

Maui School Impact Fee Districts Q&A

How is a School Impact District identified?

The 2007 impact fee law requires the Board of Education to adopt school impact fees in areas that 1) are experiencing overall enrollment growth; 2) are expected to experience enough residential development within the next ten years to require additional school facilities and 3) have limited additional student capacity in their existing school facilities.

Why does this impact fee need to be paid by new development, and not by all residences?

The Legislature determined that new residential developments within identified school impact districts create additional demand for public school facilities. Therefore, developers of new housing are required to pay a portion of the cost of providing new or enlarged public schools to serve the additional students who will be living in the new housing.

How much will this impact fee add to my home price?

Impact fees for the Maui Districts are listed on the attached Fee Schedule. Residential projects that are not providing land (e.g., individual homes or projects with a small number of units) will pay a fee-in-lieu of land that is based on the value of school land within the District.

If a developer chooses to pay the land requirement through a fee-in-lieu, along with the construction cost requirement, where would the future school land come from?

The DOE negotiates with developers about whether there will be a school located in their project, or not. Developers are not able to choose between paying a fee-in-lieu and providing land.

How do you determine fee amounts when housing projects aren't all built at the same time?

Impact fees will change over time as the variables in the impact fee formula change, such as: actual school construction and school land costs, or, if the ratio of permanent to portable classrooms changes.

What if I tear down my old house and build a new one, on my own, and not part of a big development? What about enlarging my house?

If you are replacing a residential unit and there is no net increase in the number of units, no impact fees will be charged. There is no fee for increasing the size of a unit.

What if I don't have kids? Do I still need to pay the fee?

The initial owner of a new home may not have children but the next owner might. Projects that permanently prohibit children, such as senior housing, do not pay impact fees.

How is the student generation rate determined?

The student generation rate, or the average number of students expected to reside in each residential unit within an impact district, is based on reviewing the actual numbers of students living in a mixture of residential projects resembling the mixture in the proposed district. The total number of students in an area and the total number of existing units are also considered.

How do you determine how many units will be built in a given area over the next 25 years?

The DOE collects development information from a wide variety of sources including residential developers. The data only provides an estimate of an area's growth. School needs are based on the actual number of units built, which is within a shorter time frame.

Newspapers report that overall school enrollment is declining, even if there are more homes being built. How do you justify this impact fee?

Enrollment has declined statewide, but has grown in the schools serving the proposed Maui Districts. Schools serving Central Maui grew by 536 students from 2000 to 2009 and are expected to grow by 1,115 students in 2015. West Maui schools grew by 170 students from 2000 to 2009 and are expected to grow by 231 students in 2015.

DOE's analysis of residential development over the next 25 years indicates there could be close to 29,000 new residential units in the Central and West Maui Districts. That number of units would be expected to eventually generate 11,000 additional students in West and Central Maui schools.

If one high school is overcrowded, and a neighboring high school is not crowded, is there a way to reconcile that so that each school is being utilized as efficiently as possible?

The DOE can adjust school service boundaries to relieve an overcrowded school. However, high schools tend to be located a considerable distance from each other. The DOE has to weigh the costs to schools and the community of having students transported long distances. Bussing students over long distances and for long periods of time is not popular with parents and students, and it impacts a student's ability to participate in extracurricular activities.

How do you plan to avoid situations where in older neighborhoods, schools that were once filled with students are now half empty?

The DOE bases its student generation rate on the average number of students expected to live in a development once the development has reached maturity. The demographic patterns of where students live and for how long are not always constant. The DOE does consider the consolidation and closing of schools when enrollment declines, if there is sufficient capacity in neighboring schools, and when there is no likelihood of a future population surge

Why can't the DOE use state land for needed schools, instead of seeking land from developers?

DOE has previously used state land for schools and DOE expects to continue to seek state lands, particularly within state-sponsored housing developments. However, the primary consideration in determining where to locate a new public school is convenience to public school students. State land isn't always situated in an ideal location, close to development. Also, State land often has no infrastructure, while land provided by developers must be ready to build. The DOE also has competition from other state agencies interested in using state-owned lands.

When a district is adopted are its boundaries flexible, or set in stone?

There is no specific language in the school impact fee law addressing adjustment of district boundaries. In the future, it is possible the Board of Education will be asked to add or withdraw areas in an existing impact district.

How does this impact fee affect charter schools?

While the impact fee law is silent as to whether impact fees can or cannot be used for charter schools, the intent of the impact fee is to provide school facilities for the students generated by the development paying the impact fees. Therefore, school impact fees could be used for charter schools, provided that school serves a sufficient amount of students generated from the development.