



**PRESS RELEASE**

For Immediate Release  
3/1/10

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**PUBLIC SCHOOL PARENTS CHALLENGE CITY VOTE TO GIVE PUBLIC SCHOOL CLASSROOMS TO CHARTER SCHOOL:**  
*Complaint to the State Education Commissioner Alleges Legal Violations*

New York City. Advocates for Children of New York, Inc. is delivering an appeal to the New York State Commissioner of Education challenging the decision of the Panel for Educational Policy (PEP) of the Department of Education (DOE) to expand the co-location of PAVE Academy Charter School and P.S. 15 Patrick F. Daly. The expansion of PAVE at P.S. 15's building would force the public school to cut classrooms and critical space for educational programs.

AFC's petition to the State Commissioner of Education, filed on behalf of two parents of students at P.S. 15, challenges the PEP vote because the DOE failed to prepare, publish, and file a revised Educational Impact Statement about the plan that was ultimately approved and to hold a public hearing to allow all interested parties an opportunity to present comments regarding this plan. The petition asks the State Commissioner to annul the vote and expansion and order the DOE to comply with state law with regard to the expansion of PAVE at P.S. 15's building.

John Battis, a petitioner in the case and the parent of a student at P.S. 15, explained, "The law requires a public process in which the DOE identifies the impact of their proposal on parents, students and the community, and allows for public comment. The DOE must comply with the law."

"The DOE's failure to follow the required process is more than a legal technicality," said Kim Sweet, Executive Director of AFC. "There is no evidence here that the DOE adequately considered and presented to parents the adverse impact that its decision would have on the students who attend the public school that will be losing space."

Lydia Bellahcene, the other petitioner in the case and the parent of three students at P.S. 15, including a student with special education needs, commented,

"We need these spaces for specialized teachers to provide our special education students with the services they need. It is particularly important that elementary school students receive these services now in order to build a foundation for their future education."

According to publicly available data, 50.64% of the students at P.S. 15 are Hispanic, 36.76% are African American and 9.00% are English Language Learners (ELL). Approximately 95% of the students at P.S. 15 receive free or reduced price lunch, and nearly one-third (32.65%) of the students receive special education services. P.S. 15 received an overall score of "A" on its 2008-2009 New York City Department of Education Progress Report and received additional credit for

exemplary proficiency gains for special education students, Hispanic students in the lowest third of test scores citywide, and African-American students in the lowest third of test scores citywide.

A copy of the complaint is available at <http://www.advocatesforchildren.org/>.

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*For more than 38 years, Advocates for Children of New York has been serving the most educationally vulnerable students in New York City public schools and speaking out on their behalf. More information on the organization and its programs is available at [www.advocatesforchildren.org](http://www.advocatesforchildren.org).*