

October 2003

A Toolkit for Tomorrow's Schools

New ways of bringing growth management and school planning together.

By Steve Donnelly, AICP

The myth: Because public schools are the most expensive and complex governmental service, the intergovernmental coordination between community planners and school facilities planners must be strong.

The reality: For most local planners and school staffs, the notion that schools and development can be planned together using common population projections, facility budgeting, comprehensive plans, and even common review staff, is radical stuff.

Florida is about to take that radical step, as new statewide regulations go into effect. Those regulations were adopted in 2002 with a two-year phased implementation period.

More common is the scenario that played itself out earlier this year in Carroll County, Maryland. During a board of education meeting, frustrated school board members and parents struggled to make sense of the adequate public facilities ordinance for schools (APFO), a state-enabled, locally adopted requirement that stops new development approvals once a school's enrollment exceeded capacity by 120 percent.

School Superintendent Charles Ecker, formerly a county executive elsewhere in Maryland, explained that the school APFO was a part of the county's growth management program. Its purpose was to align development timing with the availability of new public facilities. The 120 percent criterion is the signal that new schools are needed.

Faced with overcrowded schools, continued development, and anemic school funding, one board member asked, "If it takes five years to build a new school, shouldn't we send the signal to stop development at 60 percent or 80 percent to match the timing of a new school?"

By June 2003, the old county commissioners, who supported the prior APFO process, were out of office, along with their planning director. Carroll County's new commissioners passed a sweeping one-year development moratorium while they searched for an APFO system that works. Charles Ecker and his school board will, no doubt, be extremely interested in the outcome.

Since initiating its ground-breaking smart growth program in 1998, Maryland, through its school construction financing process, stepped up pressure to establish local school APFOs like Carroll County's, but provided little guidance and even less funding. The new governor, Robert Ehrlich, is dismantling the Office of Smart Growth and transferring staff to the Department of Planning.

It's a national problem

Go to public meetings in most metropolitan areas today, and no one wants to talk about smart growth or traditional neighborhood design. Those issues are so last year.

Today, parents across the U.S. want to know why housing permits are still being issued while their brand new school is already 130 percent overcrowded. They want to know why the students from their \$450,000 homes are being educated in trailers instead of traditional bricks and mortar classrooms. They want to know who is responsible for planning this mess.

In Maryland and other smart growth states, where APFOs have become a standard part of the planner's toolkit, parents also want to know why their jurisdiction's APFO doesn't work. These ordinances, which are supposed to assure that development is timed to match public school capacity, should be integrated with a plan, a capital budget, and a mitigation process allowing developers to fund their own expansions.

Unfortunately, more and more communities find a regulatory quagmire:

- poorly aligned planning systems that do little to assure any credible connection between school capacity and the needs of new development;
- regulatory processes left over from past generations;
- inadequate capital budgets;
- ineffective mitigation processes; and,
- no interagency coordination.

Planners may be planning development, and school planners may be planning schools, but they sure aren't doing it together. It's as if they are on different planets.

The problems go beyond an angry public. First, there is the federal No Child Left Behind Act, which attacks current community composition processes by creating mandatory student transfer rights out of failing schools in neighborhoods with high concentrations of poverty.

Next is the school choice movement. These folks want control of their own public schools. In fact, they'd prefer to put the public school in their office park to be near their kids.

Last are the equity and uniformity groups. Some local governments have created better schools than their neighbors. Since state charters mandate a free and uniform system of public schools, equity and uniformity groups are suing for the same quality in their schools.

Why does any of this matter?

Here are a few reasons why these things matter:

- Most current school APFOs are so far out-of-date and out-of-alignment with the modern school system that if you don't change them, you will find legislatures (like Florida's) and judges (like Maryland's) cutting your current regulations to pieces.
- If you don't find a school planning system that works, the public may toss you and your plans out the window.

- Public schools are the apex predator in the local budget game, so money wasted in poor school planning comes out of your paycheck.
- Schools and communities are so interdependent that finding systems that work together, instead of in conflict, could make you a local hero — or take the bulls-eye off your forehead.

Whether we like it or not, land-use decisions do impact schools, just as schools and school performance impact development patterns. So we are faced with two alternatives. We can retreat further from school planning, or we can find a new strategy that opens all the doors and directly tackles the problems and opportunities.

The Florida challenge

Florida's legislature, frustrated by years of contentious school planning problems, has laid down the terms for the next generation of school planning: If local governments want to use school APFOs, then the local government, the local school system, and their respective planners must work together — common growth management plans, common population projections, common development review bodies, and common funding strategies — with a formally executed agreement between the parties.

Florida's first APFO skirmishes began with the passage of the 1985 Growth Management Act. Although that law did not address schools, it laid the foundation for local APFOs, and introduced new terms and concepts like concurrency and development impact fees.

As is true elsewhere, Florida's public schools are established as a state service under the requirement for a free and uniform system, so any efforts by local governments to regulate state school services raised profound intergovernmental issues. Could local government create regulations related to a state service? What level of service standards and procedures would apply? What planning processes would be needed? What state agencies need to sign off on agreements and plans between local governments and boards?

Over the succeeding years, as the mismatch between local growth plans and public school capacity worsened, the effort to bring the two camps together resulted in one reform after another until, in 2002, Chapters 163 and 235 of the state code were substantially revised. Under the revisions any local government, as a condition of exercising school APFO authority, must submit a plan for state review and approval, and execute formal intergovernmental agreements. These agreements must demonstrate: planning and budget consistency; coordinated growth management planning; coordinated plan review; common capacity measurements and level of service standards; school siting; population projections; and defined processes for mitigation; co-location strategies; and appeal and conflict resolution.

The legislation provides specific steps and deadlines for plan development and implementation. In December 2003, planning studies must be completed to be eligible for state funding. This is a big step, but the last major hurdles must be completed by December 2004, which, in government terms, is fast approaching.

Interestingly, Florida's legislation does not contain the detailed methodologies by which land-use and school plans are actually coordinated. The challenge now is to find those methodologies.

That quest is creating a lot of excitement for school planning geeks like myself. For the first time in decades, national school planning firms are working with planners like me to figure out why school projections don't work, and what role local planning processes and APFOs play in the failures. If everyone plans together, accuracy should increase markedly, provided that all the interactions are correctly mapped out.

For planners nationwide, though, the emergence of new and, hopefully, better techniques raises the question: How do our local practices compare?

The tale of two planets

Thirty-five years ago, school planning was the province of the local planning department in most counties, so schools and communities were planned on the same page, though in different ways.

Typically, a community planner intensely studied the subtleties of each subdivision to accurately estimate student generation probabilities based on the price range, target market, type of community amenities, area enrollment patterns, and student-by-student impact of other comparable subdivisions. That planner also knew every classroom, how it was used, and how many new students would trigger the need for a new teacher, an addition, or a new school.

School facility planning and development coordination happened simultaneously. The planner knew that by changing certain characteristics, or the timing of any proposed project, the student profile could be adjusted to fit available capacity, and unnecessary construction could be avoided. This approach of sequencing development to match the use of public facilities is exactly what adequate public facilities ordinances are supposed to deliver.

Where a new school was needed, the developer might contribute a small, walkable site in the heart of the community, which also served as the community playground — the kind of schools and communities that Andreas Duany could love.

The Achilles heel of that system of local school planning was that it preserved pre-existing systems of segregated schools. Then the U.S. Supreme Court's 1954 *Brown vs. Board of Education* desegregation decision mandated that schools establish color-blind geographic attendance boundaries. Implementation came in the late 1960s, once the federal government offered millions in school construction financing, provided that local jurisdictions could meet all the compliance standards, including desegregation.

By the 1970s, the federal carrot-and-stick created the need for highly specialized school planners. Community planners had their own legal peculiarities to deal with, including takings law. So school planners went one way, building fortress schools on 25-acre, single-use campuses, and local planners went another, designing all the services except schools. That division is reflected today in the disparity between current school APFOs and genuine school planning issues — as if the clock stopped in 1970.

Everything is simple on the APFO planet: Each new house brings a uniform and predictable number of students, each attends the same local schools, from kindergarten through 12th grade. The schools are simple, too: The curriculum is uniformly provided

through standard class sizes — 25 students per teacher. The cost of new schools is high, but substantially funded by state and federal sources, and school choice is limited to menu items.

Today's school system

The public school planet is entirely different: a complex, choice-based, and highly specialized system consisting of a grab-bag of old and new neighborhoods, crumbling and sparkling schools, aging neighborhoods with few kids, and new communities with either kids by the bus load or no kids at all.

Enrollments are driven so much by neighborhood turnover and test scores that the impact of new development is sometimes irrelevant, but those patterns are only discernible by project-specific analysis. Classroom capacity changes every year. New schools (charters) and school combinations (magnets) are emerging. Federal mandates and lawsuits constantly change the rules, and funding levels swing wildly.

Hello, enterprise-wide, market-savvy, GIS-integrated data systems.

Despite the system's changes, here is the current APFO scenario:

If net capacity (projected enrollment minus reported capacity) shows enough seats for the proposed development (based on countywide student generation factors), the subdivision is approved (yes); if not, it is initially denied (no); but, to prevent takings claims, it is allowed to proceed within three or six years (soon), regardless of capacity status.

When you cut through the veneer of tables and data, these school APFOs amount to little more than what one local judge in Maryland has taken to calling a "meaningless checklist" — a compendium of charts showing last year's enrollment, an outdated report of school capacity, and an undocumentable countywide student generation rate — none of which is of any genuine use in planning anything as complex as the modern public school system.

Next generation school planning

These days, school planning involves complex geography, overlapping boundaries, highly complex service distribution and transportation patterns, parents who move easily between jurisdictions, and lots of competition. It also involves more locally responsive planning and service alignments, cost-sharing agreements with other local agencies, and a variety of business and organizational models.

To keep up with all this, school planners are ramping up their technology. Many systems are being upgraded — inventory and enrollment tracking systems and transportation routing, to name a few.

Here are the basic concepts of the new school system:

Community composition. Most local planners know how to create great school performance in their own communities. Approve a neighborhood of McMansions within a single school attendance boundary. The students from those well-manicured homes will

be well-prepared, well-equipped, and well-fed, and their affluent parents will be available to help with homework or provide tutors. Result: great test scores!

Dismantling that homogeneous, but often inequitable, system in favor of a more diverse one will be critical to next generation school planning, whether that means moving kids between schools or creating more diverse communities. Community composition will be at the heart of future school planning decisions, so it's only a question of time before it begins to drive local land-use decisions.

Magnet and transfers. Geographic attendance boundaries no longer determine public school enrollments. Instead, school systems are creating specialized educational products (for special needs students, for example) that break down the old notion of neighborhood schools. Instead, students may attend regional schools, crossing several attendance boundaries to get there.

The No Child Left Behind Act is the 800-pound gorilla of a transfer program. Students assigned to failing schools now have a federally protected right to transfer to good schools, with the local system footing the transportation bill. By failing to comply, school districts risk major federal sanctions — and uniformity groups are there to make sure those sanctions are applied.

Does your APFO review board consider that APFO reviews should be based on a complex menu of possible schools, not a small set of schools? The whole process will get very complicated very soon.

Public charter schools. Public charter schools are public schools that operate independently, but under a charter from state public schools. Typically, they receive the same per student revenues as the local public schools, but can establish their own specialized curriculum, so long as it is not religious. Charter recipients may be a local community or affinity group, a for-profit charter school operator, a local cultural or educational institution, or, perhaps, a developer resolving school APFO issues.

Arizona, the big kahuna of charter school states, shows just how creative charters can be. Charters as small as 100 students, or as large as a regional high school, schools located in an office park, and even a college-sponsored teaching high school located on a college campus so students who want to teach can simultaneously mix high school classes with college credits.

Charter schools also function as an incubator for new school facility concepts. Can a small satellite school, or a series of them, be developed in lieu of the traditional public mega-school? Can variable grade-span approaches, Grades 1 through 3 or 11 and 12, provide better student settings, and more cost-effective facilities, than the standard arrangement of elementary (K-5), middle (6-8), and high schools (9-12)?

Looking at charter schools from a planner's perspective, as community elements or land uses, charters open the door for a return to attractive neighborhood-scale school designs, and seem like a wonderful new use for small towns and older communities, but they raise specific siting and traffic issues. Do your plans and regulations anticipate charters?

School shoppers. Today, many parents move from one district to another — and one community to another — seeking better schools. Parents of this ilk seem to fall into three categories: casual shoppers looking for newer architecture, generally good test scores, and reputation; grade sensitive shoppers (those who compare test scores); and legacy hunters (those who move from school to school in search of top performance).

School shopping is nothing new. Baltimore's top-performing schools had school shoppers 50 years ago, and they had them in 1970, when my family left Baltimore for the suburbs. It wasn't for racial reasons; my parents moved to the suburbs seeking better school performance. Thanks to court-ordered geographic attendance boundaries, there was only one way to attend those schools: Live within the boundary.

These school shopping patterns explain why a single-family home in one school district generates two students per house while the identical home in another district generates none. Does your school APFO recognize school performance, or just rely on countywide statistics?

Another question: If the city of Baltimore were to create a charter with a top-rated private school system, accessible tuition-free to city residents, could the power of school shopping pull residents into the city in the same way the suburbs pulled them out?

Co-location. When a town near Sacramento, California, needed a school, a library, community college space, and a regional park, Sacramento planner Carol Shearly proposed an out-of-the box solution. She suggested developing a community "power center," leasing one community complex to four different entities: a public school in the daytime, the community college at night, a public library, and a regional park, all on the same 150-acre campus. The result is the Natomas Town Center, being developed by the Eastridge Companies and scheduled to open in August 2004.

The result: one highly efficient building putting all the public services together, with cost savings for the agencies involved, plus an increase in public use for one of the most underused public facilities.

This common-sense idea, known as co-location, is becoming quite popular. More and more state legislatures, like Florida's, are establishing requirements for public agencies, and especially schools, to explore co-location opportunities with other public agencies before using scarce public dollars to build separate facilities.

As co-located projects become financially compelling, if not required, the local planner could serve as the broker in the transaction, scouting locations and bringing about the marriage of agencies that are often deadly competitors in the budget game.

Also, as concepts like co-location, leased facilities, and for-profit charters become more accepted, a truly national school service industry is emerging to tackle what were once strictly local activities. National school construction, planning, and consulting firms are setting up offices around the U.S. and creating an unprecedented national pool of resources and ideas.

Counting things

For decades, management of school systems was left to each local principal. The back-office bunch — facilities managers and school planners overseeing billions in construction contracts — were left with the worst technology.

All of that is changing fast due to the centralization of school management, the complexity of service patterns, and the soaring costs of school construction. At last, school facility managers and school planners will get their own version of Wal-Mart's state-of-the-art, just-in-time inventory management systems.

Next generation facility tracking systems follow the current use of each classroom and each seat in each school — that is, the grade level uses of each classroom (integrated with variable class size standards), and the number of empty seats by classroom, by grade level. Every time a classroom assignment changes from kindergarten (20 students per classroom) to first grade (22 students per classroom), the system will automatically update the school's capacity.

The tracking system can also simultaneously track non-classroom data like the maximum fire rating for a cafeteria, and the number of lunch shifts that will be required to serve the currently assigned students. Add data on expansion options (including costs), then link all the adjacent schools together, and you're really in the high-tech facility management business.

Four-dimensional capacity review

By linking GIS-coded enrollment data to other government data, such as tax records, deed registration, and building permits, school planners can now identify fine-grained relationships and trends that couldn't even be imagined a decade ago. Examples include real-time student enrollment patterns by grade level, school boundary, subdivision, or housing type; student impacts of neighborhood turn-over, correlated with price range and tenure; and student projections from new development. This information also allows for project-specific impact projections for new development.

Connect the facility database to the enrollment database and you have an impressive new management tool. If it were integrated with the land-use system, you could recreate the kind of work that local planners did 35 years ago: effective, efficient, and attractive schools in communities planned on one page.

Once next generation systems are in place, any changes on a zoning map will instantly be re-calibrated into student impacts by grade level, siting requirements, and new costs. Each time a planner, community group, or property owner comes up with a proposed change, school-related financial ramifications will become instantly available to everyone.

School planners will also begin to identify important planning relationships that haven't been seen in 35 years: Small changes in project orientation can make the difference between balanced school use or the need for a new school.

School APFO reviews

The purpose of school APFOs is to time and sequence development to match available or planned school capacity. Yet most school APFOs don't function as a vibrant, timing-

sensitive planning tool, but, instead, as a largely meaningless checklist — a snapshot of irrelevant data.

In real life, school capacity changes over time. School impacts from new development also change over time. New databases will allow school planners to connect specific housing types to school-level enrollment patterns that include the impact of test scores, and market share arranged by local magnet, charter, and private schools. They will also provide critical timing data to allow better scheduling of these impacts and available capacity.

Instead of a useless plug number, what can be produced is a student impact profile: how many students, by grade level and impact year, over, say, a five-year period.

The facility database, too, can provide time-sensitive information on the number of seats available by grade level and year across the network of potentially significant schools — a multi-year capacity profile.

When you put a next generation student impact profile together with a capacity profile, you have a smart tool. It can suggest a range of recommendations: timing the project to fit into existing capacity; modifying uses to change the impact profile to fit existing capacity; tailoring development to improve use of existing facilities; identifying specific expansion projects and costs for increasing capacity to match the development's needs (real-time mitigation pricing).

Impact fees and mitigation

The purpose of impact fees is to assess the costs of accommodating new development. Fees are based on a reasonable relationship between the project's impact and the school expansions needed. The formula is simple: Number of students expected times the local per seat cost for needed construction

Most school impact fee systems in metropolitan areas suffer from the same problems as the APFO — meaningless countywide student generation rates, outdated capacity reports, and poorly integrated planning techniques. As a result, the fee calculations only meet a vague standard of rough proportionality, and are often highly politicized.

Next generation data will allow fees that more accurately put the right costs on the right project at the right time. Out with the generic impact fee, and in with the individualized exaction.

Hopefully, too, real data will greatly reduce the politics of rates, and put dollars to decisions in a meaningful way. This is assuming your regulatory and exaction processes are structured to deal with real data.

Bringing it together

Public schools are undergoing a service revolution that, on the one hand, undermines the old way of doing business, and on the other, opens bold new opportunities for planning together — better schools, better communities, better cost control, and better alignments between schools and communities.

Taking advantage of the opportunities depends on major organizational, regulatory, and fiscal re-alignments. Planners didn't create the problems, and can do little, except through low-key advocacy, to change them.

The good news, though, is that revolutions in land use and schools happen overnight in the face of fiscal crises, legislative enactments, or court cases. Stand by!

Steve Donnelly, AICP, is a Maryland-based consulting planner who specializes in school planning regulations and development impacts. He is a member of the Council of Educational Facilities Planners, International. Contact him at schoolplanning@aol.com.

©Copyright 2003 American Planning Association All Rights Reserved