

# **EDUCATIONAL ELEMENT**

## **Introduction**

In 1996, Miami-Dade County adopted the Educational Element under the provisions of the state growth management law that permitted the adoption of optional elements. The Educational Element was amended in 1999 to address the 1998 requirement of the state growth management law requiring local government comprehensive plans to include criteria providing for public schools proximate to urban residential areas and encouraging the collocation of public schools with other public facilities such as parks, libraries and community centers. In 2002, Florida Statutes were again revised requiring district schools boards and the County and municipalities to enter into an Interlocal Agreement for Public Facility Planning. Miami-Dade County and Miami-Dade County Public Schools entered into the Interlocal Agreement for Public Facility Planning. The Educational Element was further amended in 2005 as result of recommendations in the Evaluation and Appraisal Report (EAR) adopted in 2003. The Interlocal Agreement provides procedures for the County and Miami-Dade County Public Schools in coordinating land use and public school facilities planning.

In response to the legislative requirements of the 2005 Growth Management Act the Educational Element and Interlocal Agreement were extensively revised in 2008. The requirements included the adoption of a public school educational element, a level of service standard for public schools, a concurrency management program, proportionate share mitigation criteria and revisions to existing Interlocal Agreement for Public Facility Planning between Miami-Dade County and Miami-Dade County Public Schools. The County finalized the adoption of these criteria in 2009.

This Educational Element includes the goal, objectives and policies, the level of service (LOS) standards, and the procedures for monitoring and evaluating the element.

## **GOAL**

**DEVELOP, OPERATE, AND MAINTAIN A SYSTEM OF PUBLIC EDUCATION BY MIAMI-DADE COUNTY PUBLIC SCHOOLS, IN COOPERATION WITH THE COUNTY AND OTHER APPROPRIATE GOVERNMENTAL AGENCIES, WHICH WILL STRIVE TO IMPROVE THE QUALITY AND QUANTITY OF PUBLIC EDUCATIONAL FACILITIES AND EDUCATIONAL PROGRAMS AVAILABLE TO THE CITIZENRY OF MIAMI-DADE COUNTY, FLORIDA.**

### **Objective EDU-1**

**Work towards the reduction of the overcrowding which currently exists in the Miami-Dade County Public Schools, while striving to attain an optimum level of service pursuant to Objective EDU-2. Provide additional solutions to overcrowding so that enrollment in Miami-Dade County's public schools will meet state requirements for class size.**

### **Policies**

- EDU-1A. Miami-Dade County shall cooperate with the Miami-Dade County Public Schools in their efforts to continue to provide new student stations through the Capital Outlay program, in so far as funding is available.
- EDU-1B. Miami-Dade County shall collect impact fees from new development for transfer to the Miami-Dade County Public Schools to offset the impacts of these additional students on the capital facilities of the school system.
- EDU-1C. Miami-Dade County shall cooperate with the Miami-Dade County Public Schools in their efforts to develop compact educational facilities such as early childhood centers which can be constructed on small parcels of land and relieve overcrowding at elementary schools, in so far as funding and rules permit.
- EDU-1D. Miami-Dade County shall cooperate with the Miami-Dade County Public Schools in their efforts to provide public school facilities to the students of Miami-Dade County, which operate at optimum capacity, in so far as funding available. Operational alternatives may be developed and implemented, where appropriate, which mitigate the impacts of overcrowding while maintaining the instructional integrity of the educational program.
- EDU-1E. Miami-Dade County shall cooperate with the Miami-Dade County Public Schools in their efforts to maintain and/or improve the established level of service (LOS), for Public Educational Facilities, as established for the purposes of school concurrency.
- EDU-1F. The Miami-Dade County School Board (School Board) comments shall be sought and considered on comprehensive plan amendments and other land use and zoning decisions which could impact the school district, in order to be consistent with the terms of the state mandated Interlocal Agreement pursuant to Sections 1013.33 and 163.31777, Florida Statutes.
- EDU-1G. Capital improvement programming by the Miami-Dade County Public Schools should be based on future enrollment projections and demographic shifts and targeted to enhance the effectiveness of the learning environment. The future

enrollment projections should utilize student population projections based on information produced by the demographic, revenue, and education estimating conferences pursuant to Section 216.136, Florida Statutes, where available, as modified by the School Board based on development data and agreement with the local governments, the State Office of Educational Facilities and the State SMART Schools Clearinghouse. The School Board may request adjustment to the estimating conferences' projections to reflect actual enrollment and development trends. In formulating such a request, the School Board will coordinate with the Cities and County regarding development trends and future population projections.

- EDU-1H. It is the policy of Miami-Dade County that the Miami-Dade County Public Schools should give priority to the Urban Infill Area (UIA) identified in CDMP Capital Improvements Element Figure 1 when allocating resources toward the attainment of the level of service objective for public educational facilities (Objective EDU-1), followed by more recently developed and newly developing areas outside the UIA and within the Urban Development Boundary (UDB).
- EDU-1I. Miami-Dade County will through the Staff Working Group of the Interlocal Agreement for Public School Facility Planning coordinate with Miami-Dade County Public Schools, and applicable Cities to review annually the Educational Element and school enrollment projections.

## **Objective EDU-2**

**Miami-Dade County shall coordinate new residential development with the future availability of public school facilities<sup>1</sup> consistent with the adopted level of service standards for public school concurrency, to ensure the inclusion of those projects necessary to address existing deficiencies in the 5-year schedule of capital improvements, and meet future needs based upon achieving and maintaining the adopted level of service standards throughout the planning period.**

## **Policies**

- EDU-2A. The adopted level of service (LOS) standard for all Miami-Dade County public school facilities is 100% utilization of Florida Inventory of School Houses (FISH) capacity (with relocatable classrooms). This LOS standard, except for magnet schools, shall be applicable in each public school concurrency service area (CSA), defined as the public school attendance boundary established by the Miami-Dade County Public Schools<sup>2</sup>.

The adopted LOS standard for Magnet Schools is 100% utilization of FISH (With Relocatable Classrooms), which shall be calculated on a districtwide basis.

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<sup>1</sup> Level of Service standards for public school facilities apply to those traditional educational facilities, owned and operated by the Miami-Dade County Public Schools that are required to serve the residential development within their established Concurrency Service Area. Level of Service standards do not apply to charter schools. However, the actual enrollment (October Full Time Equivalent (FTE)) of both charter and magnet schools as a percentage of the total district enrollment will be credited against the impact of development.

<sup>2</sup> Relocatable classrooms may be used by the Miami-Dade County Public Schools as an operational solution to achieve the level of service standard during replacement, remodeling, renovation or expansion of a public school facility.

EDU-2B. It is the goal of Miami-Dade County Public Schools and Miami-Dade County for all public school facilities to achieve 100% utilization of Permanent FISH (No Relocatable Classrooms) by January 1, 2018. To help achieve the desired 100% utilization of Permanent FISH by 2018, Miami-Dade County Public Schools should continue to decrease the number of relocatable classrooms over time. Public school facilities that achieve 100% utilization of Permanent FISH capacity should, to the extent possible, no longer utilize relocatable classrooms, except as an operational solution.

EDU-2C. In the event the adopted LOS standard of a CSA cannot be met as a result of a proposed development's impact, the development may proceed provided at least one of the following conditions is met:

- a) The development's impact can be shifted to one or more contiguous CSAs that have available capacity, subject to such provisions in the Interlocal Agreement for Public School Facility Planning with Miami-Dade County Public Schools that may limit the shifting of impacts to those facilities, located, either in whole or in part, within the same Geographic Areas (Northwest, Northeast, Southwest, or Southeast, see Figure 1A through 1D) as the proposed development; or
- b) The development's impact is mitigated, proportionate to the demand for public schools it created, through a combination of one or more appropriate proportionate share mitigation options, as defined in Section 163.3180, Florida Statutes, and subject to such provisions in the Interlocal Agreement for Public School Facility Planning with Miami-Dade County Public Schools as may further define the available proportionate share mitigation options. The intent of these options is to provide for the mitigation of residential development impacts on public school facilities, guaranteed by a legal binding agreement, through mechanisms such as: contribution of land; the construction, expansion, or payment for land acquisition or construction of a permanent public school facility; or, the creation of a mitigation bank based on the construction of a permanent public school facility in exchange for the right to sell capacity credits. The proportionate share mitigation agreement, is subject to approval by Miami-Dade County School Board and Miami-Dade County Board of County Commission and must be identified in the Miami-Dade County Public Schools Facilities Work Program.
- c) The development's impacts are phased to occur when sufficient capacity will be available.

If none of the above conditions is met, the development shall not be approved. It is provided, however, that nothing in this element or in the Interlocal Agreement for Public School Facility Planning shall be construed or applied to effect a permanent or temporary taking of private property in violation of the United States Constitution or the Florida Constitution, to result in the unlawful abrogation of vested rights or other violation of law, to require the payment of compensation for impacts on private property, or to modify or eliminate any remedy available to prevent or rectify a taking, abrogation of vested rights, or violation of law.

- EDU-2D. Concurrency Service Areas (CSA) shall be delineated to: 1) maximize capacity utilization of the facility, 2) limit maximum travel times and reduce transportation costs, 3) acknowledge the effect of court-approved desegregation plans, 4) achieve socio-economic, racial, cultural and diversity objectives, and 5) achieve other relevant objectives as determined by the School Board's policy on maximization of capacity. Periodic adjustments to the boundary or area of a CSA may be made by the School Board to achieve the above stated factors. Other potential amendments to the CSAs shall be considered annually at the Staff Working Group meeting to take place each year no later than April 30 or October 31, consistent with Section 9 of the Interlocal Agreement for Public School Facility Planning.
- EDU-2E. Miami-Dade County through the implementation of the concurrency management system and Miami-Dade County Public School Facilities Work Program for educational facilities, shall ensure that existing deficiencies are addressed and the capacity of schools is sufficient to support residential development at the adopted level of service (LOS) standards throughout the planning period in the 5-year schedule of capital improvements.
- EDU-2F. The Miami-Dade County Public Schools Facilities Work Program will be evaluated on an annual basis to ensure that the level of service standards will continue to be achieved and maintained throughout the planning period.

### **Objective EDU-3**

**Obtain suitable sites for the development and expansion of public educational facilities.**

#### **Policies**

- EDU-3A. It is the policy of Miami-Dade County that the Miami-Dade County Public Schools shall not purchase sites for schools nor build new schools outside of the Urban Development Boundary (UDB), and that new elementary schools constructed should be located at least 1/4 mile inside the UDB; new middle schools should be located at least 1/2 mile inside the UDB, and; new senior high schools should be located at least one mile inside the UDB. In substantially developed areas of the County where suitable sites in full conformance with the foregoing are not available and a site or portion of a site for a new school must encroach closer to the UDB, the majority of the site should conform with the foregoing location criteria and the principal school buildings and entrances should be placed as far as functionally practical from the UDB. The same criteria of this paragraph that apply to public schools also pertain to private schools.
- EDU-3B. In the selection of sites for future educational facility development, the County encourages the Miami-Dade County Public Schools to consider whether a school is in close proximity to residential areas and is in a location that would provide a logical focal point for community activities.
- EDU-3C. Where possible, the Miami-Dade County Public Schools should seek sites which are adjacent to existing or planned public recreation areas, community centers, libraries, or other compatible civic uses for the purpose of encouraging joint use facilities or the creation of logical focal points for community activity.

- EDU-3D. Miami-Dade County acknowledges and concurs that, when selecting a site, the Miami-Dade County Public Schools will consider if the site meets the minimum size criteria as recommended by the State Department of Education or as determined to be necessary for an effective educational environment.
- EDU-3E. When considering a site for possible use as an educational facility, the Miami-Dade County Public Schools should review the adequacy and proximity of other public facilities and services necessary to the site such as roadway access, transportation, fire flow and portable water, sanitary sewers, drainage, solid waste, police and fire services, and means by which to assure safe access to schools, including sidewalks, bicycle paths, turn lanes, and signalization.
- EDU-3F. When considering a site for possible use as an educational facility the Miami Dade County Public Schools should consider whether the present and projected surrounding land uses are compatible with the operation of an educational facility.
- EDU-3G. Miami-Dade County shall encourage and cooperate with the Miami-Dade County Public Schools in their effort for public school siting reviews to help accomplish the objectives and policies of this element and other elements of the CDMP. The County shall cooperate with the Public Schools to establish provisions for a scoping or pre-application meeting as part of the educational facilities review process, if determined to be warranted.
- EDU-3H. Miami-Dade County will continue to cooperate with Miami-Dade County Public Schools in utilizing Miami-Dade County Public Schools as emergency shelters during county emergencies.

#### **Objective EDU-4**

**Miami-Dade County Public Schools, in conjunction with the County and other appropriate agencies, will strive to improve security and safety for students and staff.**

#### **Policies**

- EDU-4A. Miami-Dade County shall continue to cooperate with the Miami-Dade County Public Schools to develop and/or implement programs and policies designed to reduce the incidence of violence, weapons and vandalism on school campuses. Encourage the design of facilities, which discourages criminal behavior and provides clear sight lines from the street.
- EDU-4B. Miami-Dade County shall continue to cooperate with the Miami-Dade County Public Schools to develop and/or implement programs and policies designed to reduce the number of incidents related to hazardous conditions as reported by the Environmental Protection Agency (EPA), the fire marshal, the State Department of Education (DOE), Florida Department of Environmental Protection, the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources, and other appropriate sources.
- EDU-4C. Miami-Dade County shall continue to cooperate with the Miami-Dade County Public Schools to provide for the availability of alternative programs for at-risk students at appropriate public educational facilities.

- EDU-4D. Miami-Dade County shall coordinate with the Miami-Dade County Public Schools and municipalities to provide for pedestrian, bicyclist and traffic safety in the school areas, and signalization for educational facilities.
- EDU-4E. Miami-Dade County shall coordinate with the Miami-Dade County Public Schools' Division of School Police and other law enforcement agencies, where appropriate, to improve and provide for a secure learning environment in the public schools and their vicinity.

#### **Objective EDU-5**

**Continue to develop programs and opportunities to bring the schools and community closer together.**

##### **Policies**

- EDU-5A. Miami-Dade County shall cooperate with the Miami-Dade County Public Schools in their efforts to provide "full service" schools, parent resource centers, adult and community schools and programs as appropriate.
- EDU-5B. Miami-Dade County shall cooperate with the Miami-Dade County Public Schools in their efforts to continue to provide opportunities for community and business leaders to serve on committees and task forces, which relate to the development of improved provision of public educational facilities and programs.
- EDU-5C. Miami-Dade County shall cooperate with the Miami-Dade County Public Schools to continue to work with the development industry to encourage partnerships in the provision of sites and educational facilities including early childhood centers.
- EDU-5D. Miami-Dade County shall cooperate with the Miami-Dade County Public Schools through agreement with appropriate agencies to increase medical, psychological, and social services for children and their families as appropriate.

#### **Objective EDU-6**

**Miami-Dade County Public Schools will continue to enhance effectiveness of the learning environment.**

##### **Policies**

- EDU-6A. Miami-Dade County Public Schools is encouraged to continue the design and construction of educational facilities which create the perception of feeling welcome, secure and positive about the students' school environment and experiences.
- EDU-6B. The Miami-Dade County Public Schools is encouraged to continue to design and construct facilities which better provide student access to technology designed to improve learning, such as updated media centers and science laboratories.
- EDU-6C. The Miami-Dade County Public Schools is encouraged to continue to improve existing educational facilities, in so far as funding is available, through renovation

and expansion to better accommodate increasing enrollment, new educational programs and other activities, both curricular and extra-curricular.

### **Objective EDU-7**

**The School Board, the County, and other appropriate jurisdictions and agencies shall establish and implement mechanisms for on-going coordination and communication, to ensure the adequate provision of public educational facilities.**

### **Policies**

- EDU-7A. Miami-Dade County shall coordinate and cooperate with the Miami-Dade County Public Schools, the State, municipalities and other appropriate agencies to develop or modify rules and regulations in order to simplify and expedite proposed new educational facility developments and renovations.
- EDU-7B. The location of future educational facilities should occur where capacity of other public facilities and services is available to accommodate the infrastructure needs of the educational facility.
- EDU-7C. The Miami-Dade County Public Schools should coordinate school capital improvement plans with the planned capital improvement projects of other County and municipal agencies.
- EDU-7D. Miami-Dade County shall cooperate with the Miami-Dade County Public Schools in their efforts to ensure that they are not obligated to pay for off-site infrastructure in excess of their fair share of the costs.
- EDU-7E. Miami-Dade County and Miami-Dade Public Schools shall periodically review the Educational Facilities Impact Fee Ordinance to strive to ensure that the full eligible capital costs associated with the development of public school capacity (new schools and expansion of existing ones) are identified when updating the impact fee structure. Pursuant to the terms of the state mandated Interlocal Agreement, the County and School Board shall at least every three years perform a review of the Ordinance, its formula, the Educational Facilities Impact Fee methodology and technical report, in order to make recommendations for revisions to the Board of County Commissioners.
- EDU-7F. Miami-Dade County and the Miami-Dade County Public Schools will annually review the Educational Element and the County will make amendments, if necessary.
- EDU-7G. Miami-Dade County shall seek to coordinate with the Miami-Dade County Public Schools in formalizing criteria pursuant to the Interlocal Agreement for Public Facility Planning between Miami-Dade County and Miami-Dade County Public Schools, for appropriate sharing of responsibility for required off-site facility improvements attributable to construction of new public schools or expansion of existing ones. The criteria should be prepared prior to the next full review of the School Impact Fee Ordinance.

- EDU-7H. Miami-Dade County shall coordinate with the Miami-Dade County Public Schools and local governments to eliminate infrastructure deficiencies surrounding existing school sites.
- EDU-7I. Miami-Dade County and the Miami-Dade County Public Schools shall coordinate efforts to ensure the availability of adequate sites for the required educational facilities.
- EDU-7J. Miami-Dade County and the Miami-Dade County Public Schools shall coordinate the appropriate roles and responsibilities of affected governmental jurisdictions in ensuring the timely, orderly and efficient provision of adequate educational facilities.
- EDU-7K. Miami-Dade County will account for the infrastructure needs of new, planned or expanded educational facilities when formulating and implementing its own capital improvement plans.

## **MONITORING AND EVALUATION PROGRAM**

In order to enable the preparation of the periodic Evaluation and Appraisal Report (EAR) as required by Section 163.3191, Florida Statutes (F.S.), this section outlines the procedures for monitoring and evaluating the Element and its implementation.

### **Monitoring Requirements**

The primary mechanism to monitor progress in achieving the objectives and policies in this Element is the collection and update of appropriate baseline data. As required by the State, at least once every five (5) years the School Board shall arrange for an educational plant survey to be conducted. This plant survey will include data regarding existing facilities and a five (5) year projection of student population. The written report from this survey shall include the following:

Inventory	An inventory of existing ancillary and educational plants and auxiliary facilities.
Student Population	An analysis of past and projected student population.
Capital Outlay	An analysis of expenditures and projected capital outlay funds.
Facilities	Statements of proposed types of facilities, grade structure, and list student capacity.
Funding	A proposed funding plan.

The information obtained from the educational plant survey will be used to generally monitor the progress of the objectives and policies contained in the Educational Element and will provide specific indicators for Objective EDU-1 and Objective EDU-4.

The enforcement or adoption of interlocal agreements shall be explored as a means to help implement components of the Educational Element, and to coordinate the efficient provision of public educational facilities. The performance of any agreements related to objectives of this element will be monitored as they are set in place.

**Objective EDU-1** policies relating to the maintenance and improvement of specific level of service for public educational facilities, as specified in the Educational Facilities Impact Fee Ordinance, shall be reviewed annually. Each year, the Miami-Dade County Public Schools will compare the official enrollment of the school system with the number of student stations available to determine the current operating LOS.

**Objective EDU-2** will be measured through an annual review of the latest adopted Miami-Dade County Public Schools Facility Work Program to determine if the adopted concurrency level of service standard is being achieved. The number of development orders approved, those disapproved and those that have achieved LOS standards through mitigation options will also be reviewed.

**Objective EDU-3** will be monitored through the annual inventory and assessment by the Miami-Dade County Public Schools of School Board owned property. The number of new sites shall be reported annually and in the full review period reported in the EAR.

**Objective EDU-4** will be monitored through the review and analysis of the statistics relating to school safety, as compiled annually, by the Miami-Dade County Public Schools' Division of Police. A review and analysis of new and existing reactive and proactive safety and crime prevention programs will also be conducted on an annual basis.

**Objective EDU-5** shall be monitored by the Miami-Dade County Public Schools by reporting and reviewing the progress and number of new and existing community oriented programs, including an enrollment analysis, by age and ethnicity, of adult, community and vocational programs.

**Objective EDU-6** shall be monitored by the Miami-Dade County Public Schools by reporting the number of educational facility enhancements such as media centers, art/music suites, science laboratories, computer laboratories, classroom renovations, systems replacement, site improvements, etc.

**Objective EDU-7** will be addressed by implementing and tracking the development of appropriate mechanisms, including interlocal agreements and coordination efforts, which serve to expedite the provision or enhancement of public educational facilities.

Monitoring methods may be added or deleted as circumstances and criteria evolve. Any significant modifications to the monitoring process will be dealt with, as appropriate, through the Comprehensive Development Master Plan amendment process.

## **Evaluation**

Available data regarding the various public educational facilities will be used to assess progress on specific objectives. In order to evaluate the level of service being provided, student capacity totals will be reviewed in comparison to student enrollment to determine the status of the current level of service being provided. Similarly, performance in terms of achieving other objectives can also be analyzed by tracking the number of completed capital projects, as well as the development and implementation of other programs associated with each objective. Results of these calculations and measures will be analyzed and changing circumstances and opportunities will be considered.

Any actions, changes or modifications to the Goal, Objectives, and Policies will be explained in accordance with the results of this process of continued monitoring and evaluation. Any necessary changes will be made through the Comprehensive Development Master Plan amendment process.

### **Future Conditions Maps**

Maps showing existing and future conditions are included in the element. A map series (Figures 1A through 1D) has been included which indicates the location of public schools and ancillary facilities over the planning period (2011 through 2016). Public schools are depicted using four areas of the County that are generally equivalent to the proposed Educational Impact Fee Benefit District. Figures 1A through 1D indicate the current public school and ancillary facility locations and the location of public school and ancillary facilities anticipated by December 31, 2016. Map locations of future public school facilities are general and do not prescribe a land use on a particular parcel of land.

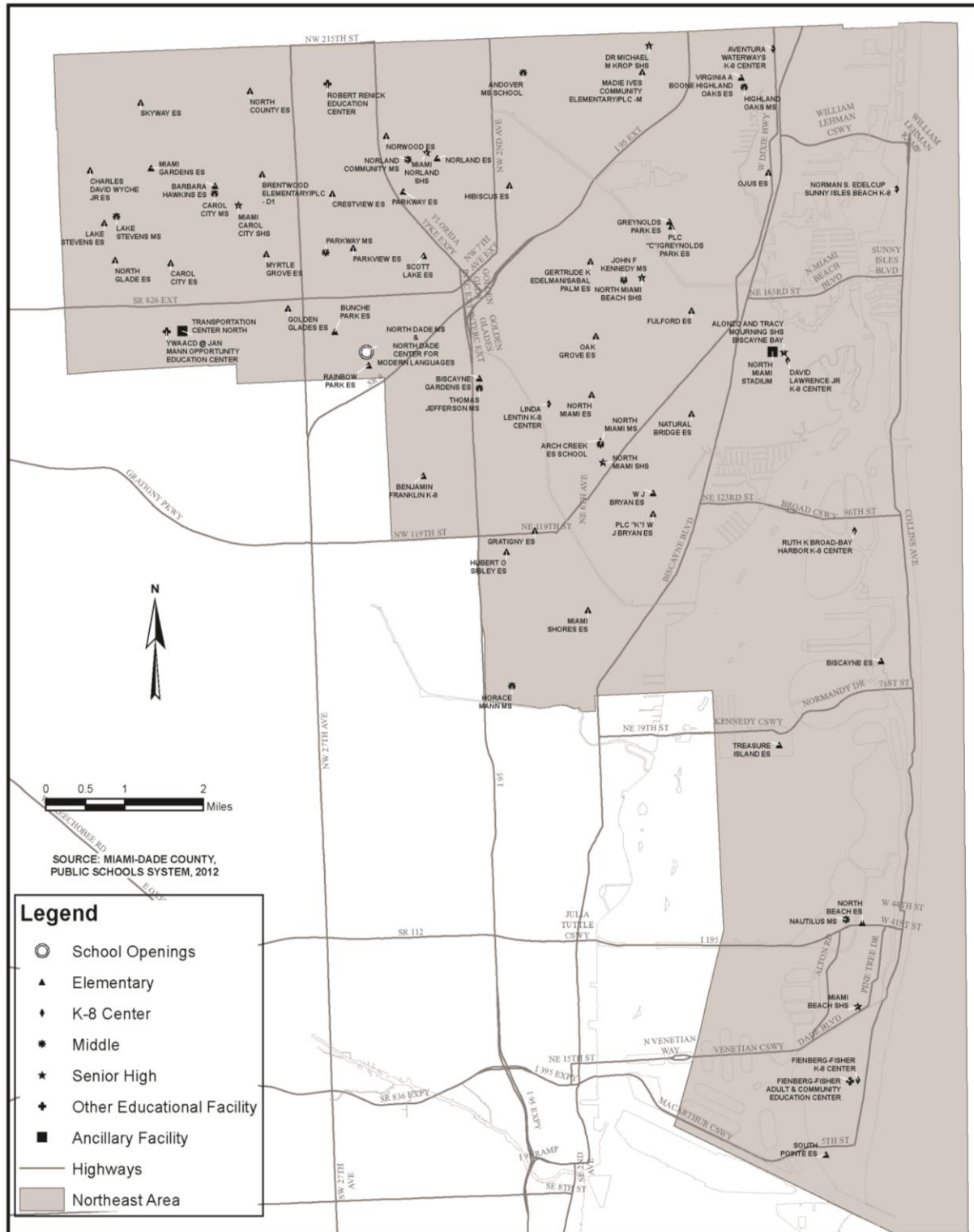
**Legend**

- School Openings
- ▲ Elementary
- ◆ K-8 Center
- Middle
- ★ Senior High
- ✦ Other Educational Facility
- Ancillary Facility
- Highways
- Northwest Area

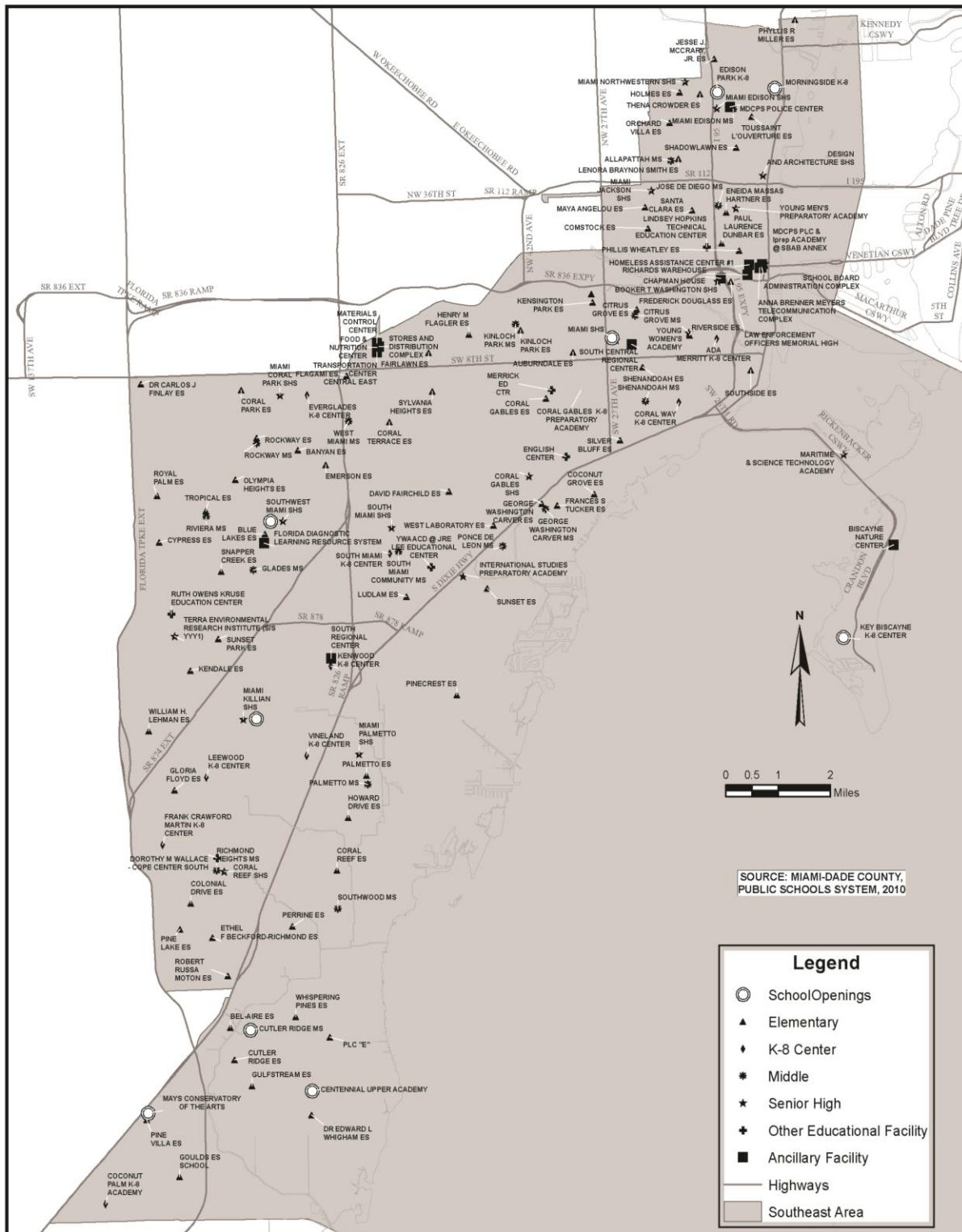
0 0.25 0.5 1 Miles

SOURCE: MIAMI-DADE COUNTY PUBLIC SCHOOLS SYSTEM, 2012

## Proposed, Existing, and Ancillary Educational Facilities Located in the Northeast Area - 2011-2016



# Proposed, Existing, and Ancillary Educational Facilities Located in the Southeast Area - 2011-2016



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