Resolution Regarding Approval of the Proposed Phase-out of Performance Conservatory High School (12X262)

WHEREAS, in accordance with Education Law § 2590-h(2-a), the Chancellor prepared an educational impact statement, published and filed on December 20, 2010, on the proposed phase-out of Performance Conservatory High School (12X262) ("Performance Conservatory"); 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 proposed phase-out of Performance Conservatory; 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 phase-out; 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 December 20, 2010, at least forty-five days in advance of the February 3, 2011 meeting of the Panel at which the proposed phase-out of Performance Conservatory came before the Panel for a vote; and

WHEREAS, on January 27, 2011, the Department published an amended educational impact statement for the proposed phase-out of Performance Conservatory, which corrected typographical and formatting errors, corrected a utilization rate, included an explanation of the methodology for calculating such rates, corrected the anticipated grade spans of new school 12X511 over the next several years and clarified the "over-the-counter" enrollment process, but which did not revise or modify the proposal itself; 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 12 Community Education Council and the impacted school leadership team 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 phase-out of Performance Conservatory; 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 phase-out; a description of any changes to

the proposed phase-out as a result of the public comments; and information regarding where the full text of any approved proposed phase-out of Performance Conservatory may be obtained; and

WHEREAS, the Chancellor recommends that the Panel for Educational Policy approve the proposed phase-out of Performance Conservatory; and

WHEREAS, it is the desire of the Panel for Educational Policy to approve the proposed phase-out of Performance Conservatory; now therefore be it

RESOLVED, that in accordance with Education Law § 2590-g, the Panel for Educational Policy hereby approves the proposed phase-out of Performance Conservatory High School (12X262).