

Resolution Regarding Proposed Amendment to the Fiscal Year 2010-2014 Capital Plan

WHEREAS, the 2010-2014 five-year educational facilities capital plan (the “Plan”) was approved by Mayor Michael Bloomberg and the City Council in June 2009; and

WHEREAS, the New York City Department of Education (the “DOE”) is committed to reviewing the plan annually; and

WHEREAS, a proposed amendment to the Plan (“Plan Amendment”) was issued on January 14, 2011; and

WHEREAS, on March 7, 2011, in response to the preliminary New York State building aid budget, the DOE issued a revised proposed amendment to the Plan; and

WHEREAS, on April 13, 2011, in response to the final New York State building aid budget, the DOE issued a second revised proposed amendment to the Plan, more than fifteen days before the proposed amendment to the Plan came before the Panel for a vote; 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 amendment to the Plan; and

WHEREAS, such review process included notices of the proposed amendment to the Plan and all revisions amendment via the Department of Education’s internet website; and

WHEREAS, such notice further included: a) a description of the purpose and substance of the proposed amendment to the Plan; b) information regarding where the full text of the proposed amendment to the Plan could be obtained; (c) the name, office, address, email and telephone number of the Department of Education representative from whom information concerning the proposed amendment to the Plan could be obtained; d) the date, time and place of the meeting of the Panel at which the Panel will vote on the proposed amendment to the Plan; and e) information on how to submit written or oral comments regarding the proposed amendment to the Plan; and

WHEREAS, such notice and public review process commenced on January 14, 2011, more than forty-five days in advance of the April 28, 2011 meeting of the Panel at which the proposed amendment to the Plan 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 amendment to the Plan; 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 proposed amendment to the Plan; and information regarding where the full text of any approved regulation may be obtained; and

WHEREAS, the Chancellor recommends that the Panel for Educational Policy approve the proposed amendment to the Plan; it is hereby

RESOLVED, that the Panel hereby approves the Fiscal Year 2010-2014 Plan Amendment.