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Controversy Continues Between Home Builders Association And Orlando Schools

By Patricia Hawke

Since the year 2000 when the Martinez Doctrine was promoted by the Orange County School

District, of which Orlando schools is a part, and adopted by Orange County as a planning tool, problems have been building between the schools and the developers across the county. The Martinez Doctrine ensures that growth cannot take place if it overcrowds a current school or near an already overcrowded school. For the Orlando schools, their adversary is the Metro Orlando Home Builders Association (MOHBA).

Further strain was put on this tense relationship by the state's growth management law, which requires an infrastructure be in place to take care of new residents needs, such as non-overcrowded schools, roads, police, fire and so on, before development can commence. This slowdown of growth is good for the Orlando schools, allowing them an opportunity to catch up to the current level of growth and development.

In 2002, a halfpenny sales tax for Orange County and the Orlando schools was passed to provide \$2 billion over a 13-year period. The plan was to build 25 new schools and renovate 136. According to the MOHBA, only three renovations will be completed by the end of 2006 at the cost of \$50 million; and several renovation projects now have been converted to building replacements.

According to the Orlando schools, building and renovation efforts have been hampered by the state's class size amendment law, soaring construction and labor costs (which are expected to double), and state requirements for extensive background checks of construction laborers, which holds up building permits from three-to-six months. The class size amendment hit the hardest. The original plan was to eliminate the portable classroom buildings with new construction. The amendment created a need for 32 new schools instead of 25. In the meantime, it means seven additional portables at every elementary Orlando schools, putting the schools plan in chaos, taking money away from new construction and renovation funding to purchase additional portables, and increasing the number of Orlando schools students in portables to 40 percent.

The MOABA is charging that the school board is sitting on unused money, due to poor financial management. The association says that 10 new schools were not built and renovations not made for

this reason.

According to the Orlando schools, the funding was separated by the district schools by applying the halfpenny sales tax money to renovations and ad valorem funding to new construction. (Ad valorem is bondable revenue funding for new construction, based on the year-to-year difference in taxes collected.)

Kirk Sorenson, president of Government Solutions, a consulting firm hired by the association, says that the school district had \$22.5 million in ad valorem taxes and \$282 million in unexpended sales tax revenue not being used. According to Orlando schools, much of this money is not yet received but expected over the next few years.

The MOHBA has proposed a new plan to expedite new building and renovation construction for the Orlando schools, called the School Express. Though hiring the consulting firm and proposing the plan

comes from self-preservation (many developers are leaving for friendlier-building areas in the state), the plan has its merits and could enhance the Orlando schools current program.

If the two groups can be brought together, the School Express will allow the following:

- Approved developers will borrow money for new school construction from local banks, extending a line of credit to the Orlando schools, who will pay them back as the money is received from state taxes;
- Developers will get fast-track permitting for the Orlando schools construction, and
- They will build each school within two years.

The school district held only one informal meeting on the proposal and may convene a panel to review it and make recommendations to the district's board. Orlando schools will surely participate in the process.

If the district approves the Express program, further approval will be required by the city of Orlando, Orange County, and various other municipalities. If they do not approve it, the efforts made by the MOHBA at least opens dialog with the Orlando schools about solving the school construction problem.

Patricia Hawke is a staff writer for Schools K-12, providing free, in-depth reports on all U.S. public and private K-12 schools. For more on Orlando schools visit

<http://www.schoolsk-12.com/Florida/Orlando/index.html>

Overcrowding And Legislation Are Obstacles To Orlando Schools

By Patricia Hawke

The city of Orlando has a fast growing population and rapid development, creating a situation of overcrowding in the Orlando schools. The facilities are so overcrowded that, by the end of 2006, an

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estimated 40 percent of Orlando schools students will be taught in portable buildings — and the need is much greater than previously anticipated. With rising construction costs, increasing growth, and new mandates from state and local government, the funding is not keeping pace with the growth and innovative ideas to reduce overcrowding are being sidetracked by new government regulations.

In 2000, the Martinez Doctrine was adopted by Orange County, where the Orlando schools district is located. The doctrine is designed to reduce overcrowding in public schools by denying or awarding zoning and rezoning requests from developers, dependent upon whether the projects are located near an overcrowded school or not. The doctrine was meant to curb residential growth in already dense areas. Though it was never an official law, the county adopted it as a general planning procedure.

For the Orlando schools, the doctrine is a dual-edged sword. Due to the strict regulations, many developers are building elsewhere and the Orlando schools are losing much needed tax revenues; yet the doctrine assists in decreasing the overcrowding in the Orlando schools and makes developers "pay as they go" for growth.

In 2002, voters approved a half-penny sales tax to raise \$2 billion to pay for 136 school improvement projects and build 25 new schools across the county. The use of this money for a permanent solution to overcrowding in the Orlando schools was undercut by the voters and lawmakers, who passed the class size amendment. This meant that at least seven portable buildings had to be added immediately to each of the Orlando schools. The district's vision of eliminating these buildings through facilities renovation and new construction was thwarted.

Then last year, the growth management law was passed, requiring additional schools be built by 2012. The law provides \$10 billion in state funds over the next 10 years to ensure new development is concurrent with schools — either a school must already be physically within the area of new projects or plans already in place to build a new school. The law affects the Orlando schools beginning in 2008. It does underscore the Orlando schools position that developers should help pay for the growth they bring to the city; however, as with the Martinez Doctrine, many developers are building elsewhere and funding from tax revenues are being lost.

The Metro Orlando Home Builders Association has developed the School Express Program with the Orlando schools, making fast track construction of schools part of their development plans. The program has drawn support from both local developers and builders, as well as the Orlando schools, who are open to any help, support or suggestions to allow them to implement their overcrowding reduction strategies.

Patricia Hawke is a staff writer for Schools K–12, providing free, in-depth reports on all U.S. public and private K–12 schools. Patricia has a nose for research and writes stimulating news and views on school issues. For more on Orlando schools visit

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