

SUMMARY OF RECOMMENDED CHANGES

DATE: 5/06/14

POLICY #: 7000

POLICY TITLE: **Revisions to School Board Policy 7000, New School Site Selection and Superintendent's School Site Review Committee**

Page (Item)	Recommended Change/Addition/Deletion	Rationale
1, Title	Revisions to School Board Policy 7000, New School Site Selection and Superintendent's School Site Review Committee	To enable a more concise title.
1, General Provisions	THE SCHOOL BOARD OF BROWARD COUNTY, <u>FLORIDA</u> BY VIRTUE OF THE CONSTITUTION OF THE STATE OF FLORIDA AND FLORIDA STATUTES HAS THE AUTHORITY TO OPERATE, CONTROL AND SUPERVISE ALL FREE PUBLIC SCHOOLS WITHIN THE SCHOOL DISTRICT AND MAY EXERCISE ANY POWER EXCEPT AS EXPRESSLY PROHIBITED BY THE STATE CONSTITUTION OR GENERAL LAW (F.S. 1001.32). THESE POWERS INCLUDE APPROVING PLANS FOR LOCATING, PLANNING, CONSTRUCTING, SANITATING, INSURING, MAINTAINING, PROTECTING, AND CONDEMNING SCHOOL PROPERTY (F. S. 1001.42(9)). THE LOCATION OF SCHOOLS AND FUTURE SCHOOL SITES SHALL BE IN ACCORDANCE WITH FLORIDA STATUTES, FLORIDA ADMINISTRATIVE, RULES AND WITH THE RULES LISTED BELOW. CONCURRENT WITH THE DECISION MAKING PROCESS FOR THE PROPOSAL TO LOCATE AND CONSTRUCT ADDITIONAL NEW SCHOOL FACILITIES BASED ON THE CRITERIA IN THIS POLICY, THE SUPERINTENDENT SHALL ANALYZE AND CONSIDER THE OPTION OF UPGRADING, RENOVATING, OR EXPANDING EXISTING SCHOOLS. THE PURPOSE OF THIS ANALYSIS IS TO ASSURE AN EQUITABLE OPPORTUNITY FOR QUALITY EDUCATION AND FULL CAPACITY UTILIZATION OF EXISTING FACILITIES PRIOR TO THE SUPERINTENDENT MAKING A RECOMMENDATION TO THE BOARD FOR ITS CONSIDERATION AND FINAL ACTION. THE ADHERENCE TO THIS PROVISION IN NO WAY IS INTENDED TO AVOID THE CONSTRUCTION OF NEW SCHOOLS WHEN SUCH UPGRADING, RENOVATING AND EXPANSION OF EXISTING SCHOOLS WOULD BE INADEQUATE TO MEET OVERCROWDING PRESSURES AND EDUCATIONAL OBJECTIVES THAT MAY BE BETTER MET BY CONSTRUCTING AND/OR REPLACEMENT SCHOOLS. * <u>THIS POLICY SHALL ALSO ADDRESS THE DISPOSAL OF SURPLUS SCHOOL SITE(S) THAT WAS INITIALLY ACQUIRED VIA THE PROVISIONS OF</u>	To allow for the Policy to govern the disposal of surplus sites that were initially acquired for the construction of new/replacement schools via provisions of this Policy.

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	THIS POLICY TO CONSTRUCT NEW/REPLACEMENT SCHOOLS. THE WORD "SITE" MEANS A SPACE OF GROUND OCCUPIED OR TO BE OCCUPIED BY AN EDUCATIONAL FACILITY OR PROGRAM.	
1, Rule 1	Proposed new schools will be prioritized based upon student need (current and projected student growth) and remedies needed to equalize facilities. The source of current and projected student growth data is the Enrollment and Facilities Planning Inventory (EFPI) <u>Benchmark Enrollment data issued the first Monday following Labor Day and the Five-Year Student Enrollment Projections.</u> The authority to consider sites as determined in School Board Policy 5000 is the <u>Five-Year Adopted District Educational Facilities Plan (ADEFP).</u>	To reflect current data source.
2, Rule 2	After the need for a new or replacement school or center shall be has been established based upon current and projected student growth or other needs data as contained in the <u>Benchmark Enrollment report issued the first Monday following Labor Day, and the Five-Year Student Enrollment Projection and if applicable, Castaldi report for the facility.</u> Thereafter, upon completion of due diligent processes, the need shall be as identified for funding in the <u>Five-Year Adopted District Educational Facilities Plan ADEFP,</u> the Enrollment and Facilities Planning Inventory (EFPI), and any existing approved master plan, potential sites for the facility will be identified.	To reflect current data source.
2, Rule 3	The School District <u>School District</u> , whenever possible, will strive to locate new schools and to purchase school sites in areas which offer, because of their location, the opportunity to achieve student integration <u>diversity.</u> An inventory of vacant sites which meet the size and configuration requirements will be compiled with consideration of areas which will not diminish diversity due to their location.	To reflect use of proposed terminology.
2, Rule 4	Discussions will be held by <u>district</u> staff with appropriate local government officials	To specify groups/entities that would be

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	staff or representatives in whose jurisdiction the subject school site may be <u>located</u>, and representatives from the <u>affected innovation zone(s) (which includes parents and other community members) where the subject school site may be located and/or school(s) that would be relieved by the newly constructed or replacement school. The representative(s) from the innovation zone(s) would be person(s) selected by the innovation zone principal facilitators, and the purpose for the discussions will be</u> to coordinate planning, the provision of services, and access to the potential sites.	consulted regarding the selection of school a site.
2, Rule 5	When the need for a new school is identified in the District Educational Facilities Plan-Five-Year ADEFP, the Superintendent's <u>School</u> Site Review Committee will consider a list of potential sites in the area of need. The list of potential sites for new schools will be submitted to the local government with jurisdiction for an informal assessment regarding consistency with the local government comprehensive plan, including, as applicable, environmental suitability, transportation and pedestrian access, availability of infrastructure and services, safety concerns, land use compatibility and other relevant issues. District staff will review and evaluate potential sites utilizing a qualitative/quantitative rating system and will provide this information to the <u>Superintendent's School</u> Site Review Committee members to aid in their recommendation process. Based on the information gathered during this review for a new school, the <u>Superintendent's School</u> Site Review Committee will make a recommendation to the Superintendent of one or more sites in order of preference.	To reflect consistent use of the proposed Policy title.
2 and 3, Rule 6	Appropriate site(s) will be reviewed by the Superintendent's <u>School</u> Site Review Committee. The Superintendent will appoint the <u>Site Review</u> Committee members which will consist of fifteen (15) <u>twelve (12)</u> School d District staff members, four	To reflect proposed membership of the Superintendent's School Site Review Committee, which includes new individuals

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(4) five (5) Community Representatives selected by the Superintendent, including consisting of One (1) representative from the Diversity Committee, One (1) representative from the Facilities Task Force, one representative from the Parent Teachers Association (PTA)/ Parent Teachers Organization (PTO) selected by the organization from impacted schools; and Two one at large (21) other community representatives selected by the Superintendent at least one (1) South Florida Regional Planning Council representative; and One (1) representative from the Broward County Traffic Engineering Department, One (1) representative from Broward County Environmental Protection Department; One (1) Broward County Planning Department Representative; one (1), a licensed real estate broker/sales person currently employed by Broward County, one (1) a licensed real estate appraiser currently employed by Broward County; One (1) representative appointed by the municipalities via from the League of Cities; and at least one (1) Municipal Representative from each city impacted/affected by the site location. The Mayor and City Manager of each city impacted/affected will appoint the representative. one (1) representative designated by either (a) manager or administrator of the municipality in which the subject school facility may be located or (b) by the county administrator if the subject school facility may be located in unincorporated areas of Broward County. In any real estate transactions between the school district and Broward County government, the licensed real estate broker/sales person and a licensed real estate appraiser serving on the School Site Review Committee shall be employees of the Broward County Property Appraiser's Office instead of employees of Broward County government. For the purposes of this subsection, a "subject school facility" is a proposed new school or an existing school facility to be considered for significant renovations or school closures may occur. Data in the The District Educational Facilities Plan (Five-Year ADEFP) that designates which schools will be relieved by	with real estate backgrounds, and to account for local government representation as required by the provisions of the Second Amended Interlocal Agreement for Public School Facility Planning.
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	this construction will be used to determine which municipalities are involved. Additional members may be appointed at the Superintendent's discretion.	
3, Rule 7	<u>The following provisions shall apply to the commercial real estate broker/sales person, and the appraiser appointed to the Committee and other Committee members:</u> a. <u>Both shall sign a confidentiality agreement with the school district which at the minimum would require that the real estate broker/ sales person and licensed appraiser shall not disclose any information or data about matters before the Committee except as required by applicable law. The confidentiality agreement is hereto appended to this Policy as Exhibit 1.</u> b. <u>The real estate broker/sales person and appraiser shall not conduct any business or be under contract with The School Board while serving as active members on the Committee.</u> c. <u>The real estate broker/sales person and appraiser shall initially serve a one year term, and thereafter, may be reappointed to additional one year terms.</u>	To add safe guard mechanisms' to address potential conflict of interest issues regarding the individuals with real estate backgrounds.
3 and 4, Rule 8	<u>Members of the Superintendent's School Site Review Committee shall not be qualified to represent The School Board in any real estate transaction(s) until two (2) years after the conclusion of their service as an active member of the Committee.</u>	To add safe guard mechanisms' to address potential conflict of interest issues regarding the individuals with real estate backgrounds.
4, Rule 9	All School Sites will be reviewed by the Superintendent's <u>School</u> Site Review Committee prior to being recommended for purchase. After review by the Superintendent's Site Review Committee, the Superintendent shall consider the	To reflect use of proposed terminology.

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	<u>Superintendent's School Site Review Committee recommendations and shall may recommend one or more sites in order of preference, to Tthe School Board for consideration and approval. This will allow staff to investigate and complete due diligence on one or more sites and the ability to move from the designated site if due diligence makes the initial site unfeasible.</u>	
4, Rule 10	<u>If district administration believes that a school site that was previously purchased is no longer needed for educational purposes and should be disposed as surplus property, prior to implementing any formal district process towards declaring the property surplus, the Facility Planning & Real Estate Department or succeeding department in the case of departmental name change shall consult with the Capital Budget Department to ascertain if there are any existing financing or contractual arrangements that was utilized to purchase the site, which would prohibit it from being disposed.</u>	To ensure that financial instruments utilized to purchase sites being considered for surplus are not jeopardized.
4, Rule 11	<u>If district administration believes that a school site that was previously acquired is no longer needed for educational purposes to construct a new/replacement school and should be disposed as surplus property, the Superintendent's School Site Review Committee shall meet to review data pertaining to such property, discuss the matter, and make recommendation to either dispose or retain the school site. In any subsequent action regarding the property, the School Board shall identify its intension for disposition of the property.</u>	To enable the Superintendent's School Site Review Committee to have a voice in the disposal of site that it initially recommended for acquisition. Also for the Board to state its intent regarding property slated for disposition.
4, Rule 12	<u>At a minimum, the data presented to the Committee for consideration in recommending that the property be declared surplus shall include the Five-Year Student Enrollment Projections and other relevant data which indicates that the school site is no longer needed to construct a new/replacement school as was initially envisioned. In any subsequent action regarding the property, the School Board shall identify its intension for disposition of the property.</u>	To allow for the provision of relevant data to the Superintendent's School Site Review Committee. Also for the Board to state its intent regarding property slated for disposition.

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4, Rule 13	<u>Upon review of the data, the Committee shall recommend to the Superintendent whether the school site should be declared surplus or retained. The Superintendent may accept or reject the recommendation from the Committee.</u>	To enable the Superintendent's School Site Review Committee to have a voice in the disposal of site that it initially recommended for acquisition. Also, to provide the Superintendent with flexibility in accepting or rejecting the Committee's recommendation.
4, Rule 14	<u>The School Board Members, staff involved with any active purchase or disposal of real property, and members of the Superintendent's School Site Review Committee must disclose any direct or indirect business associations they have or their spouses or children have with any party involved with any real estate purchase and disposal. (See F.S.112.313 (3)).</u>	To comply with statute requirements and disclose potential conflicts of interest.