

# SCHOOL PLANNING WORKGROUP

## MEETING SUMMARY

December 5, 2012

### PINELLAS COUNTY PLANNING DEPARTMENT CONFERENCE ROOM, 10:30 A.M.

**Member Attendees:** Gordon Beardslee, Pinellas County; Liz Freeman, Pinellas County; Ryan Brinson, Pinellas County; David Sadowsky, Pinellas County; James Cannon, Pinellas County; Marshall Touchton, School District; Michael Bessette, School District; Debbie Forster, School District; David Koperski, School District; Christine McLachlan, City of Largo; Ann Rocke, City of Largo; Paul Bertels, City of Clearwater; Lauren Matzke, City of Clearwater; Paul Geisz, City of St. Petersburg; Michael Dema, City of St. Petersburg; Fred Metcalf, City of Gulfport; Joe Incorvia, City of Pinellas Park; George Kinney, St. Pete Beach

#### **Welcome and Introductions:**

Gordon Beardslee, with the Pinellas County Planning Department, facilitated the meeting and provided an overview of the meeting's agenda. Introductions from those in attendance followed.

#### **Status of Interlocal Agreement and Comprehensive Plan Amendments to Eliminate School Concurrency**

Ryan Brinson, with the Pinellas County Planning Department, updated the workgroup on the status of the Public School Interlocal Agreement and the amendments related to the Public School Facilities Element.

Ryan indicated that the Interlocal Agreement was recently approved by the Board of County Commissioners on October 30, 2012, and is available on the County's Planning Department website at: [http://www.pinellascounty.org/Plan/pdf\\_files/1906\\_IA.pdf](http://www.pinellascounty.org/Plan/pdf_files/1906_IA.pdf). If anybody would like a certified copy of the Agreement, arrangements can be made to have one mailed to you.

On July 24, 2012, the Board of County Commissioners approved the County's Comprehensive Plan and Land Development Code amendments. To date, Largo, Clearwater, Pinellas Park, St. Petersburg, and Oldsmar have already initiated similar amendments to their Comprehensive Plans.

Gordon mentioned that we could provide copies of the County's information (staff report, ordinance, etc.) if a City wanted to use them as a sample/for reference.

#### **Coordination between Local Government and School District regarding Proposed Charter School Locations, and Related Siting Issues**

Gordon mentioned that the School Transportation Safety Committee met in September and the issue of coordination between the School District and local governments

regarding the location of Charter Schools was discussed. As it relates to school siting, it was determined that this was the purview of the School Planning Workgroup.

David Koperski, the School District's Attorney, indicated that the District is aware of many of the safety/compatibility issues involving Charter Schools and summarized the coordination process the District intends to implement, including immediately advising local governments once a location for a new school is known. Also, the District proposes to modify their Board's Charter contract to include provisions requiring compliance with all Charter facility guidelines (which are published by the Florida Department of Education's Office of Educational Facilities). This would therefore require Charters to receive local approval (regarding consistency with local zoning regulations) prior to the School Board's execution of the contract. Applicable excerpts of the contract were handed out at the meeting and Mr. Koperski asked if a local government has any comments or suggests changes relating to the proposed revisions, that you email him as soon as possible so the changes could apply to the new Charters applying this year.

Mr. Koperski also mentioned that the number of Charter Schools has doubled in our County within the last several years and this year alone the District has received 19 Charter applications for next school year, but 10 have already withdrawn from the process. 4 are intended to be approved (or have already been approved) and the remaining 5 are planned to receive a denial.

Mr. Koperski further went on to review the District's current procedures for reviewing/approving new Charter Schools. The first step occurs August 1<sup>st</sup> of the year prior to the planned opening, when the Charter has to file an application with the District, which contains the proposed size (grade levels and maximum student enrollments), but not the location/street address. After the application is filed, the District has 60 days to review and take it to their Board for a formal recommendation. If the application gets denied the Charter can decide to proceed with an appeal to the State; if the application gets approved, the District has 60 days to send a proposed contract to the applicant. Contract negotiations are then initiated and must be completed within 75 days, unless the parties agree to an extension. During this time period, the location of the Charter school is made known and the local government will be notified. Once the contract negotiations between the District and the Charter are reached, the contract is submitted by the superintendent to the School Board for their consideration at a public hearing. The proposed revision to the contract discussed above will ensure that a Charter must receive local government approval (based on review for compliance with zoning regulations) to validate the contract. Even if the School Board approves the contract and the Charter does not receive local government approval the contract is terminated/rescinded.

Mr. Koperski explained that Charter Schools according to the State's definition are considered Public School and that Charters are guided by a governing board, much like traditional public schools have the County School Board. Charter Schools operate

under a contract with the School Board as their sponsor. However, Florida Statutes provides Charters with a greater degree of flexibility from many of the regulations that traditional public schools need to meet. Specifically, Charter Schools are exempt from Chapters 1000 through 1013 (with certain limited exceptions) of the Florida Statutes.

Liz Freeman, with the Pinellas County Planning Department mentioned that as interpreted by Florida Department of Economic Opportunity (DEO) that Florida Statutes do require and contain provisions that Charters are subject to local government zoning regulations and to the same siting requirements as all other public schools, but they can't be treated more restrictively than other public schools. All in attendance concurred.

Gordon asked, what would happen if a Charter wanted to expand their operations at their current location if it would require a new application or just a modification to the contract. Mr. Koperski made clear that that it would require a Charter contract amendment and local governments would be notified of the details of the proposed change.

Largo made a comment about increasing the number of students would that trigger a review, Michael Bessette commented that a change to the Contract should be made to address cumulative increases.

Paul Geisz, from the City of St. Petersburg wanted to know if the State Requirements for Educational Facilities (SREF) would apply to Charter School buildings. Mr. Koperski said that all charter schools are required to utilize facilities that comply with the Florida Building Code pursuant to Chapter 553 and are considered to be exempt from SREF. However, if a Charter converts or occupies a traditional public school SREF would apply. Mr. Koperski stressed the importance that local governments cannot impose local building requirements or restrictions that are more stringent than those found in the Florida Building Code.

Gordon wanted to know whose responsibility it is to provide Crossing Guards. Michael Bessette mentioned that traditionally local governments have done this, but it is not required.

Paul Bertels with the City of Clearwater, inquired if the Charters are required to provide the District with operational hours since the schools typically generate more traffic than traditional public schools (since they are not usually bussing?). Mr. Bessette mentioned that the District should require operational hours on the contract, depending on if the Charter is located next to an existing public school to eliminate traffic conflicts.

Gordon thanked everyone for their hard work and thanked the transportation representatives for attending as well. Gordon concluded the discussion by reminding everyone to contact the School District Attorney with comments related to the proposed contract revisions.

**Annual Fall Student Enrollment Count:**

Marshall Touchton, the School District's Demographer, discussed the 2012-13 Enrollment Count and the Draft version of the Level of Service (LOS) Report. Marshall indicated that each year following the fall student enrollment count the District prepares the LOS Report to calculate the existing level of service within the school district countywide. The Report determines the utilization rates by comparing the aggregate school capacity and enrollment and anticipated student population growth in eight Concurrency Service Areas (CSAs).

Mr. Touchton proceeded to review the Report's content and the definitions associated with each of the column headings.

**Other items from members:**

There were no other items brought up and the meeting was concluded.