Resolution Regarding the Proposed Co-location of Grades Kindergarten through Four of Democracy Prep Harlem Charter School (84M481) with Choir Academy of Harlem (05M469), Harlem Children's Zone Promise Academy II (84M341), and New District High School (05M157) in Building M501 Beginning in 2013-2014

WHEREAS, in accordance with Education Law § 2590-h(2-a), the Chancellor prepared an educational impact statement ("EIS"), published and filed on January 18, 2013, on the proposed co-location of Democracy Prep Harlem Charter School (84M481) with Choir Academy of Harlem (05M469), Harlem Children's Zone Promise Academy II (84M341), and new district high school (05M157) in building M501 beginning in 2013-2014 (the "Original Proposal"); 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 Proposal via the Department of Education's (the "Department's") internet website and circulation of the notice of the Original 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; 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 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 Orignal Proposal; and

WHEREAS, such notice and public review process commenced on January 18, 2013, at least forty-five days in advance of the March 20, 2013 meeting of the Panel at which the Proposal came before the Panel for a vote; and

WHEREAS, in accordance with Education Law § 2590-h(2-a), after receiving public input, the Chancellor revised the Original Proposal and prepared and published a revised EIS on February 20, 2013, (the "Revised Proposal") which substantially revised the Original Proposal by changing the grades to be served by Democracy Prep Harlem Charter School in building M501 from ninth through twelfth to kindergarten through fourth; 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 and non-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 February 20, 2013, at least fifteen days in advance of the March 20, 2013 meeting of the Panel at which the Revised Proposal came before the Panel for a vote; and

WHEREAS, in accordance with Education Law 2590-h(2-a), the Chancellor held a joint public hearing on the Revised Proposal with the impacted school leadership teams at which all interested parties had an opportunity to present comments or concerns on the Revised Proposal, and to which the District 5 Community Education Council was invited; 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 Orginal and 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

WHEREAS, the Chancellor recommends that the Panel approve the Revised Proposal; and

WHEREAS, it is the desire of the Panel to approve the Revised Proposal; 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 Democracy Prep Harlem Charter School (84M481) with Choir Academy of Harlem (05M469), Harlem Children's Zone Promise Academy II (84M341), and new district high school (05M157) in building M501 beginning in 2013-2014.