

Questions and answers about...

Avalon charter school appeals

How did we get here? Charter Schools USA (“CSUSA”) submitted a charter school application to the Orange County School Board in 2013. The application was approved the following fall. Pinecrest Academy, Inc. (“Pinecrest”) submitted a charter school application to the School Board in 2015, and was rejected. Pinecrest is appealing that decision.

School districts evaluate charter applications to ensure the proposed operations and curriculum meet state standards. Applicants do not have to include locations in charter applications, and these applicants did not.

In July 2015 Avalon Park Group (“APG”) submitted an application to Orange County to permit the construction and operation of a K-8 public charter school on behalf of CSUSA, which would include 1,145 students on a 6.27 acre tract on Mailer Boulevard, across from the existing Avalon Middle School.

In August 2015 APG submitted an application to the County to permit the construction and operation of a 6-12 public charter school on behalf of Pinecrest, which would include 1,600 students on a 2.69 acre tract on Avalon Park Blvd. East, in downtown Avalon Park.

Both applications have been approved by the County’s Development Review Committee (“DRC”) in recent months without the requirement for a public hearing or public input and without meeting the strict standards contained in the County’s public school siting ordinance.

Orange County Public Schools (“OCPS”) believes the approval of the two school sites by the DRC, without either site meeting the requirements of the public school siting ordinance, contradicts state law. State law requires that local governments use the same process and standards to site both traditional public schools and charter schools.

Didn’t OCPS already approve these charter schools? OCPS only approved CSUSA’s creation and operation of a public K-8 charter school, but not the proposed location for either school.

Are charter schools public or private? Florida law states that charter schools are public schools and requires that charter schools and traditional public schools be treated equitably when it comes to the approval process and standards for school siting (Florida Statute, Section 1002.33).

Why is OCPS appealing? As an owner of neighboring property to both sites, OCPS is concerned with the impact these two projects will have on traffic and safety of students attending Avalon Elementary and Avalon Middle Schools. In addition, OCPS believes the charter schools should be required to meet the standards contained in the County’s public school siting ordinance, as required by law.

How could these schools affect traffic? Both of the proposed school sites are located near existing Orange County Public Schools and could have a negative effect on traffic flow. The proposed K-8 school is across the street from Avalon Middle School, which has an enrollment of 1884 students as of February 2, 2016. The existing Avalon Middle School generates an average of 2,916 trips on a weekday and 972 A.M. Peak Hour trips, according to a traffic study done by OCPS. The proposed K-8 charter school has the potential to generate an additional 2,954 daily trips and 1,031 A.M. Peak Hour trips (as reported in the traffic report submitted by the applicant).

The proposed 6-12 charter school is around the corner from Avalon Elementary. The proposal for that charter school assumes that street parking would be available, which could affect nearby businesses.

How do these school proposals compare to standard public schools? Standard OCPS are required to meet acreage minimums. For middle schools and K-8s, the standard is 25 acres. For high schools, it is 65 acres. The two proposed schools are on 6.27 acres and 2.69 acres, respectively.

PARKING – Standard OCPS schools exceed the minimum required parking for educational facilities. The last three K-8 schools OCPS designed have included between 190 and 309 available spaces. The proposed K-8 has 123 parking spaces. The proposed 6-12 school design has 141 spaces, and relies on on-street parking for additional spaces.

PAVEMENT DESIGN – The Florida Building Code (“FBC”) does not allow a site to be completely encircled with paved surfaces. The proposed Pinecrest school site is completely encircled with pavement either on-site, or off-site.

PASSENGER DROP-OFF AND LOADING ZONES – The FBC requires the inclusion of passenger drop-off and loading zones. Neither the 6-12 school nor the K-8 indicate how these zones will be provided.

ATHLETIC FACILITIES – The recent OCPS K-8 schools include adequate play area for Physical Education (PE) and athletic uses. These include a track, soccer field, baseball field, and hardcourt area as a minimum. The proposed 6-12 school has no outdoor athletic areas.

VEHICULAR/PEDESTRIAN TRAFFIC – The FBC requires that the design of a school site prevent the crossing of pedestrian and vehicular traffic. The proposed K-8 design includes four lanes for the drop-off-area. A standard OCPS school provides two lanes which includes one for drop-off and one for bypassing vehicles and the drop-off lane is nearest the entrance to the facility. The four lanes for drop-off at the proposed K-8 appear to allow for up to two lanes of drop-off that would involve students crossing in front of vehicles which is required to be prevented.

Where do charter school students typically come from? OCPS has examined the average distribution of charter school enrollment. At the elementary level, 78 percent reside beyond two miles from their charter school. At the middle school level, 83 percent reside more than two miles from their school. At the high school level, 88 percent reside beyond two miles from the charter school.

Do charter schools provide transportation? Charter schools have the option to provide transportation for students, but typically do not. The existing Charter Schools USA sites do not offer transportation to students. Because of this and the distance that many students travel, charter schools typically generate more car traffic than a traditional public school.

Can the charter school use the recreational facilities on Mailer Boulevard used by Avalon Middle? OCPS has an agreement with the Avalon Park Foundation giving Avalon Middle exclusive use of the recreational facilities during school hours through the term of the agreement, plus practice and game times. This agreement lasts as long as Avalon Middle remains an operating public middle school.

What's next? The appeal hearing before the Board of County Commissioners is scheduled for *Tuesday, February 16, at the Orange County Administration Building, 201 S. Rosalind Ave., Orlando, FL 32801 at 2 p.m.* OCPS will make a brief presentation outlining the basis for the appeal, and the public will have an opportunity to speak.