

Success Academy Charter School Network Ordered to Pay Over \$2.4M in a Disability Discrimination Case

Charter school network Success Academy, which touts its commitment to children “from all backgrounds,” has been ordered to pay over \$2.4 million on a Judgment in a case brought by families of five young Black students with learning and other disabilities who sued after the children were pushed out of a Success Academy school in Brooklyn. Success Academy’s efforts to oust the children even included the creation of a “Got to Go” list, as reported by the New York Times in October 2015, which singled out the students they wanted to push out, including the five child plaintiffs.

The lawsuit, brought by New York Lawyers for the Public Interest, Advocates for Justice, and Stroock & Stroock & Lavan LLP, concluded on March 10, 2021 with Senior United States District Judge Frederic Block’s ruling, which included a precedent-setting determination that federal disability discrimination laws authorize reimbursement of expert fees.

The case charged that Success Academy engaged in practices targeting students with disabilities, in order to force them to withdraw. The practices detailed in the suit included regularly removing the children from the classroom and calling the parents multiple times daily.

The litigation centered on five children, then a mere 4 to 5 years old, with diagnosed or perceived disabilities. Success Academy did not provide appropriate accommodations, and frequently dismissed the students prior to the end of the school day – often for behaviors like fidgeting and pouting.

Success Academy also threatened to call child welfare authorities to investigate the children's families, and even sent one child to a hospital psychiatric unit. Each family eventually removed their child from the Success Academy network.