

**Resolution Regarding Approval of the Proposed Co-location of a New School, 10X363, with M.S. 399X and East Fordham Academy in School Building X115**

WHEREAS, in accordance with Education Law 2590-h(2-a), the Chancellor has prepared an educational impact statement on the proposal to site a new school, 10X363, in school building X115 where it will co-locate with M.S. 399X and East Fordham Academy; 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 10 Community Education Council and the school leadership team for each impacted school 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 siting of 10X363 in school building X115 with M.S. 399X and East Fordham Academy; 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 site 10X363 in school building X115 with M.S. 399X and East Bronx Academy; 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 proposed co-location could be obtained; d) the date, time and place of the meeting of the Panel at which the Panel will vote on the proposed co-location; and e) information on how to submit written or oral comments regarding the proposed co-location; and

WHEREAS, such notice and public review process commenced on December 11, 2009, at least forty-five days in advance of the January 26, 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 siting of 10X363 in school building X115 with M.S. 399X and East Fordham Academy; 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 siting of 10X363 in school building X115 with M.S. 399X and East Fordham Academy may be obtained; and

WHEREAS, the Chancellor recommends that the Panel for Educational Policy approve the proposal to site 10X363 in school building X115 with M.S. 399X and East Fordham Academy; and

WHEREAS, the siting of 10X363 in school building X115 with M.S. 399X and East Fordham Academy is necessary to replenish the middle school seats eliminated due to the phase-out of M.S. 399X, which began in the fall of 2009 and will be completed in June 2011, and to relieve overcrowding in other areas of District 10 by making more seats available in the District 10 middle school zone; and

WHEREAS, it is the desire of the Panel for Educational Policy to site 10X363 in school building X115 with M.S. 399X and East Fordham Academy; now therefore be it

RESOLVED, that in accordance with Education Law § 2590-g, the Panel for Educational Policy hereby approves the proposal to site 10X363 in school building X115 with M.S. 399X and East Fordham Academy.