



**Department of
Education**

Dennis M. Walcott, Chancellor

DECLARATION PURSUANT TO EDUCATION LAW SECTIONS 2590g-(9) AND
2590-h(2-a)(f) CONCERNING THE RE-SITING OF P.S. 51 ELIAS HOWE SCHOOL

I, Dennis M. Walcott, Chancellor of the New York City Department of Education, pursuant to sections 2590-g(9) and 2590-h(2-a)(f) of the New York State Education Law, do hereby determine that the immediate implementation of the proposal to re-site P.S. 51 Elias Howe (02M051, "P.S. 51") to the M816 building, aka Our Lady of Good Counsel ("OLGC"), a leased facility, is immediately necessary to preserve the health, safety, and general welfare of students. Additionally, compliance with the requirements of subdivisions (7) and (8) of section 2590-g of the Education Law, which require a public review process and approval by the Panel for Educational Policy (the "Panel") before a proposed school closing or significant change in school utilization can take effect, would be contrary to the public interest.

P.S. 51 is a zoned elementary school that is currently housed in school building M051, a DOE facility located at 520 West 45th Street, in Community School District 2 ("District 2"). It currently serves students in Kindergarten through 5th grades, and also offers a Pre-Kindergarten program. Currently, three major construction projects are taking place at sites adjacent to the building M051 property. Among these is a multiyear project to create a platform over the Hudson Rail lines adjacent to the school, on which a high rise building will subsequently be built. In combination, the projects are expected to increase the noise levels surrounding the school building, affect air quality, and make the operation of P.S. 51 impractical in its current location.

After extensive discussions with the school community, and local elected officials, and efforts to mitigate the concerns while remaining in the M051 building, the DOE began to explore various ways to accommodate P.S. 51 in an alternate location until the construction is completed. The OLGC building is located at 323 East 91st Street, approximately 4 miles from the M051 building, and was scheduled to be unused during the 2011-12 school year. While this facility is not in the immediate neighborhood of P.S. 51, it is located in District 2, and is the only building in District 2 with sufficient space to accommodate P.S. 51 without requiring a co-location with another school.

For 2010-2011, the total audited enrollment of P.S. 51 was 321 students.¹ For 2011-2012, the total projected enrollment is 334 students.² It has adequate capacity to accommodate P.S. 51 in 2011-12, as it has 15 full-size rooms, and 5 additional half-size spaces. However, P.S. 51 will not offer a pre-K program while located in OLGC.

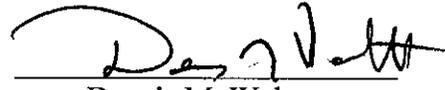
¹ Based on the 2010-2011 Audited Register.

² Based on the 2011-2012 budget register projections.

General education students in grades K-2 will continue to receive busing if they live more than one half mile from OLG. General education students in grades 3-5 will continue to receive busing if they live more than one mile from OLG. Special Education students will continue to receive busing services in accordance with their Individualized Education Plans.

Because of the unusual extent of the construction surrounding the M051 building, re-siting P.S. 51 to Our Lady of Good Counsel is necessary to preserve the health, safety, and general welfare of P.S. 51 students. This re-siting shall remain in effect for six months pursuant to this declaration. It shall continue thereafter if approved by the Panel.

Dated: New York, New York
September 8, 2011


Dennis M. Walcott