

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Ponder offered the following:

2  
3 **Amendment (with title amendment)**

4 Between lines 637 and 638, insert:

5 Section 8. Section 1013.101, Florida Statutes, is created  
6 to read:

7 1013.101 Shared-use agreements.-

8 (1) LEGISLATIVE FINDINGS AND INTENT.-The Legislature finds  
9 that greater public access to recreation and sports facilities  
10 is needed to reduce the impact of obesity, diabetes, and other  
11 chronic diseases on personal health and health care  
12 expenditures. Public schools are equipped with taxpayer-funded  
13 indoor and outdoor recreation facilities that offer easily

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14 accessible opportunities for physical activity for residents of  
15 the community. The Legislature also finds that it is the policy  
16 of the state for district school boards to allow the shared use  
17 of school buildings and property by adopting policies allowing  
18 for shared use and implementing shared-use agreements with local  
19 governmental entities and nonprofit organizations. The  
20 Legislature intends to increase the number of school districts  
21 that open their playground facilities to community use outside  
22 of school hours.

23 (2) DEFINITIONS.—As used in this section, the term:

24 (a) "High-need communities" means communities in which at  
25 least 50 percent of children are eligible to receive free or  
26 reduced-price meals at the school that will be the subject of  
27 the shared-use agreement.

28 (b) "Shared use" means allowing access to school  
29 playground facilities by community members for recreation or  
30 another purpose of importance to the community through a shared-  
31 use agreement or a school district or school policy that opens  
32 school facilities for use by governmental or nongovernmental  
33 entities or the public.

34 (c) "Shared-use agreement" means a written agreement  
35 between a school district and a governmental or nongovernmental  
36 entity which defines the roles, responsibilities, terms, and  
37 conditions for community use of a school-owned facility for  
38 recreation or other purposes.

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39 (3) PROMOTION OF COMMUNITY USE OF SHARED FACILITIES.—The  
40 department shall provide technical assistance to school  
41 districts, including, but not limited to, individualized  
42 assistance, the creation of a shared-use technical assistance  
43 toolkit containing useful information for school districts, and  
44 the development of publicly accessible online information of  
45 shared-use resources and existing shared-use agreements.

46 (4) DEPARTMENT RESPONSIBILITIES.—The department shall:

47 (a) Establish guidelines for funding eligibility  
48 consistent with this section, promote the availability of the  
49 funding statewide, provide technical assistance to applicants,  
50 evaluate applicants, determine allowable expenses, and disburse  
51 funding.

52 (b) Annually post on its website and report to the  
53 President of the Senate and the Speaker of the House of  
54 Representatives the expenditure of the funds used to administer  
55 this section, including the total amount of funding distributed,  
56 the school districts that received funding, the amount of  
57 funding each school district received, and the department's  
58 evaluation results.

59 (c) Develop an application process for school districts to  
60 receive funding. The application must require that a school  
61 district:

62 1. Demonstrate that it has an active partnership with a  
63 local governmental agency or nonprofit organization;

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64        2. Agree to fully implement its shared-use project within  
65 the grant period;

66        3. Abide by the conditions for receiving assistance;

67        4. Provide the department with a copy of the school  
68 district's shared-use agreement or shared-use policy; and

69        5. Collect and provide data and other information required  
70 by the department for monitoring, accountability, and evaluation  
71 purposes.

72        (d) Give funding priority to high-need communities. In  
73 consultation with the Shared-Use Task Force, the department may  
74 establish additional criteria for funding priorities consistent  
75 with this section.

76        (5) REPORT.—By December 31, 2017, the department shall  
77 submit an electronic report to the President of the Senate and  
78 the Speaker of the House of Representatives on the grants that  
79 have been disbursed or could be disbursed if funding were  
80 available. The department shall submit a final report on the  
81 grant disbursements by June 30, 2018.

82        Section 9. Shared-Use Task Force.—The Shared-Use Task  
83 Force, a task force as defined in s. 20.03, Florida Statutes, is  
84 created within the Department of Education. The task force is  
85 created to identify barriers in creating shared-use agreements  
86 and to make recommendations to facilitate the shared use of  
87 school facilities generally and in high-need communities.

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88           (1) The task force is composed of seven members appointed  
89 by the department, as follows:

90           (a) Two representatives from school districts, including  
91 one representative from school districts 1 through 33 and one  
92 representative from school districts 34 through 67;

93           (b) One representative from a public health department;

94           (c) Two representatives from community-based programs in  
95 high-need communities; and

96           (d) Two representatives from recreational organizations.

97           (2) The task force shall elect a chair and vice chair. The  
98 chair and vice chair may not be representatives from the same  
99 member category. Members of the task force shall serve without  
100 compensation, but are entitled to reimbursement for per diem and  
101 travel expenses pursuant to s. 112.061, Florida Statutes.

102           (3) The task force shall meet by teleconference or other  
103 electronic means, if possible, to reduce costs.

104           (4) The department shall provide the task force with staff  
105 necessary to assist the task force in the performance of its  
106 duties.

107           (5) The task force shall submit a report of its findings  
108 and recommendations to the President of the Senate and the  
109 Speaker of the House of Representatives by October 1, 2017. Upon  
110 submission of the report, the task force shall expire.

111           (6) The State Board of Education shall adopt rules to  
112 implement and administer this section.

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**T I T L E   A M E N D M E N T**

Remove line 39 and insert:  
promotion; creating s. 1013.101, F.S.; providing  
legislative findings and intent; defining terms;  
requiring the Department of Education to provide  
specified assistance to school districts; providing  
department responsibilities; specifying funding  
allocation guidelines; requiring the department to  
annually post information regarding specified  
allocations on its website and report to the  
Legislature; requiring the department to develop an  
application process for school districts; requiring  
funding priority to be given to high-need communities;  
requiring reports to the Legislature by specified  
dates; creating the Shared-Use Task Force within the  
department; specifying the purpose and membership of  
the task force; providing requirements for electing a  
task force chair and vice chair and conducting  
meetings; providing that members of the task force  
serve without compensation but are entitled to  
reimbursement for per diem and travel expenses;  
requiring the task force to meet by teleconference or  
other electronic means; requiring the department to

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138 | provide the task force with necessary staff; requiring  
139 | the task force to submit a report to the Legislature  
140 | by a specified date; providing for expiration of the  
141 | task force; providing for rulemaking; amending s.  
142 | 1001.42, F.S.; revising school

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