

**Resolution Regarding Approval of the Proposed Extended Co-location of  
PAVE Academy Charter School and P.S. 15K in School Building K015 Until  
Construction of PAVE Academy Charter School’s Private Facility is  
Complete or Until the End of the 2012-2013 School Year, Whichever is Sooner**

WHEREAS, in accordance with Education Law 2590-h(2-a), the Chancellor prepared an educational impact statement, initially published on December 11, 2009, on the proposal to extend the co-location of PAVE Academy Charter School (“PAVE”) and P.S. 15K in school building K015 until construction of PAVE’s private facility is complete or until the end of the 2014-2015 school year, whichever is sooner (hereinafter the “Initial Proposal”); and

WHEREAS, in accordance with Education Law 2590-h(2-a), the Chancellor held a joint public hearing on the Initial Proposal with the District 15 Community Education Council and the school leadership team at which all interested parties had an opportunity to present comments or concerns on the proposal; and

WHEREAS, in accordance with Education Law § 2590-g(8), the Panel for Educational Policy undertook a public review process for review and comment on the Initial Proposal; and

WHEREAS, such review process included notice of the proposal via the Department of Education’s internet website and circulation of the notice of the proposal to all community superintendents, community district education councils, community boards, and school based management teams; and

WHEREAS, such notice further included: a) a description of the purpose and substance of the Initial Proposal; b) information regarding where the full text of the proposal could be obtained; (c) the name, office, address, email and telephone number of the Department of Education representative from whom information concerning the proposal could be obtained; d) the date, time and place of the meeting of the Panel at which the Panel will vote on the proposal; and e) information on how to submit written or oral comments regarding the proposal; and

WHEREAS, such notice and public review process commenced on December 11, 2009, at least forty-five days in advance of the January 26, 2010 meeting of the Panel at which the proposed extended co-location was to come before the Panel for a vote; and

WHEREAS, following the public review and comment period, the Panel made available to the public, including via the Department of Education’s internet web site, an assessment of all public comments concerning the Initial Proposal; and

WHEREAS, the assessment of public comments included a summary and analysis of the issues raised and any significant suggested alternatives; a statement of the reasons why any significant alternatives were not incorporated into the proposal; a description of any changes to the proposal as a result of the public comments; and information regarding where the full text of any approved extended co-location of PAVE and P.S. 15K in school building K015 until construction of PAVE’s private facility is complete or until the end of the 2014-2015 school year could be obtained; and

WHEREAS, on January 26, 2010, in response to feedback from the public and further consideration, the DOE issued an amended proposal to allow PAVE to remain in the building until the end of the 2012-2013 school year, rather than until the end of the 2014-2015 school year (hereinafter the “Amended Proposal”), issued an amended educational impact statement to reflect the change (hereinafter “the January 26 EIS”), and noted the change in the assessment of public comments; and

WHEREAS, at the January 26, 2010 meeting of the Panel, the Panel approved a resolution to extend the co-location of PAVE and P.S. 15 in K15 until construction of PAVE’s facility is complete; and

WHEREAS, the Panel, at its January 26, 2010 meeting, did not vote on the Amended Proposal as set forth in the January 26 EIS because the resolution it approved did not indicate that the co-location of PAVE and P.S. 15 would terminate at the end of the 2012-2013 school year if construction of PAVE’s private facility was not yet complete, and instead left the termination date of the co-location open; and

WHEREAS, in accordance with Education Law 2590-h(2-a), the Chancellor prepared a revised educational impact statement, initially published on March 26, 2010, on the Amended Proposal, which, as noted above, had not been voted on (the “March 26 EIS”), and subsequently published an amended educational impact statement on the Amended Proposal on April 9, 2010 (the “April 9 EIS”); and

WHEREAS, in accordance with Education Law 2590-h(2-a), the Chancellor held a joint public hearing on the Amended Proposal with the District 15 Community Education Council and the school leadership team at which all interested parties had an opportunity to present comments or concerns on the Amended Proposal; and

WHEREAS, in accordance with Education Law § 2590-g(8), the Panel for Educational Policy undertook a public review process for review and comment on the Amended Proposal to extend the co-location of PAVE and P.S. 15K in school building K015 until construction of PAVE’s private facility is complete or until the end of the 2012-2013 school year, whichever is sooner; and

WHEREAS, such review process included notice of the Amended Proposal via the Department of Education’s internet website and circulation of the notice of the proposal to all community superintendents, community district education councils, community boards, and school based management teams; and

WHEREAS, such notice further included: a) a description of the purpose and substance of the Amended Proposal to extend the co-location of PAVE and P.S. 15K; (b) identification of all substantial revisions to the proposal; (c) a summary of all public comments received on the item following the initial public notice; (d) information regarding where the full text of the Amended Proposal could be obtained; (e) the name, office, address, email, and telephone number of the Department of Education representative from whom information concerning the proposal could

be obtained; (f) date, time, and place of any hearing on the Amended Proposal; (g) the date, time and place of the meeting of the Panel at which the Panel will vote on the revised proposal; and (h) information on how to submit written or oral comments regarding the Amended Proposal; and

WHEREAS, such notice and public review process commenced on March 26, 2010, at least fifteen days in advance of the April 20, 2010 meeting of the Panel at which the Amended Proposal to extend the co-location of PAVE and P.S. 15 in K015 until construction of PAVE's private facility is complete or until the end of the 2012-2013 school year came before the Panel for a vote; and

WHEREAS, following the public review and comment period, the Panel made available to the public, including via the Department of Education's internet web site, an assessment of all public comments concerning the Amended Proposal to extend the co-location of PAVE and P.S. 15K in school building K015 until construction of PAVE's private facility is complete or until the end of the 2012-2013 school year; and

WHEREAS, the assessment of public comments included a summary and analysis of the issues raised and any significant suggested alternatives; a statement of the reasons why any significant alternatives were not incorporated into the proposal; a description of any changes to the proposal as a result of the public comments; and information regarding where the full text of any approved extended co-location of PAVE and P.S. 15K in school building K015 until construction of PAVE's private facility is complete or until the end of the 2012-2013 school year may be obtained; and

WHEREAS, the Chancellor recommends that the Panel for Educational Policy approve the proposal to extend the co-location of PAVE and P.S. 15K until construction of PAVE's private facility is complete or until the end of the 2012-2013 school year, whichever is sooner; and

WHEREAS, the extended co-location of PAVE and P.S. 15K in school building K015 until construction of PAVE's private facility is complete or until the end of the 2012-2013 school year is necessary to continue to offer high quality options for students in District 15; and

WHEREAS, it is the desire of the Panel for Educational Policy to extend the co-location of PAVE and P.S. 15K until construction of PAVE's private facility is complete or until the end of the 2012-2013 school year, whichever is sooner; now therefore be it

RESOLVED, that in accordance with Education Law § 2590-g, the Panel for Educational Policy hereby approves the proposal to extend the co-location of PAVE and P.S. 15K until construction of PAVE's private facility is complete or until the end of the 2012-2013 school year, whichever is sooner.