

**Resolution Regarding Approval of the Proposed Revision of the Building Utilization Plan for Building K258 Describing the Re-siting and Co-location of P140K@KAPPA V (75K140), a District 75 School, with Leadership Preparatory Bedford Stuyvesant Charter School (84K517) and an Alternative Learning Center (88K983) in Building K258 in 2012-2013**

WHEREAS, pursuant to Education Law § 2853(3)(a-3)(4) the Panel for Educational Policy has the power to approve revisions to Building Utilization Plans describing the allocation of space in school buildings in which one or more public charter schools are co-located with one or more district schools; and

WHEREAS, April 2, 2012, the Department of Education posted a proposed revised Building Utilization Plan for building K258, located at 141 Macon Street, Brooklyn, NY 11216, in Community School District 13 (the “Proposed Revised BUP”); and

WHEREAS, in accordance with Education Law §§ 2590-g(7) and (8), the Panel for Educational Policy undertook a public review process for review and comment on the Proposed Revised BUP;

WHEREAS, such review process included notice of the Proposed Revised BUP via the Department of Education’s internet website and circulation of the notice 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 Proposed Revised BUP; b) information regarding where the full text of the Proposed Revised BUP could be obtained; (c) the name, office, address, email and telephone number of the Department of Education representative from whom information concerning the Proposed Revised BUP could be obtained; d) the date, time and place of the meeting of the Panel at which the Panel will vote on the Proposed Revised BUP; and e) information on how to submit written or oral comments regarding the Proposed Revised BUP; and

WHEREAS, such notice and public review process commenced on April 2, 2012, more than forty-five days in advance of the May 23, 2012 meeting of the Panel at which the Proposed Revised BUP came before the Panel for a vote; and

WHEREAS, following the public review and comment period, the Panel made available to the public, including via the Department of Education’s internet web site, an assessment of all public comments concerning the Proposed Revised BUP; 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 Proposed Revised BUP; and information regarding where the full text of any approved Proposed Revised BUP may be obtained; and

WHEREAS, the Chancellor recommends that the Panel for Educational Policy approve the Proposed Revised BUP; and

WHEREAS, it is the desire of the Panel for Educational Policy to approve the Proposed Revised BUP; now therefore be it

RESOLVED, that in accordance with Education Law § 2590-g, the Panel for Educational Policy hereby approves the proposed revision of the Building Utilization Plan for building K258 describing the re-siting and co-location of P140K@KAPPA V (75K140), a District 75 School, with Leadership Preparatory Bedford Stuyvesant Charter School (84K517) and an Alternative Learning Center (88K983) in building K258 in 2012-2013.