

## **Voluntary Capital Mitigation**

New residential development has an impact on the capacity of existing school facilities within the district due to the predictable increase in students who will reside in the development. Without an additional source of capital funding, the ability of the district to provide adequate education facilities and opportunities for these students, concurrent with the need for capacity, is severely hampered. The Board of Education recognizes that the primary source for funding new school construction necessarily must be through a bond election. However, the Board shall consider other options for obtaining funding assistance and providing capacity, concurrent with the need, including the mitigation efforts of developers through voluntary gifts, donations, and agreements.

### **Benchmark review**

Each school has a programmed student capacity number that is dependent primarily upon the number of classrooms in the building and the staffing ratio of teachers to students. For purposes of determining the availability of capacity that will provide adequate educational opportunity for students of the school district, a benchmark of 125% of the building's capacity is used. The enrollment of students beyond this benchmark imposes a significant strain on the core facilities and the daily schedule for a school facility, thus negatively affecting the quality of education that can be provided. The district has determined that once a school reaches 125% of capacity, based upon enrollment and projections expected within the next five-year planning period, a referral response recommending denial of any residential project may be forwarded to the appropriate local governmental entity if mitigation options have been exhausted.

### **Benchmark mitigation**

A developer may voluntarily propose mitigation through a gift, donation, or other means to alleviate the impact on school capacity generated by students who will reside in the new residential units. Acceptance of the mitigation proposal shall be within the discretion of the district, in consultation with the affected local governmental entity and shall be guided by the methodology contained in the regulations accompanying this policy and applicable law.

Adopted: July 31, 2002  
Revised: October 28, 2015

LEGAL REF.: C.R.S. 22-54-102 (intergovernmental agreements)