

By Senator Villalobos

37-831-01

1                                   A bill to be entitled  
2           An act relating to educational facilities;  
3           amending s. 235.061, F.S.; declaring  
4           legislative intent with respect to the use of  
5           relocatable facilities; revising standards for  
6           relocatables; directing school districts to use  
7           certain funds for classroom construction;  
8           limiting expenditures on relocatables; amending  
9           s. 235.062, F.S.; revising legislative intent  
10          with respect to the reduction of relocatable  
11          facilities; directing school districts to use  
12          certain funds for classroom construction;  
13          deleting a definition of the term  
14          "over-capacity school"; providing an effective  
15          date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

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19           Section 1. Section 235.061, Florida Statutes, is  
20 amended to read:

21           235.061 Standards for relocatables ~~used as classroom~~  
22 ~~space~~; inspections.--

23           (1) It is the intent of the Legislature that  
24 relocatables no longer be used for classrooms or other student  
25 occupancies after July 1, 2003. Districts shall redirect funds  
26 allocated for work on existing portables to meet standards  
27 required to be met by July 1, 2001, except for funding  
28 necessary to correct firesafety deficiencies, for items  
29 required by federal laws and rules, and to comply with state  
30 accessibility laws, sanitation codes, and casualty standards,  
31 toward the construction of new classrooms. Districts shall

1 include this information on the annual update of the Five Year  
2 Work Program. Standards for existing relocatables shall be  
3 applicable to all other relocatables that remain in use by the  
4 district for functions other than student occupancy.~~The~~  
5 ~~Commissioner of Education shall adopt rules establishing~~  
6 ~~standards for relocatables intended for long-term use as~~  
7 ~~classroom space at a public elementary school, middle school,~~  
8 ~~or high school. "Long-term use" means the use of relocatables~~  
9 ~~at the same educational plant for a period of 4 years or more.~~  
10 ~~These rules must be implemented by July 1, 1998, and each~~  
11 ~~relocatable acquired by a district school board after the~~  
12 ~~effective date of the rules and intended for long-term use~~  
13 ~~must comply with the standards. The rules shall require that,~~  
14 ~~by July 1, 2001, relocatables that fail to meet the standards~~  
15 ~~may not be used as classrooms.~~The standards shall protect the  
16 health, safety, and welfare of occupants by requiring  
17 compliance with the Uniform Building Code for Public  
18 Educational Facilities or other locally adopted state minimum  
19 building codes to ensure the safety and stability of  
20 construction and onsite installation; fire and moisture  
21 protection; air quality and ventilation; appropriate wind  
22 resistance; and compliance with the requirements of the  
23 Americans with Disabilities Act of 1990. ~~If appropriate, the~~  
24 ~~standards must also require relocatables to provide access to~~  
25 ~~the same technologies available to similar classrooms within~~  
26 ~~the main school facility and, if appropriate, to be accessible~~  
27 ~~by adequate covered walkways.~~By July 1, 2000, the  
28 commissioner shall adopt standards for all relocatables  
29 ~~intended for long-term use as classrooms.~~ A relocatable that  
30 is in use for purposes other than student occupancy and is  
31 subject to this section and that does not meet the standards

1 shall not be reported as ~~providing~~ satisfactory ~~student~~  
2 ~~stations~~ in the Florida Inventory of School Houses.

3 (2) Annual inspections for all satisfactory  
4 relocatables designed for classroom use or being occupied by  
5 students are required for: foundations; tie-downs; structural  
6 integrity; weatherproofing; HVAC; electrical; plumbing, if  
7 applicable; firesafety; and accessibility. Reports shall be  
8 filed with the district school board and posted in each  
9 respective relocatable in order to facilitate corrective  
10 action.

11 Section 2. Subsection (1) of section 235.062, Florida  
12 Statutes, is amended to read:

13 235.062 Reduction of relocatable facilities in use.--

14 (1)~~(a)~~ It is the intent ~~a goal~~ of the Legislature that  
15 all school districts shall provide a quality educational  
16 environment for their students such that, by July 1, 2003,  
17 ~~student stations in relocatable facilities exceeding 20 years~~  
18 ~~of age and in use by a district during the 1998-1999 fiscal~~  
19 ~~year shall be removed from use as classrooms or other~~  
20 student-occupied space and the number of all other relocatable  
21 ~~student stations at over-capacity schools during that fiscal~~  
22 ~~year shall be decreased by half. The Legislature finds,~~  
23 ~~however, that necessary maintenance of existing facilities and~~  
24 ~~public school enrollment growth impair the ability of some~~  
25 ~~districts to achieve the goal of this section within 5 years.~~  
26 ~~Therefore, the Legislature is increasing its commitment to~~  
27 ~~school funding in this act, in part to help districts reduce~~  
28 ~~the number of temporary, relocatable student stations at~~  
29 ~~over-capacity schools.~~The Legislature intends that local  
30 school districts also increase their investment toward meeting  
31 this requirement ~~goal~~. Districts shall redirect funds

1 allocated for work on existing portables to meet standards  
2 required to be met by July 1, 2001, except for funding  
3 necessary to correct firesafety deficiencies, for items  
4 required by federal laws and rules, and to comply with state  
5 accessibility laws, sanitation codes, and casualty standards,  
6 toward the construction of new classrooms. Each district's  
7 progress toward meeting this requirement ~~goal~~ shall be  
8 measured annually by comparing district facilities work  
9 programs for replacing relocatables with the state capital  
10 outlay projections for education prepared by the SMART Schools  
11 Clearinghouse pursuant to s. 235.217(3)(e). District  
12 facilities work programs shall be monitored by the SMART  
13 Schools Clearinghouse to measure the commitment of local  
14 school districts toward this requirement ~~goal~~.

15 (b) ~~For the purposes of this section, an~~  
16 ~~"over-capacity school" means a school the capital outlay FTE~~  
17 ~~enrollment of which exceeds 100 percent of the space and~~  
18 ~~occupant design capacity of its nonrelocatable facilities.~~  
19 ~~However, if a school's initial design incorporated relocatable~~  
20 ~~or modular instructional space, an "over-capacity school"~~  
21 ~~shall mean a school the capital outlay FTE enrollment of which~~  
22 ~~exceeds 100 percent of the space and occupant design capacity~~  
23 ~~of its core facilities.~~

24 Section 3. This act shall take effect upon becoming a  
25 law.

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28 SENATE SUMMARY

29 Restates the legislative intent with respect to use of  
30 relocatable facilities as classroom space. Limits  
31 expenditures that may be made on relocatables and directs  
school districts to use funds formerly directed toward  
improvements to relocatables to classroom construction.