

By Senator Bean

4-00147A-17

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1 A bill to be entitled
2 An act relating to the shared use of public school
3 playground facilities; creating s. 1013.101, F.S.;
4 providing legislative findings and intent; defining
5 terms; requiring the Department of Education to
6 provide specified assistance to school districts;
7 providing for funding as established in the General
8 Appropriations Act; specifying funding allocation
9 guidelines; requiring the department to annually post
10 information regarding specified allocations on its
11 website and report to the Legislature; requiring the
12 department to develop an application process for
13 school districts; requiring funding priority to be
14 given to high-need communities; creating the Shared
15 Use Task Force within the department; specifying the
16 purpose and membership of the task force; providing
17 requirements for electing a task force chair and vice
18 chair and conducting its meetings; requiring the
19 department to provide the task force with necessary
20 staff; requiring the task force to submit a report to
21 the Legislature by a specified date; providing for
22 expiration of the task force; providing for
23 rulemaking; providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

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27 Section 1. Section 1013.101, Florida Statutes, is created
28 to read:

29 1013.101 Shared use agreements.-

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30 (1) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds
31 that greater public access to recreation and sports facilities
32 is needed to reduce the impact of obesity, diabetes, and other
33 chronic diseases on personal health and health care
34 expenditures. Public schools are equipped with taxpayer-funded
35 indoor and outdoor recreation facilities that offer easily
36 accessible opportunities for physical activity for residents of
37 the community. The Legislature also finds that it is the policy
38 of the state for district school boards to allow the shared use
39 of school buildings and property by adopting policies allowing
40 for shared use and implementing shared use agreements with local
41 governmental entities and nonprofit organizations. The
42 Legislature intends to increase the number of school districts
43 that open their playground facilities to community use outside
44 of school hours.

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

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

50 (b) "Shared use" means allowing access to school playground
51 facilities by community members for recreation or another
52 purpose of importance to the community through a shared use
53 agreement or a school district or school policy that opens
54 school facilities for use by government or nongovernmental
55 entities or the public.

56 (c) "Shared use agreement" means a written agreement
57 between a school district and a government or nongovernmental
58 entity which defines the roles, responsibilities, terms, and

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59 conditions for community use of a school-owned facility for
60 recreation or other purposes.

61 (3) PROMOTION OF COMMUNITY USE OF SHARED FACILITIES.—The
62 department shall provide technical assistance to school
63 districts, including, but not limited to, individualized
64 assistance, the creation of a shared use technical assistance
65 toolkit containing useful information for school districts, and
66 the development of a publicly accessible online database of
67 shared use resources and existing shared use agreements.

68 (4) FUNDING.—The department shall do all of the following
69 with funds as established in the General Appropriations Act:

70 (a) Provide short-term grants to help school districts open
71 their facilities for shared use before or after school hours,
72 including evenings, weekends, and school vacations.

73 (b) Establish guidelines for funding eligibility consistent
74 with this section, promote the availability of the funding
75 statewide, provide technical assistance to applicants, evaluate
76 applicants, determine allowable expenses, and disburse funding.

77 (c) Annually post on its website and report to the
78 President of the Senate and the Speaker of the House of
79 Representatives the expenditure of the funds used to administer
80 this section, including the total amount of funding distributed,
81 the school districts that received funding, the amount of
82 funding each school district received, and the department's
83 evaluation results.

84 (d) Develop an application process for school districts to
85 receive funding. The application must require that a school
86 district:

87 1. Demonstrate that it has an active partnership with a

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88 local governmental agency or nonprofit organization or that the
89 funds will be used to open school facilities for use by the
90 public;

91 2. Agree to fully implement its shared use project within
92 the grant period;

93 3. Abide by the conditions for receiving assistance;

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

96 5. Collect and provide data and other information required
97 by the department for monitoring, accountability, and evaluation
98 purposes.

99 (e) Give funding priority to high-need communities. In
100 consultation with the Shared Use Task Force, the department may
101 establish additional criteria for funding priorities consistent
102 with this section.

103 Section 2. Shared Use Task Force.—The Shared Use Task
104 Force, a task force as defined in s. 20.03, Florida Statutes, is
105 created within the Department of Education. The task force is
106 created to identify barriers in creating shared use agreements
107 and to make recommendations to facilitate the shared use of
108 school facilities generally and in high-need communities.

109 (1) The task force is composed of 7 members appointed by
110 the department, as follows:

111 (a) Two representatives from school districts, including 1
112 representative from school districts 1 through 33 and 1
113 representative from school districts 34 through 67;

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

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

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117 (d) Two representatives from recreational organizations.

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

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

125 (4) The department shall provide the task force with staff
126 necessary to assist the task force in the performance of its
127 duties.

128 (5) The task force shall submit a report of its findings
129 and recommendations to the President of the Senate and the
130 Speaker of the House of Representatives by June 30, 2018. Upon
131 submission of the report, the task force shall expire.

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

134 Section 3. This act shall take effect July 1, 2017.