

MEMORANDUM

To: 2019-2020 Orange County Charter Review Commission

From: Lee Steinhauer

Re: School Capacity proposal

Date: September 30, 2019

Prior to Wednesday's CRC meeting, I wanted to send this memorandum regarding my school capacity proposal which will be discussed by the CRC. Based upon recent communications sent by the School Board Chair and School District, it appears there is confusion regarding what I am proposing, and its intention. I hope this may provide clarity in anticipation of the CRC meeting.

For ease of reference, the following is the exact language from my original proposal:

"I would like to propose as a potential study topic for the 2020 Charter Review Commission a Charter amendment that would provide that the County can ensure that over capacitated schools cannot persist for longer than a time certain without being relieved.

This could potentially be achieved by including provision(s) in the Charter augmenting Article VII, section 704B.2. by including a provision(s) along the lines of the following:

Orange County may not enter into an interlocal agreement for the purposes of implementing school concurrency unless the interlocal agreement, and any ordinance promulgated pursuant to same, provides that no Orange County public school may remain at or over 120% of its defined capacity (i.e. Adjusted FISH capacity) for any longer than a two year period without a relief school being planned, or other arrangements being made to relieve over capacitated conditions, including, but not limited to, entering into partnerships with charter school(s) to provide relief.

Or other appropriate language or provisions that may provide that the County, School Board and local governments can ensure that an appropriate, adopted Level of Service is obtained and maintained, and that over capacitated schools do not persist without timely relief.”

As such, what I am seeking is simply an **achievable standard** that will not allow an Orange County school to be over a certain level of capacity for a certain length of time without being relieved. The intention is to ensure schools do not continue to be severely overcrowded for years, as some currently are. What that appropriate standard is whether it is at 120% of capacity, or 140%, 150% or more or less is what will be studied; a point made clear by the language of my proposal and recent public comment I made at the School Board. In fact, I have even asked the School Board to propose a standard that would work, or other solution to relieve severely overcrowded conditions, and have repeatedly expressed my desire to work with them on it.

My great hope, and intention, is that by setting a standard, and committing to it, will facilitate greater coordination between the County, School Board, and local governments to ensure that the standard is achieved. As such, far from blowing up school concurrency, it is ultimately intended to enhance concurrency by ensuring greater coordination to achieve the standard. And I believe the CRC has the unique ability and forum to bring these entities together to ascertain what that standard might be, and how we can coordinate together to achieve it so that schools do not remain severely overcrowded for long periods of time.

In my original memorandum, by way of example only, I suggested a provision along the lines of a school not being over 120% of its defined capacity for more than a two (2) year period without planning to do something to relieve the situation. I want to be clear that I am not saying

that 120% for two (2) years is necessarily the correct standard, or even what I am proposing as the amendment. Which is why the very next line in the proposal states, **“Or other appropriate language or provisions that may provide that the County, School Board and local governments can ensure that an appropriate, adopted Level of Service is obtained and maintained, and that over capacitated schools do not persist without timely relief.”**

It is my hope that through the CRC study process the School Board and School District and others will assist in ascertaining the correct standard that can be achieved. And if 120% cannot be achieved, as the School District appears to state, then what standard can be achieved so that parents, like myself, have clarity and assurances that children will not be sitting in severely overcrowded schools for years.

Finally, let me be unequivocally clear, the focus of my proposal is to ensure children do not remain for years in severely overcrowded schools, which are at the very least a safety hazard and frankly not fair to our kids. The focus is **not** to benefit developers, as has been falsely asserted, or to somehow allow overcrowding to get worse, which is exactly the opposite of what I am trying to accomplish. I have a son, why in the world would I want him in a severely overcrowded school. My intention is ultimately to help build schools and alleviate over capacitated conditions, and the only stakeholder I care about is our kids. Any assertion to the contrary, is patently false and unacceptable.