Resolution Regarding Approval of the Revised Proposed Re-siting and Co-location of KIPP High School Grades with Existing Schools I.S. 195 (05M195), KIPP Infinity Charter School (84M336), and New Design Middle School (05M514) in Building M195

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 31, 2011, on the proposed re-siting of KIPP High School Grades with existing schools I.S. 195 (05M195) and KIPP Infinity Charter School (84M336), and new school (05M514) in building M195 for the 2011-2012 and 2012-2013 school years (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 31, 2011, at least forty-five days in advance of the March 23, 2011 meeting of the Panel at which the Original Proposal was initially scheduled to come before the Panel for a vote; and

WHEREAS, on March 16, 2011, the Department published an amended educational impact statement which corrected typographical errors, but which did not modify or revise the proposal itself; and

WHEREAS, in accordance with Education Law § 2590-h(2-a)(d-1), the Chancellor has held joint public hearings on the proposal with the District 7 Community Education Council and impacted school leadership teams and invited the District 5 Community Education Council to attend and 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 23, 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 projected enrollment

for I.S. 195 was conformed to budget register projections for 2011-2012; the total number of students projected to be served by all schools and the projected building utilization rate was adjusted; information about programs and partnerships at I.S. 195 and KIPP Infinity K-8 was included; more detailed information about New School was included, and the BUP has been revised in the following manner: the number of students that I.S. 195 was revised to reflect budget register projections for 2011-2012; the number of sections I.S. 195 will serve was revised, resulting in revisions to I.S. 195's baseline allocation of space in future years; the allocation of space between all school organizations was revised to reflect I.S. 195's increased baseline allocation; a dance studio that occupies one full-size classroom and is considered a shared space for the building was removed from the total number of rooms available to be allocated to the individual schools; a computer lab currently used by I.S. 195 was added to the total number of rooms available to be allocated to the individual schools; the timing of the construction to divide one double-sized classroom into two full-size classrooms was moved up to 2011-2012 instead of 2012-2013 and room allocations for 2011-12 were adjusted accordingly; 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 joint public hearings on the Revised Proposal with the District 5 and District 7 Community Education Councils 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 KIPP High School Grades with existing schools I.S. 195 (05M195), KIPP Infinity Charter School (84M336), and New Design Middle School (05M514) in building M195 for the 2011-2012 and 2012-2013 school years.