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School funding essential for healthy community
By SUSAN GAINES, GUEST OPINION



Susan Gaines, who grew up in Volusia County and has lived in Ormond Beach for 18 years, is studying for a master's degree in engineering at the University of Central Florida. She and her husband have three children.

Tuesday offered a small victory for the children of Volusia County. A motion for a summary judgment in a 2-year-old lawsuit challenging Volusia County's school-impact fee was denied by Circuit Judge Terence Perkins.

This lawsuit stemmed from a Florida Supreme Court decision in 2000, which ruled that the developer of Aberdeen Manufactured Home Park was exempt from the fee because no one younger than 55 is allowed to live there. This ruling opened the floodgates for other developers to seek to avoid paying this necessary fee. Victoria Gardens development in DeLand is actually seeking a refund for the impact fees it has paid. And the Volusia Building Industry Association is seeking to invalidate the \$6,066 impact fee charged against each residential unit built in the county to help pay for schools.

But I believe the Florida Supreme Court ruling in 2000 was a travesty and should be challenged and overturned.

The Volusia Building Industry Association should drop its lawsuit and stop wasting court time in an effort to avoid paying the school impact fee for adult-only communities. I cannot believe we are still even discussing this issue. Even though the citizens who live in these communities may not be sending children to the schools in their area, we all benefit from living in an educated community. How would they feel if the cashier at the grocery store could not count back their change? Where do they think the physicians who care for them began their education? What about the accountant they use to do their taxes or the administrators that process their Social Security? These people had to be educated, and the next generation must be educated to fill their places.

In 1948, the United Nations issued the Universal Declaration of Human Rights, which all member nations agreed to respect. Article 26 states the following:

- Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
- Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
- Parents have a prior right to choose the kind of education that shall be given to their children.

C. Allen Watts, the attorney representing the group, formerly known as the Volusia Home Builders Association, argued before Judge Perkins that the school district has enough money from other sources to pay for the schools, especially because enrollment has slightly declined.

Is he serious? Has he spoken to a teacher lately about the fact that their pay increases have not matched inflation for years? Has he seen a teacher try to supply an entire classroom for \$50 per year? What does he think the hundreds of teachers who have been laid off because of budget cutbacks think about his statement that there is "enough" money for schools?

Ask Volusia Schools Superintendent Margaret Smith where on Earth she is going to find more places to cut money from an already emaciated budget. He should take a walk through any public school and look at the sea of portables behind them and the meager tools our teachers are supposed to stretch before making such ludicrous comments.

I applaud Judge Perkins for denying the motion for summary judgment, and I hope in the future judges will dismiss these suits as frivolous before they even get started. Let's hope when this issue comes to court in a full trial it is settled once and for all, with the victors being the children who are guaranteed this basic human right. We all have to pay to live in an educated community. It is our responsibility if we want to be a part of a just and progressive society.

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