has been established that school-based support is required for success in the high school choice process, that some students and families receive more of this support than others, and that families who need the most tend to get the least. "It may well be, for example, that the relatively small numbers of the system's middle schools that serve more- advantaged students have lower student/guidance counselor ratios and more experienced and effective counselors. If there are such in-school counseling advantages, they may well produce more appropriate choice of and placement in high schools" (Fruchter et al, p.

11). The NYCDOE currently has no stance or policy to address this. “The lowest-income parents can make well-informed school choices, but they need some help choosing schools confidently. Access to well-informed advisors, whether provided by local school districts or nonprofit organizations, is crucial” (Teske et al, p. 5).

For choice to serve as a real equity measure, students who do not have the resources, knowledge, and built-in family supports to effectively navigate the system must receive enhanced guidance from other sources. To level the field, the district should require and incentivize schools to provide structured, personalized support and guidance to students and families about how to investigate and select appropriate high schools. Schools serving higher needs populations should receive additional resources to meet the demand. (Sattin-Bajaj 2012, p. 357-358, emphasis added)

In order to avoid exacerbating the current overburdening of guidance counselors, this is likely to involve hiring new staff to provide support at multiple schools and/or contracting with outside agencies.

Conclusion

In the context of the New York City high school application, good intentions and a belief in the power of markets have proven to be insufficient for ameliorating educational inequity. “While high school choice may have improved educational options for individual students, choice has not been sufficient to increase systemic equity of opportunity” (Fruchter et al, p. 2). The “research literature substantiates **the importance of considering institutional responsibility in perpetuating or combating educational inequality**” (Sattin-Bajaj 2011, p. 152, emphasis added). It is incumbent upon the NYCDOE to amend its policies around high school choice in order to address the reality experienced by low-income and immigrant families.

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