

Resolution Regarding Approval of the Revised Proposed Temporary Grade Expansion of the Co-Location of Harlem Success Academy 1 with P.S. 149 Sojourner Truth (03M149) and P811M (P811@M149/M207), a District 75 School, in M149/M207 for 2011-2012

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 10, 2010, on the proposed temporary grade expansion of the co-location of Harlem Success Academy 1 with P.S. 149 Sojourner Truth (03M149) and P811M (P811@M149/M207), a District 75 School, in M149/M207 for 2011-2012 (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 10, 2010, at least forty-five days in advance of the February 1, 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 3 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 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 31, 2011, such that the revised EIS includes the following modifications: current enrollment figures have been updated to reflect the 2010 Audited Register; projected enrollment for P.S. 149 has been updated to conform with final budget register projections for 2011-2012; the potential impact of a recently filed lawsuit on a related proposal concerning the re-siting and co-location of certain of HSA 1’s grades prior to the 2012-2013 school year has been included; the State Education Department’s approval of HSA1’s charter renewal and grade expansion has

been included; P811M's other sites have been identified; additional information concerning building capacity calculations has been included; additional information about the middle school choice process has been included; information about the HSA1 admissions and lottery priorities has been corrected; and additional information about school funding has been included, and the BUP has been revised in the following manner: formatting and typographical errors have been corrected; current and projected enrollment figures have been updated; the total number of rooms available to be allocated between the schools has been adjusted; room allocations have been adjusted; the number of gymnasiums in M149/M207 has been corrected; 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 proposed 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 May 31, 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 3 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 temporary grade expansion of the co-location of Harlem Success Academy 1 with P.S. 149 Sojourner Truth (03M149) and P811M (P811@M149/M207), a District 75 School, in M149/M207 for 2011-2012.