



COMMUNITY EDUCATION COUNCIL DISTRICT 3

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Resolution on Rezoning in Community School District 3

Approved by Unanimous Vote by District 3 Community Education Council on December 15, 2010

Whereas, in response to massive overcrowding in the Southern end of District 3, the DOE established PS 452, a new K-5 elementary school in District 3 in the 2010-11 school year; and

Whereas, in accord with the Chancellors Regulation A-185, the DOE proposed extensive zone changes and methods for District 3, and there has been extensive PTA, PA and public comment which indicated a preponderance of opinion that at this stage the District only wanted a zone for PS 452, which would be created out of blocks formerly zoned into PS87 and PS199; and,

Whereas, the DOE has failed to provide a long term plan as to how they will accommodate existing and projected District 3 students and schools over the next 5 years,

Whereas, the DOE has not provided adequate transparency to the CEC and the community about its co-locations, re-locations, and overall district planning to undertake a desired district-wide rezoning evaluation;

Whereas, the DOE and CEC3 acknowledge that there will continue to be wait-lists after the zoning change - albeit smaller given this rezoning - which in the past have been the source of uncertainty and anguish to parents, because the wait lists have not been cleared until the opening of school;

Whereas, the DOE has stated that the proposed zone changes in District 3 shall not change zone lines north of the current PS 87 zone; and

Whereas, the DOE has stated unequivocally that current students and their siblings, whose catchment changes due to zone changes, will be grandfathered to their current school.

Whereas, the CEC recognizes the need to evaluate the potential for a broader rezoning of District 3 commencing in early Spring 2011;

Whereas, the CEC wants to ensure that the DOE supports via required enrollment and other policies the successful application of the District 3 magnet grant program

Now be it therefore:

Resolved, that the Community Education Council of District 3, as per "New York State Education Law 2590-e.11 Power and duties of community district education council. Each community council shall have the following powers and duties to. . . Approve zoning lines, as submitted by the superintendent, consistent with the regulations of the chancellor, applicable to schools under the jurisdiction of the community district." And be it further

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Resolved, that the Community Education Council of District 3, approves of the creation of a zone for PS 452 with boundaries as noted in this resolution and the accompanying map, Exhibit 1, that will be adequate in size to fill its 3 classes per grade to become effective immediately for the 2011-12 enrollment intake period; and be it further

Resolved, that at this time there will be no zoning changes north of the PS 87 zone, and that only 191, 199, 87, and 452 zones are to be changed; and be it further

Resolved, that current students and siblings residing in the affected zones be grandfathered with Priority 1 status in their current zone for Pre-Kindergarten and Kindergarten admissions; and be it further

Resolved, that siblings of the inaugural class at PS 452 (attending during the 2010-11 school year), will have Priority 1 status at PS 452; and be it further

Resolved, that there be a kindergarten cap at PS 452 (three classes) for the 2011-2012 school year, and that the kindergarten caps at PS 87 (six classes), PS 199 (six classes) be continued for the 2011-12 school year; and be it further

Resolved, that the DOE take steps and implement measures to conclude more promptly the elementary school lottery, and choice programs to alleviate waitlists in the district and expedite kindergarten enrollment; and be it further

Resolved, that notwithstanding the above enrollment priorities, and the application of enrollment and other policies required to ensure the successful implementation of the D3 Federal Magnet Grant program, the Chancellor's Regulations will be followed by District 3 schools to fill their seats in a timely fashion so as to avoid enrollment uncertainty; and be it further

Resolved, that CDEC3 accept a plan of limited zone line changes that creates a zone for PS 452 implemented with changes to the PS 87, PS 199 and PS 191 zone lines, namely

Effective for January 2011 kindergarten application period for the 2011-12 school year, in order to establish a zone for PS 452 and maintain a target annual enrollment of three (3) kindergarten classes at PS 452, the zone lines will be as follows:

From the Hudson River Shoreline east along the south side of W.78th Street to west side of Broadway. South down the west side of Broadway to the south side of W.77th St. Across the south side of W.77th St. to the west side of Amsterdam Ave. South down the west side of Amsterdam to W. 71th St. Skip over the north side of 71st to West End Ave. (the north side of 71th St. between Amsterdam and West End Ave. will remain in the PS 199 zone). Across the north side of W. 71st. St. from West End Ave to the Hudson River Shoreline.

The area beginning at the Hudson River Shoreline and the south side of W. 72nd St. east to the west side of Amsterdam. South down the west side of Amsterdam to W.71st St. East on the north side of W. 71st St. from West End Avenue to the Hudson River Shoreline (the north side of 71st St. between Amsterdam and West End will remain in P.S. 199). North along the Hudson River Shoreline to the south side of W.72nd St, the point of origin, will be zoned from PS 199 to PS 452.

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The area from the Hudson River Shoreline east along the south side of W.78th Street to west side of Broadway. South down the west side of Broadway to the south side of W. 77th St. Across the south side of W. 77th St. to the west side of Amsterdam Ave. south down the west side of Amsterdam to the north side of 72nd St. West along the north side of W. 72nd St. to the Hudson River Shoreline. North along the Hudson River Shoreline to the south side of W. 78th St., point of origin, will be zoned from PS 87 to PS 452.

Effective for January 2011 kindergarten application period for the 2011-12 school year, the PS 191 zone will be increased as follows to include:

The area beginning at the south east corner of W. 65th St. and Amsterdam east to Central Park West. South on Central Park West to W. 63rd St. West on W. 63rd St to Amsterdam. North to the south east corner of W. 65th St. and Amsterdam (including only the east side of Amsterdam from W. 64th to W. 65th), the point of origin, will be zoned from PS 199 to PS 191.

Resolved, that this constitutes the entire resolution, and in the event of a difference of opinion between the CEC3 and the DOE, this resolution shall govern.

EXHIBIT 1, DOE final zoning proposal map