



POLICY 7.13

4-A I recommend that the Board adopt the proposed revised Policy 7.13, entitled “Level of Service.”

[Contact: Angela Usher, PX 48800.]

Adoption

CONSENT ITEM

- The Board approved development of this revised Policy at the development reading on January 7, 2009.
- This proposed revision incorporates by reference the Public School Concurrency Interlocal Agreement. It also re-defines Level of Service standards consistently with the Interlocal Agreement and school district and local government practices and Florida Statutes.

POLICY 7.13

LEVEL OF SERVICE

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3 1. **Introduction.** - The School Board of Palm Beach County shall achieve and
4 maintain the adopted Level of Service ("LOS") consistent with the requirements of
5 school concurrency and the adopted Public School Concurrency Palm Beach
6 County Interlocal Agreement with Municipalities of Palm Beach County and the
7 School District of Palm Beach County to Establish Public School Concurrency, as
8 amended ("Interlocal"). A copy of the Interlocal can be found on the District's
9 Planning Department web site at www.pbc.schoolplanning.info. The provisions of
10 this policy shall be interpreted in accordance with the Interlocal as may be
11 amended.
- 12 2. **Implementation of the Five-Year District Facilities Work Program** ("Program")
13 **Plan and Capital Budget** (Plan). The District shall provide timely new school
14 capacity and maintain existing capacity by the orderly implementation of its
15 Program (also known as the Five-Year Capital Facilities Plan) Plan as provided in
16 School Board Policy 7.132.
- 17 3. **Boundary and Program Adjustments**
 - 18 a. **Maximum Utilization.**- The Board shall maximize utilization of capacity through
19 program and/or boundary adjustments and shall annually institute necessary
20 program and/or boundary adjustments or provide additional capacity to ensure
21 that all schools of each type in each Concurrency Service Area ("CSA") and
22 each individual school will operate at the adopted LOS throughout the five-
23 year period. CSA modifications are governed by Article V of the Interlocal.
 - 24 b. Level of Service (LOS Since August 1, 2004, the following LOS standards
25 apply:
 - 26 i. One hundred and ten percent (110%) of capacity (utilization) as
27 determined by the Florida Inventory of School Houses (FISH); or
 - 28 ii. If a school is planned and under contract and will relieve capacity at an
29 existing school, upon determination by Technical Advisory Group (TAG),
30 the school shall be allowed to exceed the 110% maximum utilization for a
31 period not to exceed 2 years. This is intended to prevent the movement of
32 students more than once.
 - 33 iii. Up to one hundred and twenty percent (120%) of FISH capacity
34 (utilization/LOS) (test two), for individual schools provided that the results
35 of School Capacity Study (SCS) determines that a particular school can
36 operate in excess of one hundred ten percent (110%) capacity.

37 iv. A SCS may be required by TAG if a school in the first Full Time
38 Equivalency (FTE) student count of the first semester reaches one
39 hundred and twenty percent (108%) or above FISH capacity.

40 b ~~Level of Service ("LOS"). To ensure that the capacity of schools is~~
41 ~~sufficient to support student growth at the adopted LOS for each year of the~~
42 ~~five-year planning period for each CSA, the District shall establish for all~~
43 ~~schools of each type within each CSA and each individual school that:~~

44 i. ~~A tiered LOS shall be in force pursuant to the Tiered Level of Service~~
45 ~~Table in the Public Schools Facilities Element until August 1, 2004.~~

46 A. ~~The CSA's tiered LOS shall not be exceeded.~~

47 B. ~~Individual school's LOS, which exceeds the tiered LOS,~~
48 ~~during the time that the tiered LOS is in effect, shall not~~
49 ~~exceed the utilization standards for that school type as~~
50 ~~shown in the Maximum Utilization Table of the Public School~~
51 ~~Facilities Element.~~

52 C. ~~Necessary boundary and program adjustments will be made~~
53 ~~so that the tiered LOS is not exceeded in each CSA.~~

54 ii. ~~After August 1, 2004, the following LOS standards shall apply:~~

55 D. ~~One hundred ten percent (110%) of capacity (utilization) as~~
56 ~~determined by the Florida Inventory of School Houses~~
57 ~~("FISH"); or~~

58 E. ~~Up to one hundred twenty percent (120%) of FISH capacity~~
59 ~~(utilization/LOS) (test two), for individual schools subject to~~
60 ~~the results of School Capacity Study ("SCS") to determine if~~
61 ~~a particular school can operate in excess of one hundred ten~~
62 ~~percent (110%) capacity.~~

63 F. ~~The SCS shall be required if a school in the first FTE student~~
64 ~~count of the second semester reaches one hundred eight~~
65 ~~percent (108%) or above of FISH capacity.~~

66 ~~Notwithstanding the above, upon determination by TAG if a school is planned~~
67 ~~and under contract which will relieve capacity of an existing school, the school~~
68 ~~shall be allowed to exceed the 120% maximum utilization for a period not to~~
69 ~~exceed 2 years. The former is intended to prevent the movement of students~~
70 ~~more than once.~~

71 c. ~~School Capacity Study: When a SCS is required by District policy or the~~
72 ~~adopted Interlocal, the SCS shall determine if the growth rate within each~~

73 CSA, causing a particular school's LOS to exceed one hundred ten percent
74 (110%) of capacity, is temporary or reflects an ongoing trend affecting the LOS
75 for the five-year planning period.

76 i. At a minimum, the SCS shall consider:

77 A. Demographics in the CSA within which the school is located;

78 B. Student population trends;

79 C. Real estate trends, e.g. existing redevelopment and new
80 development;

81 D. Teacher/student ratios; and

82 E. Core facility capacity (which will also be taken into consideration
83 when adding modular capacity).

84 ii. If the SCS concludes that the school can operate within the FISH
85 guidelines and not exceed one-hundred and twenty percent (120%) LOS
86 (utilization), then that school shall be considered to be operating within
87 the adopted LOS and the CSA LOS shall be amended. Local
88 governments will be notified to amend their comprehensive plans in the
89 next round of amendments to reflect this additional capacity.

90 iii. Either the District or a local government may request a SCS.

91 d. Program Option Adjustments

92 i. The District shall regularly review and institute necessary program
93 adjustments to not exceed the LOS in each CSA and each individual
94 school.

95 ii. The Board shall establish policies for achieving and maintaining optimum
96 effective enrollment capacities for program options within school facilities.
97 These policies shall address the impacts on sending and receiving
98 schools while meeting the requirements of school concurrency. Policy
99 5.01 on Student Assignment addresses this.

100 iii. The Board shall establish objectives for the Choice Program. The
101 program shall be evaluated for its effectiveness. Consideration shall
102 be given to optimizing resources for the program's implementation,
103 timing and phasing. Policy 5.016 addresses this.

104 ~~Upon achieving the maximum utilization of capacity (LOS) at a particular~~
105 ~~school facility with a program option, the subsequent program option~~

106 ~~students applying from outside the school assignment area shall be~~
107 ~~assigned to the closest magnet school with the same program which has~~
108 ~~not exceeded its LOS.~~

109 4. **Capacity Measurement.**- For purposes of this Policy, capacity shall be calculated
110 as follows:

111 a. Capacity of an existing school is its FISH capacity as ~~measured in October,~~
112 ~~2002 reported in the most recent School Board-approved 5 Year Capital Plan.~~
113 Capacity for new future facilities or additions shall be that shown on the School
114 Board-approved educational specifications for that school.

115 b. Capacity added by modulars shall be calculated using 100% of the 2002
116 FISH-capacity formula. Beginning August 2004, capacity added through
117 modulars shall be calculated at 100% of the state FISH capacity then in effect.

118 5. **New Capacity**

119 a. The Board shall initiate the necessary program and/or boundary adjustments
120 to reflect the new capacity for the schools that are scheduled to be constructed
121 and opened for each year of the District's Program.

122 b. These adjustments shall be consistent with the data and analysis provided in
123 the CSA Tables of the District's Program.

124 6. **Modification of the Adopted LOS**

125 a. The Technical Advisory Group ("TAG"), established by Article VI of the
126 Interlocal, may evaluate and recommend a modification of the adopted LOS
127 standard requested by the District or participating local government.

128 ~~The adopted LOS, not to exceed one hundred twenty percent (120%), will be~~
129 ~~modified by an addendum to the adopted Interlocal.~~

130 b. At least fifty-one percent (51%) of the parties to the Interlocal and the Board
131 must concur to the modification of the adopted LOS.

132 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.32(2); 1001.41(2), 1001.42(~~22~~) (25);
133 1001.43(4), (5)

134 LAWS IMPLEMENTED: Fla. Stat. §§ 163.3161; 163.3164; 163.3177; 163.3180(13);
135 1001.32(2); 1001.41(6); 1001.42(4); 1013.33

136 ADOPTED INTERLOCAL AGREEMENT FOR SCHOOL CONCURRENCY: Article V,
137 Sections F and G, Article VI; 5/28/03

138 HISTORY: 04/06/1983, 02/05/1997; 12/10/2001; 9/8/03; _/_/09

Legal Signoff:

The Legal Department has reviewed proposed Policy 7.13 and finds it legally sufficient for development by the Board.

Attorney

Date