

**Resolution Regarding Approval of the Proposed
Co-location of Explore Empower Charter
School and M.S. 394K in School Building K210**

WHEREAS, in accordance with Education Law 2590-h(2-a), the Chancellor has prepared an educational impact statement on the proposal to co-locate Explore Empower Charter School and M.S. 394K in school building K210; and

WHEREAS, in accordance with Education Law 2590-h(2-a), the Chancellor has held a joint public hearing on the proposal with the District 17 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 proposed co-location of Explore Empower Charter School and M.S. 394K in school building K210; 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 proposal to co-locate Explore Empower Charter School and M.S. 394K in school building K210; 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 any hearing on the proposal; e) the date, time and place of the meeting of the Panel at which the Panel will vote on the proposal; and f) information on how to submit written or oral comments regarding the proposal; and

WHEREAS, such notice and public review process commenced on January 8, 2010, at least forty-five days in advance of the February 24, 2010 meeting of the Panel at which the proposed co-location 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 proposed co-location of Explore Empower Charter School and M.S. 394K in school building K210; 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 co-location of Explore Empower Charter School and M.S. 394K in school building K210 may be obtained; and

WHEREAS, the Chancellor recommends that the Panel for Educational Policy approve the proposal to co-locate Explore Empower Charter School and M.S. 394K in school building K210; and

WHEREAS, the co-location of Explore Empower Charter School and M.S. 394K in school building K210 is necessary to relieve overcrowding in the K138 school building where Explore Empower Charter School is currently located, to enable Explore Empower Charter School to continue to add one grade per year until it reaches its full grade scale, and to provide high quality options to the District 17 community; and

WHEREAS, it is the desire of the Panel for Educational Policy to co-locate Explore Empower Charter School and M.S. 394K in school building K210; now therefore be it

RESOLVED, that in accordance with Education Law § 2590-g, the Panel for Educational Policy hereby approves the proposal to co-locate Explore Empower Charter School and M.S. 394K in school building K210.