

PUBLIC SCHOOL CONCURRENCY

A Coordinated Process For Community
Development & Public Education Planning



■ **What is Public School Concurrency?**

- Public School concurrency is based on the premise that public school facilities must be available to accommodate students from new residential developments at the time the housing is occupied
- The same concept applies to other types of public facilities such as roads, parks, sewer and water to support new residential developments
- The concept of concurrency is required by Florida Law



Key Requirements of Public School Concurrency

- Signing of an Interlocal Agreement (ILA) between the School Board, Broward County and its Municipalities to establish public school concurrency provisions
- Expanding local government comprehensive plans to include a public school facilities planning section
- Adopting a uniform adequate operational capacity standard (level of service standard) for schools that must be supported through the funding contained in the District's Adopted 5-Year Work Plan
- The operational capacity must be assessed for each school level boundary (elementary, middle and high) when impacted by a proposed residential development

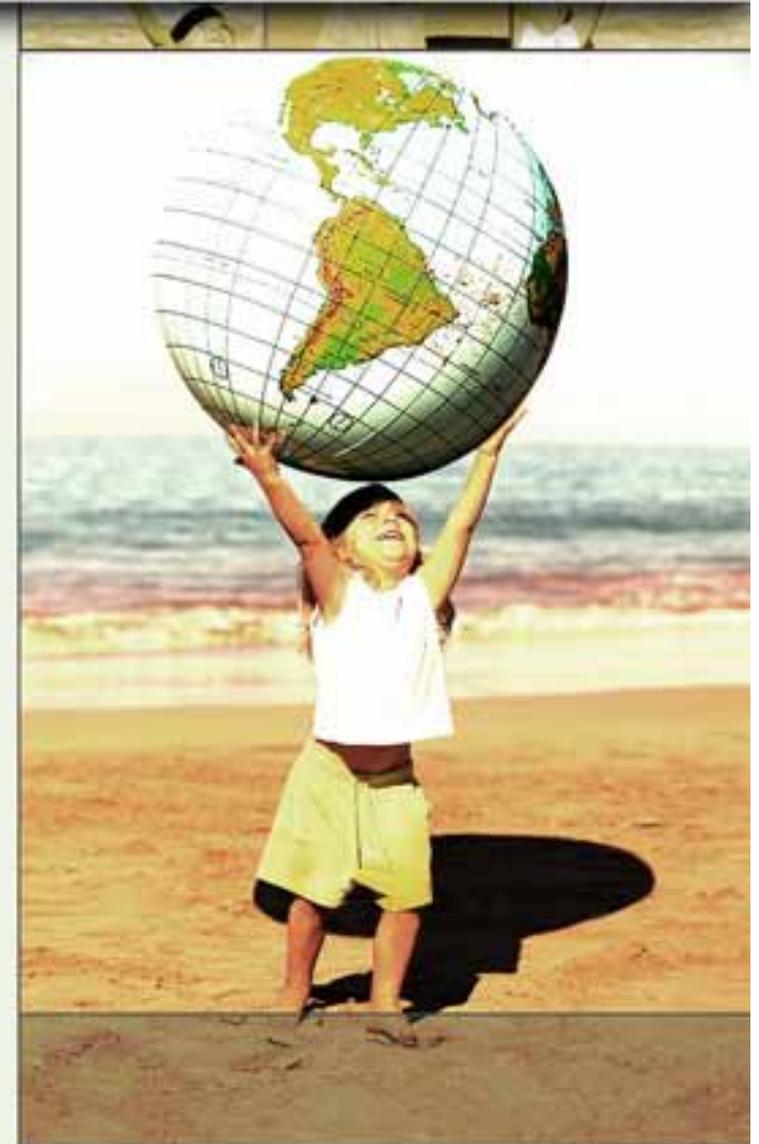


Purpose

- Realize the benefits of closely coordinating land use and school facilities planning
- Better coordinate the availability of capacity at school facilities in time and location with residential development occupancy
- Determine if a developer must pay to mitigate the development's impact on the school in order for the development to proceed
- Take advantage of existing infrastructure in planning new schools, including roads, water, sewer and park facilities

Purpose

- Require Intergovernmental Coordination between local governments and the School Board to ensure:
 - Safe student access to public school facilities
 - Coordination between the School Board and local governments regarding the siting of new public school facilities
 - The provision of infrastructure to support new public school facilities
 - The location of new public school facilities adjacent to parks, ball fields, libraries, community facilities, etc.



Agreement Participants

- **The School Board of Broward County, FL**
- **Broward County**
- **City Commissions or Town Councils of the Cities and Towns of**
 - **Coconut Creek, Cooper City, Coral Springs, Dania Beach, Davie, Deerfield Beach, Fort Lauderdale, Hallandale Beach, Hollywood, Lauderdale-By-The-Sea, Lauderdale Lakes, Lauderhill, Lazy Lake, Margate, Miramar, North Lauderdale, Oakland Park, Parkland, Pembroke Park, Pembroke Pines, Plantation, Pompano Beach, Southwest Ranches, Sunrise, Tamarac, Weston, West Park and Wilton Manors.**



A photograph of a person in a brown suit and tie, holding a round white clock with black numbers and hands. The clock shows a time around 11:55. The person's face is obscured by the clock.

Joint Responsibilities of the Parties

- Sharing of information regarding:
 - County and Municipal population projections
 - Student population projections
 - Development trends
 - Siting of new schools
- Regularly scheduled meetings to address growth issues and the planning for public school facilities
- All parties must ensure the establishment and maintenance of the operational capacity for each elementary, middle and high school



District Responsibilities

- School Board's Five Year Capital Plan annually prepared, updated and adopted must reflect enough capacity additions to maintain the adopted operational capacity at each elementary, middle and high school
- Review proposed residential development applications and recommend approval or denial based on availability of school capacity
- Accept or reject mitigation proposals from developers whose projects impact overcrowded schools

County and Municipal Responsibilities

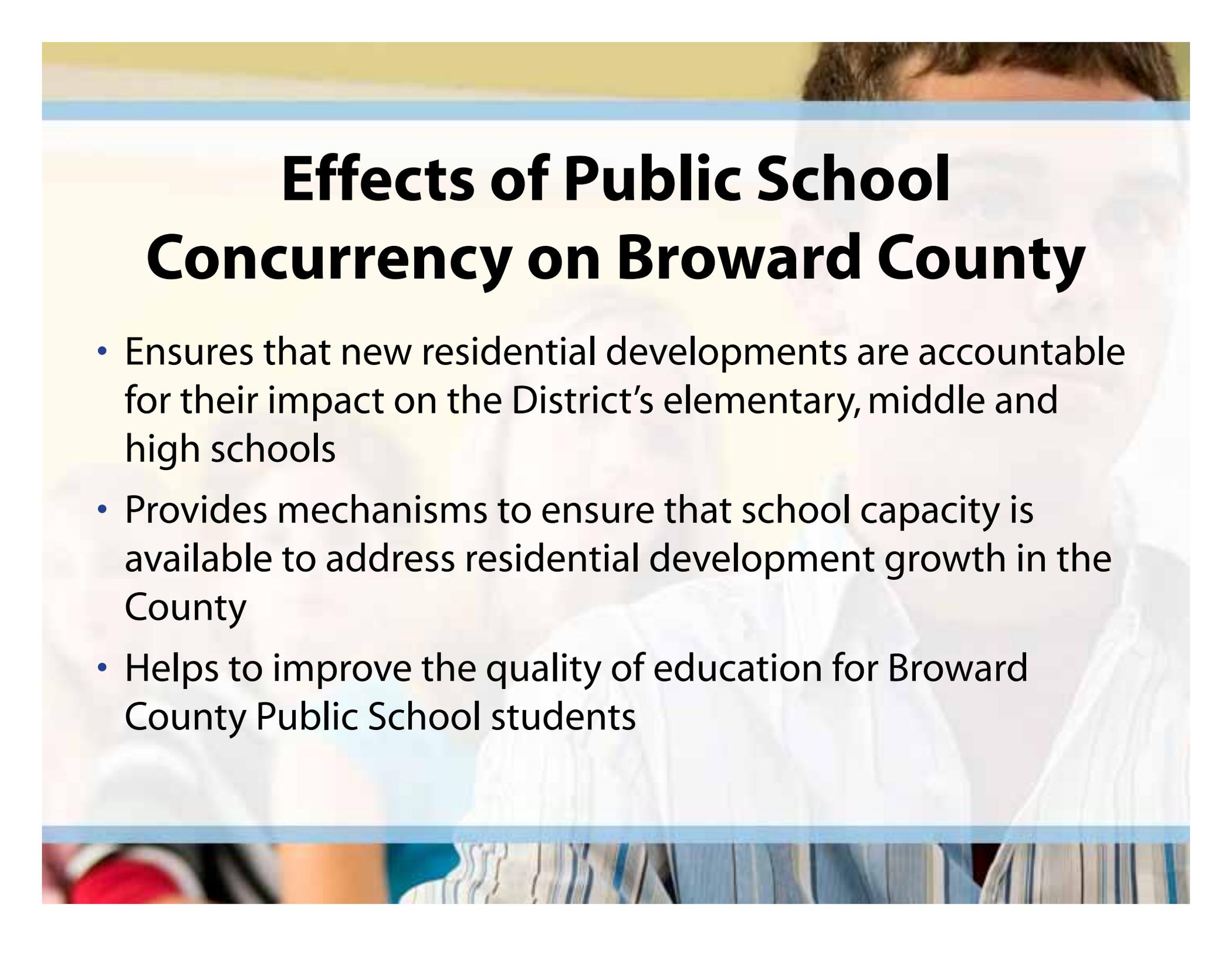
- Ensure submittal of residential development applications to the District for review on a timely basis
- Ensure approval or denial of residential development applications are based on School District recommendations
- Provide information to the District regarding the approval or denial of development applications to ensure the reservation of needed student station capacity



A person wearing a red and white patterned shirt is standing in front of a large grid with numbers. The grid contains various numerical values such as 67.33, 66.47, 65.49, 38.97, 14.61, 14.2, and 32.7. The background is a yellowish-gold color.

Implementation Mechanisms

- A technical group (Staff Working Group) consisting of the School Board, County and Municipal staff that meets and implements provisions of Interlocal Agreement (ILA)
- A 15-member Oversight Committee consisting of elected officials (including School Board Members) and appointees that oversee implementation of the ILA
- An appeal process to resolve disputes that may arise from implementation of the ILA



Effects of Public School Concurrency on Broward County

- Ensures that new residential developments are accountable for their impact on the District's elementary, middle and high schools
- Provides mechanisms to ensure that school capacity is available to address residential development growth in the County
- Helps to improve the quality of education for Broward County Public School students

Questions About Public School Concurrency

- Please contact the School District's Growth Management Department at 754-321-2177.
- Frequently Asked Questions (FAQs) regarding public school concurrency have been incorporated as an addendum for additional information.

NOTE: The FAQs may be periodically updated and can be accessed at:

<http://www.broward.k12.fl.us/propertymgmt/>



FREQUENTLY ASKED QUESTIONS AND RESPONSES REGARDING PUBLIC SCHOOL CONCURRENCY

General Questions

Question No. 1: Isn't it too late for public school concurrency?

It is true that Broward County is close to built out, and that public school concurrency may have a greater impact in counties that are experiencing high growth. However, public school concurrency will help prevent new development from exacerbating the overcrowding of schools in areas of the County where school capacity is currently unavailable. In addition, as redevelopment accelerates in Broward County, public school concurrency will enable the School District to plan for the availability of public school facilities to serve the anticipated growth.

Question No. 2: What is the potential impact of public school concurrency law to:

a) Developers?

Developers will not be impacted in the areas where the public schools in Broward County have excess capacity. However, if a developer wants to build in an area where there is no available school capacity, such project may be denied on the basis of public school concurrency. However, the developer still has options that may enable the project to proceed. For example, the developer may propose proportionate share mitigation, which essentially means that the developer pays for his/her proportionate impact on the school system or the developer can wait until capacity is available knowing that public school concurrency requires that the School District must achieve and maintain the adopted level of service standard (LOS) of 110% of a school's permanent capacity within a five-year period.

b) The community?

Public school concurrency law elevates the availability of permanent capacity to the top of the District's list of priorities by requiring that the School District achieve and maintain the adopted LOS at each District School. The intent of this law ensures the community that the School District, County, Municipalities and Developers will work together to make sure that seats will always be available to support new development. However, the District is currently coping with budget shortfalls and geographic capacity imbalances while trying to meet the mandates of public school concurrency law. As such, the boundary process and programming of schools may be affected as the District works to achieve and maintain the adopted LOS at each school predominantly with excess permanent capacity from the under enrolled schools.

FREQUENTLY ASKED QUESTIONS AND RESPONSES REGARDING PUBLIC SCHOOL CONCURRENCY

General Questions *(continued)*

Question No. 3: Could my child be reassigned to another school because of public school concurrency?

Generally, when new residential developments are built, students anticipated from such developments are assigned to the school boundary serving the location of the development if the schools have capacity to accommodate the anticipated students. However, if the impacted school is determined to be over capacity, School Board policy requires that such students be assigned to the adjacent schools that have sufficient available capacity. Normally the adjacency allocation will not result in a boundary change; however in the advent of public school concurrency, it is a factor that the Board would consider during the boundary process. Thus, the school boundaries may be affected if the capacity deficiency persists at the school boundaries that are primarily impacted by the proposed development. Therefore, such scenario may result in a child being reassigned to another school.

Question No. 4: How will public school concurrency impact the quality of my child's education?

The adopted LOS used to implement public school concurrency establishes the maximum acceptable level of overcrowding at each District elementary, middle, and high school. Thus public school concurrency could indirectly improve the quality of a child's education through the assurance that sufficient permanent capacity will be available to accommodate students anticipated from proposed residential developments.

Question No. 5: What are the consequences of not participating in the public school concurrency process?

1. Exemption from participating in the public school concurrency process is only granted by the State. Therefore, all non-exempt local governments are required to sign the Interlocal Agreement (ILA) and implement public school concurrency requirements. Therefore, failure to participate in the process will result in local governments being prohibited from adopting comprehensive plan amendments that increase residential density.
2. Per the ILA, local governments can not issue building permit for residential developments, if they are signatories to the ILA.
3. Local governments that violate the provisions contained in the ILA will be identified in the Annual Report regarding the implementation of the ILA that is issued by the Oversight Committee. The ILA requires that the annually issued report be provided to the School Board, Broward County, the 27 Municipal Signatories, and the public.

FREQUENTLY ASKED QUESTIONS AND RESPONSES REGARDING PUBLIC SCHOOL CONCURRENCY

General Questions *(continued)*

Question No. 6: Will public school concurrency result in more portables at our schools?

No, because the ILA only allows the utilization of portables “as an operational solution during the replacement or expansion of District school facilities, or at Exceptional Student Education cluster sites, or in the case of a disaster or emergency.”

Question No. 7: At what point does the School District review for public school concurrency?

State law requires the review for public school concurrency be conducted at the [Subdivision \(Plats\)](#) and [Site Plans](#) or (Function Equivalent) phases of development review process.

Definitions

Amended Interlocal Agreement for Public School Facility Planning (ILA):

Pursuant to State Statute, the Agreement between the School Board of Broward County, Florida, Broward County, and 27 Municipalities, which addresses growth management issues and the provision and availability of public school facilities needed to serve students anticipated from proposed residential development.

Plat:

The division or subdivision of a tract or parcel of land(s) into lot(s), block(s), etc.

Proportionate Share Mitigation:

Proportionate share mitigation means when a developer pays the cost required to provide the permanent capacity needed to accommodate the student(s) anticipated from his/her proposed residential development after the School District has determined that permanent capacity is not available to accommodate such student(s).

Site Plan:

The depiction of the location of improvements on a parcel of land which also contains all the information required by zoning ordinances.