

## **Public Comment Analysis<sup>1</sup>**

Date: March 8, 2013  
Topic: The Proposed Closure of Freedom Academy High School (13K509) at the End of School Year 2012-2013  
Date of Panel Vote: March 11, 2013

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### **Summary of Proposal**

The New York City Department of Education (“DOE”) is proposing to close Freedom Academy High School (13K509, “Freedom Academy”), an existing school serving students in grades nine through twelve, in building K906 (“K906”), located at 116 Nassau Street Brooklyn, NY 11201, within the geographical confines of Community School District 13 (“District 13”). The DOE is proposing to close the school based on its poor performance, low student enrollment and demand, and the DOE’s assessment that it lacks the capacity to improve quickly to better support student needs. Freedom Academy admits students through the Citywide High School Admissions Process. If this proposal is approved, Freedom Academy will close at the end of the 2012-2013 school year. Current ninth, tenth, eleventh grade students, and twelfth grade students who do not satisfy graduation requirements will be offered seats at other Citywide high schools. Current twelfth grade students who meet graduation requirements at the end of the school year will graduate in June 2013. Freedom Academy is the only organization in the K906 building.

At this time, there are no plans to open or co-locate any other organizations in K906. K906 is a privately owned space that the DOE currently leases for the express purpose of providing a school facility for Freedom Academy. If this proposal to close Freedom Academy in June 2013 is not approved by the Panel for Educational Policy, the DOE would need to resite Freedom Academy to another building and would arrange to do so prior to September 2013, since the K906 lease is expiring at the close of the 2012-2013 school year. Therefore, there are no other proposed or potential uses of K906.

There is sufficient capacity in high schools throughout the district, borough, and city to accommodate current Freedom Academy students, as well as future students who might have attended Freedom Academy if it remained open. Additionally, many public charter schools across Brooklyn give preference to students in their respective geographic districts in which they are located providing another option for students to enroll in high school through the charter lottery application process. If this proposal is approved, the Office of Student Enrollment will inform parents of current ninth, tenth, eleventh, and twelfth grade students at Freedom Academy about options to transfer to other high schools in the Spring of 2013.

### **Summary of Comments Received at the Joint Public Hearing**

A joint public hearing regarding this proposal was held on February 25, 2013 at K906. Participants had the opportunity to provide input on the proposal.

Approximately 41 members of the public attended the hearing, and 9 people spoke. Present at the meeting were Brooklyn High School Superintendent Karen Watts; District 13 Community Education Council

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<sup>1</sup> The DOE will continue to accept comments concerning this proposal up to 24 hours prior to the Panel for Educational Policy’s (“PEP”) vote on March 11, 2013. Those additional comments will be addressed in an amended Public Comment Analysis which will be provided to the PEP before it votes on this proposal.

("CEC 13") President David Goldsmith; Alyson Forde, Principal of Freedom Academy; Eleanor Andrew, a representative from the Council Of School Supervisors and Administrators; Mariana Russo, a representative from the Citywide Council for High Schools; Kathryn Russell, Charles Cunningham, and Gastow Allen, Nadine Cooke of the School Leadership Team; Tom Bennett, a representative from the United Federation of Teachers; Allie Ragovin, a Panel For Educational Policy Member, Deputy Chancellor David Weiner; Senior Director of School and Community Support Olivia Ellis from the Department of Education; and Lily Haskins from the Department of Education.

The following comments and remarks were made or submitted at the Joint Public Hearing on February 25, 2013:

1. Kathryn Russell, a representative of the School Leadership Team stated:
  - a. She has been with the school for three and a half years. She has a son who is a twelfth grade student at Freedom Academy and is scared what will happen to him if he does not pass the Regents and graduate.
  - b. The students here are really involved with the curriculum and it feels like the school is doing something right.
2. Mariana Russo, representative of the Citywide Council for High Schools stated:
  - a. She attended another hearing of a large high school that the DOE was planning to close and replace with much smaller high schools. She does not understand why the DOE is proposing to close Freedom Academy if this school is the type of small learning environment the DOE believes has success with children.
  - b. The six year graduate rate is 85%. How is this failing? Some students need more time than others.
  - c. There are two options for struggling schools. One is to close them and the other is to offer them support and funding. We deserve extra funding.
  - d. Philosophy of the DOE is to close large schools and create smaller ones. No one has proven that this does work.
  - e. The other issue is the building does not have a lease.
3. A teacher at Freedom Academy asserted:
  - a. This is a school that is truly focused on its students
  - b. The school has not received any support.
  - c. The school has created an honors society, partnerships with PENCIL, and other opportunities that students cannot get at other schools.
  - d. Where will our students be without the staff?
  - e. Since 2012, we have not received any network support.
  - f. How will the DOE support us in the next four months if we are going to close down?
4. A commenter stated:
  - a. He was outraged that the Chancellor's Designee has stated that she does not want to hear what the students have to say about these schools slated for intervention.
  - b. Student voices were not heard throughout the process.
  - c. The school operated with no additional resources as the DOE had promised.
  - d. The early engagement and intervention process is not adequate and a change is necessary.
  - e. An overwhelming majority of freshman come to high school unprepared and therefore this may lead to six year graduation rates being higher, but Freedom should remain open.
5. A commenter who works and volunteers at the school explained how the students are nationally watched and are written about in articles featured in the Wall Street Journal and Business Week. She stated:

- a. As a volunteer, she has brought in special programs like dance and tutoring and this was provided at not cost.
  - b. There is a ninth-grade student who is 19 years-old and reads at a second grade reading level. We educate children. We should not close schools.
6. A representative from the United Federation of Teachers stated that he objects to everything that has happened over the past eight years. He further stated:
  - a. The people do not have any kind of power.
  - b. The mayor claims he has freed us from special interests like teachers, parents and students.
  - c. He is a history teacher and asked what side DOE will be on in history? There are good people on both sides who think they are doing the right thing, but this is clearly the wrong thing.
  - d. This Mayor will not get a statue because he only has a 19% approval rating.
  - e. There are issues with this building like no running water and mold.
  - f. The Mayor and the Chancellor are failures.
7. Eleanor Andrew, a representative from the Council of School Supervisors and Administrators, stated she opposes this proposal. She stated that Principal Forde has not been given the opportunity to improve this school and schools need to be given another chance.
8. A teacher mentor at the school stated:
  - a. The teachers and staff are dedicated and are doing wonderful things at this school.
  - b. The teachers utilize a common prep time to collaborate and push their students.
  - c. Students meet high expectations at that school.
9. David Goldsmith, President of CEC 13, explained that he is here as a District 13 parent and activist, not as a CEC member, and stated
  - a. The CEC chose not to participate in this hearing because they feel that the DOE's system for grading schools on the progress reports is suspicious.
  - b. The DOE claims they look at more than grades when making the decision to phase out a school, but that is all that we have heard about this school in terms of the DOE's decision to phase out Freedom.
  - c. We, as the community, can fix our schools. We have seen schools in District 13 that were failing, but when we roll up our sleeves and collaborate, we can turn them around.
  - d. This is a failure for all of us if we are not serving our students.
10. A representative from a high school that was proposed for Turnaround last year stated that:
  - a. She is here to support all schools.
  - b. Every hearing ignores the feedback from the community and the heart and soul of schools.
  - c. The DOE is systemically failing all schools.
  - d. The PEP has never voted against the Mayor; this whole process is a sham.
  - e. The DOE would be closing if this was up to New Yorkers.
11. A teacher from P.S. 307 came to show support for District 13 schools. The teacher stated:
  - a. Closing a school is not an intervention. Intervention is giving a school extra support and funding.
  - b. These Joint Public Hearings are a farce.
  - c. The six year graduation rate for this school is excellent. The DOE manipulates the data to tell its story.
  - d. This is about real estate. There are other schools in District 13 that have space like Westinghouse.
  - e. There are charters in District 13 that are not paying rent and are receiving more support.

f. The DOE needs to give the schools back to the communities.

One question was submitted:

12. Why has the DOE Office of School Safety rejected the plan parents have submitted, yet now the DOE is using safety as a reason to shut the school down?

**Summary of Issues Raised in Written and/or Oral Comments  
Submitted to the DOE regarding the Proposal**

**Analysis of Issues Raised, Significant Alternatives Proposed and Changes Made to the Proposal**

Comments 4(a), 4(d), 6(a), 6(b), 6(c), 6(d), 6 (f) , 9(a), 9(d), 10(a), 10(b), 10(c), 10(d), 10(e) 11(b), 11(d), 11(e) are not directly related to the proposal and thus do not require a response.

Comments 1(b), 3(a), 3(d), 8(a), 8(b), and 8(c) voice support for the school, students, and staff of Freedom Academy. Comments 3(c), and 5 (a) concern the programming at the school.

The DOE commends the students and staff at Freedom Academy for their hard work and successes. However, given that Freedom has failed to perform consistently over seven years, the DOE believes that the students in this community would be better served at other high schools.

- Graduation rates have been below 61% for seven of the last eight years and have been declining since 2009-2010. Freedom Academy's four-year graduation rate (including August graduates) was 50% in 2012—well below the most recent Citywide average of 65.5%.
- First year credit accumulation is a key predictor of student success because students who fall behind early in high school often have trouble getting back on track to graduate. In 2011-2012, only 44% of first-year students at Freedom Academy earned at least 10 credits with at least 6 of those credits earned across 3 of the 4 core subject areas. This rate of credit accumulation puts Freedom Academy in the bottom 1% of high schools Citywide.

Comment 1(a) concerns what happens to twelfth grade students who do not graduate.

Current twelfth-grade students who meet promotional standards at the end of the school year will graduate in June 2013. Current ninth-, tenth-, eleventh-, and twelfth-grade students who are not on track to graduate will be offered seats in another high school. The Office of Student Enrollment and either the guidance counselor or a school administrator from Freedom Academy will work with each student to find a seat at an appropriate school. Depending on their age, academic profile, and credit accumulation, some students may be better served at a Transfer High School or a Young Adult Borough Center. Transfer schools and Young Adult Borough Centers have strong track records for helping over-age, under-credited students get back on track towards graduation. In general, however, all current Freedom Academy students will have the opportunity to enroll in a different high school for the 2013-2014 school year.

Comments 2(a), 9(b) and 7 question the DOE's decision to close Freedom Academy and comment 2(c) questions why the DOE has proposed to close Freedom Academy instead of providing the school with more support or funding.

The DOE is committed to providing a portfolio of high quality school options to students and families. A part of that strategy involves identifying the City's lowest performing schools and determining whether they can turn around quickly to better serve their student population. For those schools that the DOE

determines lack the capacity to turn around quickly to better serve their student population, the DOE recommends the most serious interventions: closure or gradual phase-out.

As noted in the EIS, the DOE is proposing to close Freedom Academy:

- Graduation rates have been below 61% for seven of the last eight years and have been declining since 2009-2010. Freedom Academy's four-year graduation rate (including August graduates) was 50% in 2012—well below the most recent Citywide average of 65.5%. Citywide average is based on the 2011 New York State reported graduation results for DOE students.
- First year credit accumulation is a key predictor of student success because students who fall behind early in high school often have trouble getting back on track to graduate. In 2011-2012, only 44% of first-year students at Freedom Academy earned at least 10 credits with at least 6 of those credits earned across 3 of the 4 core subject areas. This rate of credit accumulation puts Freedom Academy in the bottom 1% of high schools Citywide.
- Freedom Academy was identified by the New York State Education Department as a Focus School, defined by New York State Education Department as among the lowest-performing schools in the state based on its results with certain high-needs student groups.
- Freedom Academy earned an F grade on its 2011-2012 annual Progress Report, including an F grade for Student Progress, a C grade for Student Performance, an F grade for School Environment, and a B grade for College and Career Readiness.
- On the 2012 New York City School Survey, only 23% of teacher respondents reported that discipline and order were maintained at Freedom Academy, putting the school in the bottom 3% of all high schools Citywide. In addition, only 76% of parents reported that their child was safe at school, putting the school in the bottom 5% of all high schools Citywide.

For these reasons, the DOE believes that Freedom Academy lacks the capacity to turnaround quickly to better serve its students.

The DOE counts on each of its schools to provide a high-quality education to its students—and it holds all schools to the same high standard. If a school is not getting the job done for students – whether it was opened recently or not – the DOE is compelled to take serious action to ensure its students do not fall even further behind.

Comments 2(d) questions the DOE's decision to phase out and replace schools.

To ensure that as many students as possible have access to the best possible education, the DOE reviews the performance of all schools annually. The early engagement process identifies schools that have the most trouble serving students and uses a wide range of data and on the ground information. The DOE gathers quantitative and qualitative data and engages with the school community, students, parents and network to gain a holistic view of what is happening at each school. The process leads to a set of schools that do not have the capacity to significantly and quickly improve. Making a decision to close a school is not easy, but it upholds the commitment to ensure that every student has access to high quality schools.

Under this Administration, New York City has replaced 142 of our lowest-performing schools with better options and opened 576 new schools. The DOE holds all schools accountable; accordingly, the DOE has proposed to close Freedom Academy because the DOE does not believe it has the capacity to turn around quickly enough to improve student outcomes. Making a decision to close a school is not easy, but it upholds the commitment to ensure that every student has access to high quality schools.

Comment 2(e) addresses Freedom Academy's building lease.

K906 is a privately owned space that the DOE currently leases for the express purpose of providing a school facility for Freedom Academy. If this proposal to close Freedom Academy in June 2013 is not approved by the Panel for Educational Policy, the DOE would need to resite Freedom Academy to another building and would arrange to do so prior to September 2013, since the K906 lease is expiring at the close of the 2012-2013 school year. Therefore, there are no other proposed or potential uses of K906. The DOE is not closing Freedom Academy because it is in a leased building, but rather because of its performance.

Comment 6(e) addresses facility issues at K906.

The DOE acknowledges that Freedom Academy has had issues with water quality. The DOE does and will continue to provide bottled water at Freedom Academy to alleviate this issue. The DOE is not aware of any issues related to mold in the building. The K906 building has been inspected and there is no visible mold in the building, nor has the DOE received information about mold in the building. The Division of School Facilities will continue to monitor building K906 until the lease expires. The decision to propose closure for Freedom Academy, is in no way related to the building's lease status, but has been based on Freedom's performance.

Comments 2(b) and 10(c) question how Freedom Academy is failing if the six-year graduation rate is 85%.

The DOE notes that the six-year graduation rate for Freedom Academy is 85%, which ranks the school in top 30% of the borough. Although the school is doing well at graduating students within six years, the four-year graduation rate is 50%. This percentage puts the school in the bottom 13% Citywide and bottom 8% in Brooklyn. Freedom Academy's four-year graduation rate (including August graduates) was 50% in 2012—well below the most recent Citywide average of 65.5%. Citywide average is based on the 2011 New York State reported graduation results for DOE students. All schools are expected to meet the students' needs, and the instructional outcomes of Freedom Academy have not been adequate.

Comments 3(b), 3(e), 4(c) concern the support offered to Freedom Academy.

For the past several years, the DOE has supported Freedom Academy in order to ensure that it was equipped to provide a quality education for its students. These supports included:

**Leadership Support:**

- Coaching the principal and assistant principals in analyzing student performance data to develop a data-driven action plan for school improvement and target additional resources to struggling students.
- Supporting school leadership in aligning curricula to citywide instructional expectations to raise standards for teacher practice and student learning.
- Coaching the principal and assistant principals in the use of classroom observations and feedback to enhance teacher effectiveness.

- Assisting the principal in the development of instructional plans and goals for the school year, in support of the school's Comprehensive Education Plan.

**Instructional Support:**

- Participating in classroom walkthroughs to provide targeted feedback to teachers on ways to improve classroom instruction and increase student engagement.
- Supporting the development of teacher teams and collaboration among school staff to assess student progress, share best instructional practices and plan ways to increase school-wide professional growth and student achievement.
- Offering professional development opportunities for staff and facilitating inter-visitations with other schools to foster the development of rigorous instruction and improve student outcomes.

**Operational Support:**

- Assisting the school in the development of a school safety plan and discipline code, and coaching school staff in best practices for reducing the number of safety incidents and suspensions.
- Advising the school on grant implementation and working with the principal to align the budget with school-wide instructional goals.
- Advising school staff on budgeting, enrollment, staff recruitment and building management.

**Student Support:**

- Providing support on youth development issues and facilitating monthly meetings for guidance counselors to build the school's capacity to offer social and emotional support to students.
- Supporting the school in monitoring student attendance and developing strategies to increase attendance rates.
- Helping the school develop effective parent engagement strategies aimed at increasing family and community participation and support for student achievement.

Freedom Academy has received individualized support plans, as well as centralized services that the DOE provides to all schools—yet despite this extensive assistance, the school has failed to meet the needs of its students and families.

Comment 3(f) questions how the DOE will support the school if this proposal is approved.

While the DOE acknowledges that closing schools is a difficult decision for these communities, DOE takes seriously its obligation to provide high-quality support to students in schools that are phasing out or closing.

If a closure proposal is approved, the school will receive support in the areas of budget, staffing, programming, community engagement, guidance and enrollment including, but not limited to:

- Helping the school provide students with options that support their advancement, and fully prepare students for their next transition point.
- Working with school staff to foster a positive culture.

- o Supporting school leadership in efficiently and strategically allocating resources to ensure a consistent and coherent school environment focused on student outcomes.

Comments 4(b), 4(c), and 10(f) concern engagement with Freedom Academy students and community.

Consistent with DOE's approach last year and desire to incorporate school and community input in DOE's decision-making process, in October and November Superintendents had conversations with 60 struggling schools, including Freedom Academy, that were eligible for an intensive support plan or intervention. In these conversations, Superintendents shared information about school performance and talked with the community about their reflections on the school's strengths and weaknesses. This engagement is above and beyond what is mandated by State law.

The goal for these engagement meetings was to begin or renew conversations with Freedom Academy and the community about their performance and the resulting actions the DOE may take to improve it. DOE gathered feedback – to understand what's working, what's not working, and what the community has to say about it – before making a decision.

Superintendents Barbara Freeman met with the school leadership team, staff, and parents to explain the Department of Education's thinking on why the school is considered struggling and what particular factors show this to be the case.

The DOE also distributed reports to Freedom Academy that summarized school performance, school supports, and potential action steps. These were easy-to-understand summaries that were handed out at feedback meetings and are posted on the DOE website. This engagement occurred prior to a decision about whether Freedom Academy will be proposed for closure.

When the Department's recommendation to propose Freedom Academy for closure was announced, dedicated teams of educators and engagement specialists spent several days at Freedom Academy meeting with teachers, parents, and students.

The DOE held a Joint Public Hearing on February 25, 2013 on the closure proposal and public feedback was collected at this meeting and through a dedicated email and phone number.

Comments 4(e) and 5(b) suggest that students come to Freedom Academy performing below grade-level.

The overall Progress Report grade is designed to reflect each school's contribution to student achievement, no matter where each child begins his or her journey to career and college readiness. The methods are designed to be demographically neutral so that the final score for each school has as little correlation as possible with incoming student characteristics such as poverty, ethnicity, disabilities, and English learner status. To achieve this, the Progress Report emphasizes year-to-year progress, compares schools mostly to peers matched based on incoming student characteristics, and awards additional credit based on exemplary progress with high-need student groups. Each school's performance is compared to the performance of schools in its peer group, which is comprised of New York City public schools with a student population most like the school's population, according to the peer index. The peer index is used to sort schools on the basis of students' academic and demographic background, and the formula to calculate a school's peer index includes the percentage of students eligible for free lunch, the percentage of students with disabilities, the percentage of Black/Hispanic students, and the percentage of English Language Learner ("ELL") students at the school. For high schools, each school has up to 40 peer

schools, up to 20 schools with peer index immediately above it and up to 20 with peer index immediately below it. Thus, Freedom Academy is grouped in its peer group with other New York City public schools with similar student academic and demographic background. And in comparison to those peer schools, it did not perform well.

Like all school's receiving a Progress Report, Freedom Academy's Progress Report reflects how well the school is serving its students.

Comment 12 concerns the safety plan that was submitted to parents and students at the school.

Pursuant to Chancellor's Regulation A-414, every school/campus is mandated to form a School Safety Committee ("the Committee"). The School Safety Committee works collaboratively to develop a comprehensive School Safety Plan that defines the normal operations of the site and what procedures are in place in the event of an emergency.

The School Safety Plan is updated annually by the Committee to meet changing security needs, changes in organization and building conditions, and any other factors. Updates to the School Safety Plan are also made at any other time when it is necessary to address security concerns. The Committee also addresses safety matters on an ongoing basis and makes appropriate recommendations to the principals when it identifies the need for additional security measures.

A member of the Parent Teacher Association generally sits on the School Safety Committee and provides feedback and input from the parents. Additionally, parents and students can revise or add to a School Safety Plan by adding an addendum which then has to be certified by the New York City Police Department. At this time, there is no addendum to the School Safety Plan for Freedom Academy.

### **Changes Made to the Proposal**

No changes have been made to this proposal.