

1                   A bill to be entitled  
2           An act relating to education funding; amending s.  
3           1011.71, F.S.; providing for the calculation and  
4           payment of capital outlay funding to charter schools;  
5           providing that enterprise resource software may be  
6           acquired by certain means; amending s. 1013.62, F.S.;  
7           revising eligibility requirements for charter school  
8           capital outlay funding; revising charter school  
9           funding allocations; revising the list of approved  
10          uses of charter school capital outlay funds; amending  
11          s. 1013.64, F.S.; providing that a school district may  
12          not receive funds from the Special Facility  
13          Construction Account under certain circumstances;  
14          revising the criteria for a request for funding;  
15          authorizing the request for a preapplication review to  
16          take place at any time; providing exceptions; revising  
17          the time period for completion of the review;  
18          providing that certain capital outlay full-time  
19          equivalent student enrollment estimates be determined  
20          by specified estimating conferences; requiring surveys  
21          to be cooperatively prepared by certain entities and  
22          approved by the Department of Education; prohibiting  
23          certain consultants from specified employment and  
24          compensation; requiring the cost per student station  
25          to include certain cost overruns; requiring a school  
26          district to levy the maximum millage against certain

27 | property value or raise a specified amount from the  
28 | school capital outlay surtax under certain  
29 | circumstances; reducing the required millage to be  
30 | budgeted for a project; requiring certain plans to be  
31 | finalized by a specified date; requiring a  
32 | representative of the department to chair the Special  
33 | Facility Construction Committee; prohibiting district  
34 | school boards from using certain funds for new  
35 | construction of educational plant space that exceeds  
36 | maximum thresholds for cost per student station after  
37 | a specified date; prohibiting new construction  
38 | initiated after a specified date by a district school  
39 | board from exceeding the maximum thresholds; providing  
40 | that school districts that exceed the maximum  
41 | thresholds are ineligible for certain allocations for  
42 | a specified period; revising the costs included in  
43 | calculating the maximum thresholds; requiring the  
44 | department to conduct a study of the total cost per  
45 | student station and provide a report to the Governor  
46 | and Legislature by a certain date; providing an  
47 | effective date.

48 |  
49 | Be It Enacted by the Legislature of the State of Florida:

50 |  
51 | Section 1. Subsection (2) of section 1011.71, Florida  
52 | Statutes, is amended to read:

53 1011.71 District school tax.—

54 (2) In addition to the maximum millage levy as provided in  
55 subsection (1), each school board may levy not more than 1.5  
56 mills against the taxable value for school purposes for district  
57 schools, including charter schools. A charter school shall be  
58 provided an amount equal to the remaining balance of funding  
59 needed to achieve the amount of the state funding allocation  
60 provided in s. 1013.62 after the amount of state appropriations  
61 is deducted. Annually, by December 30, the department shall  
62 calculate the amount of payments to eligible charter schools  
63 using the certified taxable value and millage rate as provided  
64 in the TRIM notice pursuant to s. 200.065 and certify to each  
65 school district the amount the school district must pay to each  
66 charter school based on the remaining balance of funding needed  
67 to achieve the amount of the state funding allocation as  
68 provided in s. 1013.62 after the amount of state appropriations  
69 is deducted. School districts shall make payments to charter  
70 schools no later than February 1 of each year, beginning on  
71 February 1, 2017, for the 2016-2017 fiscal year. Revenues  
72 retained by a school district after payments are made to charter  
73 schools may be used by the school district ~~at the discretion of~~  
74 ~~the school board,~~ to fund:

75 (a) New construction and remodeling projects, as set forth  
76 in s. 1013.64(3)(b) and (6)(b) and included in the district's  
77 educational plant survey pursuant to s. 1013.31, without regard  
78 to prioritization, sites and site improvement or expansion to

79 new sites, existing sites, auxiliary facilities, athletic  
80 facilities, or ancillary facilities.

81 (b) Maintenance, renovation, and repair of existing school  
82 plants or of leased facilities to correct deficiencies pursuant  
83 to s. 1013.15(2).

84 (c) The purchase, lease-purchase, or lease of school  
85 buses.

86 (d) The purchase, lease-purchase, or lease of new and  
87 replacement equipment; computer hardware, including electronic  
88 hardware and other hardware devices necessary for gaining access  
89 to or enhancing the use of electronic content and resources or  
90 to facilitate the access to and the use of a school district's  
91 digital classrooms plan pursuant to s. 1011.62, excluding  
92 software other than the operating system necessary to operate  
93 the hardware or device; and enterprise resource software  
94 applications that are classified as capital assets in accordance  
95 with definitions of the Governmental Accounting Standards Board,  
96 have a useful life of at least 5 years, and are used to support  
97 districtwide administration or state-mandated reporting  
98 requirements. Enterprise resource software may be acquired by  
99 annual license fees, maintenance fees, or lease agreements.

100 (e) Payments for educational facilities and sites due  
101 under a lease-purchase agreement entered into by a district  
102 school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not  
103 exceeding, in the aggregate, an amount equal to three-fourths of  
104 the proceeds from the millage levied by a district school board

105 pursuant to this subsection. The three-fourths limit is waived  
106 for lease-purchase agreements entered into before June 30, 2009,  
107 by a district school board pursuant to this paragraph.

108 (f) Payment of loans approved pursuant to ss. 1011.14 and  
109 1011.15.

110 (g) Payment of costs directly related to complying with  
111 state and federal environmental statutes, rules, and regulations  
112 governing school facilities.

113 (h) Payment of costs of leasing relocatable educational  
114 facilities, of renting or leasing educational facilities and  
115 sites pursuant to s. 1013.15(2), or of renting or leasing  
116 buildings or space within existing buildings pursuant to s.  
117 1013.15(4).

118 (i) Payment of the cost of school buses when a school  
119 district contracts with a private entity to provide student  
120 transportation services if the district meets the requirements  
121 of this paragraph.

122 1. The district's contract must require that the private  
123 entity purchase, lease-purchase, or lease, and operate and  
124 maintain, one or more school buses of a specific type and size  
125 that meet the requirements of s. 1006.25.

126 2. Each such school bus must be used for the daily  
127 transportation of public school students in the manner required  
128 by the school district.

129 3. Annual payment for each such school bus may not exceed  
130 10 percent of the purchase price of the state pool bid.

131 4. The proposed expenditure of the funds for this purpose  
 132 must have been included in the district school board's notice of  
 133 proposed tax for school capital outlay as provided in s.  
 134 200.065(10).

135 (j) Payment of the cost of the opening day collection for  
 136 the library media center of a new school.

137  
 138 Section 2. Subsections (1) and (2) of section 1013.62,  
 139 Florida Statutes, are amended to read:

140 1013.62 Charter schools capital outlay funding.—

141 (1) In each year in which funds are appropriated for  
 142 charter school capital outlay purposes, the Commissioner of  
 143 Education shall allocate the funds among eligible charter  
 144 schools.

145 (a) To be eligible for a funding allocation, a charter  
 146 school must:

147 1.a. Have been in operation for 2 ~~3~~ or more years;

148 b. Have no more than two consecutive school grades lower  
 149 than "B" unless the school serves a student population at least  
 150 50 percent of which is eligible for free or reduced-price meals  
 151 under the National School Lunch Act ~~Be governed by a governing~~  
 152 ~~board established in the state for 3 or more years which~~  
 153 ~~operates both charter schools and conversion charter schools~~  
 154 ~~within the state;~~

155 c. Have an annual audit that does not reveal any of the  
 156 financial emergency conditions provided in s. 218.503(1) for the

157 most recent fiscal year for which such audit results are  
 158 available ~~Be an expanded feeder chain of a charter school within~~  
 159 ~~the same school district that is currently receiving charter~~  
 160 ~~school capital outlay funds;~~

161 d. Have received final approval from its sponsor pursuant  
 162 to s. 1002.33 for operation during that fiscal year; and

163 e. Serve students in facilities that are not provided by  
 164 the charter school's sponsor; or

165 ~~d. Have been accredited by the Commission on Schools of~~  
 166 ~~the Southern Association of Colleges and Schools; or~~

167 ~~e. Serve students in facilities that are provided by a~~  
 168 ~~business partner for a charter school in the workplace pursuant~~  
 169 ~~to s. 1002.33(15)(b).~~

170 2.a. Be part of a high-performing charter school system  
 171 pursuant to s. 1002.332; Have financial stability for future  
 172 operation as a charter school.

173 ~~3. Have satisfactory student achievement based on state~~  
 174 ~~accountability standards applicable to the charter school.~~

175 ~~b.4. Have received final approval from its sponsor~~  
 176 ~~pursuant to s. 1002.33 for operation during that fiscal year;~~  
 177 ~~and.~~

178 ~~c.5. Serve students in facilities that are not provided by~~  
 179 ~~the charter school's sponsor.~~

180 ~~(b) The first priority for charter school capital outlay~~  
 181 ~~funding is to allocate to charter schools that received funding~~  
 182 ~~in the 2005-2006 fiscal year an allocation of the same amount~~

183 ~~per capital outlay full-time equivalent student, up to the~~  
184 ~~lesser of the actual number of capital outlay full-time~~  
185 ~~equivalent students in the current year, or the capital outlay~~  
186 ~~full-time equivalent students in the 2005-2006 fiscal year.~~  
187 ~~After calculating the first priority, the second priority is to~~  
188 ~~allocate excess funds remaining in the appropriation in an~~  
189 ~~amount equal to the per capital outlay full-time equivalent~~  
190 ~~student amount in the first priority calculation to eligible~~  
191 ~~charter schools not included in the first priority calculation~~  
192 ~~and to schools in the first priority calculation with growth~~  
193 ~~greater than the 2005-2006 capital outlay full-time equivalent~~  
194 ~~students. After calculating the first and second priorities,~~  
195 ~~excess funds remaining in the appropriation must be allocated to~~  
196 ~~all eligible charter schools.~~

197 (b)(e) A charter school's allocation may not exceed one-  
198 fortieth ~~one-fifteenth~~ of the cost per student station specified  
199 in s. 1013.64(6) (b) or the amount of revenue per fixed capital  
200 outlay full-time equivalent student generated by the school  
201 district's levy of 1.5 mills pursuant to s. 1011.71(2),  
202 whichever is less. Before releasing capital outlay funds to a  
203 school district on behalf of the charter school, the Department  
204 of Education must ensure that the district school board and the  
205 charter school governing board enter into a written agreement  
206 that provides for the reversion of any unencumbered funds and  
207 all equipment and property purchased with public education funds  
208 to the ownership of the district school board, as provided for



209 in subsection (3) if the school terminates operations. Any funds  
 210 recovered by the state shall be deposited in the General Revenue  
 211 Fund.

212 (c)~~(d)~~ A charter school is not eligible for a funding  
 213 allocation if it was created by the conversion of a public  
 214 school and operates in facilities provided by the charter  
 215 school's sponsor for a nominal fee, or at no charge, or if it is  
 216 directly or indirectly operated by the school district.

217 (d)~~(e)~~ Unless otherwise provided in the General  
 218 Appropriations Act, the state funding allocation for each  
 219 eligible charter school shall be ~~is~~ determined by multiplying  
 220 the school's projected student enrollment by one-fortieth ~~one-~~  
 221 ~~fifteenth~~ of the cost-per-student station specified in s.  
 222 1013.64(6)(b) for an elementary, middle, or high school, as  
 223 appropriate. If the funds appropriated are not sufficient, the  
 224 charter school shall receive funding to achieve one-fortieth of  
 225 the cost per student station or the amount of revenue per fixed  
 226 capital outlay full-time equivalent student generated by the  
 227 school district's levy of 1.5 mills pursuant to s. 1011.71(2),  
 228 whichever is less, from the revenues generated by the school  
 229 district levy of ad valorem property taxes ~~the commissioner~~  
 230 ~~shall prorate the available funds among eligible charter~~  
 231 ~~schools. However,~~ A charter school or charter lab school may not  
 232 receive state charter school capital outlay funds or local ad  
 233 valorem capital outlay funds greater than the one-fortieth ~~one-~~  
 234 ~~fifteenth~~ cost per student station formula if the charter

235 school's combination of state charter school capital outlay  
 236 funds, capital outlay funds calculated through the reduction in  
 237 the administrative fee provided in s. 1002.33(20), and capital  
 238 outlay funds allowed in s. 1002.32(9)(e) and (h) exceeds the  
 239 one-fortieth ~~one-fifteenth~~ cost per student station formula.

240 (e) ~~(f)~~ Funds shall be distributed on the basis of the  
 241 capital outlay full-time equivalent membership by grade level,  
 242 which is calculated by averaging the results of the second and  
 243 third enrollment surveys. The Department of Education shall  
 244 distribute capital outlay funds monthly, beginning in the first  
 245 quarter of the fiscal year, based on one-twelfth of the amount  
 246 the department reasonably expects the charter school to receive  
 247 during that fiscal year. The commissioner shall adjust  
 248 subsequent distributions as necessary to reflect each charter  
 249 school's actual student enrollment as reflected in the second  
 250 and third enrollment surveys. The commissioner shall establish  
 251 the intervals and procedures for determining the projected and  
 252 actual student enrollment of eligible charter schools.

253 (2) A charter school's governing body may use charter  
 254 school capital outlay funds received pursuant to this section  
 255 and s. 1011.71(2) for the following purposes:

- 256 (a) Purchase of real property.
- 257 (b) Construction of school facilities.
- 258 (c) Purchase, lease-purchase, or lease of permanent or  
 259 relocatable school facilities.
- 260 (d) Purchase of vehicles to transport students to and from

261 the charter school.

262 (e) Renovation, repair, and maintenance of school  
 263 facilities that the charter school owns or is purchasing through  
 264 a lease-purchase or long-term lease of 5 years or longer.

265 ~~(f) Effective July 1, 2008, purchase, lease purchase, or~~  
 266 ~~lease of new and replacement equipment, and enterprise resource~~  
 267 ~~software applications that are classified as capital assets in~~  
 268 ~~accordance with definitions of the Governmental Accounting~~  
 269 ~~Standards Board, have a useful life of at least 5 years, and are~~  
 270 ~~used to support schoolwide administration or state mandated~~  
 271 ~~reporting requirements.~~

272 (f)-(g) Payment of the cost of premiums for property and  
 273 casualty insurance necessary to insure the school facilities.

274 (g)-(h) Purchase, lease-purchase, or lease of driver's  
 275 education vehicles; motor vehicles used for the maintenance or  
 276 operation of plants and equipment; security vehicles; or  
 277 vehicles used in storing or distributing materials and  
 278 equipment.

279 (h) Purchase, lease-purchase, or lease of new and  
 280 replacement equipment; computer hardware, including electronic  
 281 hardware and other hardware devices necessary for gaining access  
 282 to or enhancing the use of electronic content and resources or  
 283 to facilitate the access to and the use of a charter school's  
 284 digital classrooms plan pursuant to s. 1011.62, excluding  
 285 software other than the operating system necessary to operate  
 286 the hardware or device; and enterprise resource software

287 applications that are classified as capital assets in accordance  
 288 with definitions of the Governmental Accounting Standards Board,  
 289 have a useful life of at least 5 years, and are used to support  
 290 schoolwide administration or state-mandated reporting  
 291 requirements. Enterprise resource software may be acquired by  
 292 annual license fees, maintenance fees, or lease agreement.

293 (i) Payment of the cost of the opening day collection for  
 294 the library media center of a new school.

295  
 296 Conversion charter schools may use capital outlay funds received  
 297 through the reduction in the administrative fee provided in s.  
 298 1002.33(20) for renovation, repair, and maintenance of school  
 299 facilities that are owned by the sponsor.

300 Section 3. Paragraphs (a) and (b) of subsection (2) and  
 301 paragraphs (b), (c), (d), and (e) of subsection (6) of section  
 302 1013.64, Florida Statutes, are amended to read:

303 1013.64 Funds for comprehensive educational plant needs;  
 304 construction cost maximums for school district capital  
 305 projects.—Allocations from the Public Education Capital Outlay  
 306 and Debt Service Trust Fund to the various boards for capital  
 307 outlay projects shall be determined as follows:

308 (2) (a) The department shall establish, as a part of the  
 309 Public Education Capital Outlay and Debt Service Trust Fund, a  
 310 separate account, in an amount determined by the Legislature, to  
 311 be known as the "Special Facility Construction Account." The  
 312 Special Facility Construction Account shall be used to provide

313 necessary construction funds to school districts which have  
314 urgent construction needs but which lack sufficient resources at  
315 present, and cannot reasonably anticipate sufficient resources  
316 within the period of the next 3 years, for these purposes from  
317 currently authorized sources of capital outlay revenue. A school  
318 district requesting funding from the Special Facility  
319 Construction Account shall submit one specific construction  
320 project, not to exceed one complete educational plant, to the  
321 Special Facility Construction Committee. A ~~No~~ district may not  
322 ~~shall~~ receive funding for more than one approved project in any  
323 3-year period or while any portion of the district's  
324 participation requirement remains outstanding. The first year of  
325 the 3-year period shall be the first year a district receives an  
326 appropriation. The department shall encourage a construction  
327 program that reduces the average size of schools in the  
328 district. The request must meet the following criteria to be  
329 considered by the committee:

330 1. The project must be deemed a critical need and must be  
331 recommended for funding by the Special Facility Construction  
332 Committee. Before ~~Prior to~~ developing construction plans for the  
333 proposed facility, the district school board must request a  
334 preapplication review by the Special Facility Construction  
335 Committee or a project review subcommittee convened by the chair  
336 of the committee to include two representatives of the  
337 department and two staff members from school districts not  
338 eligible to participate in the program. The request for a

339 preapplication review may be made at any time; however, for  
340 inclusion in the Department of Education's next annual capital  
341 outlay legislative budget request, the request for a  
342 preapplication review must be made before February 1 of the  
343 fiscal year before the legislative budget request. Within 90 60  
344 days after receiving the preapplication review request, the  
345 committee or subcommittee must meet in the school district to  
346 review the project proposal and existing facilities. To  
347 determine whether the proposed project is a critical need, the  
348 committee or subcommittee shall consider, at a minimum, the  
349 capacity of all existing facilities within the district as  
350 determined by the Florida Inventory of School Houses; the  
351 district's pattern of student growth; the district's existing  
352 and projected capital outlay full-time equivalent student  
353 enrollment as determined by the demographic, revenue, and  
354 education estimating conferences established in s. 216.136  
355 ~~department~~; the district's existing satisfactory student  
356 stations; the use of all existing district property and  
357 facilities; grade level configurations; and any other  
358 information that may affect the need for the proposed project.

359 2. The construction project must be recommended in the  
360 most recent survey or survey amendment cooperatively prepared  
361 ~~surveys~~ by the district and the department, and approved by the  
362 department under the rules of the State Board of Education. If a  
363 district employs a consultant in the preparation of a survey or  
364 survey amendment, the consultant may not be employed by or

365 receive compensation from a third party that designs or  
366 constructs a project recommended by the survey.

367 3. The construction project must appear on the district's  
368 approved project priority list under the rules of the State  
369 Board of Education.

370 4. The district must have selected and had approved a site  
371 for the construction project in compliance with s. 1013.36 and  
372 the rules of the State Board of Education.

373 5. The district shall have developed a district school  
374 board adopted list of facilities that do not exceed the norm for  
375 net square feet occupancy requirements under the State  
376 Requirements for Educational Facilities, using all possible  
377 programmatic combinations for multiple use of space to obtain  
378 maximum daily use of all spaces within the facility under  
379 consideration.

380 6. Upon construction, the total cost per student station,  
381 including change orders, may ~~must~~ not exceed the cost per  
382 student station as provided in subsection (6), except for cost  
383 overruns created by a disaster as defined in s. 252.34 or an  
384 unforeseeable circumstance beyond the district's control as  
385 determined by the Special Facility Construction Committee.

386 7. There shall be an agreement signed by the district  
387 school board stating that it will advertise for bids within 30  
388 days of receipt of its encumbrance authorization from the  
389 department.

390 8. For construction projects for which Special Facility

391 Construction Account funding is sought before the 2019-2020  
 392 fiscal year, the district shall, at the time of the request and  
 393 for a continuing period necessary to meet the district's  
 394 participation requirement under subparagraph 11. ~~of 3 years,~~  
 395 levy the maximum millage against their nonexempt assessed  
 396 property value as allowed in s. 1011.71(2) or shall raise an  
 397 equivalent amount of revenue from the school capital outlay  
 398 surtax authorized under s. 212.055(6). Beginning with the 2019-  
 399 2020 fiscal year, for construction projects for which Special  
 400 Facility Construction Account funding is sought, the district  
 401 shall, for a minimum of 3 years before the request and for a  
 402 continuing period necessary to meet the district's participation  
 403 requirement under subparagraph 11., levy the maximum millage  
 404 against their nonexempt assessed property value as allowed in s.  
 405 1011.71(2) or raise an equivalent amount of revenue from the  
 406 school capital outlay surtax authorized under s. 212.055(6). Any  
 407 district with a new or active project, funded under the  
 408 provisions of this subsection, shall be required to budget no  
 409 more than the value of 1.0 mill ~~1.5 mills~~ per year to the  
 410 project until the district's ~~to satisfy the annual~~ participation  
 411 requirement relating to the local discretionary capital  
 412 improvement millage authorized under s. 1011.71(2) or the  
 413 equivalent amount of revenue from the school capital outlay  
 414 surtax authorized under s. 212.055(6) is satisfied ~~in the~~  
 415 ~~Special Facility Construction Account.~~

416 9. If a contract has not been signed 90 days after the



417 advertising of bids, the funding for the specific project shall  
418 revert to the Special Facility New Construction Account to be  
419 reallocated to other projects on the list. However, an  
420 additional 90 days may be granted by the commissioner.

421 10. The department shall certify the inability of the  
422 district to fund the survey-recommended project over a  
423 continuous 3-year period using projected capital outlay revenue  
424 derived from s. 9(d), Art. XII of the State Constitution, as  
425 amended, paragraph (3)(a) of this section, and s. 1011.71(2).

426 11. The district shall have on file with the department an  
427 adopted resolution acknowledging its ~~3-year~~ commitment to  
428 satisfy its participation requirement. The district's  
429 participation requirement is equivalent to ~~of~~ all unencumbered  
430 and future revenue acquired in the year of the initial  
431 appropriation and for the 2 years immediately following the  
432 initial appropriation from s. 9(d), Art. XII of the State  
433 Constitution, as amended, paragraph (3)(a) of this section, and  
434 s. 1011.71(2).

435 12. Final phase III plans must be certified by the  
436 district school board as complete and in compliance with the  
437 building and life safety codes before June 1 of the year the  
438 application is made ~~prior to August 1~~.

439 (b) The Special Facility Construction Committee shall be  
440 composed of the following: two representatives of the Department  
441 of Education, a representative from the Governor's office, a  
442 representative selected annually by the district school boards,

443 and a representative selected annually by the superintendents. A  
 444 representative of the department shall chair the committee.

445 (6)

446 (b)1. A district school board may ~~must~~ not use funds from  
 447 the following sources: Public Education Capital Outlay and Debt  
 448 Service Trust Fund; School District and Community College  
 449 District Capital Outlay and Debt Service Trust Fund; Classrooms  
 450 First Program funds provided in s. 1013.68; nonvoted 1.5-mill  
 451 levy of ad valorem property taxes provided in s. 1011.71(2);  
 452 Classrooms for Kids Program funds provided in s. 1013.735;  
 453 District Effort Recognition Program funds provided in s.  
 454 1013.736; and ~~or~~ High Growth District Capital Outlay Assistance  
 455 Grant Program funds provided in s. 1013.738 for any new  
 456 construction of educational plant space with a total cost per  
 457 student station, including change orders, that equals more than:

- 458 a. \$17,952 for an elementary school,
- 459 b. \$19,386 for a middle school, or
- 460 c. \$25,181 for a high school,

461  
 462 (January 2006) as adjusted annually to reflect increases or  
 463 decreases in the Consumer Price Index.

464 2. Effective July 1, 2017, in addition to the funding  
 465 sources listed in subparagraph 1., a district school board may  
 466 not use funds from the following sources: nonvoted 1.5-mill levy  
 467 of ad valorem property taxes provided in s. 1011.71(3); proceeds  
 468 received through the provisions of s. 1011.73 and s. 9, Art. VII

469 of the State Constitution; funds provided by school district  
470 bonds; sales surtax funds authorized in s. 212.055; impact fees  
471 authorized in s. 163.31801; and funds received pursuant to s.  
472 212.20(6)(d)6.a., for any new construction of educational plant  
473 space with a total cost per student station, including change  
474 orders, that equals more than the current adjusted amounts  
475 provided in sub-subparagraphs 1.a.-c., which shall subsequently  
476 be adjusted annually to reflect increases or decreases in the  
477 Consumer Price Index.

478 3. A district school board may ~~must~~ not use funds from the  
479 Public Education Capital Outlay and Debt Service Trust Fund or  
480 the School District and Community College District Capital  
481 Outlay and Debt Service Trust Fund for any new construction of  
482 an ancillary plant that exceeds 70 percent of the average cost  
483 per square foot of new construction for all schools.

484 (c)1. Except as otherwise provided, new construction  
485 initiated by a district school board may ~~after June 30, 1997,~~  
486 ~~must~~ not exceed the cost per student station as provided in  
487 paragraph (b).

488 2. New construction initiated by a district school board  
489 on or after July 1, 2017, may not exceed the cost per student  
490 station provided in paragraph (b). A district that exceeds the  
491 cost per student station provided in paragraph (b) is ineligible  
492 for allocations from the Public Capital Outlay and Debt Service  
493 Trust Fund for the next 3 years in which the district would have  
494 received allocations had the violation not occurred.

495 (d) The department shall:

496 1. Compute for each calendar year the statewide average  
 497 construction costs for facilities serving each instructional  
 498 level, for relocatable educational facilities, for  
 499 administrative facilities, and for other ancillary and auxiliary  
 500 facilities. The department shall compute the statewide average  
 501 costs per student station for each instructional level.

502 2. Annually review the actual completed construction costs  
 503 of educational facilities in each school district. For any  
 504 school district in which the total actual cost per student  
 505 station, including change orders, exceeds the statewide limits  
 506 established in paragraph (b), the school district shall report  
 507 to the department the actual cost per student station and the  
 508 reason for the school district's inability to adhere to the  
 509 limits established in paragraph (b). The department shall  
 510 collect all such reports and shall report to the Governor, the  
 511 President of the Senate, and the Speaker of the House of  
 512 Representatives by December 31 of each year a summary of each  
 513 school district's spending in excess of the cost per student  
 514 station provided in paragraph (b) as reported by the school  
 515 districts.

516  
 517 Cost per student station includes contract costs, legal and  
 518 administrative costs, fees of architects and engineers,  
 519 furniture and equipment, site costs, ~~and~~ site improvement costs,  
 520 and offsite improvement costs. Cost per student station does not

521 include the cost of purchasing or leasing the site for the  
522 construction or the cost of related offsite improvements.

523 (e) The department shall conduct a study, in consultation  
524 with the Office of Economic and Demographic Research, of the  
525 total cost per student station amounts under paragraph (b) using  
526 the most recent available information. The department shall  
527 report the final results of the analysis to the Governor, the  
528 President of the Senate, and the Speaker of the House of  
529 Representatives by March 1, 2017 ~~The restrictions of this~~  
530 ~~subsection on the cost per student station of new construction~~  
531 ~~do not apply to a project funded entirely from proceeds received~~  
532 ~~by districts through provisions of ss. 212.055 and 1011.73 and~~  
533 ~~s. 9, Art. VII of the State Constitution, if the school board~~  
534 ~~approves the project by majority vote.~~

535 Section 4. This act shall take effect July 1, 2016.