

Resolution Regarding Approval of the Revised Proposed Co-location of the New Visions Charter High School for the Humanities (84X553) and the New Visions Charter High School for Advanced Math & Science (84X539) with John F. Kennedy High School (10X475), Bronx Engineering and Technology Academy (10X213), Bronx School for Law and Finance (10X284), E.L.L.I.S. Preparatory Academy (10X397), Marble Hill High School for International Studies (10X477), and Bronx Theatre High School (10X546) in School Building X475

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 December 20, 2010, on the proposed co-location of the New Visions Charter High School for the Humanities (84X553) and the New Visions Charter High School for Advanced Math & Science (84X539) with John F. Kennedy High School (10X475), Bronx Engineering and Technology Academy (10X213), Bronx School for Law and Finance (10X284), E.L.L.I.S. Preparatory Academy (10X397), Marble Hill High School for International Studies (10X477), and Bronx Theatre High School (10X546) in School Building X475 (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 December 20, 2010, at least forty-five days in advance of the February 3, 2011 meeting of the Panel at which the Original Proposal was initially scheduled to come before the Panel for a vote; and

WHEREAS, on January 27, 2011, the Department published an amended educational impact statement for the Original Proposal, which corrected typographical and formatting errors, corrected a utilization rate, explained the methodology for calculating such rates, clarified the “over-the-counter” enrollment process and included certain room allocation totals, 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 10 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, the Panel approved the Original Proposal on February 3, 2011; 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 June 1, 2011, such that the EIS has been modified to include adjusted projected enrollment ranges for next year, updated estimated building utilization rates and clarified footnotes related to the same, enrollment data related to the 2010-2011 Audited Register, a further description of the impact of the co-location proposal on the community-based organizations (“CBOs”), the Young Adult Borough Center (“YABC”), the GED Plus (“GED Plus”) program, and the Learning to Work (“LTW”) programs, updated admissions information for the new charter high schools, the DBNs for the new charter high schools, updated information about the High School Admissions Process, clarified information about the proposed shared space schedule, and additional information on the other new high schools opening in the Bronx in September 2011, and the BUP has been revised in the following manner: the DOE has clarified the rationale for the amount of time that each school is allocated in each of the shared spaces during the 2011-2012 school year; the shared space schedule has been adjusted; additional tables have been inserted to clarify the total number of rooms in excess of each school’s baseline allocation; additional tables have been inserted to clarify the net change in rooms for each school from year to year; enrollment for the 2010-2011 school year is consistent with the 2010-2011 Audited Register; projected enrollment for the 2011-2012 school year is consistent with final enrollment projections for the same year; the number of sections/classes that each school is projected to serve in 2011-2012 and beyond has been included; the total number of indoor physical education spaces in X475 has been adjusted to include four gymnasiums, a weight room, an exercise/cardio room, and a dance room; the total number of student cafeterias in X475 has been adjusted to include the 4th floor cafeteria; the total number of half-size spaces occupied by community-based organizations in X475 has been adjusted to include F.E.G.S. Health & Human Services, which currently occupies 1 half-size space in the building; a typo, which incorrectly referenced the total number of half-size spaces in X475 as 28 instead of 31, has been corrected; and room allocations for each school have been adjusted in order to more accurately reflect the total full-size and half-size rooms in X475 (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 June 1, 2011, at least fifteen days in advance of the June 27, 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 10 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 co-location of the New Visions Charter High School for the Humanities (84X553) and the New Visions Charter High School for Advanced Math & Science (84X539) with John F. Kennedy High School (10X475), Bronx Engineering and Technology Academy (10X213), Bronx School for Law and Finance (10X284), E.L.L.I.S. Preparatory Academy (10X397), Marble Hill High School for International Studies (10X477), and Bronx Theatre High School (10X546) in School Building X475.