Resolution Regarding Approval of the Revised Proposed Re-siting and Co-Location of an Existing Public Charter School, Explore Charter School (84K704), with an Existing Middle School, M.S. 002 (17K002), and a District 75 School (75K141, "P141K@I002K") in Building K002

WHEREAS, in accordance with Education Law § 2590-h(2-a), the Chancellor prepared an educational impact statement ("EIS") and building utilization plan ("BUP"), initially published and filed on March 1, 2011, on the proposed re-siting and co-location of an existing public charter school, Explore Charter School (84K704) ("Explore"), with an existing middle school, M.S. 002 (17K002) ("M.S. 002"), and a District 75 school (75K141, "P141K@I002K") in building K002 (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 Original 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 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 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 will 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 March 1, 2011, at least forty-five days in advance of the April 28, 2011 meeting of the Panel at which the Original Proposal was initially scheduled to come before the Panel for a vote; and

WHEREAS, in accordance with Education Law § 2590-h(2-a)(d-1), the Chancellor has held a joint public hearing on the proposal with the District 17 Community Education Council and the impacted school leadership teams 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), after receiving public input, the Chancellor revised the Original Proposal and prepared and published a revised EIS and revised BUP on April 12, 2011, such that the revised EIS includes more information on the after school programs that are offered by the Beacon program at K002 and includes additional information related to the use of shared spaces and the proposed shared space plan, and, in the revised BUP, the proposed shared space schedule has been adjusted, and the DOE has clarified the rationale for the amount of time that each co-located school is allocated in the shared space schedule (the "Revised 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 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 April 12, 2011, at least fifteen days in advance of the May 18, 2011 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 District 17 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 Revised Proposal may be obtained; and

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

WHEREAS, it is the desire of the Panel for Educational Policy 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 revised proposed re-siting and co-location of an existing public charter

school, Explore Charter School (84K704), with an existing middle school, M.S. 002 (17K002), and a District 75 school (75K141, “P141K@I002K”) in building K002.