

POLICY 7.125

- 5-D** I recommend the Board approve the proposed new Policy 7.125, to be entitled "Use of the Castaldi Analysis for Facilities," and that it be adopted on a fast-track basis with one reading followed by 28 days' legal notice as allowed by the Administrative Procedure Act.

[Contact: Joseph Sanches, 357-7573.]

Development with Adoption upon Subsequent 28-day Notice

CONSENT ITEM

- This Policy implements Waiver # 4 under Charter District status, approved by the State Board of Education.
- On January 13, 2003, after multiple opportunities for public input, the Board approved a document substantially the same as this proposed Policy, as part of the Charter School District application.
- On January 21, the State Board of Education approved a document substantially the same as this proposed Policy, as part of the SBE's granting of Charter District status.
- In spite of this District's tradition, the Administrative Procedure Act does not actually require two readings to adopt a rule/Policy. A Policy can be adopted by mere passage of time (28 days) after the first/only reading. (A second hearing would be required only if an affected person were to specifically request it.) See Fla. Stat. § 120.54(2)(c), (3)(a)(1), (3)(c)(1), and (3)(e)(2).
- Considering the previous level of public notice and opportunity for public input and the prior approval of substantially the same document by the School Board and State Board of Education, this Policy should be adopted on a fast-track basis on the 28th day after advertisement of notice following today's approval.

POLICY 7.125

USE OF THE CASTALDI ANALYSIS FOR FACILITIES

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5 1. **Purpose.**-- Pursuant to Fla. Stat. § 1003.62(2), this Policy implements Waiver # 4
6 under charter district status, approved by the State Board of Education ("SBE") on
7 January 21, 2003, providing exemption from being subject to the Department of
8 Education's ("DOE") implementation of Fla. Stat. § 1013.03(10)(a), which as
9 implemented by the DOE would involve validation through a Castaldi analysis of
10 the need for replacement of facilities. This Policy should be revised as necessary to
11 maintain consistency with the Charter School District Contract with the SBE and
12 should be repealed if charter district status is not renewed. The scope of the
13 exemption and the practices authorized to replace the waived statutory
14 requirements are set forth below, substantially as presented to the SBE.
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- 16 2. **Practice Prior to the Exemption.**-- Although there is no specific statute requiring
17 a Castaldi analysis to validate the Educational Plant Survey or an amendment of
18 the survey, the Castaldi analysis is the method used by the DOE as a
19 mathematical computation to determine if it is more cost effective to build a new
20 educational facility or remodel, add to, or upgrade the existing facility. The analysis
21 takes into consideration the age of the facility and the replacement value of that
22 facility and may be completed by either the DOE or the School District. Under Fla.
23 Stat. § 1013.03(10)(a), when the DOE determines, based on the Castaldi analysis,
24 that it is more cost effective to renovate or otherwise upgrade the building rather
25 than to replace it, the DOE does not validate the School District's survey
26 amendment.
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- 28 3. **Approved Alternative Practice.**-- The District will continue to provide the Castaldi
29 analysis to the DOE; however, the District will determine if buildings should be
30 replaced when the Castaldi analysis would not justify replacement of the buildings.
31 In lieu of using only the Castaldi analysis, the School District will consider
32 additional criteria beyond the age of the building and its estimated replacement
33 cost to determine if a building should or should not be replaced. This waiver would
34 only be exercised if one or more of the criteria applies. The decision of whether to
35 replace a building will also be reviewed by the Construction Oversight Review
36 Committee ("CORC") for approval. If the results of a standard Castaldi analysis
37 indicate that the District should renovate a building rather than replace it, the
38 District may apply additional criteria to determine whether to renovate or replace
39 the building. If the Board decides to replace the building in cases where the
40 Castaldi analysis would indicate otherwise, local funds will be used to pay for the
41 cost of the replacement.
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- 43 4. **Criteria.**-- The following criteria will be used in determining when this waiver
44 should be exercised:

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46 a. Additional Costs to Work Around a Building.-- A building or buildings may be
47 located in the middle of an older campus requiring a more expensive custom
48 design when a more efficient site plan could have been used at a lower design
49 and construction cost if the building were demolished. Not demolishing the
50 building would have the affect of increasing the cost per student station.

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52 b. Small Site.-- Small sites pose another problem because the District does not
53 have the flexibility to build new facilities on other parts of the campus.
54 Removing the building may allow the small site to be used more efficiently.

55
56 c. High Operating and Maintenance Costs.-- Older buildings typically have higher
57 operating and maintenance costs in terms of repairs, utilities, and, in some
58 instances, staffing. In many cases the building that is required to remain when
59 the rest of the campus is being replaced, may itself need to be replaced in just
60 a few more years.

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62 d. Security.-- Older buildings that cannot be incorporated into the design of a
63 replacement school campus which is designed in accordance with Crime
64 Prevention Through Environmental Design (CPTED) guidelines, pose a threat
65 to the safety of students and staff.

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67 e. Local Funding Available for Replacement.-- This waiver will only be exercised
68 if funds are available locally either through Certificates of Participation, impact
69 fees, private donations, or other local sources.

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71 5. Examples.-- The School Board is aggressively replacing outdated campuses while
72 building new schools in high growth areas. By replacing the older, mostly inner-city
73 schools, the District is providing equitable facilities for all of its students. As these
74 older campuses have developed over the years, with some schools being up to 80
75 years old, more recent buildings have been added on these campuses in locations
76 that make it difficult to incorporate the newer building into the design. Several
77 examples of the above situations are listed below to illustrate the usefulness of this
78 waiver:

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80 a. A school that opened in 1929 and sits on just 1.4 acres of land on its east
81 campus which would be substantially rebuilt within the next two years: using
82 the Castaldi analysis approach, the District would not able to replace a media
83 center. located in the middle of this campus, built in the early 1990's. This
84 results in the new school using more recreational green space that the District
85 shares with the town, and citizens were willing to donate necessary funding for
86 the replacement facility through private donations to maintain the recreational
87 green space.

89 b. A high school that opened in 1963 and is undergoing a major replacement of
90 its facilities: this school has an aging science building that the District is not
91 able to replace, using only the Castaldi analysis, even though the building
92 cannot be included within the secured courtyard of the new campus. This
93 school replacement project is financed through local funds.

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95 c. An elementary school that opened in 1926 and is being replaced, with the
96 exception of a media center that cannot be demolished: in addition to causing
97 the prototype design to be changed, the building sits below the floodplain and
98 the DOE suggested that the District elevate the building, at a substantial cost.
99 This stand-alone building is also outside of the secure single structure that
100 houses the rest of the school's facilities and has one main entrance point. It
101 would be more efficient and cost effective to replace the media center.

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103 6. **Impact on Students.**-- It is anticipated that implementation of this Policy will allow
104 the District to build more efficient, safer schools and utilize prototype designs more
105 efficiently. As a result of this waiver, the District will realize savings to both the
106 capital and operating budgets, freeing up funds to provide additional facilities and
107 increased support for instructional programs.

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109 7. **Monitoring and Reporting.**-- Besides continuing to report the Castaldi analysis to
110 the DOE, the District will also report other cost factors not currently considered by
111 the Castaldi analysis, as well as other criteria that factor into the District's decision.
112 This information will also be reviewed by CORC, which will recommend approval or
113 denial of the replacement of the buildings to the School Board prior to submittal of
114 the information to the DOE.

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116 STATUTORY AUTHORITY: §§ 1001.41(2); 1001.42(22); 1001.43(4); and 1003.62(2),
117 Fla. Stat.

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119 LAWS IMPLEMENTED: §§ 1001.41(1), (3); 1001.42(4), (9), (10); 1003.62(2) and
120 exemption from aspects of § 1013.03(10)(a), Fla. Stat.

121
122 HISTORY: / / 2003

Legal Signoff:

The Legal Department has reviewed proposed Policy 7.125 and finds it legally sufficient for development by the Board.

Attorney

Date