

Resolution Regarding Approval of the Proposed Revised Co-location of a New DOE School, P.S. 401 (23K401), and the Re-siting and Co-location of Leadership Preparatory Ocean Hill Charter School (84K775) with P.S. 332 (23K332) and an Alternative Learning Center (23K992) in School Building K332

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, 2011, on the proposed co-location of a new DOE school, P.S. 401 (23K401, “P.S. 401”), and the proposed re-siting and co-location of Leadership Preparatory Ocean Hill Charter School (84K775, “Ocean Hill”), with P.S. 332 Charles H. Houston (23K332, “P.S. 332”) and an Alternative Learning Center (K992, “ALC”) in Building K332 (“K332”) (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, 2011, 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 26, 2011, the Department published an amended EIS for the Original Proposal, which corrected typographical errors, adjusted projected enrollment ranges, clarified footnotes related to building utilization rates and capacity, included additional information related to the DOE’s Citywide Instructional Footprint, included data related to the 2010-2011 unaudited register, and deleted redundant language; 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 23 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 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 May 23, 2011, such that the revised EIS includes additional information related to the use of shared spaces and the proposed Shared Space Plan as described in the revised BUP attached to the revised EIS, and the BUP has been revised in the following manner: the room allocations for all school organizations have been adjusted in order to more accurately reflect the total full-size, half-size, and quarter-size rooms in the K332 building; 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 shared spaces under this proposal (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 23, 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 23 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 DOE school, P.S. 401 (23K401), and the re-siting and co-location of Leadership Preparatory Ocean Hill Charter School (84K775) with P.S. 332 (23K332) and an Alternative Learning Center (23K992) in School Building K332.