

Questions and Answers Regarding the Proposed Second Amended Interlocal Agreement for Public School Facility Planning

1. *Portables in some schools in the cities are very old, are not in good condition; meanwhile the Board plans to put students in such facilities; explain why?*

All portables are inspected annually and are refurbished, if required and if practical. No student would be placed into a portable that did not meet standards. Additionally, numerous parents have indicated that they would prefer to have their children educated in portable facilities than be subjected to school boundary change.

2. *How will the amendments proposed in the Second Amended Interlocal Agreement for Public School Facility Planning (ILA) benefit schools in the cities?*

At the minimum, the benefits regarding amendment of the adopted level of service standard (LOS) from 110% permanent FISH capacity to 100% gross capacity are as follows:

- a. Avoids having to bus students directly past their current school campus that has appropriate student stations in portables that meet all state and local standards that could be used if the ILA allowed the use of 100% gross capacity. The current ILA does not allow the school district to count the student stations in portables currently on any school campus.
- b. Avoids **future massive** domino boundary changes that would be necessary to meet public school concurrency requirements.
- c. Means fewer schools and significantly fewer students would be subject to boundary changes.
- d. Maintains the integrity of community/neighborhood schools and supports the concept of schools as focal points of communities.
- e. Saves the School Board critical funds as a result of not having bus additional students due to boundary changes.
- f. Enhances safety of our children due to less children traveling to school on buses each day.
- g. Enhances maximum utilization of capacity at each school site as directed by Chapter 163.3180, Florida Statutes.
- h. Currently, the School Board utilizes portables to meet the constitutional class size reduction requirement, but current language in the Amended ILA prevents the Board from utilizing portables to meet the adopted LOS. However, the proposed amendment will enable the Board to utilize portables to meet the adopted LOS.
- i. All District elementary, middle and high schools will have a new and the same five-year deadline (school year 2014/15) to meet the adopted LOS. Currently some schools must meet the LOS deadline as early as 2010/11 or in 2012/13 or 2013/14. Therefore, all schools will get an extension of time if the new ILA is adopted.

Also, the other proposed amendments to the Amended ILA would enhance the intergovernmental coordination between the School District and local governments regarding implementation of pertinent provisions of the Agreement.

3. *Why are unused portables still at school sites?*

Currently, there are no available funds to move portables. Unused portables will remain at the current site until there is such need to move them. Each move could cost the district approximately \$60,000 depending on each site, so unless there is a need for portables to be moved to meet class size reduction or another state mandate, the district will not incur these expenses in these tight budget times.

4. *How will the amendments proposed in the Second Amended ILA help maintain the integrity of neighborhoods?*

The integrity of the neighborhoods would be maintained because more students will have the ability to continue to attend their current schools closest to their neighborhoods.

5. *How has public school concurrency changed since initially implemented?*

The implementation of public school concurrency has not changed since initially implemented in 2008. However, the adopted Five-Year District Educational Facilities Plan (DEFP) has drastically changed because most of the permanent capacity additions (planned new schools or new classrooms) that were anticipated to be relied upon in over crowded communities to meet public school concurrency requirements and the adopted LOS have been eliminated from the DEFP due to the requirements of the 2008 State Plant Survey.

6. *What happened to the expanded concurrency service model, and are there large number of existing portables that are not counted in the Florida Inventory of School Housing (FISH) formula?*

Upon further analysis of the model, the stakeholders involved in the examination of the various options felt that the expanded concurrency service model was not a viable option, and the School Board concurred with their position. Also, all District portables are counted in F.I.S.H. by the state. In contrast, they are not allowed to be counted in the current Amended ILA.

7. *Explain the apparent discrepancy to the claim that the amendments proposed in the Second Amended ILA would reduce the need for boundary changes while also stating that the proposal would not prevent boundary changes for educational purposes.*

One of the benefits of the amendments proposed in the Second Amended ILA is that **fewer schools and significantly fewer students** would be subject to boundary changes; hence the reduction in boundary changes. However, some boundary changes may still need to take place to comply with educational mandates such as the constitutional class size reduction requirement.

8. *Are there assurances that the amendments proposed in the Second Amended ILA, if adopted, would not limit funds that would otherwise be directed towards improvements to aging facilities?*

The key element of the amendments proposed in the Second Amended ILA regards changing the adopted LOS from 110% permanent FISH capacity to 100% gross capacity, which would authorize the use of portables to meet the adopted LOS. Thus, if adopted, would not limit

funds that would otherwise be directed towards improvements to aging facilities. It should be noted that on the most part the Second Amendment would enable the portables that are already onsite to be counted towards LOS. In fact, the massive domino boundary changes that would be necessary to comply with the current ILA requirements would increase transportation costs to the District. Therefore, by not implementing these boundary changes, critical monies that would have been spent to transport students to their new assigned schools as a result of the boundary changes would become available for other critical needs in the District.

9. *Name municipalities that are currently not part of the Amended ILA.*

Currently, the municipalities that were granted exemption from public school concurrency and are therefore not parties to the Amended ILA include the Cities of Hillsboro Beach, Lighthouse Point, and Sea Ranch Lakes. The Village of Lazy Lake is currently not a party to the Amended ILA, nor has it applied to the State for exemption from being a party to the Agreement.

10. *Will the amendments proposed in the Second Amended ILA bring more portables into schools in the cities?*

If the Second Amended ILA is approved, as necessary, the specific number of portables needed to ensure that certain schools meet future LOS deadlines may be brought into such schools for that purpose. It should be noted that such exercises will be conducted as needed only during the timeframe specified in the Second Amended ILA for the use of portables.

11. *What problems will cities face if the Second Amended ILA is not amended and approved?*

The community would be affected by the **massive domino boundary** changes that would be planned in the fall of 2010 to ensure that District elementary, middle and high schools meet their adopted LOS deadline in the following years.

12. *How do the amendments proposed in the Second Amended ILA affect schools when they reach their maximum permanent capacity; more portables on school sites?*

The related amendment proposed in the Second Amended ILA is to ensure that in such scenarios and as feasible, primarily, existing portables on the school site rather than a change to school boundaries would be used to enable the school meet its LOS deadline.

13. *Could amendments proposed in the Second Amended ILA pose a problem for cities in the future due to the availability of excess capacity in the portables?*

No, because such excess capacity will readily be available to meet future growth in such cities.

14. *Can portables that are currently unused on sites be put into use without renovations to the portables?*

Yes, all District portables meet standards for usage.

15. *As proposed in the Second Amended ILA, can some cities extend the sunset deadline regarding the use of portables beyond 2018?*

No, because language in the Second Amended ILA requires that the adopted LOS would revert back to 110% permanent FISH capacity in the 2019/20 school year. Therefore, any extension for the use of portables beyond year 2018 would require an amendment to the ILA.

16. *Could charter schools be authorized for construction even though excess capacity exists in the District's schools and the School Board is under directive not build new schools or add permanent capacity due to the excess capacity?*

Chapter 1002.33, Florida Statutes governs charter schools. Upon review of provisions in the Chapter and feedback from the Director of the District's Charter School Support Department, conclusions are that there are no provisions in Florida Statutes that prohibits any person or entity from applying to open a new charter school, even while excess capacity exists at the District's schools and the School Board is under directive not to build any additional permanent capacity due to the excess capacity. Information on charter schools could be obtained at: http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch1002/SEC33.HTM&Title=->2009->Ch1002->Section%2033#1002.33

17. *What are the potential issues of Amendment Four (Hometown Democracy) on comprehensive planning relative to the Amended ILA?*

Amendment Four as currently proposed would primarily affect the land use plan amendment (LUPA) process, and could secondarily affect the number of LUPA applications that become plats or site plans. As such, if Amendment Four passes, it could significantly affect the level of development in Broward County regardless of whether the ILA is amended.

18. *What is the total estimated cost to the School District for moving portables in order to meet level of service standard (LOS) at District schools?*

Currently, it costs the District approximately \$60,000 to move portables to another school site. However, data regarding the total estimated cost to move portables are not currently available because thus far, portables have not been moved to meet the adopted LOS.

19. *What is the minimum threshold of students necessary for schools to maintain full programming and equitable academic standards? Equity issues need to be considered that might require movement of students from overcrowded schools to under enrolled schools in order to achieve full programming. Additionally, it is suggested that Florida Inventory of School Housing (FISH) numbers and program capacity numbers be merged into a congruent formula.*

The state required standards for all educational academic programs are the Sunshine State Standards for each of the curriculum content areas. Equitable academic standards are defined in the Sunshine State Standards by providing what each child should know and be able to do at each grade level, not by the definition of the Florida Inventory of School Housing (FISH) or defined space at each school site. No matter how many student stations a school has, or how many students are in those identified student stations, the state as well as the School Board of Broward County still requires every

school to meet the Sunshine State Standards and provide equitable programs at every school.

20. *What future considerations are being made so that the Amended ILA would still be relevant as needs change and enrollment and funding turns around?*

The Amended ILA and its related mechanisms are structured to address relevant changes, funding issues and student enrollment projections. However there is no guarantee that another amendment to the ILA would not become necessary at some point in the future, especially if new laws are passed that would necessitate amendment to the Agreement.

21. *Are the amendments proposed in the Second Amended ILA a temporary or long-term fix?*

As it relates to LOS challenges, the Second Amended ILA would provide temporary relief. The proposed change in the adopted LOS from 110% permanent FISH capacity to 100% gross capacity would authorize the use of portables to meet the adopted LOS until the 2018/19 school year. It is anticipated that during the interim years, the School Board would implement as necessary, incremental boundary changes as needed, a new five year State Plant Survey will be conducted, enrollment changes will occur as the economic hardship decreases and families would gain stable footing and be on their own again rather than multiple families living in one residence as the District is now seeing and the Haitian immigration into schools stabilizes. However, the secondary changes proposed in the Second Amended ILA regarding timeframes and processes would provide long-term solutions to enhance the intergovernmental coordination between the School District and local governments in the ongoing implementation of pertinent provisions of the Agreement.

22. *Are there any state laws that prohibit the replacement of portables with permanent capacity?*

There are no state laws that prohibit the replacement of portables with permanent capacity. However, the School Board of Broward County current Five-Year District Educational Plant Survey as approved by the Florida Department of Education (DOE) does not permit any new permanent capacity construction.