

POLICY 7.13

5-D I recommend the Board approve the proposed revisions to Policy 7.13, entitled "Level of Service."

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Development

CONSENT ITEM

- The minor revisions proposed in this Policy and three others in Chapter 7 are needed to implement amendments to the Interlocal Agreement for Concurrency, on which at least 51% of the municipalities have recently signed off.
- Additionally, section (4) clarifies that, for purposes of this Policy, the capacity of an existing school is its FISH capacity as measured in October, 2002. For new facilities or additions, the capacity for purposes of this Policy will be the number shown on the Board-approved educational specifications for that school or addition. Capacity added by modulars will be calculated using 100% of the 2002 FISH-capacity formula; and beginning August 2004, capacity added through modulars will be calculated at 100% of the state FISH capacity then in effect.
- Statutory citations are updated to reflect the new K-20 Education Code, and references to the Five-Year Capital Facilities Plan are updated to conform to Fla. Stat. § 1013.35 and SREF as the "Five-Year District Facilities Work Program."
- Any Board member with technical questions about this revision is invited to confer with the contact persons listed above.

POLICY 7.13

LEVEL OF SERVICE

- 1
- 2 1. **Introduction.**— The School Board of Palm Beach County shall achieve and
3 maintain the adopted Level of Service ("LOS") consistent with the requirements of
4 school concurrency and the adopted Public School Concurrency Interlocal
5 Agreement ("Interlocal").
- 6 2. **Implementation of the Five-Year District Capital Facilities Work Plan Program**
7 **("Program Plan").**— The District shall provide timely new school capacity and
8 maintain existing capacity by the orderly implementation of its Plan Program (also
9 known as the Five-Year Capital Facilities Plan).
- 10 3. **Boundary and Program Adjustments**
- 11 a. **Maximum Utilization.**— The Board shall maximize utilization of capacity
12 through program and/or boundary adjustments and shall annually institute
13 necessary program and/or boundary adjustments or provide additional
14 capacity to ensure that all schools of each type in each Concurrency Service
15 Area ("CSA") and each individual school will operate at the adopted LOS
16 throughout the five-year period. CSA modifications are governed by Article V
17 of the Interlocal.
- 18 b. **Level of Service ("LOS").**— To ensure that the capacity of schools is sufficient
19 to support student growth at the adopted LOS for each year of the five-year
20 planning period for each CSA, the District shall establish for all schools of
21 each type within each CSA and each individual school that:
- 22 i. A tiered LOS shall be in force pursuant to the Tiered Level of Service
23 Table in the Public Schools Facilities Element until August 1, 2004.
- 24 A. The CSA's tiered LOS shall not be exceeded.
- 25 B. Individual school's LOS, which exceeds the tiered LOS, during the
26 time that the tiered LOS is in effect, shall not exceed the utilization
27 standards for that school type as shown in the Maximum Utilization
28 Table of the Public School Facilities Element.
- 29 C. Necessary boundary and program adjustments will be made so that
30 the tiered LOS is not exceeded in each CSA.
- 31 ii. After August 1, 2004, the following LOS standards shall apply:
- 32 A. One hundred ten percent (110%) of capacity (utilization) as
33 determined by the Florida Inventory of School Houses ("FISH"); or

- 34 B. Up to one hundred twenty percent (120%) of FISH capacity
35 (utilization/LOS) (test two), for individual schools subject to the
36 results of School Capacity Study ("SCS") to determine if a particular
37 school can operate in excess of one hundred ten percent (110%)
38 capacity.
- 39 C. The SCS shall be required if a school in the first FTE student count
40 of the second semester reaches one hundred eight percent (108%)
41 or above of FISH capacity.
- 42 D. Notwithstanding the above, upon determination by TAG if a school
43 is planned and under contract which will relieve capacity of an
44 existing school, the school shall be allowed to exceed the 120%
45 maximum utilization for a period not to exceed 2 years. The former
46 is intended to prevent the movement of students more than once.
- 47 c. School Capacity Study ("SCS").— When a SCS is required by District policy
48 or the adopted Interlocal, the SCS shall determine if the growth rate within
49 each CSA, causing a particular school's LOS to exceed one hundred ten
50 percent (110%) of capacity, is temporary or reflects an ongoing trend affecting
51 the LOS for the five-year planning period.
- 52 i. At a minimum, the SCS shall consider:
- 53 A. Demographics in the CSA within which the school is located;
- 54 B. Student population trends;
- 55 C. Real estate trends, e.g. existing redevelopment and new
56 development;
- 57 D. Teacher/student ratios; and
- 58 E. Core facility capacity.
- 59 ii. If the SCS concludes that the school can operate within the FISH
60 guidelines and not exceed one-hundred twenty percent (120%) LOS
61 (utilization), then that school shall be considered to be operating within
62 the adopted LOS and the CSA LOS shall be amended. Local
63 governments will be notified to amend their comprehensive plans in the
64 next round of amendments to reflect this additional capacity.
- 65 iii. Either the District or a local government may request a SCS.
- 66 d. Program Option Adjustments
- 67 i. The District shall regularly review and institute necessary program
68 adjustments to not exceed the LOS in each CSA and each individual

- 69 school.
- 70 ii. The Board shall establish policies for achieving and maintaining optimum
71 effective enrollment capacities for program options within school facilities.
72 These policies shall address the impacts on sending and receiving
73 schools while meeting the requirements of school concurrency.
- 74 iii. Upon achieving the maximum utilization of capacity (LOS) at a particular
75 school facility with a program option, the subsequent program option
76 students applying from outside the school assignment area shall be
77 assigned to the closest magnet school with the same program which has
78 not exceeded its LOS.
- 79 iv. The Board shall establish objectives for the Choice Program. The
80 program shall be evaluated for its effectiveness. Consideration shall be
81 given to optimizing resources for the program's implementation, timing
82 and phasing.

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

85 **a. Capacity of an existing school is its FISH capacity as measured in October,**
86 **2002. Capacity for new facilities or additions shall be that shown on the**
87 **School Board-approved educational specifications for that school.**

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

91 **5. New Capacity**

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

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

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

98 a. The adopted LOS, not to exceed one-hundred twenty percent (120%), will be
99 modified by an addendum to the adopted Interlocal.

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

103 c. At least fifty-one percent (51%) of the parties to the Interlocal and the Board

104 must concur to the modification of the adopted LOS.

105

106 STATUTORY AUTHORITY: §§ 163.3177(9); 230.03(2) 1001.32(2);
107 1001.41(2), 1001.42(22); 1001.43(4), (5), Fla. Stat.

108 LAW(S) IMPLEMENTED: §§ 163.3161; 163.3164; 163.3177;
109 163.3180(13); 230.03(2) 1001.32(2); 230.22(6) 1001.41(6); 230.23(4) 1001.42(4);
110 1013.33, Fla. Stat.

111 ~~FLORIDA ADMINISTRATIVE CODE IMPLEMENTED~~ RULES SUPPLEMENTED: 6A-
112 2.001, 9J-5.005, F.A.C.

113 ADOPTED INTERLOCAL AGREEMENT FOR SCHOOL CONCURRENCY, 01/25/01
114 ___/___/03 : Article V, Sections F and G, Article VI

115 ADOPTED 2001-2006 FIVE YEAR CAPITAL FACILITIES PLAN: Section 4.44

116 HISTORY: 04/06/1983, 02/05/1997; 12/10/2001; ___/___/03

Legal Signoff:

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

Attorney

Date