

THE MEANING OF MERIT

ALTERNATIVES FOR DETERMINING ADMISSION
TO NEW YORK CITY'S SPECIALIZED HIGH SCHOOLS

A Policy Blueprint
for the Next Mayor
and City Council
of New York City



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The Community Service Society of New York (CSS) is an informed, independent, and unwavering voice for positive action on behalf of more than 3 million low-income New Yorkers. CSS draws on a 170-year history of excellence in addressing the root causes of economic disparity through research, advocacy, litigation, and innovative program models that strengthen and benefit all New Yorkers.

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The NAACP Legal Defense and Educational Fund, Inc. (LDF) is a non-profit legal organization established under New York law that has worked for over seven decades to dismantle racial segregation and ensure equal educational opportunities for all.

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Foreword

Inequality is rising in New York City, where the gap between the rich and poor has never been greater. Our best public schools represent unique opportunities to level the playing field. Yet, if we are not careful, these institutions can serve the opposite role, increasing the gaps between those with the best educational opportunities and those without.

Currently, the gateway into what are widely regarded as some of New York City's best public high schools is a single multiple choice admissions test—the Specialized High Schools Admissions Test (SHSAT). No other indicators of hard work or academic achievement are considered. While reliance on a single exam may at first appear to be an objective and fair measure, a deeper look reveals that the use of a single test, and this one in particular, does not provide a meaningful measure of academic achievement and potential.

Furthermore, the outcomes based on the current admissions procedure raise serious questions about the use and validity of this exam. There are nearly 50,000 black and Latino 8th graders in the city's public schools, in addition to black and Latino students in parochial and

private schools. In 2012, 11,585 of these students took the SHSAT. How is it possible that from this enormous pool, only nine black students and 24 Latino students were determined to be qualified for entrance to Stuyvesant High School? It cannot be.

This joint report uncovers the serious flaws in the current approach to admissions and examines the methods used by other top-rated, selective public high schools in New York and around the nation. Based on these findings, the report suggests a menu of alternatives that would provide both a rigorous standard of admission and opportunities for the most promising students of all backgrounds.

We urge the next administration and council to consider the recommendations in this report and develop a fairer, more sensible policy for admission into the Specialized High Schools. The new policy must consider grades along with other measures of student merit—including those used by other top selective high schools from across the nation. For five of New York City's Specialized High Schools, these changes can be made immediately. For the oldest three high schools, it will require legislation at the state level. But it will be worth the effort, to ensure that our best public high schools can fulfill their mission as great equalizers of opportunity, instead of perpetuators of inequality.

David R. Jones

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Introduction

Every year, over 100,000 young people begin their high school careers as 9th graders at a New York City public high school. The next four years of their lives will have a considerable impact on their futures. A young person's high school career does not guarantee what kind of future they will have, but it is an important stepping stone on the pathway to leadership and opportunity. There are over 400 public high schools in New York City, and many of them are strong. But the city's elite Specialized High Schools offer students some of the best chances to realize their academic potential. These schools are among the most highly regarded in the nation; they ensure a first-class education and a head start on the road to success. As such, access to these institutions should be determined by a fair admissions policy that rewards academic achievement, potential and perseverance.

Yet the means of determining who gains admission to these schools is deeply flawed. Because of an outdated New York State law, admission to the original three Specialized High Schools—Stuyvesant, Bronx Science, and Brooklyn Tech—is based solely on a student's performance on a single multiple-choice exam. The Bloomberg mayoral administration unilaterally extended this test-only admissions policy to five additional schools, even though it is not required under the law. Not only is such an admissions policy broadly considered to be a poor way of measuring merit, but the specific exam used in this case, the Specialized High School Admissions Test (SHSAT), has not even been shown to validly predict student performance at these schools or to adequately assess mastery of material taught in the New York City public schools in grades K–8. In fact, the New York City Department of Education admits that it has no evidence that the test predicts student performance.

As a result of this decision to distort the definition of merit to focus solely on the results of a single test, each year thousands of qualified New York City students are needlessly locked out of the opportunity to attend one of these prestigious schools. Specifically, black and Latino students are offered admission to the Specialized High Schools in much lower numbers than their peers, even when they have demonstrated exceptional academic performance and overcome major obstacles in elementary and middle school. Of the 963 students offered admission to Stuyvesant High School for the 2013–14 school year, only nine were black and 24 Latino, even though nearly 12,000 black and Latino students took the exam.

Does this mean that only nine black students in New York, the most diverse city in the world, have the academic potential to succeed at Stuyvesant? Of course not. The problem does not rest with the students; the problem is the unfair policy of relying on a single test for admission to the Specialized High Schools.

There are fairer and more effective ways for New York City to measure the merit of its students. In New York City and across the country, elite public high schools use comprehensive and competitive admissions policies that consider multiple measures of academic success and potential. These common-sense approaches can result in classes that are both extremely qualified and broadly diverse. This report explores these alternatives and offers recommendations to future city leaders on parameters for reform.

In September 2012 the NAACP Legal Defense Fund, Latino Justice-PRLDEF, and the Center for Law and Social Justice at Medgar Evers College filed a federal civil rights complaint on behalf of the Community Service Society of New York and 10 other community organizations alleging that the NYC Specialized High School's admission policy violates federal law.¹ In response, the U.S. Department of Education Office for Civil Rights (OCR) opened an official investigation to probe the fairness of the policy. The investigation could result in a finding that the New York City Department of Education (NYCDOE) and the New York State Department of Education have violated the rights of countless thousands of students.

New York City cannot afford to wait for the federal government to make this determination before taking action. The next administration must explore, promote, and implement a fairer and more sensible admissions policy for all of the Specialized High Schools. This new policy must be developed in consultation with both experts and stakeholders. As this report lays out, admissions to the Specialized High Schools can no longer be based on a single, unvalidated test but must instead employ multiple measures of academic merit—including student grades and class rank, or a “percentage plan”—as well as some combination of other measures including (but not limited to) academic portfolios, attendance, essays, interviews, school staff recommendations, and performance on validated, statewide standardized tests. Moreover, any test that is used as part of the process must be validated and aligned with the New York City public school curriculum.



The Specialized High Schools

Under New York State law, admission to the three original Specialized High Schools, as well as those later designated by the NYCDOE, must be based “solely and exclusively” on students’ rank-order scores on an admissions exam.² The SHSAT,

the NYCDOE’s exam of choice, has two sections: verbal and mathematics. Each applicant is asked to list the Specialized High Schools he or she wants to attend in order of preference before taking the SHSAT. Once the composite scores on the SHSAT (combining scaled scores for both the math and verbal sections) are finalized, the scores of all of the thousands of test-takers are ranked in descending order, from highest to lowest. Beginning with the highest scorer, the NYCDOE offers each student admission to his or her first-choice Specialized High School if that school has

seats still available. Under this rank-order approach, there is no pre-established “cut-off score” required for admission to any particular school. So, as a practical matter, the cut-off score for any school in a given year is equivalent to the lowest score for a student admitted to that school. In this way, the virtual cut-off scores at different schools may vary from year to year.

Currently, there are eight Specialized High Schools in New York City that admit students based exclusively on a single standardized test administered annually.

School	2012-13 Enrollment	Location
Brooklyn Technical High School	5,451	Brooklyn
Stuyvesant High School	3,286	Manhattan
The Bronx High School of Science	3,060	Bronx
Staten Island Technical High School	1,185	Staten Island
Queens High School for the Sciences at York College	400	Queens
High School for Mathematics, Science, and Engineering at City College	439	Manhattan
High School for American Studies at Lehman College	395	Bronx
Brooklyn Latin School	509	Brooklyn

Single-Test Admissions: A Flawed Policy

The test-only admissions policy used by New York City’s Specialized High Schools enforces an artificially narrow view of merit. For example, under the policy, a student who attended an under-resourced public middle school and navigated difficult life circumstances to achieve excellent grades and a pristine attendance record along with other significant accomplishments would be passed over for admission in favor of a student with lower grades and spotty attendance who took an expensive private prep course in order to get a higher score on the test. While this approach may be aligned with the Bloomberg administration’s propagation of standardized testing, it is woefully out of step with best practices of both education experts and even the testing industry that profits from use of such exams.

“As the stakes of testing increase for individual students, the importance of considering additional evidence to document the validity of score interpretations and the fairness in testing increases accordingly.”⁵

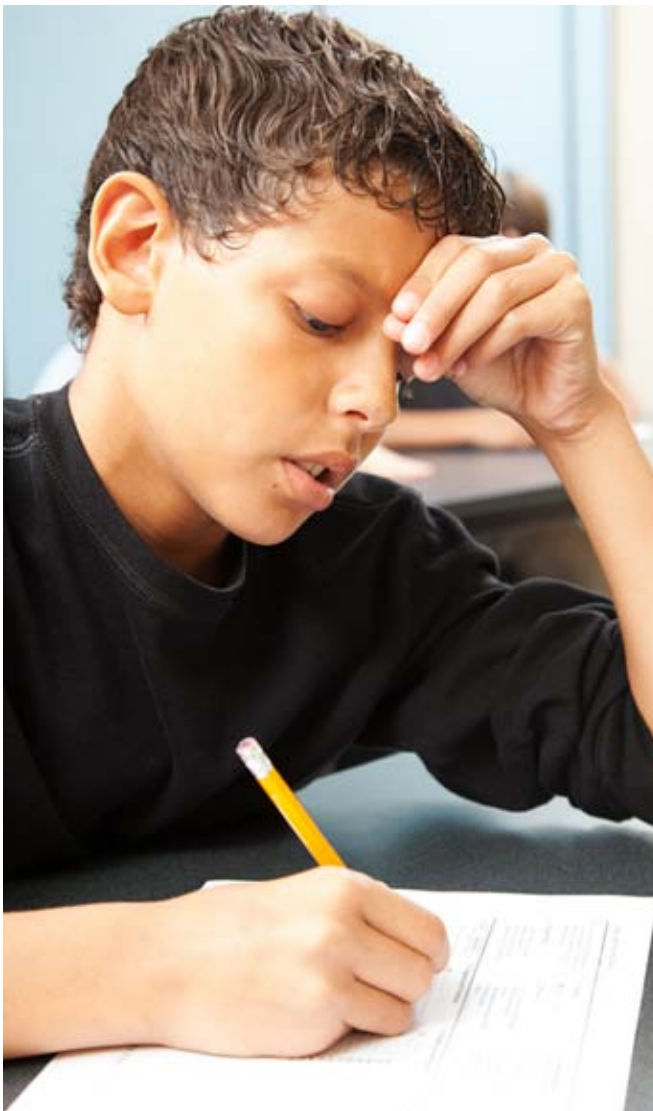
—American Educational Research Association, American Psychological Association, and the National Council on Measurement in Education

A single test should never be the only factor

Educational experts agree that a single test cannot be considered a definitive measure of a student’s knowledge.³ Because all measures have some degree of uncertainty and imprecision, it is best to use multiple criteria in combination, especially when making important decisions. This is a universally accepted norm of the field of testing, known as psychometrics. But the NYCDOE’s policy flies in the face of this standard. Its exclusive reliance on rank-order SHSAT scores to determine admission to the Specialized High Schools contradicts well-established test development standards jointly set forth by the American Psychological Association, the American Educational Research Association, and the National Council on Measurement in Education.⁴

“To the extent that you are requesting any studies of predictive validity (i.e. predictive studies of student performance), a diligent inquiry and search of responsive records has been conducted, and I have been informed that no predictive ability study of the SHSAT exists in the custody and control of the New York City Department of Education.”

—Excerpt of letter from NYCDOE Records Access Officer Joseph A. Baranello to LDF and Advocates for Children of New York (May 20, 2011)



The SHSAT is an arbitrary and unfair measure

Experts on educational testing also agree that even when a test is used as only one of several factors in educational placement decisions, there should still be some evidence documenting the relationship between test scores, educational programs, and desired outcomes.⁶ The SHSAT is not aligned to the curriculum students are expected to learn in middle school, nor is it aligned to expectations for performance in the Specialized High Schools. In fact, NYCDOE officials admit that the agency has never studied the SHSAT to determine whether it predicts success in the Specialized High Schools. To date, the NYCDOE has failed to produce any evidence at all on predictive validity.⁷

“[I]n all the years the SHSAT has been the lone determinant of admission to these schools, the NYCDOE has never conducted a predictive validity study to see how the test was performing. In addition, it has never been made clear what the objectives of the SHSAT are. Absent predictive validity studies, there’s no way to know if any test is providing useful information; and without well-specified objectives, it’s not even clear what the test is supposed to do or predict.”⁸

—Joshua Feinman, *High Stakes, but Low Validity? A Case Study of Standardized Tests and Admissions into New York City Specialized High Schools* (2008)

The NYCDOE is misusing its own test

The SHSAT does not have a standard cut-off score that guarantees admission. Instead, the NYCDOE’s reliance on rank-order scores means the score needed to gain admission to any Specialized High School can change every year. So, a score that yields an admissions offer this year may lead to *denial* of admission the following year, and vice versa. In other words, there is no actual standard.

Although the NYCDOE claims that using rank-order scores on the SHSAT is a fair way to distinguish between and among the many thousands of students who take the exam each year, it knows full well that the SHSAT is not designed to sort students in this way. A 2008 study by economist Joshua Feinman found that thousands of students who were offered admission to a Specialized High School had SHSAT scores that were statistically indistinguishable from thousands of students who were denied admission.⁹ So, many students who deserve an opportunity are being arbitrarily excluded.

Private test prep offers an unfair advantage

Sole reliance on the SHSAT also gives a significant advantage to those students who have access to test preparation classes, which can cost up to \$2,000 a year. Test-prep companies are able not only to drill students on the content that will be on the test—content that may not be taught in a student’s NYC public school—but can also teach applicants how to “game” the test by using the test’s scoring quirks to their advantage.¹⁰ For example, tutoring companies know that the SHSAT scoring system rewards exceptionally high scores on only one part of the test (either math or verbal) over a strong performance on both parts. Students with imbalanced scores actually have a better chance of being offered admission than students who get relatively strong scores on both parts of the test. Taking advantage of this odd scoring method, private tutors routinely advise students to focus on their area of strength in order to maximize their chance of scoring the most points. Meanwhile, the NYCDOE misleads students, advising them to spend equal amounts of time preparing for both parts of the test.¹¹

“It’s time to end the discriminatory use of test scores to determine Specialized High Schools admission. College admissions offices do not rely on standardized exams as the sole factor to select students. Many of the most competitive colleges don’t require applicants to submit test scores at all.”

—Monty Neill – Executive Director,
National Center for Fair and Open Testing

An Emerging Consensus

Across New York City, there is a growing consensus in favor of decreasing over-reliance on standardized tests to make important education placement decisions.

Recently, a consortium of elite private schools in New York City announced that its member schools will likely no longer use the Education Records Bureau test or “ERB”—a test that schools have been using as part of their kindergarten and first-grade admissions process for generations—because “the popularity of test-preparation programs and coaching had rendered its results meaningless.” The consortium is exploring alternatives including a multiple measures approach that considers non-cognitive skills and written evaluations of students.

And, in the wake of widespread concerns about equity and fairness, the New York City Department of Education recently abandoned the standardized test it had been using to identify 4-year-old children for its gifted and talented programs, and replaced it with a new test.¹² Despite the changes, there is no evidence that the process has become more equitable. In fact, it has been widely reported that the test has remained coachable and therefore gives an unfair advantage to those students who have access to costly test preparation services.¹³

On top of offering an advantage only to those with access, excessive test prep diverts time and resources away from academic and extra-curricular activities that could have a direct impact on the success of students in high school and beyond.

This Can't Be What Merit Looks Like: Qualified Students Locked Out

By distorting the definition of merit, the Specialized High Schools' admissions policy locks many qualified New York City students out of opportunity. The flawed admissions policy has a particularly devastating impact on black and Latino students. According to data provided by the NYCDOE, black and Latino students who take the SHSAT are far less likely to receive admissions offers than peers from other racial groups. In fact, the number of black and Latino students in the eight schools is shockingly low and has decreased over time. The decline in recent years has been particularly notable, given the highly-touted and controversial education reform efforts instituted during the Bloomberg administration.

There are two ways to understand the racial disparities:

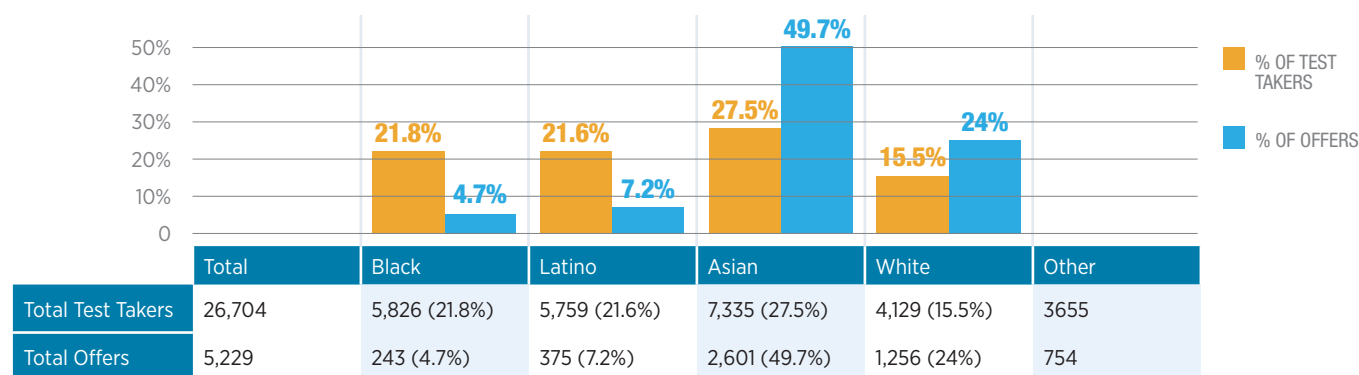
1. **Demographic Comparisons of Admissions Offers:** comparing the demographics of test-takers and those who received admissions offers as well as admissions rates by race
2. **Enrollment:** the number/percentage of students enrolled in the Specialized High Schools

Demographic Comparisons of Admissions Offers

In the fall of 2012, approximately 26,704 8th grade students took the SHSAT exam in the hopes of beginning their high school careers at a Specialized High School in the 2013–14 school year. Black and Latino students accounted for nearly 12,000 of these test-takers. But only a shade over 600 of these students received offers of admission to any of the Specialized High Schools. Incredibly, although black and Latino test-takers outnumbered white test-takers by almost three to one, more than twice as many white students received admissions offers. And while the share of Asian-American students taking the exam was less than six percentage points higher than that of black or Latino students, Asian-American students outnumbered the share of black and Latino students that got offers by a margin of more than forty percentage points.

Black students comprised 21.8 percent of test-takers, yet they received only 4.7 percent of offers; and Latino students comprised 21.6 percent of the test-takers, but only 7.2 percent of offers. In contrast, white students comprised just 15.5 percent of test-takers, yet received 24 percent of offers, and Asian-American students comprised 27.5 percent of test-takers and received 49.7 percent of offers.¹⁴ Altogether, while 70 percent of public high school students in New York City are black or Latino, they represented just fewer than 12 percent of those offered admission to a Specialized High School for the 2013–14 school year.

**ADMISSIONS OFFERS TO INCOMING 9TH GRADERS FOR 2013–14 SCHOOL YEAR
(BASED UPON FALL 2012 SHSAT)**



Source: Documents obtained from the NYCDOE

The numbers are even worse for the most sought after schools. Stuyvesant High School offered admission to only nine black students out of 963 admissions offers—less than 1 percent of the total. Latinos did not fare much better, with 24 offers, or 2.5 percent of total offers, to Stuyvesant. At The Bronx High School of Science, blacks accounted for 2.6 percent of admissions, and 5.5 percent of offers went to Latino students. And at Brooklyn Technical High School, the largest of the Specialized High Schools, the numbers are only slightly better. For the 2013–14 school year, 5.9 percent of offers went to black students, and 7.2 percent went to Latino students. These numbers are still exceptionally low and are part of a downward trend over the past several years.

“In a city where 40 percent of public-school students are Latino, it’s unacceptable that schools like Stuyvesant only admit a Latino population of 3 percent. It’s time for the city and state to end the single-test admission policy and truly evaluate each student’s academic record and promise.”

—José Calderón – President, Hispanic Federation

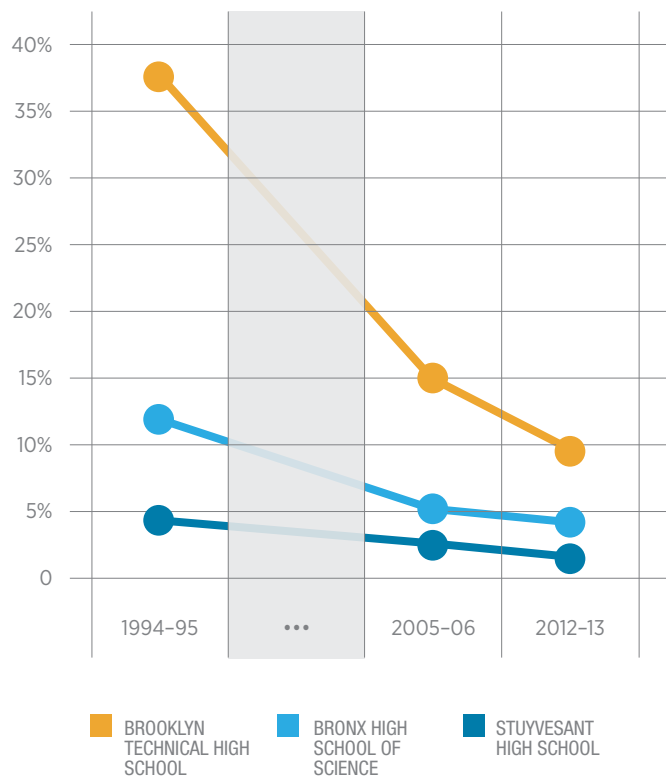
The latest data represent a five-year low in black and Latino admissions rates. Of the 5,826 black applicants to the eight schools for the 2013–14 school year, only 4.2 percent received an offer of admission to any one of the schools, and only 6.5 percent of the 5,759 Latino applicants were offered admission. In contrast, 30.4 percent of white students and 35.5 percent of Asian-American students who took the test were offered admission.¹⁵

Enrollment

Not surprisingly, these disparate admissions rates have resulted in extremely low black and Latino enrollment at the eight schools. In the 2012–13 school year, only 6 percent of all students enrolled at the Specialized High Schools were black, and just 7 percent were Latino.¹⁶ Data show that these numbers mark several-year lows, with the problem most acute at the three largest schools: Stuyvesant, Bronx Science, and Brooklyn Tech.

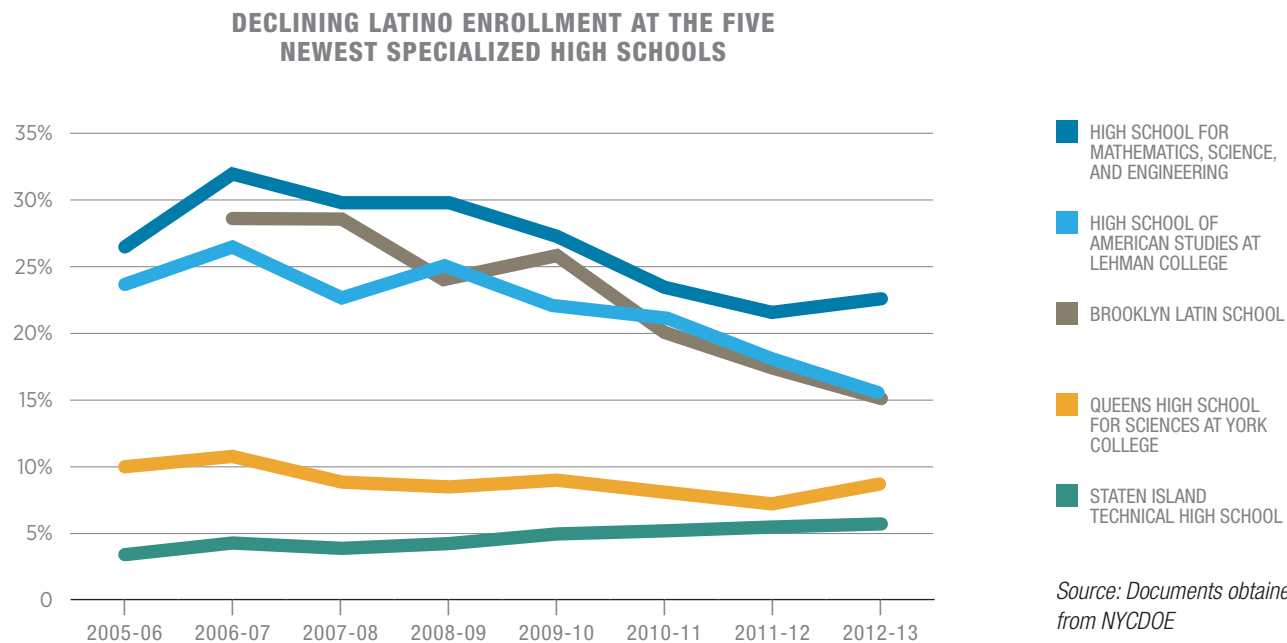
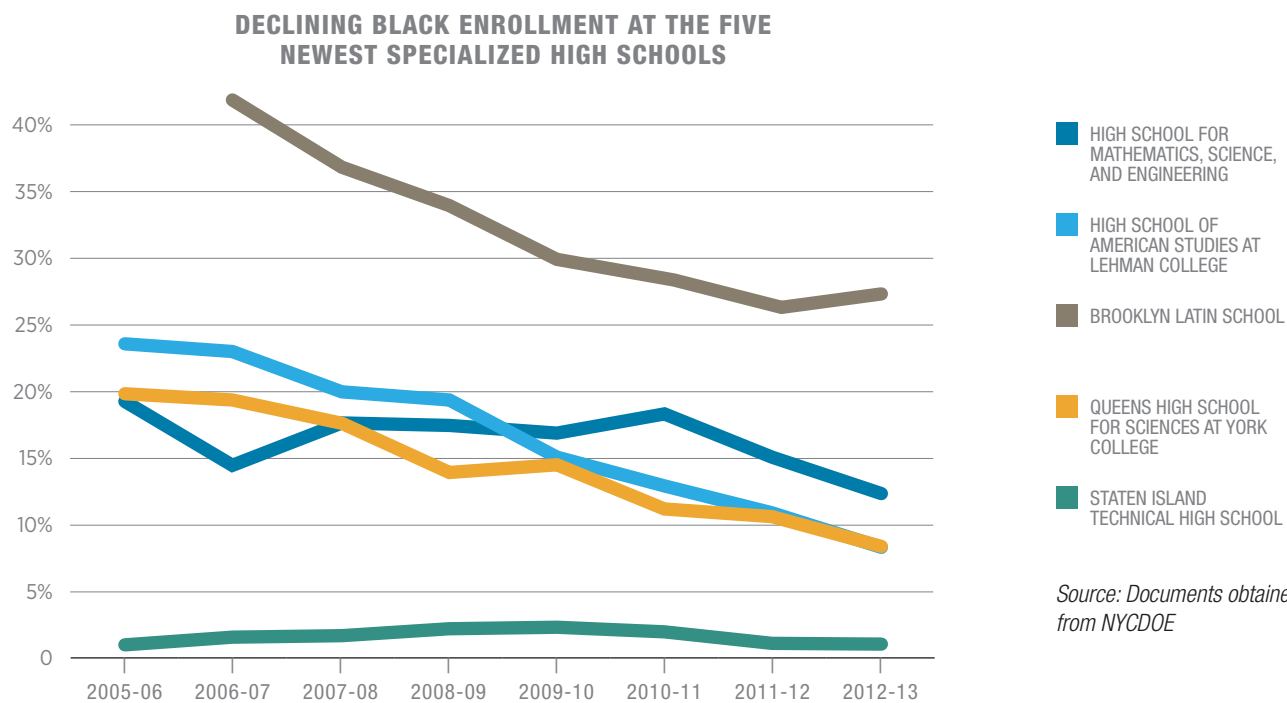
At Stuyvesant High School, in the 2012–13 school year, blacks fell to only 1.1 percent of the student population; Latinos were just 2.4 percent. Brooklyn Technical High School, which was nearly 40 percent black as recently as 1994–95, was only 9 percent black in the 2012–13 school year.

DECLINING BLACK ENROLLMENT AT THREE LARGEST SPECIALIZED HIGH SCHOOLS



Source: *The New York Times* and the NYCDOE¹⁷

A similar trend is evident at the newest Specialized High Schools that were either created or so designated by the NYCDOE during the Bloomberg administration.



A Chorus of Voices Supporting Change...

Community leaders from all sectors of New York City have joined in the call for change.



“Compared to the current, single high stakes test approach, multiple measures are likely to favor accomplished, high achieving students (including some Asian Americans) who work hard and have strong track records of academic success. The multiple measures approach also helps capture students who may miss out because they happen not to perform well on a particular test, despite being academically qualified.”

—Asian American Legal Defense and Education Fund

“A single, flawed test should not determine the enrollment of our City’s Specialized High Schools, especially when that test has resulted in an overwhelming disproportionate representation of black and Latino students in those schools.”

—Jonathan Westin – Executive Director, New York Communities for Change

“It is appalling to me as an African-American mother that the Department of Education has sat back and watched the steady decline of these numbers and instead of acknowledging that something has to change, has permitted other schools to use the same criteria. . . It is time to move beyond the test and look at the entire scope of a child’s abilities.”

—Zakiyah Ansari – Advocacy Director, Alliance for Quality Education

“[A] multiple measures approach would help those students, including some Asian Pacific American students, who are academically qualified but just happen to not perform well on that single test, or have not had access to formal test preparation courses. These students are overlooked for admission when the SHSAT remains the sole criterion.”

—Coalition for Asian American Children and Families

A Better Approach for New York City

The Specialized High Schools admissions policy is far outside the mainstream of America's elite public high schools. None of the other top public high schools we examined across the nation rely upon a sole criterion, such as a test, to make admissions decisions. Even other top high schools within New York City do not base their admissions on the results of a single admissions test. Instead, they consider multiple measures of student achievement, ranging from grades and other test scores to student essays, class rank, and other considerations. When examined holistically and in context, these factors are better indicators of students' achievements and their future capabilities.

“[T]he DOE has failed to understand what every major university in the country has recognized—that standardized test scores alone do not indicate the merit of a student or measure their academic abilities. Relying solely on test scores for entry into our specialized high schools is wrong and does an enormous disservice to the thousands of worthy economically disadvantaged students.”

—Rubén Díaz, Jr. – Bronx Borough President

Given the standard practice of high schools in districts across the country, it is even more peculiar that New York City's Specialized High Schools would continue to rely solely on the SHSAT, particularly when the current policy fails to produce student bodies that reflect the broad spectrum of students capable of academic excellence. New York City students deserve a fairer admissions policy for what are some of the city's best high schools. The way forward requires a fair system for assessing merit—one that rewards academic achievement, recognizes potential, and acknowledges perseverance over time.

“Suggesting that Stuyvesant and other schools must adhere to this one-dimensional admissions process or risk losing their reputation for academic excellence of the highest order is a false choice. Nor is being a big-city system an excuse for lacking a more multi-faceted model.”¹⁸

—Jessica A. Hockett – Co-Author, *Exam Schools: Inside America's Most Selective Public High Schools*

One possible response to the persistent disparities in admissions to the Specialized High Schools is to point the finger solely at New York City's elementary and middle schools, which can offer significantly different opportunities to students from different communities. However, while we can—and should—continue to work to improve educational opportunities for all children, we must at the same time adopt a fairer and more merit-based admissions approach for the thousands of young people who, though highly qualified, are still being denied access to the Specialized High Schools by the current admissions policy.

We reviewed relevant educational research and examined the admissions policies of other academically selective high schools across the country.¹⁹ These schools all consider multiple criteria in various combinations to make admissions decisions, and all of them are regarded as some of the nation's best public high schools, consistently ranking in the *U.S. News & World Report*, *Newsweek* and *The Washington Post* “Best High Schools” lists. These schools have won numerous awards for their college preparatory curricula, academic outcomes, and high graduation and college acceptance rates, with many students going on to succeed in top-ranked universities like Harvard, MIT, and Yale. And while none of these schools have a perfect admissions policy, they all have student bodies that are far more diverse than the New York City Specialized High Schools as a whole. We do not hold up any of these schools as specific models that New York City must replicate; however, we do encourage city leaders to consider the menu of options that these schools provide in looking beyond a single test to make admissions decisions. By using multiple indicators in combination and providing additional pathways to admission, schools can produce



student bodies that are both academically meritorious and broadly diverse. (See the Appendix for the full list of schools surveyed for this report.)

“A multiple measures approach accounting for middle school grades, attendance, geographical location, or student portfolio would allow for a more reasonable admissions process. Students of color, including low-income Asian-American students from ethnic communities less represented at the specialized high schools, would have a more equitable chance at attending these schools. All students at the specialized high schools, including Asian Americans, stand to benefit from a student body that better reflects the diverse backgrounds of New York City.”

—CAAAY Organizing Asian Communities

Middle School Grades

Any high school admissions policy should consider middle school grades as one portion of the admissions process. Achieving and maintaining a strong GPA requires not only academic prowess, but also a significant degree of motivation and personal discipline. Unlike a score on a single test, strong student grades tell a story of progress, perseverance and hard work—a story that often defies an individual test score.

Research at the college level shows that grades are better predictors of student performance than standardized tests.²⁰ In fact, research has shown that high school grades “outperform standardized tests in predicting college outcomes,” irrespective of the quality or type of high school attended.²¹ And grades tend to tell a truer story about students of all walks of life, as they tend to correlate less to students’ socioeconomic or racial backgrounds than do results of standardized tests.²²

All of the schools we surveyed for this report consider applicants' middle school grades as part of their admissions processes. In some cases, such as in Boston Latin School in Boston, Massachusetts, grades are used as part of a comprehensive review process to evaluate students. In other cases, like the School of Science and Engineering in Dallas, Texas (ranked #2 in the country in *Newsweek*), minimum grade thresholds must be met for applicants to be considered for admission.

The NYCDOE has several options for using students' middle school grades as part of the admissions process; it could consider cumulative GPAs for middle school only, cumulative GPAs for grades K–8, grades earned in certain key subjects, or progress over either period of time. But failure to consider grades at all would continue to undermine the reliability of the admissions policy.

Class Rank or “Percentage Plan” Admissions

In addition to considering students' grades, the NYCDOE should guarantee admission to top-ranked students from every public middle school in the city. This type of plan would provide an alternative pathway for admission separate and apart from other factors. Such a plan could be limited to the valedictorians and salutatorians from each school or could include students ranking within a specified top percentage at each of the city's public middle schools.

This approach would ensure that top students from across New York City, including those attending all of the city's public middle schools that have previously been underrepresented at the Specialized High Schools, would have the opportunity to attend the top public high schools. While the admissions slots reserved for class rank or “percentage plan” admissions would account for only a small portion of the overall student body at each of the Specialized High Schools, they would dramatically increase access, opportunity and diversity, while incentivizing and rewarding excellence. And they would have the added benefit of providing a relative advantage to graduates of public middle schools—an important fact given that up to 20 percent of students offered admission to Specialized High Schools each year hail from private or parochial schools.

Scores on State-Mandated Examinations

When used in conjunction with other measures and weighted appropriately, students' scores on examinations mandated by the New York State Department of Education could also be acceptable factors for a revamped Specialized High Schools admissions policy. In general, statewide tests, such as the 8th grade Mathematics and English Language Arts exams, undergo rigorous analysis by testing experts, and are consistent with state and federal learning standards. They are therefore better indicators of a student's knowledge level than a single, non-validated multiple-choice exam taken in two and a half hours.

All of the selective high schools considered in our analysis, with the exception of Boston Latin, consider these types of test scores in their admissions processes.

Other Factors to Promote Inclusion

The NYCDOE could also consider other indicators, such as students' attendance records, interviews, essays, recommendations from school staff, and portfolio assessments. Recommendations, for example, can offer insight into an applicant's emotional intelligence, character, and behavior, which are strong predictors of future aptitude and success.²³ Portfolios that include an array of a student's past work could be used to assess academic accomplishments from throughout a student's middle school career. And interviews could provide evidence of maturity and potential for growth. Each of these criteria allows for an evaluation of a student's efforts and achievements over a period of time rather than simply their performance on a single test.

Again, using multiple imperfect indicators in combination is generally more reliable than relying upon any single indicator. This approach has been endorsed by the federal government in other contexts. For example, in a December 2011 policy guidance issued to all of the nation's school districts, the U.S. Department of Education and the Department of Justice pointed to multiple-measures admissions policies as examples of procedures that selective public schools, like the Specialized High Schools, may lawfully use to promote diversity. The guidance states that “[a] school district

could give special consideration to students from neighborhoods selected specifically because of their racial composition and other factors” or it “could give greater weight to the applications of students based on their socioeconomic status, whether they attend underperforming feeder schools, their parents’ level of education, or the average income level of the neighborhood from which the student comes, if the use of one or more of these additional factors would help to achieve racial diversity or avoid racial isolation.”²⁴

A Validated Admissions Exam

The NYCDOE need not abandon use of an admissions test altogether. When designed and used properly, an exam can be used to supplement other factors in the admissions process, provided the exam has been validated for the purpose for which it is being used. As a starting point, any test that is used should satisfy the following criteria:

- undergo analysis of predictive validity and bias;
- align with the skills students are expected to learn in the middle school curriculum as well as standards for success at the Specialized High Schools; and
- include a validated baseline score for admissions.

And even a properly validated test should still be utilized only as one factor in a comprehensive review; it should never be the sole criterion, and it should never be used to assess students in rank-order fashion.

Several of the schools we reviewed utilize an admissions test as one component of a comprehensive admissions process. These schools include the School of Science and Engineering in Dallas, Texas; the Bard High School Early Colleges in Manhattan and Queens; Walter Payton College Preparatory High School in Chicago, Illinois; and Boston Latin School in Boston, Massachusetts. These schools seek to validate their examinations through psychometric evaluation or align the exam content to specified standards or curricula.²⁵

Re-establishing the “Discovery Program”

When the New York State law mandating single test-based admissions to the Specialized High Schools was passed, it included a provision for a “Discovery Program” that was meant to help increase diversity at the schools. The Discovery Program was designed to allow students whose SHSAT scores fall short of the arbitrary cut-off score necessary for admission in a given year to take a summer preparatory course in order to then gain admission to one of the schools. However, relatively few students participate and gain admission through this channel. And some of the Specialized High Schools, including Bronx Science and Stuyvesant High School, have ceased to use the Discovery Program at all in recent years—either on their own initiative or at the suggestion of the NYCDOE.

Re-establishing the Discovery Program, along with adopting other measures in combination, could help the NYCDOE to do a better job of rewarding merit and recognizing potential in Specialized High School applicants.

More Test Prep is Not the Answer

In response to intense and sustained criticism of its flawed admission policy, the NYCDOE has attempted some modest efforts to increase diversity in the Specialized High Schools. But these efforts fail to address the fundamental flaw in the test-only policy because they have focused primarily on increasing access to test preparation programs.

For example, the NYCDOE created the Specialized High School Institute (SHSI) in 1995, at least in part as an effort to increase black and Latino enrollment at the Specialized High Schools. But the program has failed to level the playing field. Blacks and Latinos who participate in SHSI are more likely to secure an offer to a Specialized High School than blacks and Latinos who do not participate. Yet the disparity in acceptance rates between black and Latino students and their white and Asian peers remains high.²⁶

In 2012, the NYCDOE announced a new incarnation of SHSI, giving it the moniker “DREAM-SHSI.” However, nothing about the latest iteration of the program suggests it will have any more success in alleviating racial disparities at the Specialized High Schools than the earlier version of the program. In fact, after the first year of the DREAM-SHSI program, admissions rates for black and Latino students fell to their lowest point in five years. And only nine black students were offered admission to Stuyvesant, marking a pathetic low point for the NYCDOE.²⁷ Not-for-profit organizations that have provided free test prep services, including some offered by black and Latino alumni of the Specialized High Schools, have yielded similar lackluster results, despite their best efforts.

The consistently poor results demonstrate that additional test prep, or test prep for more students, cannot cure the fundamental flaw in the policy. Admissions should not be based upon a single test in the first place, especially when the NYCDOE has no indication that the test is an accurate measure for predicting success.

“Mayor Bloomberg has suggested that the SHSAT simply measures how smart an applicant is. But the test answers only one question with certainty: How well did a test-taker perform on the test on test day compared to the other test-takers? The solution is not to bolster test-prep programs for minority applicants, but to use better and more sophisticated means to create freshman classes that are just as qualified and more diverse.”²⁸

—Jessica A. Hockett — co-author, *Exam Schools: Inside America's Most Selective Public High Schools*

“The Department of Education has attempted to address the almost total segregation of its elite schools by increasing access to test cramming services. But encouraging students to spend weeks and months furiously studying—with or without a coach—for a test that has never been validated is wrong-headed and clearly hasn’t worked. We shouldn’t be pushing our children further into the world of pressurized high-stakes testing environment without a very good reason for doing so, and the Department of Education hasn’t given us one.”

—David R. Jones — President and CEO, Community Service Society of New York

Conclusion: Time for Change

There is growing consensus that the test-only admissions policy must come to an end. Education experts agree that no single test can possibly judge an individual's merit or academic promise. Colleges are moving away from heavy reliance on the SAT. And other top public high schools across the country utilize a variety of measures in their admissions processes.

It is clear that there are fairer ways for New York City to determine which 8th graders will be given the opportunity to attend a Specialized High School. Selective high schools across the country maintain high standards of excellence while more accurately reflecting the diversity of the cities they serve. For many years now, the media and education advocates have attempted to shine a light on the unfair practice of determining admission to the Specialized High Schools solely on the basis of a test score. **The call for change to this admissions policy is now broadly supported by New Yorkers of all walks of life.** In September 2012, eleven parent and community organizations that advocate on behalf of black, Latino and Asian-American constituencies filed a federal civil rights complaint challenging the test-only admissions policy to the Specialized High Schools, naming both the NYCDOE and the New York State Department of Education as targets. Since then, many other organizations, political leaders, and academics have also publically supported the call for a multiple-measures admissions process for these schools. In response to the complaint, the U.S. Department of Education Office for Civil Rights has launched a formal investigation into the flawed admissions policy. And the New York state legislature has also started to respond, with bills to address the problem gaining support in both the New York State Assembly and the New York State Senate.

The next Mayoral administration and City Council should act quickly to change course. Although changing the admissions policy at the three original Specialized High Schools (Stuyvesant, Bronx Science, and Brooklyn Tech) will require legislative action at the state level, the NYCDOE, particularly under Mayoral control of schools, can change the admissions policy at the five newest schools immediately and then join community advocates in crafting a solution for change at the state level.

At a minimum, the NYCDOE should be using both grades and a class rank percentage plan as part of its admissions policy. As the above demonstrates, however, there are many possibilities for the NYCDOE to consider as it moves forward. The decision on what factors to weigh in admissions to the Specialized High Schools should be driven by a careful examination of New York City data, as well as the concerns and insights of the community stakeholders, including students, parents, and educators. The schools profiled in the Appendix are examples of how school districts can utilize creative combinations of measures to find solutions that work well in specific contexts. We suggest that the Mayor convene a group of education policy experts and community stakeholders to examine data and existing research, and to develop policies that give all New York City students a fairer shot at the opportunity these fine schools represent.

The days of the test-only admissions regime will end. It is only a question of how soon. It is time for the NYCDOE to change its own policies and also join the community advocates and education experts in pressing for a change in the state law. New York City can do better, and its students deserve better.

Appendix:

Information on Comparison Schools²⁹

To ensure comparability to the Specialized High Schools in New York City, we selected other top schools across the nation using the following criteria:

1. The school is a public school, predominantly funded and supported by tax dollars, and does not charge tuition. Charter schools were not considered.
2. The school must be located in a large, diverse city, with blacks and Latinos representing at least 40 percent of the city's population.
3. The admissions process of the school is academically competitive. A competitive admissions process means that the number of applications received significantly outnumber available seats for admission, or if a student's application could be rejected on the basis of his/her academic merit in relation to that of other applicants and/or school standards.
4. The school is ranked highly by *U.S. News & World Report*, *The Washington Post*, or *Newsweek*. Details on each school's selectivity are in Table 3 of the Appendix.
5. The school offers a college preparatory curriculum. The curriculum prepares students for college-level work, offers Advanced Placement classes, and specializes in math, science, and/or liberal arts subjects.
6. The school's college acceptance and graduation rates are 90 percent or higher.

The following schools satisfied the above criteria:

- Walter Payton College Preparatory High School (Chicago, Illinois)
- Boston Latin School (Boston, Massachusetts)
- School of Science and Engineering (Dallas, Texas)
- Michael E. DeBakey High School for Health Professions (Houston, Texas)
- California Academy of Math and Science (Carson, California)
- City Honors School at Fosdick Masten Park (Buffalo, New York)
- School Without Walls High School (Washington, D.C.)
- Bard High School Early Colleges (Manhattan and Queens, New York)
- Millennium High School (New York, New York)
- Beacon High School (New York, New York)

Table 1:

New York City's Top Specialized High Schools and our Comparison Schools, Sorted in Order of Total Percentage of Black and Latino Students

City	School	# of students	% black	% Latino	% Black and Latino	% black in school district	% Latino school district
Dallas, TX	School of Science and Engineering	407	18%	58%	76%	24%	69%
Washington, D.C.	School Without Walls High School	548	45%	9%	54%	69%	16%
Houston, TX	Michael E. Debakey	865	23%	30%	53%	25%	63%
Carson, CA	California Academy of Math and Science	644	15%	37%	52%	15%	39%
Chicago, IL	Walter Payton College Prep	859	21%	25%	46%	41%	45%
New York, NY	Beacon High School	1,263	14%	24%	38%	27%	40%
New York, NY	Bard High School Early Colleges (Manhattan and Queens)	1,192	14%	19%	33%	27%	40%
Buffalo, NY	City Honors School at Fosdick Masten Park	887	23%	6%	29%	54%	16%
New York, NY	Millennium High School	658	7%	20%	27%	27%	40%
Boston, MA	Boston Latin School	2,353	10%	10%	20%	39%	37%
New York, NY	Brooklyn Technical	5,451	9%	8%	17%	27%	40%
New York, NY	Bronx Science	3,060	3%	7%	10%	27%	40%
New York, NY	Stuyvesant High School	3,286	1%	2%	3%	27%	40%

**All school and district level enrollment data are for the 2012-13 school year and come from official district or state websites, with the exception of City Honors School at Fosdick Masten Park and the Buffalo City School System, for which information is from 2011-12.*

Table 2:

Admissions Measures Used by Each School

School	Entrance exam (multiple choice)	Entrance exam (w/essay portion)	Standardized test scores	Grades	Essay	Recommendation	Attendance	Interview	Portfolio
The 10 Selective Enrollment High Schools (Chicago, IL)	●		●	●					
The 3 Boston Exam Schools (Boston, MA)	●			●					
School of Science and Engineering (Dallas, Texas)	●	●	●	●				●	
Michael E. DeBakey High School for Health professions (Houston, Texas)	●	●	●	●					
California Academy of Math and Science (Carson, CA)			●	●	●	●			
City Honors School at Fosdick Masten Park (Buffalo, NY)	●	●	●	●	●	●	●		
School Without Walls High School (Washington, D.C.)	●	●	●	●				●	
Bard High School Early Colleges (Manhattan and Queens, NY)	●	●	●	●			●	●	
Millennium High School (New York, NY)			●	●	●		●		
Beacon High School (New York, NY)			●	●		●	●	●	●
The 8 Specialized High Schools (New York, NY)	●								

Table 3:

Additional Information about Comparison Schools

City	School	Selectivity	Highlights
Chicago, IL	Walter Payton College Prep	15,000 applications for 5,000 seats	Over 100 AP classes; study abroad opportunities; 98% college bound; ranked in top 100 high schools by <i>U.S. News & World Report</i> , <i>Newsweek</i> , and <i>The Washington Post</i>
Boston, MA	Boston Latin	4,000 applicants (to the three Boston exam schools) for 475 slots at Boston Latin	Ranked in top 100 high schools by <i>U.S. News & World Report</i> ; 100% college acceptance rate; 94% AP course participation rate; challenging graduation requirements: completion of a senior research paper and four years of Latin coursework
Dallas, TX	School of Science and Engineering	375 applications for 110 slots	Ranked in top 25 high schools by <i>U.S. News & World Report</i> , <i>Newsweek</i> , and <i>The Washington Post</i> ; students are required to pass ten AP courses in sciences, mathematics or engineering; 100% graduation rate; students go on to attend top universities such as Harvard, MIT, and Yale
Houston, TX	Michael E. Debakey	Over 1,000 applications for 250 seats	Ranked in top 100 high schools by <i>U.S. News & World Report</i> and <i>Newsweek</i> ; Blue Ribbon Award recipient; internship placements at the Texas Medical Center and Baylor College of Medicine
Carson, CA	California Academy of Math and Science	Over 1,000 applications for 180 seats	Former Blue Ribbon School; ranked in top 100 high schools by <i>U.S. News & World Report</i> ; students are required to complete two years of engineering, four years of science and math, and two years of a foreign language; located on the campus of California State University, students have the option to take college classes at the university in their junior year
Buffalo, NY	City Honors School at Fosdick Masten Park	485 applications for 130 seats	Ranked number 1 high school in the Northeast by <i>The Washington Post</i> and top 25 in New York State by <i>U.S. News & World Report</i> ; offers AP and International Baccalaureate courses; ninety-nine percent of students graduate with college credits
Washington, D.C.	School Without Walls	700 applications for 120 seats	Ranked number 1 public high school in Washington, D.C. by <i>U.S. News & World Report</i> ; located on the campus of George Washington University; select students may graduate with a high school diploma and an AAS from GWU; Blue Ribbon School in 2010
New York, NY	Beacon High School	2,000–2,500 applications for 250 slots	Beacon offers a dynamic, inquiry-based curriculum for all students that exceeds standards set by the New York State Regents; technology and arts are infused throughout the college preparatory curriculum; students must present performance-based projects to panels of teachers, pass New York State Regents exams, and complete community service to graduate; Blue Ribbon Award recipient
New York, NY	Millennium High School	Over 4,700 applications for over 150 seats	Rigorous liberal arts college preparatory program; Blue Ribbon Award recipient
New York, NY	Bard High School Early Colleges (Manhattan and Queens)	Approximately 3,000 students who sit for the math and writing assessments for 165 slots	Accepted BHSEC students complete most of the high school program in the first two years; qualified 9th and 10th grade students—those who have maintained a 2.0 grade point average—are eligible for entry into the early college program. At the end of four years, students will have completed 60 college credits and received the Associate in Arts (A.A.) degree in the liberal arts and sciences from Bard College as well as their high school diploma; Blue Ribbon Award recipient

Endnotes

1. The complainants are NYC Coalition for Educational Justice, La Fuente, Alliance for Quality Education, New York Communities for Change, Black New Yorkers for Educational Excellence, Community Service Society of New York, Garifuna Coalition USA Inc., Make the Road New York, Brooklyn Movement Center, UPROSE, and Desis Rising Up and Moving.
2. N.Y. Educ. Law § 2590-h(1)(b).
3. See U.S. Dep't of Educ., Office for Civil Rights, *The Use of Tests as Part of High-Stakes Decision-Making for Students: A Resource Guide for Educators and Policy-Makers* 4 (2000) (quoting National Research Council, *High Stakes: Testing for Tracking, Promotion, and Graduation* 3 (Jay P. Heubert & Robert M. Hauser eds. 1999)); see also Arthur L. Coleman, *Excellence and Equity in Education: High Standards for High Stakes Tests*, 6 Va. J. of Soc. Pol'y & Law 81, 103 (1998); Complaint from NAACP Legal Def. and Educ. Fund, Inc., LatinoJustice PRLDEF, and the Ctr. for Law and Soc. Justice at Medgar Evers Coll., City U. of N.Y. to U.S. Dep't. of Educ 18 (Sept. 27, 2012) [hereinafter "Complaint"], http://www.naacpldf.org/files/case_issue/Specialized%20High%20Schools%20Complaint.pdf.
4. See Am. Educ. Res. Ass'n., Am. Psychological Ass'n., and the Nat'l Council on Measurement in Educ., *The Standards for Educational and Psychological Testing* 47 (1999) [hereinafter "Joint Standards"].
5. American Educational Research Association, American Psychological Association, and the National Council on Measurement in Education, *Standards for Educational and Psychological Testing*, Joint Standards at 141.
6. See Joint Standards.
7. See Letter from Joseph A. Baranello, NYCDOE to LDF and Advocates for Children (Mar. 17, 2011); Letter from Joseph A. Baranello, NYCDOE to LDF and Advocates for Children (May 20, 2011); see also Javier Hernandez, *Racial Imbalance Persists at Elite Public High Schools*, N.Y. Times (Nov. 7, 2008), available at <http://www.nytimes.com/2008/11/08/nyregion/08specialized.html?pagewanted=all>.
8. Joshua Feinman, *High Stakes, but Low Validity? A Case Study of Standardized Tests and Admissions into New York City Specialized High Schools*, Nat'l Educ. Pol'y Ctr. (2008), available at <http://epicpolicy.org/publication/high-stakes-but-low-validity> (last visited Sept. 26 2013).
9. *Id.*
10. See David Herszenhorn, *Admission Test's Scoring Quirk Throws Balance into Question*, N.Y. Times (Nov. 12, 2005), available at <http://www.nytimes.com/2005/11/12/nyregion/12exam.html?pagewanted=all>; Tutors of Oxford NYC, *Everything You Need to Know About the SHSAT*, <http://www.tutorsofoxford.com/SHSAT.htm#overview> (last visited Sept. 19, 2012).
11. *Id.*
12. See Anna M. Phillips, *Tutoring Surges with Fight for Middle School Spots*, N.Y. Times (Apr. 15, 2012), available at <http://www.nytimes.com/2012/04/16/education/new-york-citys-tutoring-industry-grows-with-competition-for-admissions.html?pagewanted=all>.
13. See Al Baker, *More in New York City Qualify as Gifted after Error is Fixed*, N.Y. Times (Apr. 19, 2013), available at <http://www.nytimes.com/2012/04/16/education/new-york-citys-tutoring-industry-grows-with-competition-for-admissions.html?pagewanted=all>.
14. Documents obtained from the New York City Department of Education.
15. *Id.*
16. *Id.*
17. Elissa Gootman, *In Elite N.Y. Schools, a Dip in Blacks and Hispanics*, N.Y. Times (Aug. 18 2006), available at <http://www.nytimes.com/2006/08/18/education/18schools.html?pagewanted=all>; see also N.Y.C. Dep't of Educ., *School Demographics and Accountability Snapshot*, available at <http://schools.nyc.gov/Accountability/data/default.htm> (last visited Sept. 26, 2013).
18. Jessica A. Hockett, Editorial, *Stuyvesant, There's a Better Way: Learning from Selective High Schools Around the Country*, N.Y. Daily News (Oct. 1, 2012), available at <http://www.nydailynews.com/opinion/stuyvesant-better-article-1.1170734#ixzz2g0kAlvB> (last visited Oct. 7, 2013).
19. These schools were picked based on their high national rankings and their cities' demographic similarities to New York City. Each of the schools uses multiple measures to admit students. The Appendix offers a deeper discussion of which schools were selected for comparison and why.
20. See e.g. Richard C. Atkinson and Saul Geiser, *Reflections on a Century of College Admissions Tests*, Ctr. for Studies of Higher Educ. Res. and Occasional Paper Series, U. of California (2009), available at <http://cshe.berkeley.edu/publications/docs/ROPS-AtkinsonGeiser-Tests-04-15-09.pdf>.
21. *Id.* at 665.
22. *Id.*
23. Paul Tough, *How Children Succeed: Grit, Curiosity, and the Hidden Power of Character*. Houghton Mifflin, 2012.
24. U.S. Department of Education and U.S. Department of Justice, *Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools* 12 (2011), available at <http://www2.ed.gov/about/offices/list/ocr/docs/guidance-ese-201111.pdf> (emphasis added).
25. The following are examples of validation and alignment efforts.
 - Boston Latin's admissions exam ensures their standards are aligned with the National Council of Teachers of English, the International Reading Association, and the National Council of Teachers of Mathematics, with "statisticians confirming that each item is relevant, content specific, and suited to providing the most accurate assessments."
 - The School of Science and Engineering in Dallas, Texas, utilizes the Accuplacer in their admissions exam. Accuplacer is a nationally recognized framework developed by the College Board and is used to measure skills in reading, writing and math. For more information, visit <https://www.accuplacer.org/cat/>.
 - According to Brian Pool, the Data Systems Manager at the Chicago Public Schools Office of Access and Enrollment, the district's selective enrollment admissions exam has undergone predictive validity studies and is audited on a yearly basis to ensure test questions correlate with curriculum standards. For schools that do not contract out to private test providers, the exam content is created in house by faculty and administration. Conversation with Brian Pool, July 2013.
 - The multiple choice math and free response writing assessments used by the Bard Early College High Schools in Manhattan and Queens are specifically developed by the schools' faculty and administration.
26. See Meredith Kolodner, *Prep Course Aimed at Diversifying Elite City Schools Fails to Reach Black and Latino Students*, N.Y. Daily News (Mar. 25, 2011).
27. Documents obtained from the New York City Department of Education.
28. Jessica A. Hockett, Editorial, *Stuyvesant, There's a Better Way: Learning from Selective High Schools Around the Country*, N.Y. Daily News, (Oct. 1, 2012), available at <http://www.nydailynews.com/opinion/stuyvesant-better-article-1.1170734#ixzz2g0kAlvB> (last visited Oct. 7, 2013).
29. Information on comparison schools comes from a variety of sources. These sources include school and district websites, interviews with school personnel, and information from *U.S. News & World Report*, *The Washington Post*, and *Newsweek*.

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