

Revised Educational Impact Statement

**Extension of the Co-Location of PAVE Academy Charter School (84K651)
and P.S. 15 Patrick F. Daly (15K015) in School Building K015**

I. Summary of Proposal

PAVE Academy Charter School (84K651, “PAVE”) an existing school serving grades K-2, and P.S. 15 Patrick F. Daly (15K015, “P.S. 15”), an existing school serving grades Pre-K-5, are housed in school building K015 (hereinafter referred to as “K015”). K015 is located at 71 Sullivan Street, Brooklyn in Community School District 15 (“District 15”). PAVE opened in the K015 building in September 2008 and is currently in the process of phasing in one grade level per year until it reaches its intended grade scale of K-8, pending renewal of the school’s charter in 2013. In 2008, the school was scheduled to remain in the building until the end of the 2009-2010 school year, at which time it would move into a private facility.

Due to a delay in the plans for PAVE’s private facility, the DOE proposed to extend the co-location of PAVE and P.S. 15 in K015. On December 11, 2009, the Department of Education (“DOE”) issued an educational impact statement outlining this proposal. The educational impact statement proposed that PAVE remain in K015 until the end of the 2014-2015 school year if construction of its private facility had not been completed by that time. A joint public hearing was held on the proposal on January 19, 2010. After receiving feedback from the public and further consideration, the DOE amended the 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. At its January 26, 2010 meeting, the Panel for Educational Policy (the “Panel”) voted to approve the proposal to extend the co-location until construction of PAVE’s private facility is complete; however, the resolution on which it voted did not indicate that the co-location would terminate at the end of the 2012-2013 school year. Thus, the DOE has issued this revised educational impact statement with additional information and, after a joint public hearing is held on the proposal, will present the proposal to the Panel at its April 20, 2010 meeting¹.

Should the Panel approve this proposal, PAVE will remain in K015 until construction of a new facility for the school is completed; however, if the construction of the new school facility is not completed by the end of the 2012-2013 school year, when PAVE will serve grades K-5, the DOE will re-evaluate the available space in the building to determine whether sufficient space exists for PAVE to remain in the building. If the DOE determines that there is adequate space, it would set forth any proposal to extend

¹ On April 9, 2010, the revised Educational Impact Statement was updated with additional information concerning the January 2010 walkthrough by the DOE’s Chief Achievement Office. See Section IV.B.

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the co-location in another educational impact statement and submit the proposal for the Panel's approval.

K015 has a target capacity of 726 students, and the 2008-2009 target utilization rate was 66%.² According to the October 31, 2009 Audited Register, enrollment this year at P.S. 15 is 390 students and the enrollment at PAVE is 138 students, for a total of 528 students in the building. Based on these figures, in the 2009-2010 school year, K015 is 73% utilized and is operating at approximately 198 students under the target capacity. PAVE is projected to add approximately 44 students per year for the next three school years, for a total of 132 additional students over the next three years and a projected enrollment of approximately 270 students in the 2012-2013 school year. Enrollment at P.S. 15 has not increased in the past 4 years and is not projected to increase in the near future. Based on these projected enrollment figures, in 2012-2013, the building utilization rate will be approximately 91%. There is, therefore, sufficient space in K015 for both schools to operate at full organizational capacity through the 2012-2013 school year. This proposal addresses the need to continue to offer high quality options for students in District 15.

II. Enrollment, Admissions, and School Performance

A. PAVE Academy Charter School

1. Enrollment

2009-2010

Grades Served:	K-2
Enrollment (as of 10/31/09 ATS Active Register):	138

2010-2011

Grades Served:	K-3
Projected Enrollment:	179-189

2011-2012

Grades Served:	K-4
Projected Enrollment:	223-233

² The target capacity and utilization rate reflects an aspirational goal for a school building, making different assumptions about how classrooms are used. For example, one of the DOE's goals is for all Kindergarten through third grade classrooms to have twenty or fewer students. That goal is figured into the target capacity for a building that houses a school serving those grade levels. K015's 2008-2009 historical capacity and utilization rate, which are based on the DOE's standard methodology for determining the maximum physical capacity of a building, was 788 and 61 percent, respectively. The maximum physical capacity of a building reflects the total number of students the building should accommodate.

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2012-2013

Grades Served: K-5
Projected Enrollment: 267-277

2. Admissions

Pursuant to New York State Education Law, PAVE admits students via lottery. District 15 students and residents are given priority in the charter school lottery process. In the 2008-2009 school year, 68 percent of the students who attended PAVE were zoned to Red Hook elementary schools. Students with Individualized Education Plans and students who require English Language Learner services are and will continue to be served at PAVE. PAVE plans to hold its lottery on April 6, 2010 and the DOE will work with PAVE to ensure that announcement of the lottery makes clear that the continued co-location of PAVE and P.S. 15 in building K015 is subject to Panel for Educational Policy approval.

3. School Performance

PAVE does not yet have students in grades 3-8 and therefore does not have Progress Report grades or English Language Arts and Math State Test results to report.

Accountability Status

Overall Federal
Status (2008-2009): In Good Standing

Overall State Status
(2008-2009): In Good Standing

Status with
Differentiated
Accountability
(2009-2010): In Good Standing

Average Attendance
(2008-2009): 95%

B. P.S. 15

1. Enrollment

Grades Currently Served: Pre-K-5

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P.S. 15 will continue to serve grades Pre-K-5 through the 2012-2013 school year and its projected enrollment will remain at approximately 370-420 students.

2. Admissions

Pre-K: Standard city-wide process
K-5: Zoned

3. School Performance

Progress Report Grades

2007-2008: A

2008-2009: A

To access copies of the 2007-2008 and 2008-2009 Progress Reports for P.S. 15, please visit:

<http://schools.nyc.gov/SchoolPortals/15/K015/AboutUs/Statistics>.

Math Score (2008-2009): 94.1% of students scored at Level 3 or 4

English Language Arts
Score (2008-2009): 66.7% of students scored at Level 3 or 4

Quality Review Scores

2007-2008: Proficient

2008-2009: No Quality Review conducted as per
Division of Accountability and Achievement
Resources review cycle criteria

To access copies of the 2007-2008 and 2008-2009 Quality Review Reports for P.S. 15, please visit:

<http://schools.nyc.gov/SchoolPortals/15/K015/AboutUs/Statistics>.

Accountability Status

Overall Federal
Status (2008-2009): In Good Standing

Overall State Status
(2008-2009): In Good Standing

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Status with
Differentiated
Accountability
(2009-2010): In Good Standing

Average Attendance
(2008-2009): 91.8%

To access a copy of the 2008-2009 Attendance Report for P.S. 15 please
visit: <http://schools.nyc.gov/AboutUs/data/stats/attendance>.

III. Proposed or Potential use of K015

K015 will continue to house P.S. 15 grades Pre-K-5 and PAVE as the latter continues to add one grade per year until the construction of a new facility for the school is completed. If the construction of the new school facility is not completed by the end of the 2012-2013 school year, when PAVE will serve grades K-5, the DOE will re-evaluate the available space in the building to determine whether PAVE can remain in the K015 building. If the DOE determines that there is adequate space, it would set forth any proposal to extend the co-location in another educational impact statement and submit the proposal for the Panel’s approval.

**IV. Impact of the Proposed Extended Co-location on the Community,
Existing Schools and Students**

A. Community Ramifications

As a result of this proposal, by the 2012-2013, school year when PAVE will serve grades K-5, approximately 132 additional elementary school seats will have been added to District 15. Pending reauthorization of PAVE’s charter in 2013, by 2015-2016 PAVE will serve a total of 390 students in grades K-8.

B. Existing Schools

P.S. 15 and PAVE will continue to have sufficient instructional space to serve students in K015 per the citywide instructional footprint as PAVE expands. A space plan for both schools will be developed based on the DOE Instructional Footprint (the “Footprint”)³

³ The Footprint is a tool used in the analysis and assessment of space usage in DOE buildings. In co-location arrangements, the Footprint should be used as a guideline for making decisions about the allocation of space, while empowering building leaders to make programming decisions that best meet the needs of all students in the building. The Footprint represents a minimum space allocation based on a school’s grade levels and number of sections per grade. To access the citywide instructional footprint, please visit the DOE’s web site at http://schools.nyc.gov/NR/rdonlyres/8CF30F41-DE25-4C30-92DE-731949919FC3/65901/NYCDOE_Instructional_Footprint_revisedMay2009_noco.pdf

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Decisions regarding the programming of shared spaces in K015 will be made by school leaders.

In the 2012-2013 school year when PAVE serves grades K-5, PAVE is projected to have 12 general education / CTT sections and will be allocated 12 full size classrooms, 3 full size cluster rooms, and 2 half size rooms⁴. Enrollment at P.S. 15 is projected to remain constant through the 2012-2013 school year and P.S. 15 will be allocated 27 full size classrooms and four half size classrooms⁵. According to the most recent facilities room survey, K015 has 46 full size rooms and nine half size rooms in addition to administrative offices located throughout the building. One full size classroom is used by Good Shepherd Services, a community based organization that provides school-based services to students, and one half size classroom is used by Lutheran Medical, another community based organization providing services in the school, leaving 45 full size classrooms and eight half size classrooms to be allocated to P.S. 15 and PAVE. This means that in the 2012-2013 school year, when PAVE serves grades K-5, there will be a total of 3 full size classrooms and 2 half size classrooms remaining above the allocation PAVE and P.S. 15 require per the Footprint. Good Shepherd Services and Lutheran Medical will maintain the space they are currently allocated within the K015 building.

Under the current shared space plan, P.S. 15 uses 38 full size rooms and six half size rooms. PAVE currently uses seven full size rooms and two half size rooms. As PAVE expands over the course of the next three years, rooms will need to be reallocated and P.S. 15 will need to operate closer to the standard instructional footprint allocation. However, there is more than adequate space in the building for both schools to serve their students, including Pre-K students and those students who require special education and related services. In allocating space, self-contained classrooms and Pre-K classrooms are allocated according to the number of classes that the school serves. While self-contained classes could be served in half size rooms, P.S. 15 will continue to be able to serve their self-contained sections in full size classrooms.

In addition to the instructional and administrative spaces, K015 also has the following rooms, which will continue to be shared by both schools: gymnasium, auditorium and a lunch room. The building also has a library, which is currently used only by P.S. 15. Going forward, however, the principals may choose to negotiate a space plan that includes the library as a shared space.

Should the proposal be approved by the PEP, all school leaders will meet with DOE space planners to work out a shared space plan and the allocation of specific rooms.

⁴ School leaders can use a half size classroom to serve a self-contained special education class or as a resource room to serve special education students who may require Special Education Teacher Support Services (SETSS) or related services such as speech therapy, occupational therapy, etc.

⁵ This is based on current enrollment at P.S. 15 which according to ATS indicates that P.S. 15 has 24 sections, which include three Pre-K classes, 15 general education and CTT classes, and 6 self-contained classes.

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Additionally, the P.S. 15 and PAVE principals will work with each other to develop a plan for the programming of shared spaces in the building.

While the Footprint sets forth a minimum space allocation and DOE space planners will work with the schools to determine exactly how the rooms in the building will be allocated, school leaders are empowered to make decisions about how to utilize the space allocated to the school. Each principal, therefore, must make decisions about how and where students will be served within the space allocated to the school. The DOE, however, will provide support to the schools to ensure that the schools use the space efficiently in order to maximize capacity to support student needs and maintain appropriate delivery of special education and related services to students. In particular, school leaders will have an opportunity to draw upon the expertise and guidance of the Office of Special Education, which is dedicated to promoting positive educational outcomes for students with disabilities. Although the percentage of students receiving special education and related services at P.S. 15 is greater than the District 15 average, given that there is more than adequate space in the building for both schools to operate through the 2012-2013 school year, the DOE does not anticipate the extension of this co-location will adversely impact the ability of P.S. 15 or PAVE to serve its students who require special education and related services.

Representatives from the DOE, including the Chief Achievement Office (CAO), Students with Disabilities and English Language Learners conducted a walk-through at school building K015 in January, 2010. The Chief Achievement Office found that there is adequate space in the K015 building to continue to provide all special education and related services required by students as per their Individual Education Plans as PAVE continues to expand. Any potential space concerns could be alleviated by incorporating some alternative delivery service models such as in-class SETSS. To that end, the CAO and Network staff are in the process of arranging a follow up visit to assist the principal in planning for any needed adjustments.

Finally, P.S. 15 is currently using 11 more full size classrooms than the minimum number allocated to the school by the Footprint. To the extent that P.S. 15 is currently using this space to provide additional programming for students, such as arts and enrichment programming, and providing additional non-mandated services for students through partnerships with outside organizations, the continued co-location may impact how the school provides and accommodates such programs. As the number of rooms it is currently using decreases as PAVE expands, P.S. 15 may have to make changes to as to where and how these enrichment programs and non-mandated services are delivered. However, even at the end of the 2012-2013 school year, K015 will not be at full capacity and P.S. 15 will continue to have a sufficient amount of space in the building to serve its students.

The impact of the continued co-location on additional enrichment programs and non-mandated services should not be significant. While the DOE does not anticipate any

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significant impact, any decision to make changes to these non-mandated programs or services or to discontinue certain programming or extra services for students is at the discretion of the school's principal.

C. Students

Pursuant to New York State Education Law, PAVE admits students via lottery. All students entering Kindergarten in the fall of 2010 will have the opportunity to apply to PAVE for an August 2010 seat through the charter school lottery process. District 15 residents will be given priority in the lottery. Students with Individualized Education Plans and students who require English Language Learner services are and will continue to be served at PAVE. PAVE plans to hold its lottery on April 6, 2010 and the DOE will work with PAVE to ensure that announcement of the lottery makes clear that continued co-location of PAVE and P.S. 15 in building K015 is subject to Panel for Educational Policy approval on April 20, 2010.

P.S. 15 students will not be displaced as a result of PAVE's continued co-location with P.S. 15 in K015. While the two schools will have to share certain common spaces, such as the lunchroom, auditorium, gymnasium, and library in the building, there will continue to be sufficient space in K015 to serve all P.S. 15 students, including those requiring special education and other related services. As explained above, before the start of the 2010-2011 school year, a space plan for the building will be created with support from the DOE, and building leaders will determine the programming of shared spaces.

V. Initial Costs and Savings

No initial costs or savings are anticipated as a result of this proposal.

**VI. Effect on Personnel Needs, Costs of Instruction,
Administration, Transportation and Other Support Services**

A. Personnel

No impacts on the personnel needs at P.S. 15 are anticipated as a result of this proposal.

B. Costs of Instruction

Charter schools receive a share of state foundation aid appropriated to New York City based upon the New York State per pupil allocation (PPA) rate.

C. Administration

No changes in P.S. 15 administrative staff positions are expected as a result of the extended co-location.

D. Transportation

During the course of PAVE's grade expansion and its extended co-location in K015, transportation will continue to be provided pursuant to Chancellor's Regulation A-801. To access the Chancellor's Regulation A-801, please visit the DOE's Web site at <http://schools.nyc.gov/NR/rdonlyres/21A1B11A-886B-4F74-9546-E875EE82A14C/40303/A801.pdf>.

E. Other Support Services

Other support services will continue to be provided consistent with citywide policy.

VII. Building Information

A. Building Type, Age and Physical Condition

K015 is an elementary school building that was built in 1967. The building received an overall rating of 2.59 on the 2008-2009 Building Condition Assessment Survey ("BCAS").

To view the key for BCAS ratings, please visit <http://schools.nyc.gov/Documents/BCAS/BCAS%20Key.pdf>.

To view the 2008-2009 BCAS Report for K015, please visit <http://schools.nyc.gov/community/facilities/BFIS>.

2008-2009 Target capacity:	726
2008-2009: Target utilization rate:	66%

The utilization and capacity information is from the Enrollment, Capacity and Utilization Report which is the standard by which the DOE measures the maximum capacity of the building compared to the enrollment. To access the Enrollment, Capacity and Utilization Report, please visit <http://schools.nyc.gov/Offices/SCA/Reports/CapPlan/>.

B. Fiscal Year 2009 Maintenance Costs

Labor:	\$8,587.73
Materials:	\$3,324.50
Maintenance and Repair Contracts:	\$43,789.21
Service Contracts:	\$0

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Custodial Operations Materials:	\$5,594.40
Custodial Allocation:	\$258,954.69

C. Fiscal Year 2009 Energy Costs

Electric:	\$101,780.00
Gas:	\$1,018.00
Oil:	\$40,742.00

D. Recent and Planned Improvements

There are no improvements currently proposed in the 2010-2014 Capital Plan.

E. Special Features

The K015 building has an auditorium, a cafeteria, a gymnasium, and a library.