



Proposed Third Amended and Restated Interlocal Agreement for Public School Facility Planning (TRILA)

Presented by: The Facility Planning and Real Estate Department
June 2017 – May 2018

➤ The purpose of today's presentation is as follow:

- Provide background information on public school concurrency (PSC), a brief history and past efforts to address PSC challenges
- Summarize the School Board of Broward County, Florida (SBBC) initiatives to address PSC challenges since adoption of the current Level of Service Standard (LOS) contained in the ILA
- Present proposed amendment of the current LOS to an Alternate LOS
- Seek your approval today of the Third Amended and Restated Interlocal Agreement for Public School Facility



WHAT IS PUBLIC SCHOOL CONCURRENCY?

- PSC is a growth management tool intended to ensure that necessary public school facilities are available to serve new development at the time development impact occurs
- Same concept applies to other public facilities such as roads, water, sewer, etc.
- Temporarily prohibits development from moving forward if public school facilities are not available or planned to serve the development at time of plat or site plan review, whichever comes first
- Developer can wait until school capacity becomes available in SBBC's 5 Year Capital Plan (i.e. The District Educational Facilities Plan (DEFP)); or proceed if proportionate share mitigation is offered and accepted by the School Board



KEY REQUIREMENTS OF PUBLIC SCHOOL CONCURRENCY

- Incorporate PSC provisions into the Interlocal Agreement for Public School Facility Planning (ILA) and the Public School Facilities Element (PSFE) of each local government's comprehensive plan
- Establish Concurrency Service Areas (CSAs), which are the geographic areas established to assess the impact of new development
 - In Broward, the CSAs are the elementary, middle and high school attendance boundaries
- Adopt a Uniform District-wide Level-of Service Standard
 - Initially in 2008, the LOS was adopted as 110% of permanent Florida Inventory of School Houses (FISH) capacity for each school level (FISH is the term used to describe capacity in Florida traditional public schools)
 - In 2010, ILA was amended to (temporarily) modify the LOS to 100% of gross capacity (with relocatable classrooms) until the end of the 2018/19 school year; and commencing at the 2019/20 school year, the LOS reverts back to 110% of permanent FISH capacity


NOTE: If the ILA is not amended, it will lead to more school boundary changes to meet LOS obligations

Must achieve and maintain the adopted LOS (school by school) within the 5 year period covered by the Adopted DEFP




WHAT IS THE LEVEL OF SERVICE STANDARD?

- Refers to the standard at which a public school facility is expected to operate based upon the “capacity of the facility”
- Expressed as the percentage or ratio of student enrollment to the student capacity of the school
- Level of Service Standard in 2019/20 under the current ILA = 110% permanent FISH capacity



Student Enrollment
2,000

/
(divided by)



Capacity
1,800

= 111%

Meet LOS of 110%?

NO




Example of LOS Standard

LOS
100% gross
capacity



Student
Enrollment
2,239

-

Gross Capacity 2,239

 Permanent Capacity 1,319

+

 Relocatable Capacity 920

=



0 Students must be
moved to meet LOS

LOS
110%
permanent
capacity


Student
Enrollment
2,239

-

Permanent Capacity 1,319



+

10% (132 student stations)
= 1,451

=


788 Students must
be moved to meet
LOS



Adopted LOS - History & Context of Last ILA Amendment

➤ To address LOS deficiencies, three available options are as follows:

- Possibly build new capacity
- Possibly change school boundaries
- Possibly modify public school concurrency system through an amendment of the ILA

➤ 2010- Second Amendment of the ILA

- Domino boundary changes were looming to address LOS deficiencies due to:
 - Financial crisis of the Great Recession
 - Declining enrollment trends which created excess capacity Districtwide and prevented the use of state funds to build and add capacity to the system
- To address the deficiencies, the ILA was amended to allow the use of relocatable capacity to count towards LOS for a specified period to allow incremental adjustments to school boundaries that would be less disruptive
- Community feedback during amendment process to allow relocatables to count as capacity for PSC exposed a competition for resources to address overcrowding in the western portion of the county and under-enrollment/performance and lack of investment in the older eastern communities



School Board Actions to Maximize Resources, Student Enrollment and Capacity

- **Comprehensive Relocatable Plan, GOAL:** To actively assess the condition of relocatables in District inventory and to reduce excess capacity
 - Actively inspect inventory of relocatables to assess conditions and identify units to be disposed of when they are no longer needed and do not meet appropriate standards
 - Dedicated funding to support disposition effort
 - Investment in the construction of covered walkways at useful relocatables
 - Donation of unneeded relocatables to interested recipients via a donation agreement
 - Annual process integrated into the DEFP

- **Student Success Opportunity Schools (SSOS), GOAL:** To improve the educational options and create efficiencies
 - Reviews the performance of schools utilizing a variety of criteria, such as student academic performance (as indicated by FCAT scores), school enrollment, climate, facilities and other local factors
 - Provides an opportunity for the District to work with parents, students, staff and community members to discuss the potential educational options available for students that are sustainable and promote increased achievement
 - Previous SSOS participation includes 9 elementary, 3 middle and 1 high schools
 - Programmatic solutions - Example: Dr. Martin L. King, Jr. Montessori Academy
 - School configurations solutions – Example: Gulfstream Academic at Hallandale Beach K-8



School Board Actions to Maximize Resources, Student Enrollment and Capacity

- **General Obligation Bond (GOB), GOAL:** To provide critically needed funding to enhance students' learning environments by investing in existing school facilities.
 - \$800 million in local revenue approved by Broward voters to be used to address maintenance and upgrades to all existing schools
 - Needs assessed and prioritized by outside consultant based on an objective methodology
 - Includes classroom additions (only) at Falcon Cove Middle, Cypress Bay and Flanagan High Schools that will result in construction to upgrade existing relocatable capacity to permanent capacity
- **School Board Policy 5000, GOAL:** to balance student enrollment
 - School Boundary changes driven by LOS, Class Size Reduction, SSOS and Community Interests
 - Limiting reassignments and magnet enrollment at schools over their FISH capacity
 - In the school years following the last ILA amendment (2010), the School Board has approved 41 school boundary changes



Why we need to change the LOS

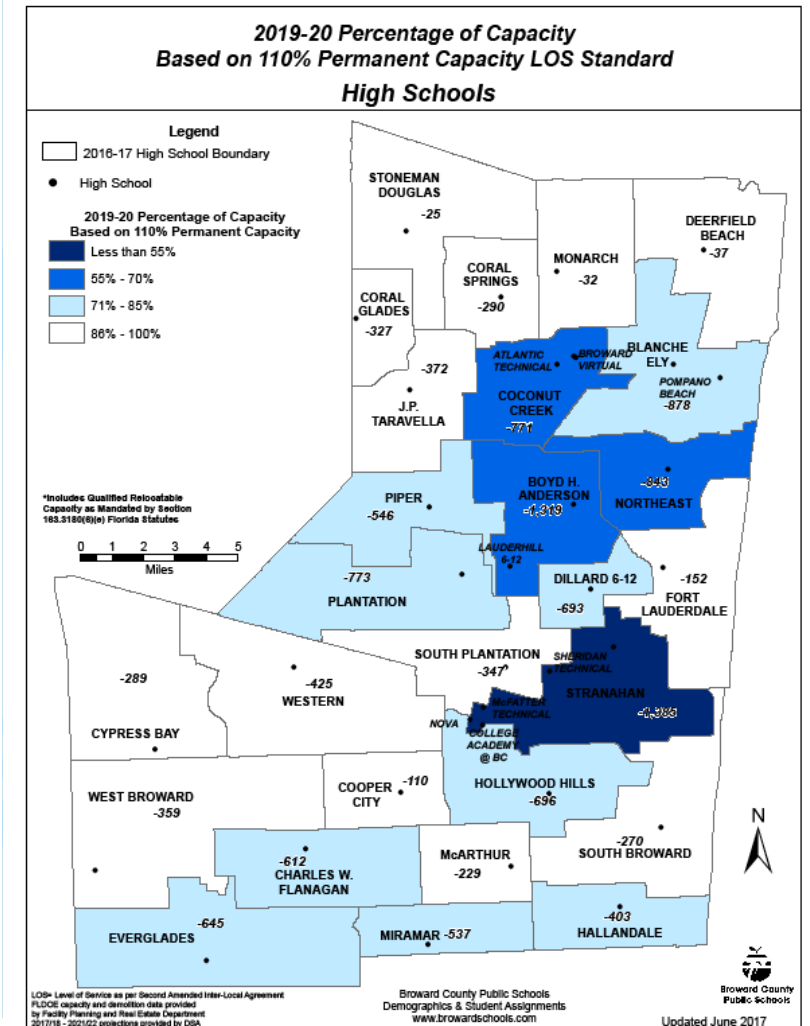
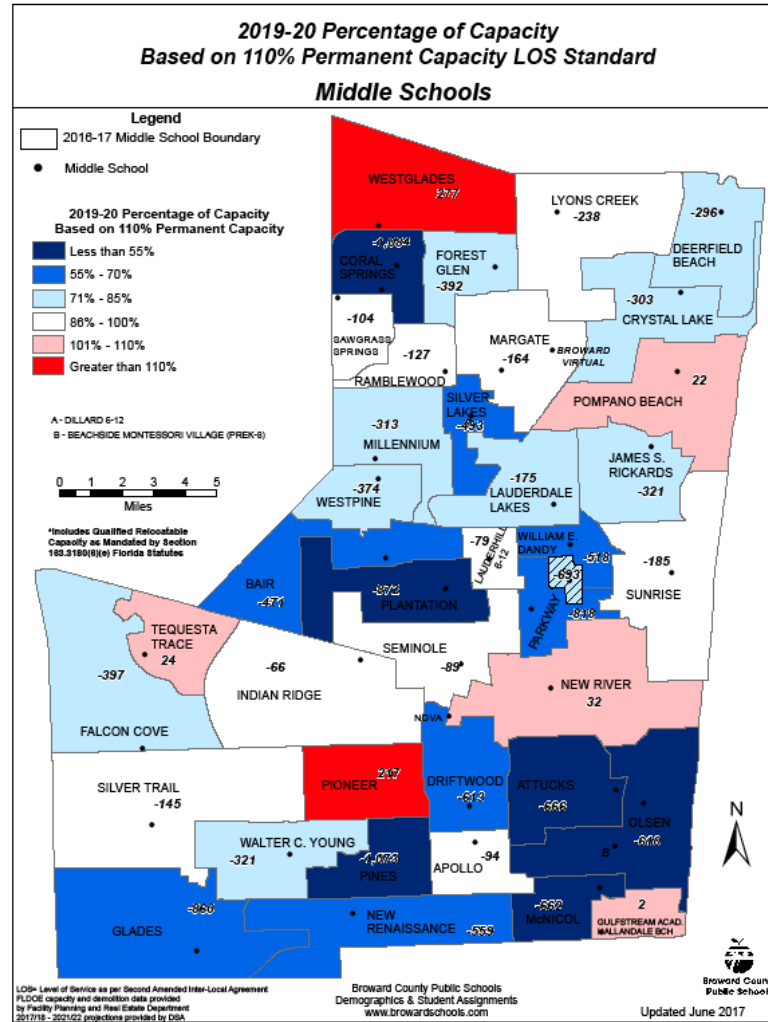
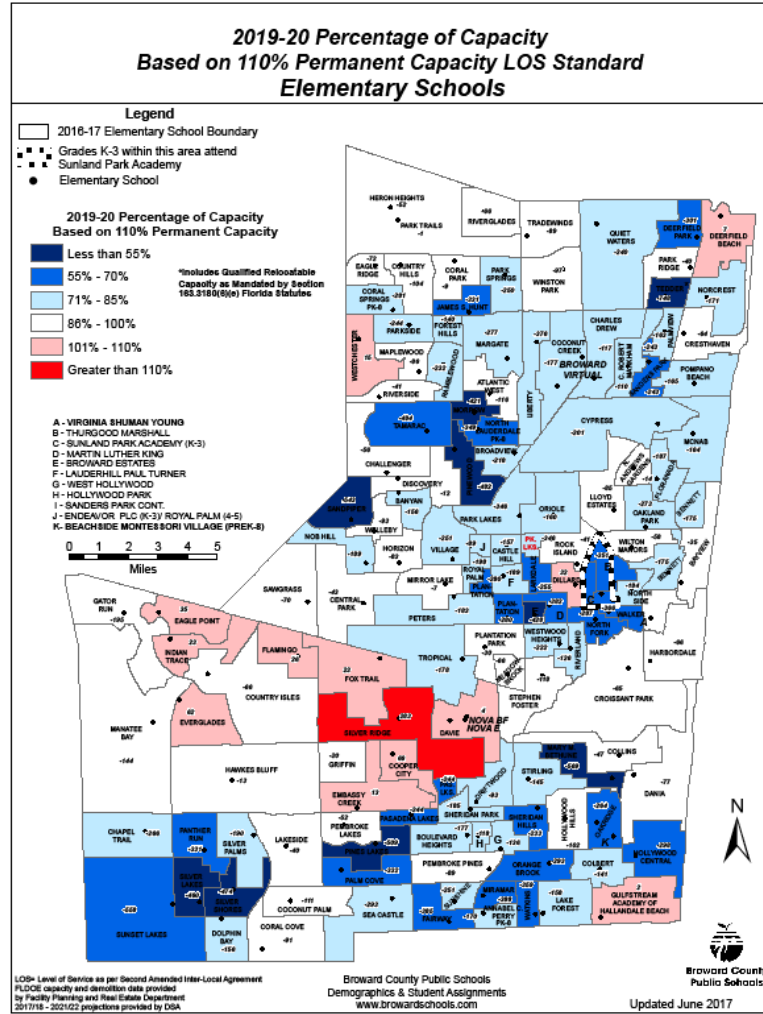
- Proliferation of parent choice and charter schools since the last amendment of the ILA have made school boundary changes less effective
 - School boundary changes no longer work to shift enrollment
 - School boundary changes destabilize communities and lead to a net loss of student enrollment from traditional public schools to charter and private schools
 - Legislature continues to pass legislation to expand school choice

NOTE: If the ILA is not amended, it will lead to more school boundary changes to meet LOS obligations

- School District cannot build new capacity with State funds
 - Existing excess Districtwide capacity must first be utilized before state funds can be authorized to construct additional capacity



School Boundary Implications Under Current ILA



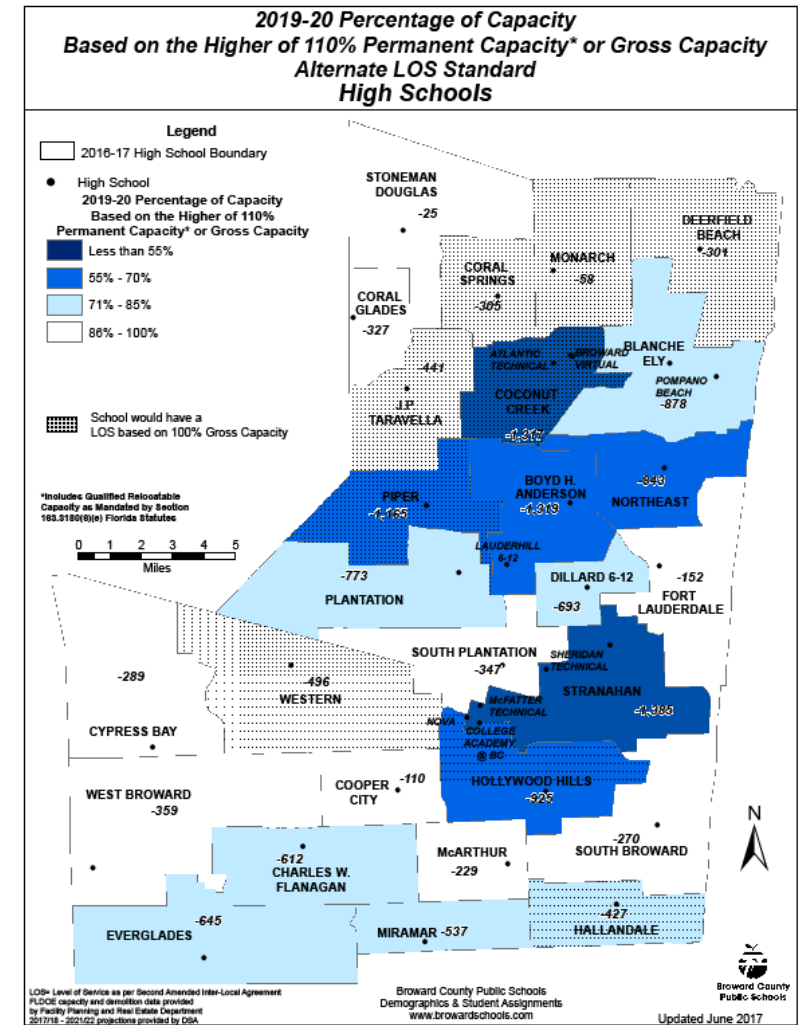
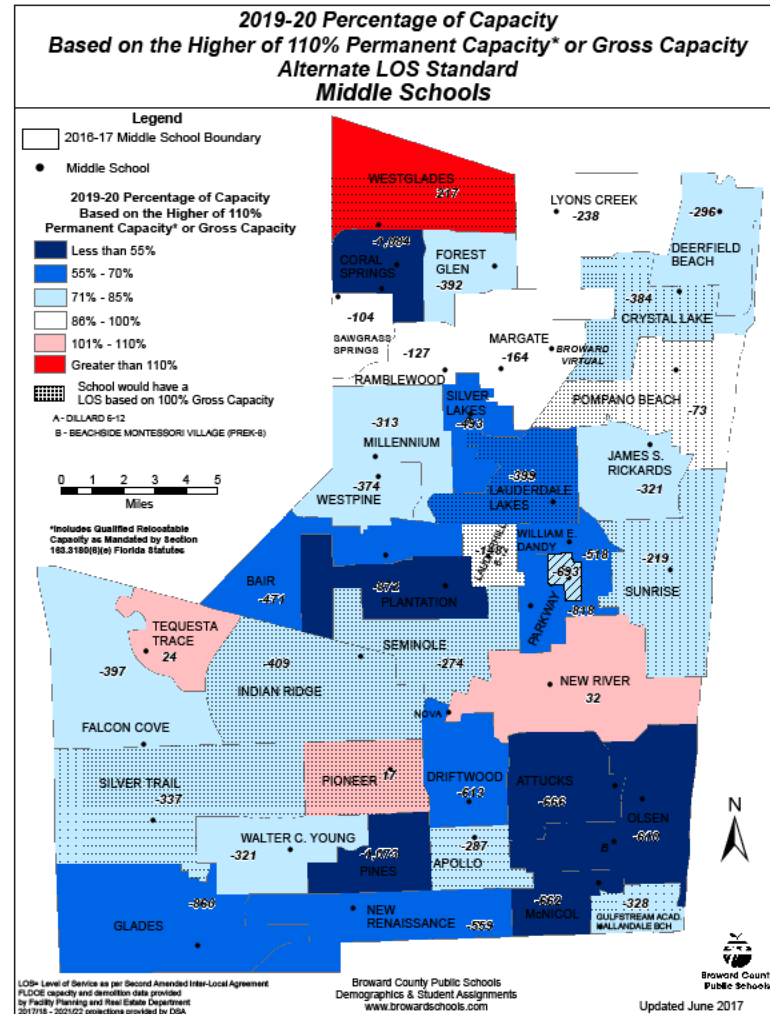
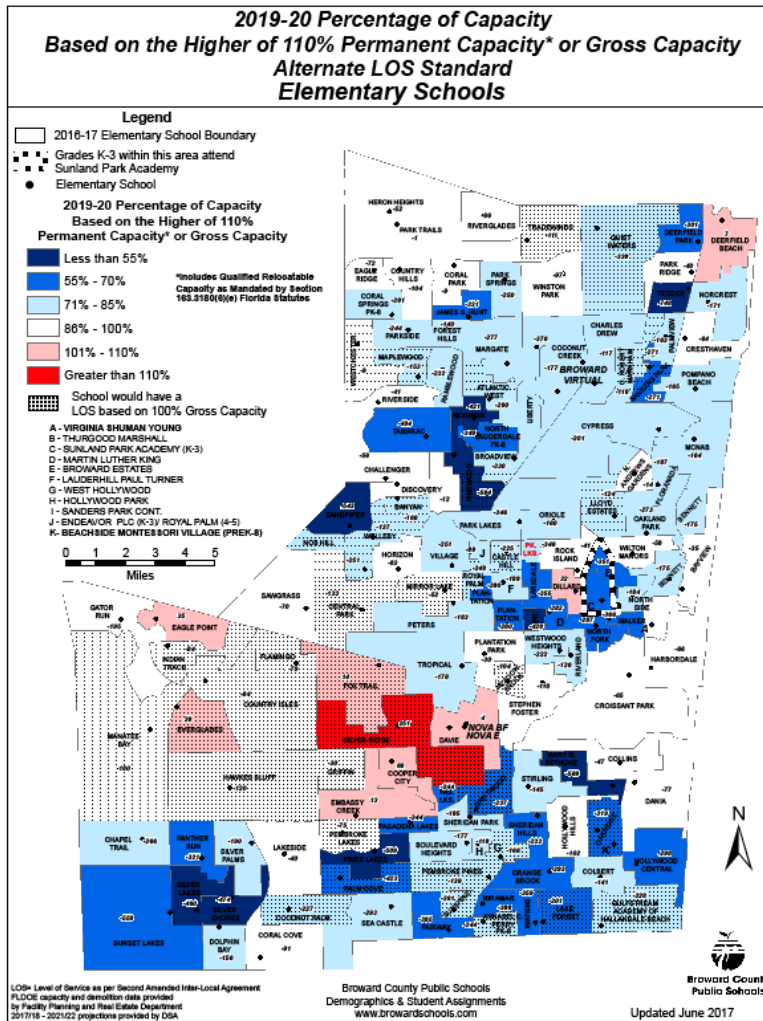
110% PERMANENT LOS - IN 2019/20

Proposed Alternate LOS

- Implement the LOS at the higher of: 100% gross capacity (including relocatables) or 110% permanent capacity
 - based on the type of capacity available onsite
- Meets statutory requirement for a uniform LOS for all schools of the same type
 - Florida Department of Education and Department of Economic Opportunity concur that Section 163.3180(6), Florida Statutes (F.S.), provides for a school district and its partner local governments to define school types in the manner that reflects local conditions for the purpose of establishing uniform, districtwide level-of-service standards for public schools of the same type
 - School Type will be determined by the existing onsite conditions (permanent capacity and/or relocatable capacity)



Community Impact of Proposed Alternate LOS



BENEFITS OF PROPOSED ALTERNATE LOS

- Allows flexibility for an LOS that recognizes a school's existing capacity conditions
- Avoids boundary changes that would be necessary to meet public school concurrency requirements at campuses with relocatables onsite
- Maintains the integrity of community/neighborhood schools and supports the concept of schools as focal points of communities
- Recognizes more capacity to support residential development while maintaining maximum thresholds to protect educational needs
- Maintains opportunity to obtain proportionate share mitigation or to deny proposed residential development applications when there is no school capacity



COMPARATIVE LOS ANALYSIS

LOS Standard	No. Schools Not Meeting LOS		No. Student Stations Over LOS		No. of Classrooms Needed to Meet LOS	
100% Gross Capacity	Elem	24	Elem	1,276	Elem	82
	Middle	5	Middle	381	Middle	20
	High	4	High	358	High	15
	Total	33	Total	2015	Total	117
110% Permanent Capacity * Includes capacity from qualified relocatables as mandated by 163.3180(6)(e), F.S.	Elem	13	Elem	590	Elem	39
	Middle	5	Middle	571	Middle	28
	High	0	High	0	High	0
	Total	18	Total	1,161	Total	67
Alternate	Elem	9	Elem	451	Elem	28
	Middle	4	Middle	290	Middle	13
	High	0	High	0	High	0
	Total	13	Total	741	Total	41



CURRENT STATUS AND NEXT STEPS

➤ Current Status

- Staff Working Group (SWG) voted to recommend support of the Third Amended and Restated ILA at the March 2017 meeting
- Oversight Committee recommended support of the Third Amended and Restated ILA in April 2017
- June 2017 Regular School Board Meeting, SBBC slated to consider/approve Third Amended and Restated ILA

➤ Next Steps

- August 2017 – May 2018: Present and seek formal approval of Third Amended and Restated ILA at Broward County & Municipal Public Meetings
- The County and the School Board, and at least seventy-five percent (75%) of the Municipalities which include at least fifty percent (50%) of the population within Broward County (a minimum of 21 out of the 27 Municipalities) must approve the proposed amendment to become effective
- Upon the requisite approvals, the County and Municipal Signatories must amend their Comprehensive Plans and Land Development Regulations to be consistent with the new provisions of the Third Amended ILA. Also, SBBC must amend School Board Policy 1161



Facility Planning and Real Estate

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