



**Amended Notice**  
April 9, 2010

**Joel I. Klein**  
*Chancellor*

**Notice of 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**

\*\*Please note: The Revised Educational Impact Statement posted on March 26, 2010 has been amended to include additional information.

**I. Description of the subject, purpose and substance of the proposed item under consideration and identification of all substantial revisions to the item.**

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. Accordingly, the DOE has decided to resubmit the proposal to the Panel for a new vote. While the DOE has not made any substantial revisions to the proposal, it is taking this opportunity to revise the educational impact statement to include additional information and accept public comment before the Panel votes on the corrected resolution at its April 20, 2010 meeting.

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 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%.<sup>1</sup> 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. Summary of all public comments received following the initial public notice.**

After the DOE's initial public notice on December 11, 2009, a joint public hearing was held at K015 on January 19, 2010. Comments made at the hearing can be summarized as follows: (1) P.S. 15 serves a large number of special education students and the DOE's Instructional Footprint does not accurately account for the space required to provide services such as speech, occupational therapy and physical therapy; (2) there is a potential for P.S. 15 to lose dedicated space to enrichment programs such as music; (3) PAVE made a commitment to move out of the building after two years and is now requesting an extension; (4) the DOE is pitting two schools against each other; (5) PAVE is committed to raising millions of dollars to build a new school facility in Red Hook; (6) PAVE has identified a property, and received approval on its application to the DOE's and School Construction Authority's Charter Facility Matching Grant Program; (7) PAVE parents are very satisfied with the instruction, sense of community, and stability their children experience at PAVE; and (8) parents of PAVE students who receive special education and English language learner services are satisfied with the services their children receive.

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<sup>1</sup> 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.

In addition to the comments made at the joint public hearing, several comments were submitted to the phone line and e-mail designated for public comment. These comments can be summarized as follows: (1) PAVE's presence creates overcrowding and a noisy environment in P.S. 15; (2) a charter school should not be sited in the building; (3) class size at P.S. 15 could increase due to PAVE's presence in the building; (4) the DOE had originally agreed that PAVE would be co-located with P.S. 15 only for two years, and the educational impact statement makes no claims about the length of PAVE's co-location with P.S. 15; (5) PAVE needs to remain in the building until its new building is constructed; and (6) PAVE should move to the 15K027 building, another school facility located in the Red Hook community, and move the Red Hook Neighborhood School (a new zoned elementary school that opened in the 2009-2010 school year in the K027 building) to the K015 building.

### **III. Information regarding where the full text of the proposed item may be obtained.**

The Revised [Educational Impact Statement](#) can be found on the Department of Education's Web site:

[http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/April\\_Vote.htm](http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/April_Vote.htm)

The Revised Educational Impact Statement is also available at the school's main office and at the District 15 office.

### **IV. Submission of public comment.**

Written comments can be sent to [D15Proposals@schools.nyc.gov](mailto:D15Proposals@schools.nyc.gov).

Oral comments can be left at 718-935-4390.

### **V. The name, office, address, email and telephone number of the city district representative, knowledgeable on the item under consideration, from whom information may be obtained concerning the item.**

Name: Natalie Ondiak

Office: Office of Portfolio Planning

Address: 52 Chambers St

Email: [Portfolio@schools.nyc.gov](mailto:Portfolio@schools.nyc.gov)

Phone: 212-374-3482

### **VI. Date, time and place of joint public hearing for this proposal.**

April 14, 2010 at 6:00pm  
71 Sullivan Street, Brooklyn

Speaker sign-up will begin 30 minutes before the hearing and will close 15 minutes after the start.

**VII. Date, time and place of the PEP meeting at which the Board will vote on the proposed item.**

April 20, 2010

6:00 p.m.

Prospect Heights High School  
883 Classon Avenue, Brooklyn