

# A Glossary of Terms for School Concurrency

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## What is Concurrency?

In Florida state law, concurrency means a system for providing new public facilities and services to accommodate new growth. These facilities and services must be provided at the same time that new developments are built.

Public facilities and services include schools, streets and highways, parks, water and sewer lines, stormwater drainage systems, and garbage collection. New developments include residential, commercial, and industrial developments.

‘At the same time’ means different things for different facilities and services. Garbage collection and water and sewer lines must be available at exactly the same time construction of a new development is started. Schools and streets and highways have to be available or substantially under construction by the time a new development is completed.

## Capacity

Capacity is central to the concept of concurrency. Any public facility or service has a limit beyond which it becomes overburdened. This is obvious for overcrowded schools or roads but is also true for services such as garbage collection. State law provides specific measures for determining the capacity of a particular public facility or service.

## Level of Service

Level of service (LOS) is a way to specify when the demand on a facility or service has exceeded its capacity. While it may seem logical to say that capacity has been exceeded when demand is over 100%, state law often allows the LOS for a particular facility or service to surpass 100% of its capacity.

## Concurrency Requirement

The public facilities and services required by concurrency must be provided by local governments. In order to control the demand for new facilities and services and limit it to a level that local governments are able to afford, state law gives local governments the authority to deny development permits which would cause some facility or service to exceed its level of service. When a development is faced with such a denial, it is said to have triggered a concurrency requirement.

## Mitigation

State law allows developers to avoid a concurrency requirement by paying for needed capacity improvements in the particular public facility or service involved. This is called mitigation. Such payments do not need to be in cash; they can also be made in the form of land or the construction of additional capacity by the developer.

## Concurrency Management System

A concurrency management system is a process created by a local government to apply the state laws governing concurrency to a particular public facility or service. Applied to schools, such a process would be called a school concurrency management system. Applied to streets and highways, such a system would be called a transportation concurrency management system.

Concurrency management systems are of two general types, those which are mandatory statewide and those which are a local option.

Local governments are required to create concurrency management systems which are mandatory statewide. They can choose whether or not to create a concurrency management system which is a local option.

## School Concurrency

School concurrency is a concurrency management system which has been created for public schools. Besides the general concurrency features discussed above, a school concurrency management system has the following specific features:

- **Interlocal Agreement** – A school concurrency management system cannot be created by a single local government body acting alone. It requires the joint action of the school board, the county commission, and the city commissions within a county. This joint action is embodied in an interlocal agreement on school concurrency which is created by the required signatories and which contains the specific details of the school concurrency management system for the county.
- **Public School Facilities Element** – The specific details contained in the interlocal agreement must become part of each local government's comprehensive plan. This is accomplished by adding a public school facilities element to the comp plan of each local government which signed the interlocal agreement. The language in each public school facilities element must conform exactly to the language in the interlocal agreement.
- **Long Term Capital Construction Plans** – The school board must create 5-year capital construction plans for new schools and/or improvements to existing schools. These plans must show where and when new school facilities will be built and must also show exactly where the money to build them will come from. This last requirement is called the financial feasibility requirement.