Public Hearing Summary

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<th>Charter School:</th>
<th>Success Academy Charter School—Far Rockaway</th>
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<tbody>
<tr>
<td>Hearing Date:</td>
<td>April 6, 2020</td>
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<tr>
<td>Hearing Location:</td>
<td>Videoconference/Teleconference</td>
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<tr>
<td>Site:</td>
<td>Building Q053, 10-45 Nameoke Street, Queens, NY (CSD 27)</td>
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<tr>
<td>Start Time:</td>
<td>6:00 p.m.</td>
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<td>End Time:</td>
<td>10:30 p.m.</td>
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**Background:**

The New York City Department of Education ("NYCDOE") proposes to temporarily co-locate grades 5-6 of Success Academy Charter School—Far Rockaway ("Success Far Rockaway") in Building Q053 ("Q053") beginning in the 2020-21 school year. Q053 is located at 10-45 Nameoke Street, Queens, NY in New York City Community School District ("CSD") 27. Success Far Rockaway is operated by Success Academy Charter Schools – NYC, a not-for-profit charter school education corporation with the authority to operate 38 charter schools.

Success Far Rockaway would be temporarily co-located with M.S. 53 Brian Piccolo ("M.S. 53") and Village Academy Middle School ("Village Academy"), two existing district middle schools serving students in grades 6-8. The New York City Panel for Educational Policy approved the proposal on May 20, 2020.

According to the NYCDOE’s Enrollment, Capacity, Utilization Report, Q053 has the capacity to serve 1,344 students. Currently, the building serves approximately 1,057 students, yielding a building utilization rate of approximately 79%. According to the NYCDOE, by 2021-22, approximately 1,190-1,320 students are projected to be served in Q053, yielding a projected utilization rate of approximately 89-98%, which demonstrates sufficient space for all schools.

The NYCDOE Building Usage Plan ("BUP") allocates Success Far Rockaway 35 full-size rooms, one half-size room, and two quarter-size rooms by the 2021-2022 school year.

**Hearing Notes:**

Approximately 275 members of the public attended the hearing.
District 27 Superintendent, Jennifer Carreón Ambert, stated that she is in full support of making sure all students geographically located in District 27 have adequate space.

M.S. 53 Principal, Zoanne Wilkins, stated she had concerns about the distribution of excess space, as M.S. 53 currently uses six specialty rooms to educate the school’s diverse student population, and that losing that space will hinder the school’s ability to educate the students. Currently, half of the M.S. 53 teachers travel from classroom to classroom and the goal is for each teacher to have their own dedicated space, she said. M.S. 53 is a community school that needs space for its wellness program, socio-emotional learning, after school academics, sports, counseling, and mental health programs, and there are concerns about having adequate space for growing enrollment, she stated.

Village Academy Principal, Doris Lee, stated she wants to ensure that Village Academy students have the space needed to succeed.

Success Far Rockaway Principal, Jose Rosario, stated that families from the school have waited for three years for a site, and these students will not have a middle school next year if the proposal is not approved. He hopes the right choice is made so that the kids get what they need, he stated.

Community Education Council 27 President, Willie Jones, stated that the excess space shown on paper does not reflect the actual space available, and the public school community is concerned about the loss of space for special education. There is a concern already over fully-utilized shared spaces and some students already eat lunch at 2:00 p.m., he stated.

Assembly District Leader, Lew Simon, stated that this is not the proper time for such a proposal and suggested this proposal be placed on hold.

An M.S. 53, School Leadership Team (“SLT”) member, stated that Success Academy’s own executives make more money than the Governor, Mayor, and Chancellor. There is school choice with or without Success Academy and Success Academy claims that they open their doors to everyone, but they have waitlists and exclude/push out students, he stated. He closed his comment by stating, Success Academy underserves students with disabilities, Latino students, English language learners, students in economic need, and students in transitional housing.

Deputy Chancellor, Karin Goldmark, stated that this proposal will not take space away from Village Academy.

An M.S. 53 SLT member stated there are safety concerns with this proposal as there were three incidents with police presence that were not reported. Dismissal and arrival procedures are problematic and it would be better for Success Far Rockaway to have another space to grow their K-12 educational model, he stated.

The Community Relations Coordinator at Success Far Rockaway, stated she respectfully disagreed if people don’t think this proposal is urgent, as Success Far Rockaway’s 4th graders need a place to go to school next year. Since this proposal, conversations have become attacks, and all Success Academy can do is advocate, she stated.
Community Board 14 member, Harold Baez, stated that the Community Board is in favor of expanding options for high performing students and schools on the peninsula, and that Far Rockaway has a disproportional share of struggling schools.

A Success Far Rockaway community member, said it is heartbreaking that people keep saying Success Academy is not serving the community when their performance is so much higher than M.S. 53 and Village Academy.

Numerous M.S. 53 and Village Academy parents, students, and staff members shared their concerns about lack of space, limited resources, and safety concerns about the proposal.

Numerous Success Far Rockaway parents, students, and staff members shared that they have been waiting for three years for the NYCDOE to offer space, and that it is necessary to have this conversation now or Success Far Rockaway children will not have a place to go to school next year.

**Preliminary Determination:**

The State University of New York ("SUNY") Charter Schools Institute (the “Institute”) reviewed the Educational Impact Statement (EIS) and the BUP prepared by the NYCDOE for the facility at issue. The Institute found it to be a typical NYCDOE building that appeared to be in compliance with applicable law. Based on the documentation prepared by the NYCDOE and the information in the charter school’s renewal application and other information, the Institute also finds that the proposed use of the space by the charter school would not violate applicable law.

Based on the Institute’s review, the space proposed to be allotted to the charter school appears to be adequate with sufficient common spaces and resource spaces to be shared by the charter school and the district school. Finally, the Institute notes that the BUP, at the time of the co-location hearing, was in draft form. Pursuant to New York Education Law, school leadership teams from the co-located schools are required to agree on a plan to utilize common spaces in the building. As such, the BUP will not be finalized until the co-location is finalized.

With respect to public comments, the Institute thanks the members of the community for their candor. The Institute notes that SUNY has no authority over NYCDOE decisions regarding the physical locations of NYCDOE schools, grants, or programs. SUNY also has no positive authority to place schools into NYCDOE space.

As the charter school proposes to move to a facility in the NYC borough set forth in its charter renewal application, the Institute only needs to determine whether the space, and the charter school’s use of the space, would be in compliance with its charter and applicable law. In such cases, SUNY does not separately approve the school’s location. Therefore, as the Institute has held the hearing on behalf of the SUNY Board of Trustees as required by the New York Charter Schools Act of 1998 (as amended), the Institute approves the facility for use by the charter school subject to compliance with the terms of its charter agreement regarding facilities.