

**Resolution Regarding Approval of the Revised Proposed Co-location of a New Public Charter School, Brooklyn Success Academy (84K367), with Existing Schools Urban Assembly School for Urban Environment (14K330), Foundations Academy (14K322), a District 75 School (75K368) and an Alternative Learning Center in School Building K033**

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 January 14, 2011, on the proposed co-location of a new public charter school, Brooklyn Success Academy (84K367) (“Brooklyn Success”), with existing schools Urban Assembly School for Urban Environment (14K330) (“Urban Environment”), Foundations Academy (14K322) (“Foundations”), a District 75 School (75K368) (“P368K@I033K”) and an Alternative Learning Center (“ALC”) in School Building K033 (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 January 14, 2011, at least forty-five days in advance of the March 1, 2011 meeting of the Panel at which the Original Proposal came 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 14 Community Education Council and the impacted school leadership team 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 March 1, 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 May 26, 2011, such that the EIS has been modified as follows: the shared spaces in K033 were clarified; enrollment numbers for Foundations and Urban Environment, total building enrollment, building utilization, and demographic information were updated to reflect the 2010 Audited Register; Urban Environment’s enrollment projections for 2011-2012 and future years

was adjusted consistent with budget register projections; the 2014-2015 building enrollment and utilization rate was updated accordingly; a footnote about projections was added; P368K@I033K's projections was adjusted, its demographic data has been updated, and a footnote that explains that the data pertains to 75K368 as a whole was included; footnotes referencing incorrect years as sources were fixed; typographical errors were fixed; references to Brooklyn Success's application and lottery process were updated to include the dates on which applications were due and when the lottery took place; an incorrect reference that stated this proposal was temporary was removed; an erroneous reference to international and transfer schools was removed; and the status of the High School Admissions Process was updated, and the BUP has been revised in the following manner: the proposed shared space schedule was adjusted and the rationale for the amount of time that each co-located school was allocated in the shared spaces was clarified (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 May 26, 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 14 Community Education Council and the school leadership team 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 a new public charter school, Brooklyn Success Academy (84K367), with existing schools Urban Assembly School for Urban Environment (14K330), Foundations Academy (14K322), a District 75 School (75K368) and an Alternative Learning Center in school building K033.