

SUPERINTENDENT'S SCHOOL SITE REVIEW COMMITTEE

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA 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. * THIS POLICY SHALL ALSO ADDRESS THE DISPOSAL OF SURPLUS SCHOOL SITE(S) THAT WAS INITIALLY ACQUIRED VIA THE PROVISIONS OF 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.

RULES:

New schools and special centers shall be located so as to serve the intended student population in accordance with the following:

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 -Benchmark Enrollment data issued the first Monday following Labor Day and the Five-Year Student Enrollment Projections.

The authority to consider sites as determined in School Board Policy 5000 is the Five-Year Adopted District Educational Facilities Plan (ADEFPP).

2. The need for a new or replacement school or center shall be established based upon current and projected student growth data as contained in the 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. Thereafter, upon completion of due diligent processes, the need shall be identified for funding in the Five-Year ADEFPP.
3. The school district, 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 diversity. 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.
4. Discussions will be held by district staff with local government staff or representatives in whose jurisdiction the subject school site may be located, and representatives from the innovation zone(s) 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 to coordinate planning, the provision of services, and access to the potential sites.
5. When the need for a new school is identified in the Five-Year ADEFPP, the Superintendent's School 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 Superintendent's School Site Review Committee members to aid in their recommendation process. Based on the information gathered during this review for a new school, the Superintendent's School Site Review Committee will make a recommendation to the Superintendent of one or more sites in order of preference.
6. Appropriate site(s) will be reviewed by the Superintendent's School Site Review Committee. The Superintendent will appoint the Committee members which will consist of twelve (12) school district staff members, five (5) community representatives 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; one at large (1) community representative selected by the Superintendent and one (1) representative from the Broward County Traffic Engineering Department, ; one (1), 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 the League of Cities; and 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 Five-Year ADEFP that designates which schools will be relieved by this construction will be used to determine which municipalities are involved. Additional members may be appointed at the Superintendent's discretion.

7. The following provisions shall apply to the real estate broker/sales person, and the appraiser appointed to the Committee and other Committee members:
 - a. 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.
 - b. 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.
 - c. 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.
8. 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.
9. All School Sites will be reviewed by the Superintendent's School Site Review Committee prior to being recommended for purchase. After review by the Committee, the Superintendent shall consider the Superintendent's School Site Review Committee recommendations and may recommend one or more sites in order of preference, to The 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.
10. 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.

11. 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.
12. 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.
13. 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.
14. 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)).

- * New School: One that has never existed before.
Replacement School: New physical plant for a school that presently exists.

Authority: F.S. 1001.32(2); 1001.41(2) and (3); 1001.42(27)
Amended: 11/13/01; 03/04/03
Rules Adopted: 6/6/95, 2/17/98, 9/16/2003, 6/03/2008
Amended Rules Adopted: 5/6/14