



## **POLICY 7.021**

**4-B** I recommend that the Board adopt the proposed new Policy 7.021, entitled “School Closure and Consolidation.”

[Contact: Kris Garrison, PX 48935.]

### **Adoption**

### **CONSENT ITEM**

- The Board approved development of this revised Policy at the development reading on February 4, 2009.
- During discussion of the Galaxy/Plumosa/Forest Park options, Board Member Robinson asked that staff research “School Closure” policies used by other Districts, at the completion of the boundary cycle.
- Staff has conducted extensive research with particular emphasis on regions that are experiencing declines in enrollment.
- With the benefit of Best Practices research, a staff committee prepared a draft Policy for the Board’s consideration.
- This draft was discussed at the November 12<sup>th</sup> School Board Workshop and the Board asked for several changes including the creation of an Advisory Committee. Those changes are reflected in the draft Policy.
- Changes were made throughout the policy pursuant to Board Member suggestions at the February 4, 2009 meeting.

## POLICY 7.021

### SCHOOL CLOSURE AND CONSOLIDATION

The decision to close a school is anguishing. It profoundly affects parents, neighborhoods, communities, district personnel, and, of course, students. It affects relationships, routines, and cherished territorialities. In short, it alters not only district operations but also lives.

A decision not to close a school, however, amidst circumstances of declining enrollment and economic necessity, can be imprudent. And while the immediate effects of closing a school may be painful, the long-term effects can be beneficial to everyone. (California Department of Education, 2008)

When considering the matter of closing District-owned schools, it is the intent and desire of the School Board to provide students high quality academic opportunities in a supportive educational atmosphere.

#### 1. SCHOOL CLOSINGS/CONSOLIDATIONS FOR NON-ACADEMIC REASONS

The Board may close a school or consolidate schools for any or all of the following non-academic reasons:

- a. **Space Utilization Level.** The space available at a school or schools in close proximity is not being used in the most efficient, cost-effective manner; or
- b. **Financial Considerations.** Budget deficiencies or costs of operating multiple facilities make keeping facilities open impractical.
- c. **Physical Condition of Building.** The physical condition of the school building(s) and building systems (HVAC, Electrical and Plumbing), including the cost to replace and or repair systems and safety hazards and make structural changes necessary to ensure compliance with all city, state and federal laws, makes continued operation of the site cost-prohibitive or continued occupancy of the site unsafe or impractical; or
- d. **Alternative Use of School Facilities and Property.** The Board may close a school to use its facilities for other programmatic/educational purposes, for support services, to open a new school; or to provide affordable housing options for teachers.

#### 2. EXCEPTIONS TO THIS POLICY

This policy shall not apply to school closings related to the following:

- 36 a. Adherence to State and Federal Accountability requirements and procedures.
- 37 b. Emergency school closings.

38 **3. SCHOOL CLOSINGS DUE TO A NEED FOR CHANGE IN EDUCATIONAL**  
39 **FOCUS**

40 The Board may determine that a school closure is necessary to address the  
41 educational needs of students by implementing new curriculum and/or instructional  
42 programs that involve either:

- 43 a. Extensive reassignment of school faculty and staff; or
- 44 b. Transformation of educational focus, which may result in significant change in  
45 the student population.

46 Nothing in this policy shall be construed to require the Board to close a school in  
47 order to implement a change in educational focus at the school.

48 **4. PROCESS FOR CONSIDERATION OF SCHOOL CONSOLIDATION OR**  
49 **CLOSINGS**

50 The Superintendent may recommend school closings to the Board for any of the  
51 reasons set forth in Sections 1 through 3 of this Policy. Effective upon Board  
52 approval, the process for all school closings the effect of which is the assignment  
53 and transfer of all students enrolled at the school to one (1) or more designated  
54 receiving schools shall be as set forth below.

55 **a. Initial Data and Analysis**

- 56 i. The District will periodically evaluate any schools in close proximity to one  
57 another that are not being fully utilized. Enrollment projections and  
58 associated space needs will be evaluated.
- 59 ii. Impacts on operating costs, facility costs, financing such as Certificates of  
60 Participation and transportation shall also be considered, along with the  
61 market value of the properties under consideration.
- 62 iii. Any schools considered for consolidation shall be evaluated for impacts  
63 on the percentage of students meeting Adequate Yearly Progress (AYP)  
64 at any school affected by the consolidation.

65 **b. Additional Fact Gathering- Ad Hoc Committee**

66 Prior to making a recommendation to the School Board, the Superintendent  
67 shall convene an Ad Hoc Advisory committee to review possible options and

68 to submit their report and recommendation(s) along with the Superintendent's  
69 report to the Board.

70 The Ad Hoc Committee will be comprised of, but not limited to, the following  
71 members:

72 i. The Chair of the Advisory Boundary Committee, or another member of  
73 the Committee designated by the Chair of the committee;

74 ii. A Chair of the Finance Committee, or another member of the Committee  
75 designated by the Chair of the committee;

76 iii. The Florida American Planning Association representative on the  
77 Technical Advisory Committee (TAG);

78 iv. The Chair of the Construction Oversight Review Committee (CORC), or  
79 another member of CORC designated by the Chair of the committee;

80 v. The City Manager(s) or designee of the communities directly affected by  
81 the potential boundary changes resulting from any potential school  
82 closure or consolidation;

83 vi. The Student Council President, if available, from the school(s) affected by  
84 the consideration of consolidation or closure; and

85 vii. The SAC Chair(s) from the school(s) being considered for consolidation  
86 or closure.

87 viii. To ensure adequate community representation, each affected school  
88 principal may appoint up to 4 additional community representative  
89 members to the Ad Hoc Committee. Community representatives may  
90 include, but are not limited to teacher(s), school staff member(s); religious  
91 organizations; community organizations; and parents. Any school staff  
92 members appointed by a principal shall serve as non-voting ex-officio  
93 members.

94 **c. ABC, Finance and CORC Chairs**

95 If the Chairs of the aforementioned committees referenced in paragraphs i, ii  
96 and iv, above, elect to identify a designee on their respective committee, they  
97 shall give priority consideration to appointing representatives of their  
98 committee that geographically and/or demographically represent the areas  
99 being considered for consolidation or closure.

100 **d. Committee Tasks and Functions**

101 The purpose of the Ad Hoc Committee is to provide an opportunity for  
102 community involvement and input into the decision-making process. The Ad  
103 Hoc Committee has at least the following functions:

- 104 i. Review and synthesize data and analysis prepared by the District staff  
105 and stakeholders, and explore available alternatives.
- 106 ii. Gather any additional data deemed relevant by the Committee.
- 107 iii. Consider the input of the community, stakeholder groups, teachers and  
108 other staff.
- 109 iv. Consider educational impacts as a foremost priority
- 110 v. Assist in dissemination of their report to the community at large
- 111 vi. Hold at least one public forum, as provided in Section 4 (c)(i), above.
- 112 vii. Provide advisory recommendations to the Superintendent.

113 **e. Notice of Superintendent Proposal for School Closure**

- 114 i. Upon consideration, before any public notice is given and before the Ad  
115 Hoc Committee is convened, the affected school Principals will be fully  
116 informed of any consideration of school closure or consolidation and the  
117 relevant factors.
- 118 ii. The Superintendent shall provide advance notice to the public of his or  
119 her proposal that a school or schools be considered for closure. The  
120 Superintendent will provide a recommendation to the Board and provide  
121 advance notice to the public and to affected local governments.. The  
122 Superintendent shall make every attempt to avoid disruption of the  
123 academic program in preparation for accountability testing and be mindful  
124 of the Advisory Boundary Committee (ABC) process.
- 125 iii. Notice of the Superintendent's recommendation to close a school shall  
126 include a written statement of the Superintendent's rationale. Specifically,  
127 the notice shall include an explanation of how the school meets the  
128 criteria set forth in the School Closure and Consolidation Policy  
129 Guidelines.
- 130 iv. Prior to the Superintendent's public disclosure of his proposal to close a  
131 school, he or his designee shall provide notice to the principal, School  
132 Advisory Committee (SAC) and staff in the school(s) the Superintendent  
133 proposes be closed as well as those schools being designated as  
134 receiving schools.

135       **f. Public Input Process**

136           i. The Ad Hoc Committee shall convene at least one forum or meeting on  
137           proposed closings held at a location intended to foster maximum  
138           participation by persons in the affected school(s). This meeting may be  
139           combined with a community input meeting associated with the boundary  
140           change process;

141           ii. The Superintendent shall convene at least one public hearing at a regular  
142           or special Board meeting.

143           iii. The public may comment on the Superintendent's proposal at the public  
144           participation portion of an official Board meeting.

145           iv. The Superintendent will provide an online opportunity for members of the  
146           public to comment on any proposed school closure.

147           v. Each meeting or hearing noted in section 4.b.i.a and 4.b.I.b above shall  
148           adhere to the following requirements:

149                   A. Notice of the meeting or hearing, its date, time and location shall be  
150                   provided at least five (5) calendar days in advance of the hearing.

151                   B. The hearing or meeting shall take place at least five (5) calendar  
152                   days prior to Board consideration.

153                   C. Sufficient time shall be allowed to elicit public comment.

154           vi. If, after the public hearing, the Superintendent determines to recommend  
155           the school closing(s) to the Board, he/she or a designee shall prepare a  
156           final board report regarding the school closing(s) based on all pertinent  
157           information, including relevant information compiled by the Ad Hoc  
158           Committee and received at the public hearing. The board report shall be  
159           submitted to the Board for final action and adoption as policy.

160       **5. IMPLEMENTATION OF SCHOOL CLOSINGS**

161           a. After approval of any school closing(s) by the Board, the Superintendent shall  
162           be responsible for the orderly closing of the school(s). Palm Beach County  
163           schools shall provide support to facilitate the transition of students affected by  
164           a school closure. The Superintendent or designee shall assemble a support  
165           team to provide necessary and appropriate services, as identified by the  
166           Superintendent's designee, to assist those students who attended a school  
167           that is closed under this Policy.

168       **6. REASSIGNMENT OF STUDENTS UPON SCHOOL CLOSING**

- 169 a. When a school is closed for non-academic reasons or due to a change in  
170 educational focus, the students will be reassigned to a school or schools with  
171 available space that can meet their educational needs (including special  
172 education and bilingual education).
- 173 b. Students may apply for enrollment at a school or schools other than the school  
174 to which they are reassigned, subject to space availability and District  
175 admission criteria.
- 176 c. If a school closing requires that the attendance boundaries of any school  
177 receiving students be redrawn, they shall be redrawn pursuant to applicable  
178 Board policies.

179 **7. DISPOSITION OF PROPERTY**

- 180 a. The District's Property and Redistribution staff shall conduct a full inventory of  
181 furniture, equipment and furnishings prior to the demolition of a structure or  
182 turnover of any facility to another entity.
- 183 b. The Superintendent shall recommend to the School Board any land, buildings  
184 or property otherwise unsuitable for educational purposes. Upon the  
185 Superintendent's recommendation (considering, among other matters, the  
186 best value), the School Board may then authorize the Superintendent to  
187 proceed with disposition (sale or lease/option to purchase) of the property in  
188 accordance with Sections 1013.28 and/or 1013.15, Florida Statutes. If the  
189 property is designated for disposition (sale or lease/option to purchase), then  
190 the Superintendent shall cause written notice to be sent to each district charter  
191 school of any competitive process for such disposition of the property.
- 192 c. If the property will not be offered for sale or lease/option to purchase, but  
193 instead be available for use by other district public schools, then the provisions  
194 of Section 1002.33(18), Florida Statutes (relating to charter schools) shall be  
195 applicable, and the Superintendent shall cause written notices to be sent to  
196 the district charter schools of the process for the utilization of such available  
197 property.

198 **8. REASSIGNMENT OF TEACHERS AND OTHER STAFF ASSIGNED TO CLOSED**  
199 **SCHOOLS**

200 Teachers at schools closed pursuant to this policy shall be reassigned pursuant to  
201 Board policy and the terms of the CTA Contract. Teachers assigned to a closed  
202 school who are fully certified and reappointed for the following school year will be  
203 reassigned to the receiving school consistent with District staffing formulas when  
204 the entire student population at the closed school is reassigned to one receiving  
205 school. The Voluntary Transfer, Unit Adjustment Transfer (UAT), and Involuntary  
206 Transfer provisions of the CTA Contract will apply when all students at a closed

207 school are not reassigned to one receiving school, but are reassigned to two or  
 208 more receiving schools. The "Excessing" and Involuntary Transfer provisions of  
 209 the FPSU and AESOP Contracts will apply to non-instructional employees  
 210 assigned to a closed school.

211 **9. LOCAL SCHOOL COUNCILS AT CLOSED SCHOOLS**

212 School Advisory Councils at schools that are closed for any reason shall be  
 213 dissolved when the school closes.

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215 **Illustrative School Closure/Closure Timeline**

2008						2009			
June	July-Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Aug.
Voluntary Transfer Process Ends		1 <sup>st</sup> announcement that closure is being considered (no later than October 15 <sup>th</sup> )	Public Hearings	Decision to close school should occur, but no later than Feb.	Choice Deadline	Voluntary Transfer		UAT Starts (CTA Contract)	School Closure
			Start Boundary Process					Boundary Established	
			1st FTE						

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217 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41(2), 1001.42(9)(e)

218 LAWS IMPLEMENTED: Fla. Stat. §§ 1013.28, 1013.15

219 HISTORY: \_\_/\_\_\_2009

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References

224 The California Department of Education. (2008). *Closing a school best practices guide*.

225 Retrieved December 5, 2008 from <http://www.cde.ca.gov/ls/fa/sf/schoolclose>



Legal Signoff:

The Legal Department has reviewed proposed Policy 7.021 and finds it legally sufficient for development by the Board.

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Attorney

\_\_\_\_\_  
Date