

By Senator Clary

7-501-01

1 A bill to be entitled
2 An act relating to the School Infrastructure
3 Thrift Program; amending s. 235.2155, F.S.;
4 providing additional purposes of the program;
5 providing for funds under the program to be
6 used to fund school safety; providing
7 requirements for a school district to
8 participate in a SIT Safety Program; requiring
9 that a request for funding under the program be
10 reviewed by the SMART Schools Clearinghouse;
11 providing criteria for such review; providing
12 for the Commissioner of Education to make
13 program awards; amending s. 235.216, F.S.;
14 deleting provisions authorizing funding under
15 the program for certain charter schools;
16 specifying the amount of awards under the
17 program, based on grade level and number of
18 permanent student stations; amending s.
19 235.217, F.S.; providing criteria for the SMART
20 Schools Clearinghouse in developing criteria
21 for evaluating proposals for funding under the
22 SIT Safety Program; providing an effective
23 date.

24

25 Be It Enacted by the Legislature of the State of Florida:

26

27 Section 1. Subsections (2) and (3) of section
28 235.2155, Florida Statutes, are amended, and subsection (8) is
29 added to that section, to read:

30 235.2155 School Infrastructure Thrift Program Act.--

31

1 (2) The School Infrastructure Thrift Program (SIT
2 Program) is established within the Department of Education,
3 and the State Board of Education may adopt rules as necessary
4 to operate the program. To facilitate the program's purposes,
5 the department shall aggressively seek the elimination or
6 revision of obsolete, excessively restrictive, or unnecessary
7 laws, rules, and regulations for the purpose of reducing the
8 cost of constructing educational facilities and related costs
9 without sacrificing safety or quality of construction. Such
10 efforts must include, but are not limited to, the elimination
11 of duplicate or overlapping inspections; the relaxation of
12 requirements relating to the life cycle of buildings,
13 landscaping, operable glazing, operable windows, radon
14 testing, firesafety, and emergency shelter construction where
15 lawful, safe, and cost-beneficial; and other cost savings
16 identified as lawful, safe, and cost-beneficial. The program's
17 purposes are to:

18 (a) Facilitate cost savings by school districts with
19 respect to the construction of educational facilities.

20 (b) Provide incentives for school districts to
21 maximize the funds available for constructing educational
22 facilities and for related expenses.

23 (c) Provide a funding mechanism to be used solely for
24 the construction of new educational facilities.

25 (d) Provide incentives for school districts to enhance
26 school safety through school design.

27 (3) The SIT Program is designed as:

28 (a) An incentive program to reward districts for:

29 1. Savings realized through functional, frugal
30 construction.

31

1 2. Designing new schools or retrofitting existing
2 schools to enhance school safety through the use of principles
3 that provide for crime prevention through environmental
4 design.~~Savings realized through the operation of charter~~
5 ~~schools in non-school-district facilities during the~~
6 ~~1996-1997, 1997-1998, 1998-1999, and 1999-2000 school years.~~

7 (b) A recognition program to provide an annual SMART
8 school of the year recognition award to the district that
9 builds the highest quality functional, frugal school.

10 (8)(a) A school district may participate in the SIT
11 Safety Program at the option of the school board. A
12 participating school district may seek program awards
13 beginning July 1, 2001, for projects that comply with s.
14 235.216.

15 (b) Each participating school district may submit a
16 request to the SMART Schools Clearinghouse, with supporting
17 data required by the clearinghouse, based on eligibility that
18 complies with s. 235.216, and a plan approved by the school
19 board for spending funds received for safety enhancement
20 projects within the district. Safety enhancement projects may
21 include, but need not be limited to, sets of textbooks for
22 school classrooms in schools without student lockers,
23 surveillance equipment, electronic equipment, software to
24 enhance the use of electronic textbooks and instructional
25 materials for school and home, and lighting for building
26 perimeters and parking lots.

27 (c) The SMART Schools Clearinghouse shall examine the
28 proposals and supporting data from each school district and,
29 upon approval, shall recommend to the Commissioner of
30 Education each district that is eligible to participate in the
31 program based on the district's compliance with s. 235.216.

1 (d) If a school district receives funds under the SIT
2 Safety Program and fails to comply with expenditure
3 requirements and s. 235.216, the district may not receive an
4 award the following fiscal year and shall return any funds not
5 spent or encumbered if requested by the Commissioner of
6 Education.

7 (e) The SMART Schools Clearinghouse shall base the
8 criteria for evaluating proposed safety enhancement projects
9 and making recommendations for awards on the school district's
10 ability to meet the requirements of this section and s.
11 235.216, the soundness of the proposal, the needs of the
12 school district, and the balance of moneys remaining to fund
13 the SIT Safety Program.

14 (f) The Commissioner of Education shall make awards
15 under the SIT Safety Program from funds appropriated by the
16 Legislature. Such funds may be used only for enhancing school
17 safety at a new or existing educational facility. Funds that
18 are not spent or encumbered as required by this section shall
19 be returned to the program.

20 (g) Based on the completeness of the project, the
21 Commissioner of Education may award up to \$200,000 for each
22 award made to a new school or project of a school district
23 that meets the requirements of paragraph (3)(a) and the
24 criteria of s. 235.216.

25 (h) In order to implement the SIT Safety Program, \$15
26 million is set aside from the portion of general revenue
27 appropriated to fund the School Infrastructure Thrift Program
28 (SIT Program).

29 Section 2. Subsection (2) of section 235.216, Florida
30 Statutes, is amended, and subsection (4) is added to that
31 section, to read:

1 235.216 SIT Program award eligibility; maximum cost
2 per student station of educational facilities; frugality
3 incentives; recognition awards.--

4 (2) A school district may seek an award from the SIT
5 Program, pursuant to this section and s. 235.2155, based on
6 the district's+

7 ~~(a)~~ new construction of educational facilities if the
8 cost per student station is less than:

9 (a)1. \$11,600 for an elementary school,

10 (b)2. \$13,300 for a middle school, or

11 (c)3. \$17,600 for a high school,

12
13 (1997) as adjusted annually by the Consumer Price Index. The
14 award shall be up to 50 percent of such savings, as
15 recommended by the SMART Schools Clearinghouse.

16 ~~(b) Operation of charter schools in
17 non-school-district facilities. SIT Program awards pursuant to
18 this paragraph shall be as recommended by the SMART Schools
19 Clearinghouse. After the initial award, the recommendation
20 must be based on savings realized from proportionate district
21 increase in such charter school enrollment in excess of
22 original enrollment, and the award shall be up to 50 percent
23 of such savings.~~

24 (4) Beginning with the 2001-2002 fiscal year, a school
25 district may seek an award under the SIT Safety Program
26 pursuant to s. 235.2155 for use in construction that enhances
27 the safety of new or existing educational facilities. Each
28 school may receive an amount based upon grade level and number
29 of permanent student stations recorded on the most recent FISH
30 report, as follows:

31

1 (a) Elementary schools may receive \$125 per permanent
2 student station.

3 (b) Middle schools may receive \$175 per permanent
4 student station.

5 (c) High schools may receive \$200 per permanent
6 student station.

7 Section 3. Subsection (2) of section 235.217, Florida
8 Statutes, is amended to read:

9 235.217 SMART (Soundly Made, Accountable, Reasonable,
10 and Thrifty) Schools Clearinghouse.--

11 (2)(a) The clearinghouse shall develop an initial set
12 of design and performance standards for delivering functional
13 and frugal buildings that are space efficient and technology
14 rich. The design and performance standards shall be based on,
15 but not be limited to, such factors as construction costs per
16 student station, maintenance costs, utilities costs, and
17 network-related costs. The design and performance standards
18 shall be continuously updated based upon actual use and
19 performance. Using these standards, the clearinghouse shall
20 conduct a statewide search to certify school designs that are
21 currently available and meet the SMART schools standards. In
22 order for certified SMART schools designs to be reused, the
23 designs must be recertified by the clearinghouse to provide an
24 opportunity for the designer to correct any deficiencies
25 determined from actual use, or to modify the design to meet
26 current standards. The selection process used for approval of
27 a SMART schools design and inclusion of the design in the
28 SMART Schools Design Directory shall be deemed to satisfy the
29 legal requirements of s. 287.055 for the procurement of such
30 services by a public agency. The Department of Management
31 Services may establish state term contracts, including, but

1 not limited to, contracts for design and construction services
2 for SMART schools.

3 (b) The clearinghouse shall establish a "SMART Schools
4 Design Directory" listing the certified designs that will be
5 accessible on-line and serve as the primary means to review
6 SMART schools design options. To maximize the use of high
7 performance schools and foster competition, the clearinghouse
8 shall review submissions of new school designs to add to the
9 SMART Schools Design Directory. If the clearinghouse
10 determines the design submitted is equal to or better than the
11 average of those already included in the directory, the
12 submission shall be certified and the design shall then be
13 added to the directory and available for reuse after
14 contracting pursuant to paragraph (a).

15 (c) All designs certified by the clearinghouse as
16 SMART schools designs may utilize a project management
17 delivery process similar to the process used by the Department
18 of Management Services. However, school districts may secure
19 project management services from the Department of Management
20 Services or a qualified private provider, or may use internal
21 resources.

22 (d) The clearinghouse shall develop criteria for
23 evaluating proposals submitted under the SIT Safety Program
24 which are based on principles that provide for crime
25 prevention through environmental design. The evaluation
26 criteria must be objective and measurable and must include,
27 but need not be limited to, the design principles of natural
28 surveillance, natural access control, territorial
29 reinforcement, target hardening, and management and
30 maintenance. The evaluation criteria established by the
31 clearinghouse need not be the exclusive criteria used to

1 evaluate proposals for awards under the SIT Safety Program.
2 The clearinghouse shall publish on its Internet site a list of
3 all schools that receive an award under the SIT Safety
4 Program.

5 Section 4. This act shall take effect July 1, 2001.

6

7 *****

8 SENATE SUMMARY

9 Provides additional purposes of the School Infrastructure
10 Thrift Program. Provides that funds under such program
11 may be used for school safety purposes. Provides
12 requirements for a school district to participate in
13 school safety programs. Requests for funding must be
14 reviewed by the SMART Schools Clearinghouse. Provides
15 criteria for such reviews and for awards by the
16 Commissioner of Education. Funding for certain charter
17 schools under the program is deleted. Specifies the
18 amount of awards under the program. Sets criteria for the
19 clearinghouse to use in developing standards for
20 evaluating proposals for funding under the program.

21

22

23

24

25

26

27

28

29

30

31