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LEGISLATIVE ACTION

Senate

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House

Senator Bean moved the following:

Senate Amendment (with title amendment)

Between lines 1672 and 1673

insert:

Section 19. Section 1013.101, Florida Statutes, is created to read:

1013.101 Shared-use agreements.-

(1) LEGISLATIVE FINDINGS AND INTENT.-The Legislature finds that greater public access to recreation and sports facilities is needed to reduce the impact of obesity, diabetes, and other chronic diseases on personal health and health care



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12 expenditures. Public schools are equipped with taxpayer-funded
13 indoor and outdoor recreation facilities that offer easily
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 playground
29 facilities by community members for recreation or another
30 purpose of importance to the community through a shared-use
31 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.

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 consistent
48 with this section, promote the availability of the funding
49 statewide, provide technical assistance to applicants, evaluate
50 applicants, determine allowable expenses, and disburse funding.

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

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

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

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

65 3. Abide by the conditions for receiving assistance;

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

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



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70 purposes.

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

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

81 Section 20. Shared-Use Task Force.—The Shared-Use Task
82 Force, a task force as defined in s. 20.03, Florida Statutes, is
83 created within the Department of Education. The task force is
84 created to identify barriers in creating shared-use agreements
85 and to make recommendations to facilitate the shared use of
86 school facilities generally and in high-need communities.

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

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

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

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

95 (d) Two representatives from recreational organizations.

96 (2) The task force shall elect a chair and vice chair. The
97 chair and vice chair may not be representatives from the same
98 member category. Members of the task force shall serve without



99 compensation, but are entitled to reimbursement for per diem and
100 travel expenses pursuant to s. 112.061, Florida Statutes.

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

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

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

110 (6) The Department of Education shall adopt rules to
111 implement and administer this section.

112
113 ===== T I T L E A M E N D M E N T =====

114 And the title is amended as follows:

115 Delete line 105

116 and insert:

117 developed by the commissioner; creating s. 1013.101,
118 F.S.; providing legislative findings and intent;
119 defining terms; requiring the Department of Education
120 to provide specified assistance to school districts;
121 providing department responsibilities; specifying
122 funding allocation guidelines; requiring the
123 department to annually post information regarding
124 specified allocations on its website and report to the
125 Legislature; requiring the department to develop an
126 application process for school districts; requiring
127 funding priority to be given to high-need communities;



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128 requiring reports to the Legislature by specified
129 dates; creating the Shared-Use Task Force within the
130 department; specifying the purpose and membership of
131 the task force; providing requirements for electing a
132 task force chair and vice chair and conducting
133 meetings; providing that members of the task force
134 serve without compensation but are entitled to
135 reimbursement for per diem and travel expenses;
136 requiring the task force to meet by teleconference or
137 other electronic means; requiring the department to
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; creating the
142 Committee