

Resolution Regarding Approval of the Proposed Temporary Siting and Co-location of New School 24Q110 with Existing School P.S. 199 Maurice A. Fitzgerald (24Q199) in Building Q841 Beginning in the 2012-2013 School Year and Continuing No Later Than the 2014-2015 School Year

WHEREAS, pursuant to Education Law § 2590-g(9) and § 2590-h(2-a)(f), the Chancellor determined that the temporary siting of and co-location of a new school, 24Q110 (“24Q110”), with an existing school, P.S. 199 Maurice A. Fitzgerald (24Q199; “P.S. 199”) in building Q841 for the 2012-2013 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 June 15, 2012, the Chancellor issued an Emergency Declaration implementing on an emergency basis the temporary siting of and co-location of 24Q110 with P.S. 199 in building Q841 for the 2012-2013 school year; and

WHEREAS, in accordance with Education Law § 2590-h(2-a), the Chancellor prepared an Educational Impact Statement (“EIS”), published and filed on August 27, 2012, on the proposed temporary siting and co-location of 24Q110 with P.S. 199 in building Q841 beginning in the 2012-2013 school year and continuing no later than the 2014-2015 school year; 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 temporary siting and co-location of 24Q110 with existing school P.S. 199 in building Q841 beginning in the 2012-2013 school year and continuing no later than the 2014-2015 school year; 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 siting and co-location of 24Q110 with existing school P.S. 199 in building Q841 beginning in the 2012-2013 school year and continuing no later than the 2014-2015 school year; 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 August 27, 2012, at least forty-five days in advance of the October 11, 2012 meeting of the Panel at which the proposed temporary siting and co-location of 24Q110 with existing school P.S. 199 in building Q841 beginning in the 2012-2013 school year and continuing no later than the 2014-2015 school year came before the Panel for a vote; and

WHEREAS, on October 5, 2012, the Department published an amended educational impact statement, which corrected the address of building Q841, but which did not modify or revise the proposal itself; and

WHEREAS, in accordance with Education Law § 2590-h(2-a)(d), the Chancellor has held a joint public hearing 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 siting and co-location of 24Q110 with existing school P.S. 199 in building Q841 beginning in the 2012-2013 school year and continuing no later than the 2014-2015 school year; 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 temporary siting and co-location; a description of any changes to the proposed temporary siting and co-location as a result of the public comments; and information regarding where the full text of any approved temporary siting and co-location of 24Q110 with existing school P.S. 199 in building Q841 beginning in the 2012-2013 school year and continuing no later than the 2014-2015 school year may be obtained; and

WHEREAS, the Chancellor recommends that the Panel for Educational Policy approve the proposed temporary siting and co-location of 24Q110 with existing school P.S. 199 in building Q841 beginning in the 2012-2013 school year and continuing no later than the 2014-2015 school year; and

WHEREAS, it is the desire of the Panel for Educational Policy to approve the proposed temporary siting and co-location of 24Q110 with existing school P.S. 199 in building Q841 beginning in the 2012-2013 school year and continuing no later than the 2014-2015 school year; now therefore be it

RESOLVED, that in accordance with Education Law § 2590-g, the Panel for Educational Policy hereby approves the proposed temporary siting and co-location of new school 24Q110 with existing school P.S. 199 Maurice A. Fitzgerald (24Q199) in building Q841 beginning in the 2012-2013 school year and continuing no later than the 2014-2015 school year.