Resolution Regarding Approval of the Proposed Temporary Re-siting and Co-location of a Portion of One Grade Level of an Existing School, P.S. 16 (24Q016), with an Existing School, Pioneer Academy (24Q307) and a D75 School, P255Q, in Building Q260 for the 2010-2011 School Year

WHEREAS, pursuant to Education Law § 2590-g(9) and § 2590-h(2-a)(f), the Chancellor determined that the temporary re-siting of and co-location of a portion of one grade level of an existing school, P.S. 16 ("P.S. 16"), with an existing school, Pioneer Academy (24Q307) ("Pioneer Academy") and a D75 School, P255Q ("P225Q"), in Building Q260 for the 2010-2011 school year was immediately necessary to preserve the general welfare of students; and

WHEREAS, pursuant to Education Law § 2590-g(9), the Chancellor further determined that compliance with the requirements of subdivisions (7) and (8) of § 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; and

WHEREAS, on September 2, 2010, the Chancellor issued an Emergency Declaration implementing on an emergency basis the temporary re-siting of and co-location of a portion of one grade level of an existing school, P.S. 16 with Pioneer Academy and P255Q in Building Q260 for the 2010-2011 school year; and

WHEREAS, in accordance with Education Law § 2590-h(2-a), the Chancellor prepared an educational impact statement, initially published and filed on October 1, 2010, on the proposal to temporarily re-site and co-locate a portion of one grade level of P.S. 16 with Pioneer Academy and P255Q in Building Q260 for the 2010-2011 school year, and subsequently published an amended educational impact statement on the proposal on November 8, 2010; and

WHEREAS, in accordance with Education Law § 2590-g(8), the Panel Panel undertook a public review process for review and comment on the proposed temporary re-siting and co-location of a portion of one grade level of P.S. 16 with Pioneer Academy and P225Q in Building Q260; 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 proposed temporary re-siting and co-location of a portion of one grade level of P.S. 16 with Pioneer Academy and P225Q in Building Q260; 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 October 1, 2010, at least forty-five days in advance of the November 16, 2010 meeting of the Panel at which the proposed temporary re-siting and co-location of a portion of one grade level of P.S. 16 in Building Q260 came before the Panel for a vote; and

WHEREAS, on November 8, 2010, the Department published an amended educational impact statement for the temporary re-siting and co-location of a portion of one grade level of P.S. 16 with Pioneer Academy and P225Q in Building Q260, which includes additional information regarding P.S. 16's provision of English Language Learning programming and clarifies data concerning the percentage of P.S. 16's students who are eligible for free or reduced price lunches, but which does not revise or modify the proposal itself; and

WHEREAS, in accordance with Education Law § 2590-h(2-a), the Chancellor has held joint public hearings on the proposal with the District 24 Community Education Council and the impacted school leadership teams at which all interested parties had an opportunity to present comments or concerns on the proposal; 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 proposed temporary re-siting and co-location of a portion of one grade level of P.S. 16 with Pioneer Academy and P225Q in Building Q260; 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 proposed temporary re-siting and co-location of a portion of one grade level of P.S. 16 with Pioneer Academy and P225Q in Building Q260 may be obtained; and

WHEREAS, the Chancellor recommends that the Panel for Educational Policy approve the proposed temporary re-siting and co-location of a portion of one grade level of P.S. 16 with Pioneer Academy and P225Q in Building Q260; and

WHEREAS, it is the desire of the Panel for Educational Policy to approve the proposed temporary re-siting and co-location of a portion of one grade level of P.S. 16 with Pioneer Academy and P225Q in Building Q260; now therefore be it

RESOLVED, that in accordance with Education Law § 2590-g, the Panel for Educational Policy hereby approves the proposed temporary re-siting and co-location of a portion of one grade level of an existing school, P.S. 16 (24Q016), with an existing school, Pioneer Academy (24Q307) and a D75 School, P255Q, in Building Q260 for the 2010-2011 school year.