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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/17/2017	.	
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Appropriations Subcommittee on Pre-K - 12 Education (Montford)
recommended the following:

Senate Amendment (with directory and title amendments)

Between lines 194 and 195

insert:

(6)

(b)1. A district school board may not use funds from the following sources: Public Education Capital Outlay and Debt Service Trust Fund; School District and Community College District Capital Outlay and Debt Service Trust Fund; Classrooms First Program funds provided in s. 1013.68; nonvoted 1.5-mill



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11 levy of ad valorem property taxes provided in s. 1011.71(2);
12 Classrooms for Kids Program funds provided in s. 1013.735;
13 District Effort Recognition Program funds provided in s.
14 1013.736; or High Growth District Capital Outlay Assistance
15 Grant Program funds provided in s. 1013.738 for any new
16 construction of educational plant space with a total cost per
17 student station, including change orders, that equals more than:
18 a. \$17,952 for an elementary school,
19 b. \$19,386 for a middle school, or
20 c. \$25,181 for a high school,

21
22 (January 2006) as adjusted annually to reflect increases or
23 decreases in the Consumer Price Index.

24 2. School districts shall maintain accurate documentation
25 related to the costs of all new construction of educational
26 plant space reported to the Department of Education pursuant to
27 paragraph (d). The Auditor General shall review the
28 documentation maintained by the school districts and verify
29 compliance with the limits under this paragraph during its
30 scheduled operational audits of the school district. The
31 department shall make the final determination on district
32 compliance based on the recommendation of the Auditor General.

33 3. The Office of Economic and Demographic Research, in
34 consultation with the department, shall conduct a study of the
35 cost per student station amounts using the most recent available
36 information on construction costs. In this study, the costs per
37 student station should represent the costs of classroom
38 construction and administrative offices as well as the
39 supplemental costs of core facilities, including required media



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40 centers, gymnasiums, music rooms, cafeterias and their
41 associated kitchens and food service areas, vocational areas,
42 and other defined specialty areas, including exceptional student
43 education areas. The study must take into account appropriate
44 cost-effectiveness factors in school construction and should
45 include input from industry experts. The Office of Economic and
46 Demographic Research must provide the results of the study and
47 recommendations on the cost per student station to the Governor,
48 the President of the Senate, and the Speaker of the House of
49 Representatives no later than January 31, 2017.

50 4. The Office of Program Policy Analysis and Government
51 Accountability (OPPAGA) shall conduct a study of the State
52 Requirements for Education Facilities (SREF) to identify current
53 requirements that can be eliminated or modified in order to
54 decrease the cost of construction of educational facilities
55 while ensuring student safety. OPPAGA must provide the results
56 of the study, and an overall recommendation as to whether SREF
57 should be retained, to the Governor, the President of the
58 Senate, and the Speaker of the House of Representatives no later
59 than January 31, 2017.

60 5. Effective July 1, 2017, in addition to the funding
61 sources listed in subparagraph 1., a district school board may
62 not use funds from any sources for new construction of
63 educational plant space with a total cost per student station,
64 including change orders, which equals more than the current
65 adjusted amounts provided in sub-subparagraphs 1.a.-c. which
66 shall subsequently be adjusted annually to reflect increases or
67 decreases in the Consumer Price Index. However, if a contract
68 has been executed for architectural and design services or for



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69 construction management services before July 1, 2017, a district
70 school board may use funds from any source for the new
71 construction of educational plant space and such funds are
72 exempt from the total cost per student station requirements.

73 6. A district school board must not use funds from the
74 Public Education Capital Outlay and Debt Service Trust Fund or
75 the School District and Community College District Capital
76 Outlay and Debt Service Trust Fund for any new construction of
77 an ancillary plant that exceeds 70 percent of the average cost
78 per square foot of new construction for all schools.

79 (c) Except as otherwise provided, new construction for
80 which a contract has been executed for architectural and design
81 services or for construction management services initiated by a
82 district school board on or after July 1, 2017, may not exceed
83 the cost per student station as provided in paragraph (b). A
84 school district that exceeds the cost per student station
85 provided in paragraph (b), as determined by the Auditor General,
86 shall be subject to sanctions. If the Auditor General determines
87 that the cost per student station overage is de minimus or due
88 to extraordinary circumstances outside the control of the
89 district, the sanctions shall not apply. The sanctions are as
90 follows:

91 1. The school district shall be ineligible for allocations
92 from the Public Education Capital Outlay and Debt Service Trust
93 Fund for the next 3 years in which the school district would
94 have received allocations had the violation not occurred.

95 2. The school district shall be subject to the supervision
96 of a district capital outlay oversight committee. The oversight
97 committee is authorized to approve all capital outlay



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98 expenditures of the school district, including new construction,
99 renovations, and remodeling, for 3 fiscal years following the
100 violation.

101 a. Each oversight committee shall be composed of the
102 following:

103 (I) One appointee of the Commissioner of Education who has
104 significant financial management, school facilities
105 construction, or related experience.

106 (II) One appointee of the office of the state attorney with
107 jurisdiction over the district.

108 (III) One appointee of the Chief Financial Officer who is a
109 licensed certified public accountant.

110 b. An appointee to the oversight committee may not be
111 employed by the school district; be a relative, as defined in s.
112 1002.33(24)(a)2., of any school district employee; or be an
113 elected official. Each appointee must sign an affidavit
114 attesting to these conditions and affirming that no conflict of
115 interest exists in his or her oversight role.

116
117 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

118 And the directory clause is amended as follows:

119 Delete line 141

120 and insert:

121 subsection (3) and paragraphs (b) and (c) of subsection (6) of
122 section 1013.64, Florida Statutes, are amended

123
124 ===== T I T L E A M E N D M E N T =====

125 And the title is amended as follows:

126 Between lines 12 and 13



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127 insert:
128 authorizing a district school board to use funds from
129 any source for the new construction of educational
130 plant space under certain circumstances;