

Resolution Regarding Approval of the Revised Proposed Co-Location of a New Public Charter School, Explore Excel Charter School, with Existing School P.S. 114 Ryder Elementary (18K114) in Building K114

WHEREAS, in accordance with Education Law §2590-h(2-a), the Chancellor prepared an educational impact statement, initially published and filed on January 14, 2011, on the proposal to site a new zoned elementary school, P.S. 521 (18K521, “P.S. 521”), and Explore Charter School (“Explore”) in building K114, where the schools would be co-located with an existing elementary school, P.S. 114 Ryder Elementary (18K114, “P.S. 114”) (the “Original Proposal”), and subsequently published and filed an amended educational impact statement on the Original Proposal on February 14, 2011; and

WHEREAS, in accordance with Education Law § 2590-g(8), the Panel for Educational Policy (the “Panel”) undertook a public review process for review and comment on the Original Proposal; and

WHEREAS, such review process included notice of the Original Proposal via the Department of Education’s internet website and circulation of the notice of 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 Original Proposal; b) information regarding where the full text of the Original Proposal could be obtained; (c) the name, office, address, email and telephone number of the Department of Education representative from whom information concerning the Original Proposal could be obtained; d) the date, time, and place of any hearing on the Original Proposal; e) the date, time and place of the meeting of the Panel at which the Panel was to vote on the Original Proposal; and f) information on how to submit written or oral comments regarding the Original Proposal; and

WHEREAS, such notice and public review process commenced on January 14, 2011, at least forty-five days in advance of the March 1, 2011 meeting of the Panel at which the Original Proposal was initially scheduled to come before the Panel for a vote; and

WHEREAS, on February 14, 2011, the Department published an amended educational impact statement regarding the Original Proposal, which corrected typographical information, included information about the community based organization in K114, and further clarified information in regards to P.S. 114, but which did not modify or revise the Original Proposal itself; and

WHEREAS, in accordance with Education Law §2590-h(2-a), the Chancellor held joint public hearings on the Original Proposal with the District 18 Community Education Council, the school leadership teams and the Citywide Council on Special Education at which all interested parties had an opportunity to present comments or concerns on the Original Proposal; and

WHEREAS, in accordance with Education Law 2590-h(2-a), the Chancellor revised the Original Proposal so that P.S. 521 will no longer be co-located in building K114 (only Explore will be co-

located in the building), to reflect that P.S. 114 will not be phased-out as originally proposed, and to update Explore's admissions preferences (the "Revised Proposal"), and prepared and published a revised educational impact statement on the Revised Proposal on March 4, 2011; 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 Revised Proposal; and

WHEREAS, such review process included notice of the Revised Proposal via the Department's internet website and circulation of the notice of the Revised 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 Revised Proposal; (b) identification of all substantial revisions to the Original Proposal; (c) a summary of all public comments received on the Original Proposal following the initial public notice; (d) information regarding where the full text of the Revised Proposal could be obtained; (e) the name, office, address, email, and telephone number of the Department of Education representative from whom information concerning the Revised Proposal could be obtained; (f) date, time, and place of any hearing on the Revised Proposal; (g) the date, time and place of the meeting of the Panel at which the Panel will vote on the Revised Proposal; and (h) information on how to submit written or oral comments regarding the Revised Proposal; and

WHEREAS, such notice and public review process commenced on March 4, 2011, at least fifteen days in advance of the March 23, 2011 meeting of the Panel at which the Revised Proposal came before the Panel for a vote; and

WHEREAS, on March 21, 2011, the Department published an amended educational impact statement concerning the Revised Proposal, which further clarified information related to Explore's priority preferences, corrected typographical errors, and corrected enrollment figures, but which did not modify or revise the Revised Proposal itself; and

WHEREAS, in accordance with Education Law 2590-h(2-a), the Chancellor held a joint public hearing on the Revised Proposal with the District 18 Community Education Council and the school leadership teams at which all interested parties had an opportunity to present comments or concerns on the Revised 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 Revised Proposal; 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 Revised Proposal; a description of any changes to the Revised Proposal as a result of the public comments; and information regarding where the full text of any approved co-location of a Explore with P.S. 114 in building K114 may be obtained; and

WHEREAS, it is the desire of the Panel for Educational Policy to approve the revised proposed co-location of Explore with P.S. 114 in building K114; now therefore be it

RESOLVED, that in accordance with Education Law § 2590-g, the Panel for Educational Policy hereby approves the proposed co-location of Explore Excel Charter School, with Existing School P.S. 114 Ryder Elementary (18K114) in building K114.