

August 3, 2024

To: York County Council

CC: David Hudspeth (York County Manager), Jonathan Buono (York County Planning), Michael Kendree (York County Attorney)

From: York County School Superintendents

Subject: Adequate Public Funding Ordinance

We understand that the York County Council has commissioned a feasibility study by White & Smith, LLC, to explore the viability of concurrency policies and the potential of implementing an Adequate Public Funding Ordinance (APFO) in York County. After a meeting with the county staff and consultant on August 1 and 3, 2023, we also understand that the scope of the feasibility study was limited to an APFO for schools, not for roads, utilities, or other public services. At the outset of this discussion, Chairman Cox made it clear that getting input from all four school districts must be a priority. We appreciate that approach and would like to take this opportunity to provide feedback to the council regarding our collective concerns and suggestions on this topic.

York County has four unique school districts that benefit from the county's strong economic development vision to attract excellent business and industry to our region. This economic development also brings families to live and work in our communities, creating the foundation for the strong school systems of which we are proud in York County. The staff and school boards representing each district work hard to meet the diverse needs and expectations of each community at a very high level, particularly regarding the nuances of class size ratios, capacity issues, capital improvement planning for older and new schools, and educational facilities for special student populations.

While we appreciate the county seeking ways to involve the districts in the discussion of growth through a formal process of identifying school capacity shortages, we do not believe an adequate public funding ordinance is sufficient or needed at this time. Our collective concerns with the APFO are enumerated below.

- This APFO does not provide school districts with a guaranteed funding source for school capital projects. Any funding a developer offers would be limited to their ability to pay for the impact on schools and would not be sufficient to cover building costs for additions or new facilities. Small local developers would be at a greater disadvantage with such an ordinance.
- This APFO makes school capacity the driving force behind slowing development, which does not consider the myriad of other infrastructure issues the county should consider, including the need for affordable housing, smart business development, roads, utilities, etc.
- From a school capital funding standpoint, this APFO could have several unintended consequences. Specifically, the APFO is likely to diminish community support for a bond referendum to create more capacity; create an adversarial relationship between districts and the developers, builders, and realtors regarding class size ratios and perceptions of capacity; and

provide the impetus for more lawsuits which the school districts and county would have to defend since APFOs are not specifically protected in the South Carolina code of laws.

- This APFO applies only to the unincorporated county areas, not to the various municipalities. Based on the location of schools in each district, this limitation diminishes the viability of the ordinance, especially if most of the development is occurring in the municipalities.
- Finally, this APFO fails to address the unique circumstances in each district. In Fort Mill and York, most of the approved developments are within the city limits. In Clover, most of the approved developments are exempted from impact fees and an APFO through a county development agreement issued in 2010. In Rock Hill, the school district growth has been flat, but there is a strong need to raise capital funds to update older facilities. This ordinance does not help that cause and may decrease support for other funding sources (i.e., bond referendum) to address the problem.

As stated, the four school districts do not feel the county needs to spend additional money to further consider phase two of the feasibility study for an adequate public funding ordinance. That said, we do see the benefit of building upon the current process of providing information to the county when developments are being proposed within each of our school attendance zones. We would like to provide a few suggestions that could improve the information-sharing process between school districts and the county.

First, we would like to work towards a common template that outlines specific information that would be helpful to the county when considering a development, including the impacted school's enrollment, capacity, number of available seats, other proposed and/or approved developments within that school zone, and any approved capital improvements or rezonings that could create additional capacity. Second, we would like the opportunity to provide this information to the Planning Commission and Council for each proposed development regardless of whether the development requires a rezoning consideration.

Thank you for seeking our input on issues that directly impact our ability to meet the demands of our constituents regarding school facilities. We would be happy to answer any questions you have regarding the information we have shared in this correspondence.

Respectfully,



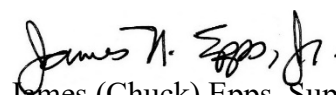
Kelly Coxe, Superintendent, York



Sheila Quinn, Superintendent, Clover



Tommy Schmolze, Superintendent, Rock Hill



James (Chuck) Epps, Superintendent, Fort Mill