

1 A bill to be entitled
 2 An act relating to public educational facilities;
 3 amending s. 1013.35, F.S.; providing requirements for
 4 determining the capacity of facilities in certain
 5 schools as reported in the Florida Inventory of School
 6 Houses; amending s. 1013.37, F.S.; requiring the
 7 Commissioner of Education to grant an exemption from
 8 the State Requirements for Educational Facilities to a
 9 district school board under certain circumstances;
 10 requiring such district school board to comply with
 11 certain Florida Building Code and Florida Fire
 12 Prevention Code provisions; amending s. 1013.64, F.S.;
 13 conforming provisions to changes made by the act;
 14 providing an effective date.

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

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 18 Section 1. Paragraph (b) of subsection (2) of section
 19 1013.35, Florida Statutes, is amended to read:

20 1013.35 School district educational facilities plan;
 21 definitions; preparation, adoption, and amendment; long-term
 22 work programs.—

23 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL
 24 FACILITIES PLAN.—

25 (b) The plan must also include a financially feasible

26 | district facilities work program for a 5-year period. The work
27 | program must include:

28 | 1. A schedule of major repair and renovation projects
29 | necessary to maintain the educational facilities and ancillary
30 | facilities of the district.

31 | 2. A schedule of capital outlay projects necessary to
32 | ensure the availability of satisfactory student stations for the
33 | projected student enrollment in K-12 programs. This schedule
34 | shall consider:

35 | a. The locations, capacities, and planned utilization
36 | rates of current educational facilities of the district. The
37 | capacity of existing satisfactory facilities, as reported in the
38 | Florida Inventory of School Houses, must be compared to the
39 | capital outlay full-time-equivalent student enrollment as
40 | determined by the department, including all enrollment used in
41 | the calculation of the distribution formula in s. 1013.64. For
42 | purposes of determining the capacity of school facilities, as
43 | reported in the Florida Inventory of School Houses, a school
44 | containing students in kindergarten through grade 5 is
45 | considered an elementary school and a school containing students
46 | in grades 6 through 8 is considered a middle school.

47 | b. The proposed locations of planned facilities, whether
48 | those locations are consistent with the comprehensive plans of
49 | all affected local governments, and recommendations for
50 | infrastructure and other improvements to land adjacent to

51 existing facilities. The provisions of ss. 1013.33(6), (7), and
52 (8) and 1013.36 must be addressed for new facilities planned
53 within the first 3 years of the work plan, as appropriate.

54 c. Plans for the use and location of relocatable
55 facilities, leased facilities, and charter school facilities.

56 d. Plans for multitrack scheduling, grade level
57 organization, block scheduling, or other alternatives that
58 reduce the need for additional permanent student stations.

59 e. Information concerning average class size and
60 utilization rate by grade level within the district which will
61 result if the tentative district facilities work program is
62 fully implemented.

63 f. The number and percentage of district students planned
64 to be educated in relocatable facilities during each year of the
65 tentative district facilities work program. For determining
66 future needs, student capacity may not be assigned to any
67 relocatable classroom that is scheduled for elimination or
68 replacement with a permanent educational facility in the current
69 year of the adopted district educational facilities plan and in
70 the district facilities work program adopted under this section.
71 Those relocatable classrooms clearly identified and scheduled
72 for replacement in a school-board-adopted, financially feasible,
73 5-year district facilities work program shall be counted at zero
74 capacity at the time the work program is adopted and approved by
75 the school board. However, if the district facilities work

76 program is changed and the relocatable classrooms are not
77 replaced as scheduled in the work program, the classrooms must
78 be reentered into the system and be counted at actual capacity.
79 Relocatable classrooms may not be perpetually added to the work
80 program or continually extended for purposes of circumventing
81 this section. All relocatable classrooms not identified and
82 scheduled for replacement, including those owned, lease-
83 purchased, or leased by the school district, must be counted at
84 actual student capacity. The district educational facilities
85 plan must identify the number of relocatable student stations
86 scheduled for replacement during the 5-year survey period and
87 the total dollar amount needed for that replacement.

88 g. Plans for the closure of any school, including plans
89 for disposition of the facility or usage of facility space, and
90 anticipated revenues.

91 h. Projects for which capital outlay and debt service
92 funds accruing under s. 9(d), Art. XII of the State Constitution
93 are to be used shall be identified separately in priority order
94 on a project priority list within the district facilities work
95 program.

96 3. The projected cost for each project identified in the
97 district facilities work program. For proposed projects for new
98 student stations, a schedule shall be prepared comparing the
99 planned cost and square footage for each new student station, by
100 elementary, middle, and high school levels, to the low, average,

101 and high cost of facilities constructed throughout the state
102 during the most recent fiscal year for which data is available
103 from the Department of Education.

104 4. A schedule of estimated capital outlay revenues from
105 each currently approved source which is estimated to be
106 available for expenditure on the projects included in the
107 district facilities work program.

108 5. A schedule indicating which projects included in the
109 district facilities work program will be funded from current
110 revenues projected in subparagraph 4.

111 6. A schedule of options for the generation of additional
112 revenues by the district for expenditure on projects identified
113 in the district facilities work program which are not funded
114 under subparagraph 5. Additional anticipated revenues may
115 include Classrooms First funds.

116 Section 2. Subsection (3) of section 1013.37, Florida
117 Statutes, is amended to read:

118 1013.37 State uniform building code for public educational
119 facilities construction.—

120 (3) REVIEW PROCEDURE; EXEMPTION.—

121 (a) The Commissioner of Education shall cooperate with the
122 Florida Building Commission in addressing all questions,
123 disputes, or interpretations involving the provisions of the
124 Florida Building Code which govern the construction of public
125 educational and ancillary facilities, and any objections to

126 decisions made by the inspectors or the department must be
 127 submitted in writing.

128 (b) Upon request by a district school board, the
 129 commissioner shall grant an exemption from the State
 130 Requirements for Educational Facilities (SREF). A district
 131 school board must provide a comprehensive cost-benefit analysis
 132 along with its request for an exemption from the SREF. Any
 133 district school board that is granted such exemption shall
 134 continue to comply with applicable provisions of the Florida
 135 Building Code and the Florida Fire Prevention Code which relate
 136 to the construction, remodeling, and renovation of educational
 137 facilities.

138 Section 3. Paragraph (b) of subsection (3) of section
 139 1013.64, Florida Statutes, is amended to read:

140 1013.64 Funds for comprehensive educational plant needs;
 141 construction cost maximums for school district capital
 142 projects.—Allocations from the Public Education Capital Outlay
 143 and Debt Service Trust Fund to the various boards for capital
 144 outlay projects shall be determined as follows:

145 (3)

146 (b) The capital outlay membership shall be determined for
 147 prekindergarten exceptional education students, kindergarten
 148 through the 12th grade, and for career centers by counting the
 149 student membership for the second and third surveys and
 150 comparing the results on a school-by-school basis with the

151 Florida Inventory of School Houses. If the prior academic year's
152 third survey count is higher than the current year's second
153 survey count when comparing the results on a school-by-school
154 basis with the Florida Inventory of School Houses, the prior
155 year's third survey count shall be used on a school-by-school
156 basis for determining the current capital outlay membership. The
157 Florida Inventory of School Houses shall be updated with the
158 current capital outlay membership count as soon as practicable
159 after verification of the capital outlay membership. For
160 purposes of determining the capacity of school facilities, as
161 reported in the Florida Inventory of School Houses, a school
162 containing students in kindergarten through grade 5 is
163 considered an elementary school and a school containing students
164 in grades 6 through 8 is considered a middle school.

165 Section 4. This act shall take effect July 1, 2017.