Resolution Regarding the Proposed Co-location of Grades Six Through Eight of Harlem Prep Charter School (84M708) with Existing School P.S. 38 Roberto Clemente (04M038) in Building M121 Beginning in the 2014-2015 School Year

WHEREAS, in accordance with Education Law § 2590-h(2-a), the Chancellor prepared an Educational Impact Statement ("EIS") and Building Utilization Plan ("BUP") published and filed on November 29, 2012, on the proposed co-location of grades six through eight of Harlem Prep Charter School (84M708) with existing school P.S. 38 Roberto Clemente (04M038) in building M121 beginning in the 2014-2015 school year (the "Proposal"); and

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

WHEREAS, such review process included notice of the proposal via the New York City Department of Education's (the "Department") 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; 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 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 November 29, 2012, at least forty-five days in advance of the January 16, 2013 meeting of the Panel at which the Proposal came before the Panel for a vote; and

WHEREAS, in accordance with Education Law § 2590-h(2-a)(d), the Chancellor held a joint public hearing on the Proposal at which all interested parties had an opportunity to present comments or concerns on the Proposal, and to which the Community Education Council for District 4 was invited and confirmed it would attend; and

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

WHEREAS, the Chancellor recommends that the Panel for Educational Policy approve the Proposal; and

WHEREAS, it is the desire of the Panel for Educational Policy to approve the Proposal; now therefore be it

RESOLVED, that in accordance with Education Law § 2590-g, the Panel for Educational Policy hereby approves the proposed co-location of grades six through eight of Harlem Prep Charter School (84M708) with existing school P.S. 38 Roberto Clemente (04M038) in building M121 beginning in the 2014-2015 school year.

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