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**Gale A. Brewer, Borough President**

TESTIMONY BEFORE THE NYC DEPARTMENT OF EDUCATION  
SEPTEMBER 29, 2014 PUBLIC HEARING

Opposition to Proposed New School Applications by Success Academy Charter School NYC 1 and 2 for Community School District 2 and 3 Beginning in the 2015-2016 School Year

MANHATTAN BOROUGH PRESIDENT GALE A. BREWER

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My name is Gale A. Brewer and I am the Manhattan Borough President. Thank you for the opportunity to testify at tonight's public hearing to express my concerns about the current applications before the SUNY Charter School Institute by Success Academy Charter School NYC 1 and Success Academy Charter School NYC 2 to operate new K-5 elementary schools, beginning the fall of 2015. Both entities have expressed interest in opening in Community School Districts 2 and 3.

I have stated before that I am not against charter schools and I maintain that position.

Reflecting years of constituent concerns heard throughout my years as the Council Member representing Community School District 3, and now in my expanded role as representing the residents and families of Manhattan, I rise to oppose the establishment of these two new charters.

Community School Districts 2 and 3 (CSD3) includes neighborhood public elementary schools that offer strong quality education for all students. CSD 2 and 3 families want these schools to be supported and for the Department of Education to create new neighborhood public schools.

Parents and community members contacted my office concerned with the perceived low levels of English Language Learners or students with IEPs who are admitted and retained within the student body of the charters' K-5 schools.

For example, according to the DOE's 2012-2013 Progress Report, PS 149, located at 41 West 117 Street in Manhattan, had nearly double the number of special needs students compared to the co-located Harlem Success Academy 1: 20.6% compared to 12.6%, and more than four times the number of English Language learners --18.9% compared to only 4.1% at Success Academy.

This is further compounded by a documented attrition rate of special needs students, particularly between 3rd and 5th grade, in what appears to be a trend of 'counseling out' -- whereby students are then assigned to their local neighborhood public school.

It's my understanding from the 2010 amended state charter law that charters that do not enroll and retain these students in equivalent proportions to their neighborhood schools should not be expanded.

I know that locations are discussed at a separate hearing – I don't agree with this, but want to submit that the network administration of the proposed charter school has a documented history of non-cooperation with their co-located school communities. The leadership in several of these public schools have characterized these interactions as intentionally polarizing and non-communicative, citing as examples the seizure of classrooms, the inability to coordinate lunchroom schedules or share facilities, as well as the displacement of students with mandated special services to improper settings.

I urge SUNY not to approve these applications.