

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
OCT 28 1997 *CS/rb*

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# RESOLUTION

of the

**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**

regarding

**SCHOOL OVERCROWDING, "HOUSE BILL 2121", AND THE  
UPCOMING SPECIAL LEGISLATIVE SESSION**

**RESOLUTION NO. 97-M-44**

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE  
COUNTY, FLORIDA:

Section 1. Findings, Purpose, and Intent.

A. The Orange County Board of County Commissioners finds that:

1. The population in Orange County has grown by 97 percent from 1970

to 1990.

2. The Orange County Public Schools will enroll almost 7,000 new students this year.
3. The 7,000 new students are enough to fill three new elementary schools, two middle schools and one high school.
4. Student enrollment during the past three years has increased by more than the population of the City of Winter Park.
5. Almost 80 percent of the public schools in Orange County are overcrowded.
6. One-third of all public school students in Orange County are currently being taught in portable classrooms.
7. House Bill 2121, formally adopted as Laws of Florida Chapter 97-265, artificially reduces the facility needs for the Orange County Public School system.
8. House Bill 2121 erroneously treats art, music, resource rooms and skills labs as student classroom space.
9. House Bill 2121 counts portable classrooms as if they were permanent facilities.
10. House Bill 2121 temporarily freezes the concurrency requirements until July 1, 1998.

B. Based on the foregoing findings, it is the intent of the Board of County Commissioners to request the Florida Legislature address the issues and impacts stemming from the continuous flow of new students into Florida, as well as the present laws and regulations which impede local governments' ability to adequately contend with such matters as more particularly set forth below.

Section 2. The Orange County Board of County Commissioners requests that the Orange County Legislative Delegation at the November 1997 special session endorse, sponsor and seek to adopt those changes to HB 2121 contained in Section 3 below that will help the Orange County Public School system and all Florida schools meet the challenges of a growing student population that is projected to increase for at least the next decade.

Section 3. The Orange County Board of County Commissioners requests the Orange County Legislative Delegation present the following issues to the Florida Legislature:

A. That the issue of school crowding and remedies to that problem, including but not limited to school concurrency, be addressed in the November 1997 special legislative session.

B. That House Bill 2121, formally known as Laws of Florida Chapter 97-265, be amended at Section 13 to delete the provision that prevents the implementation of the school concurrency requirements of Chapter 163, Florida Statutes by a local government until after July 1, 1998.

C. That the moratorium on the implementation of school concurrency established by House Bill 2121, Section 13, not be extended beyond its present expiration date of July 1, 1998.

D. Introduce an amendment to Section 163.3180(1)(b), Florida Statutes,

pertaining to school concurrency, to create a new subsection 3 to read as follows:

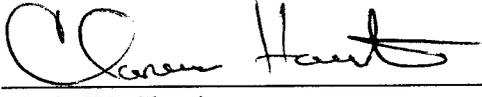
3. Prior to a local government's establishment of concurrency requirements for public schools in accordance with this subsection (1)(b), on a case by case basis the local government may deny, amend, or defer approval or require phasing of a project in the limited case where the appropriate school board makes a finding and forwards such findings to the local government that the project will impact a particular school such that the permanent core capacity of that school will be exceeded. The denial of, amendment to, or deferral on approval of the project or the phasing plan for the project, which would limit development to a level so as not to exceed the permanent core capacity, would remain in effect until one of the following events occurs:

- i) the local government is notified by the school board that the project's impact will no longer cause the affected school's permanent core capacity to be exceeded, or
- ii) a developer's agreement is entered into to alleviate the exceedence of the permanent core capacity; or
- iii) concurrency requirements for public schools are adopted by the local government.

Section 4. This resolution shall take effect immediately upon approval.

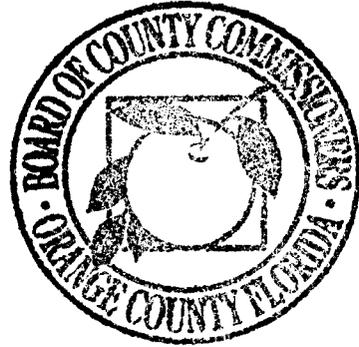
ADOPTED THIS 28<sup>th</sup> DAY OF October, 1997.

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By:   
for Linda W. Chapin  
Orange County Chairman

ATTEST: Martha O. Haynie, Orange County Comptroller  
As Clerk of the Board of County Commissioners

By:   
Deputy Clerk



phc/ordres/hb2121