

By Senator Garcia

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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.

15
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

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33 projected student enrollment in K-12 programs. This schedule
34 shall consider:

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

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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 for
89 disposition of the facility or usage of facility space, and
90 anticipated revenues.

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

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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. Upon the expiration and reversion of the
139 amendments to section 1013.64, Florida Statutes, pursuant to
140 section 36 of chapter 2016-62, Laws of Florida, paragraph (a) of
141 subsection (3) of section 1013.64, Florida Statutes, is amended
142 to read:

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

148 (3) (a) Each district school board shall receive an amount

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149 from the Public Education Capital Outlay and Debt Service Trust
150 Fund to be calculated by computing the capital outlay full-time
151 equivalent membership as determined by the department. Such
152 membership must include, but is not limited to:

153 1. K-12 students for whom the school district provides the
154 educational facility, except hospital- and homebound part-time
155 students; and

156 2. Students who are career education students, and adult
157 disabled students and who are enrolled in school district career
158 centers. The capital outlay full-time equivalent membership
159 shall be determined for kindergarten through the 12th grade and
160 for career centers by averaging the unweighted full-time
161 equivalent student membership for the second and third surveys
162 and comparing the results on a school-by-school basis with the
163 Florida Inventory for School Houses. For purposes of determining
164 the capacity of school facilities, as reported in the Florida
165 Inventory of School Houses, a school containing students in
166 kindergarten through grade 5 is considered an elementary school
167 and a school containing students in grades 6 through 8 is
168 considered a middle school. The capital outlay full-time
169 equivalent membership by grade level organization shall be used
170 in making the following calculations: The capital outlay full-
171 time equivalent membership by grade level organization for the
172 4th prior year must be used to compute the base-year allocation.
173 The capital outlay full-time equivalent membership by grade-
174 level organization for the prior year must be used to compute
175 the growth over the highest of the 3 years preceding the prior
176 year. From the total amount appropriated by the Legislature
177 pursuant to this subsection, 40 percent shall be allocated among

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178 the base capital outlay full-time equivalent membership and 60
179 percent among the growth capital outlay full-time equivalent
180 membership. The allocation within each of these groups shall be
181 prorated to the districts based upon each district's percentage
182 of base and growth capital outlay full-time membership. The most
183 recent 4-year capital outlay full-time equivalent membership
184 data shall be used in each subsequent year's calculation for the
185 allocation of funds pursuant to this subsection. If a change,
186 correction, or recomputation of data during any year results in
187 a reduction or increase of the calculated amount previously
188 allocated to a district, the allocation to that district shall
189 be adjusted correspondingly. If such recomputation results in an
190 increase or decrease of the calculated amount, such additional
191 or reduced amounts shall be added to or reduced from the
192 district's future appropriations. However, no change,
193 correction, or recomputation of data shall be made subsequent to
194 2 years following the initial annual allocation.

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