

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Gantt offered the following:

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

4 Between lines 63 and 64, insert:

5 Section 2. Section 1013.31, Florida Statutes, is amended
6 to read:

7 1013.31 Educational plant survey; localized need
8 assessment; PECO project funding.-

9 (1) At least every 5 years, each board shall arrange for
10 an educational plant survey, to aid in formulating plans for
11 housing the educational program and student population, faculty,
12 administrators, staff, and auxiliary and ancillary services of
13 the district, charter school, or campus, including consideration

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14 of the local comprehensive plan. The Department of Education
15 shall document the need for additional career and adult
16 education programs and the continuation of existing programs
17 before facility construction or renovation related to career or
18 adult education may be included in the educational plant survey
19 of a school district, charter school governing board, or Florida
20 College System institution that delivers career or adult
21 education programs. Information used by the Department of
22 Education to establish facility needs must include, but need not
23 be limited to, labor market data, needs analysis, and
24 information submitted by the school district, charter school
25 governing board, or Florida College System institution.

26 (a) Educational plant survey and localized need assessment
27 for capital outlay purposes.—A survey recommendation is not
28 required when a district or charter school governing board uses
29 funds from the following sources for educational, auxiliary, and
30 ancillary plant capital outlay purposes:

31 1. The local capital outlay improvement fund, consisting
32 of funds that come from and are a part of the district's or
33 charter school governing board's basic operating budget;

34 2. A taxpayer-approved bond referendum, to fund
35 construction of an educational, auxiliary, or ancillary plant
36 facility;

37 3. One-half cent sales surtax revenue;

38 4. One cent local governmental surtax revenue;

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- 39 5. Impact fees;
- 40 6. Private gifts or donations; and
- 41 7. The district school tax levied pursuant to s.
- 42 1011.71(2).
- 43 (b) Survey preparation and required data.—Each survey
- 44 shall be conducted by the board or an agency employed by the
- 45 board. Surveys shall be reviewed and approved by the board, and
- 46 a file copy shall be submitted to the Department of Education or
- 47 the Chancellor of the State University System, as appropriate.
- 48 The survey report shall include at least an inventory of
- 49 existing educational and ancillary plants, including safe access
- 50 facilities; recommendations for existing educational and
- 51 ancillary plants; recommendations for new educational or
- 52 ancillary plants, including the general location of each in
- 53 coordination with the land use plan and safe access facilities;
- 54 campus master plan update and detail for Florida College System
- 55 institutions; the utilization of school plants based on an
- 56 extended school day or year-round operation; and such other
- 57 information as may be required by the Department of Education.
- 58 This report may be amended, if conditions warrant, at the
- 59 request of the department or commissioner.
- 60 (c) Required need assessment criteria for district,
- 61 charter school governing board, Florida College System
- 62 institution, state university, and Florida School for the Deaf
- 63 and the Blind plant surveys.—Educational plant surveys must use

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64 uniform data sources and criteria specified in this paragraph.
65 Each revised educational plant survey and each new educational
66 plant survey supersedes previous surveys.

67 1. The school district's and charter school governing
68 board's survey must be submitted as a part of the ~~district~~
69 educational facilities plan defined in s. 1013.35. To ensure
70 that the data reported to the Department of Education as
71 required by this section is correct, the department shall
72 annually conduct an onsite review of 5 percent of the facilities
73 reported for each school district or charter school governing
74 board completing a new survey that year. If the department's
75 review finds the data reported by a district or charter school
76 governing board is less than 95 percent accurate, within 1 year
77 from the time of notification by the department the district or
78 charter school governing board must submit revised reports
79 correcting its data. If a district or charter school governing
80 board fails to correct its reports, the commissioner may direct
81 that future fixed capital outlay funds be withheld until such
82 time as the district or charter school governing board has
83 corrected its reports so that they are not less than 95 percent
84 accurate.

85 2. Each survey of a special facility, joint-use facility,
86 or cooperative career education facility must be based on
87 capital outlay full-time equivalent student enrollment data
88 prepared by the department for school districts, charter school

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89 governing boards, and Florida College System institutions and by
90 the Chancellor of the State University System for universities.
91 A survey of space needs of a joint-use facility shall be based
92 upon the respective space needs of the school districts, charter
93 school governing boards, Florida College System institutions,
94 and universities, as appropriate. Projections of a school
95 district's or charter school governing board's facility space
96 needs may not exceed the norm space and occupant design criteria
97 established by the State Requirements for Educational
98 Facilities.

99 3. Each Florida College System institution's survey must
100 reflect the capacity of existing facilities as specified in the
101 inventory maintained by the Department of Education. Projections
102 of facility space needs must comply with standards for
103 determining space needs as specified by rule of the State Board
104 of Education. The 5-year projection of capital outlay student
105 enrollment must be consistent with the annual report of capital
106 outlay full-time student enrollment prepared by the Department
107 of Education.

108 4. Each state university's survey must reflect the
109 capacity of existing facilities as specified in the inventory
110 maintained and validated by the Chancellor of the State
111 University System. Projections of facility space needs must be
112 consistent with standards for determining space needs as
113 specified by regulation of the Board of Governors. The projected

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114 capital outlay full-time equivalent student enrollment must be
115 consistent with the 5-year planned enrollment cycle for the
116 State University System approved by the Board of Governors.

117 5. The ~~district~~ educational facilities plan of a school
118 ~~district~~ and the educational plant survey of a Florida College
119 System institution, state university, or the Florida School for
120 the Deaf and the Blind may include space needs that deviate from
121 approved standards for determining space needs if the deviation
122 is justified by the district, charter school governing board, or
123 institution and approved by the department or the Board of
124 Governors, as appropriate, as necessary for the delivery of an
125 approved educational program.

126 (d) Review and validation.—The Department of Education
127 shall review and validate the surveys of school districts, charter school governing boards, and Florida College System
128 institutions, and the Chancellor of the State University System
129 shall review and validate the surveys of universities, and any
130 amendments thereto for compliance with the requirements of this
131 chapter and shall recommend those in compliance for approval by
132 the State Board of Education or the Board of Governors, as
133 appropriate. Annually, the department shall perform an in-depth
134 analysis of a representative sample of each survey of
135 recommended needs for five districts and five charter school
136 governing boards selected by the commissioner from among
137 districts and charter school governing boards with the largest
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139 need-to-revenue ratio. For the purpose of this subsection, the
140 need-to-revenue ratio is determined by dividing the total 5-year
141 cost of projects listed on the ~~district~~ survey by the total 5-
142 year fixed capital outlay revenue projections from state and
143 local sources as determined by the department. The commissioner
144 may direct fixed capital outlay funds provided from general
145 revenue or from state trust funds to be withheld from districts
146 and charter school governing boards until such time as the
147 survey accurately projects facilities needs.

148 (e) Periodic update of Florida Inventory of School
149 Houses.—School districts shall periodically update their
150 inventory of educational facilities as new capacity becomes
151 available and as unsatisfactory space is eliminated. The State
152 Board of Education shall adopt rules to determine the timeframe
153 in which districts must provide a periodic update.

154 (2) Only the district school superintendent, Florida
155 College System institution president, or the university
156 president shall certify to the Department of Education a
157 project's compliance with the requirements for expenditure of
158 PECO funds prior to release of funds.

159 (a) Upon request for release of PECO funds for planning
160 purposes, certification must be made to the Department of
161 Education that the need for and location of the facility are in
162 compliance with the board-approved survey recommendations, that
163 the project meets the definition of a PECO project and the

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164 limiting criteria for expenditures of PECO funding, and that the
165 plan is consistent with the local government comprehensive plan.

166 (b) Upon request for release of construction funds,
167 certification must be made to the Department of Education that
168 the need and location of the facility are in compliance with the
169 board-approved survey recommendations, that the project meets
170 the definition of a PECO project and the limiting criteria for
171 expenditures of PECO funding, and that the construction
172 documents meet the requirements of the Florida Building Code for
173 educational facilities construction or other applicable codes as
174 authorized in this chapter.

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177 **T I T L E A M E N D M E N T**

178 Remove line 4 and insert:
179 act; amending s. 1013.31, F.S.; revising educational plant
180 survey requirements to include charter schools; amending s.
181 1013.62, F.S.; deleting obsolete

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