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A bill to be entitled
An act relating to educational facilities; amending
ss. 163.31777, 163.3180, 553.415, 1001.20, 1002.20,
1002.31, 1002.36, 1003.621, 1011.012, 1011.6202, F.S.;
conforming provisions and cross-references to changes
made by the act; amending s. 1013.03, F.S.; revising
the duties of the Department of Education relating to
educational facilities of school districts and Florida
College System institutions; repealing s. 1013.04,
F.S., relating to school district educational
facilities plan performance and productivity
standards; amending s. 1013.12, F.S.; removing the
State Requirements for Educational Facilities from
specified standards for educational and ancillary
plants; removing the authority of the department to
inspect specified educational and ancillary plants;
deleting a requirement that the Commissioner of
Education adopt specified standards relating to such
inspections; removing a requirement that the State
Fire Marshal consult with the department for specified
rulemaking; amending s. 1013.20, F.S.; removing
specified standards for relocatables used as classroom
space; amending s. 1013.31, F.S.; removing the State
Requirement for Educational Facilities from specified
school district facility space projections; removing a

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26 requirement that school district periodically update
27 their inventory of educational facilities; amending s.
28 1013.33, F.S.; conforming provisions to changes made
29 by the act; amending s. 1013.35, F.S.; removing
30 definitions; requiring district school boards to
31 submit their tentative facilities plans to the
32 department; removing specified requirements for such
33 plans; removing a requirement that district school
34 boards work with certain local governments relating to
35 such plans; amending s. 1013.356, F.S.; conforming
36 provisions to changes made by the act; amending s.
37 1013.37, F.S.; revising requirements for the
38 performance of life-cycle costs analyses on specified
39 facilities; removing the department and Commissioner
40 of Education from requirements related to state
41 uniform building code for public educational
42 facilities construction; amending s. 1013.371, F.S.;
43 conforming provisions to changes made by the act;
44 amending s. 1013.41, F.S.; removing the Office of
45 Educational Facilities; requiring the department,
46 rather than the office, to monitor educational
47 facilities plans; amending s. 1013.45, F.S.; removing
48 a requirement that district school boards reuse
49 specified documents and packages relating to
50 construction; removing a requirement for a prototype

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51 design and construction for specified district school
52 board projects; removing State Board of Education
53 rulemaking requirements; repealing s. 1013.451, F.S.,
54 relating to life-cycle costs comparisons; amending s.
55 1013.62, F.S.; conforming a cross-reference; amending
56 s. 1013.64, F.S.; authorizing certain remodeling
57 projects to be based on specified school district
58 needs; revising the requirements for requests for
59 funding from the Special Facility Construction
60 Committee; revising the membership of the committee;
61 removing requirements for a specified survey and for
62 certain projects to be survey recommended; revising
63 the calculation of the cost per student station;
64 removing specified duties of the department relating
65 to cost per student stations; amending ss. 1013.68 and
66 1013.735, F.S.; conforming provisions to changes made
67 by the act; providing an effective date.

68
69 Be It Enacted by the Legislature of the State of Florida:

70
71 **Section 1. Paragraphs (e) and (f) of subsection (2) and**
72 **subsection (4) of section 163.31777, Florida Statutes, are**
73 **amended to read:**

74 163.31777 Public schools interlocal agreement.—
75 (2) At a minimum, the interlocal agreement must address

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76 the following issues:

77 (e) A process for the school board to inform the local
78 government regarding the effect of comprehensive plan amendments
79 on school capacity. The capacity reporting must be consistent
80 with laws and rules relating to measurement of school facility
81 capacity and must also identify how the district school board
82 will meet the public school demand ~~based on the facilities work~~
83 ~~program adopted pursuant to s. 1013.35.~~

84 (f) Participation of the local governments in the
85 preparation of the annual update to the district school board's
86 5-year ~~district facilities work program~~ and educational plant
87 survey prepared pursuant to s. 1013.35.

88 (4) At the time of the evaluation and appraisal of its
89 comprehensive plan pursuant to s. 163.3191, each exempt
90 municipality shall assess the extent to which it continues to
91 meet the criteria for exemption under subsection (3). If the
92 municipality continues to meet the criteria for exemption under
93 subsection (3), the municipality shall continue to be exempt
94 from the interlocal agreement requirement. Each municipality
95 exempt under subsection (3) must comply with this section within
96 1 year after the district school board proposes, ~~in its 5-year~~
97 ~~district facilities work program~~, a new school within the
98 municipality's jurisdiction.

99 **Section 2. Paragraph (e) of subsection (6) of section
100 163.3180, Florida Statutes, is amended to read:**

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101 163.3180 Concurrency.—
102 (6)
103 (e) A school district that includes relocatable facilities
104 in its inventory of student stations shall include the capacity
105 of such relocatable facilities ~~as provided in s.~~
106 ~~1013.35(2)(b)2.f.~~, provided the relocatable facilities were
107 purchased after 1998 ~~and the relocatable facilities meet the~~
108 ~~standards for long-term use pursuant to s. 1013.20.~~

109 **Section 3. Subsections (12) and (13) of section 553.415,**
110 **Florida Statutes, are amended to read:**

111 553.415 Factory-built school buildings.—
112 (12) Such insignia and data plate shall be permanently
113 affixed by the manufacturer in the case of newly constructed
114 factory-built school buildings, or by the department or its
115 designee in the case of an existing factory-built building
116 ~~altered to comply with provisions of s. 1013.20.~~
117 (13) As of July 1, 2001, all newly constructed factory-
118 built school buildings shall bear a label pursuant to subsection
119 (12). As of July 1, 2002, existing factory-built school
120 buildings and manufactured buildings used as classrooms and not
121 bearing such label shall not be used as classrooms ~~pursuant to~~
122 ~~s. 1013.20.~~

123 **Section 4. Paragraph (c) of subsection (4) of section**
124 **1001.20, Florida Statutes, is amended to read:**

125 1001.20 Department under direction of state board.—

126 (4) The Department of Education shall establish the
127 following offices within the Office of the Commissioner of
128 Education which shall coordinate their activities with all other
129 divisions and offices:

130 ~~(e) Office of Educational Facilities. Responsible for validating all educational plant surveys and verifying Florida Inventory of School Houses (FISH) data. The office shall provide technical assistance to public school districts when requested.~~

134 **Section 5. Subsection (21) of section 1002.20, Florida Statutes, is amended to read:**

136 1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

142 (21) PARENTAL INPUT AND MEETINGS.—

143 ~~(a) Meetings with school district personnel.—Parents of public school students may be accompanied by another adult of their choice at a meeting with school district personnel. School district personnel may not object to the attendance of such adult or discourage or attempt to discourage, through an action, statement, or other means, the parents of students with disabilities from inviting another person of their choice to attend a meeting. Such prohibited actions include, but are not~~

151 limited to, attempted or actual coercion or harassment of
152 parents or students or retaliation or threats of consequences to
153 parents or students.

154 (a)1. Such meetings include, but are not limited to,
155 meetings related to: the eligibility for exceptional student
156 education or related services; the development of an individual
157 family support plan (IFSP); the development of an individual
158 education plan (IEP); the development of a 504 accommodation
159 plan issued under s. 504 of the Rehabilitation Act of 1973; the
160 transition of a student from early intervention services to
161 other services; the development of postsecondary goals for a
162 student with a disability and the transition services needed to
163 reach those goals; and other issues that may affect the
164 educational environment, discipline, or placement of a student
165 with a disability.

166 (b)2. The parents and school district personnel attending
167 the meeting shall sign a document at the meeting's conclusion
168 which states whether any school district personnel have
169 prohibited, discouraged, or attempted to discourage the parents
170 from inviting a person of their choice to the meeting.

171 ~~(b) District school board educational facilities~~
172 ~~programs. Parents of public school students and other members of~~
173 ~~the public have the right to receive proper public notice and~~
174 ~~opportunity for public comment regarding the district school~~
175 ~~board's educational facilities work program, in accordance with~~

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176 the provisions of s. 1013.35.

177 **Section 6. Paragraph (b) of subsection (2) of section**
178 **1002.31, Florida Statutes, is amended to read:**

179 1002.31 Controlled open enrollment; public school parental
180 choice.—

181 (2)

182 (b) Each school district and charter school capacity
183 determinations for its schools, by grade level, must be updated
184 every 12 weeks and be identified on the school district and
185 charter school's websites. In determining the capacity of each
186 district school, the district school board shall incorporate the
187 specifications, plans, elements, and commitments contained in
188 the school district educational facilities plan ~~and the long-~~
189 ~~term work programs~~ required under s. 1013.35. Each charter
190 school governing board shall determine capacity based upon its
191 charter school contract. Each virtual charter school and each
192 school district with a contract with an approved virtual
193 instruction program provider shall determine capacity based upon
194 the enrollment requirements established under s. 1002.45(1) (d) 4.

195 **Section 7. Subsection (3) of section 1002.36, Florida**
196 **Statutes, is amended to read:**

197 1002.36 Florida School for the Deaf and the Blind.—

198 (3) AUDITS.—The Auditor General shall conduct audits of
199 the accounts and records of the Florida School for the Deaf and
200 the Blind as provided in s. 11.45. The Department of Education's

201 Inspector General is authorized to conduct investigations at the
202 school as provided in s. 1002.20(4) (d) ~~s. 1001.20(4) (e)~~.

203 **Section 8. Paragraph (i) of subsection (2) of section
204 1003.621, Florida Statutes, is amended to read:**

205 1003.621 Academically high-performing school districts.—It
206 is the intent of the Legislature to recognize and reward school
207 districts that demonstrate the ability to consistently maintain
208 or improve their high-performing status. The purpose of this
209 section is to provide high-performing school districts with
210 flexibility in meeting the specific requirements in statute and
211 rules of the State Board of Education.

212 (2) COMPLIANCE WITH STATUTES AND RULES.—Each academically
213 high-performing school district shall comply with all of the
214 provisions in chapters 1000-1013, and rules of the State Board
215 of Education which implement these provisions, pertaining to the
216 following:

217 (i) Those statutes pertaining to educational facilities,
218 including chapter 1013, ~~except that s. 1013.20, relating to
219 covered walkways for portables,~~ is eligible for exemption.

220 **Section 9. Section 1011.012, Florida Statutes, is amended
221 to read:**

222 1011.012 Annual capital outlay budget.—

223 (1) Each district school board, Florida College System
224 institution board of trustees, and university board of trustees
225 shall, each year, adopt a capital outlay budget for the ensuing

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226 year in order that the capital outlay needs of the board for the
227 entire year may be well understood by the public. This capital
228 outlay budget shall be a part of the annual budget and shall be
229 based upon and in harmony with the educational plant and
230 ancillary facilities plan. This budget shall designate the
231 proposed capital outlay expenditures by project for the year
232 from all fund sources. The board may not expend any funds on any
233 project not included in the budget, as amended.

234 ~~(2) Each district school board must prepare its tentative~~
235 ~~district facilities work program as required by s. 1013.35~~
236 ~~before adopting the capital outlay budget.~~

237 **Section 10. Paragraph (b) of subsection (3) of section**
238 **1011.6202, Florida Statutes, is amended to read:**

239 1011.6202 Principal Autonomy Program Initiative.—The
240 Principal Autonomy Program Initiative is created within the
241 Department of Education. The purpose of the program is to
242 provide a highly effective principal of a participating school
243 with increased autonomy and authority to operate his or her
244 school, as well as other schools, in a way that produces
245 significant improvements in student achievement and school
246 management while complying with constitutional requirements. The
247 State Board of Education may, upon approval of a principal
248 autonomy proposal, enter into a performance contract with the
249 district school board for participation in the program.

250 (3) EXEMPTION FROM LAWS.—

251 (b) A participating school or a school operated by a
252 principal pursuant to subsection (5) shall comply with the
253 provisions of chapters 1000-1013, and rules of the state board
254 that implement those provisions, pertaining to the following:

255 1. Those laws relating to the election and compensation of
256 district school board members, the election or appointment and
257 compensation of district school superintendents, public meetings
258 and public records requirements, financial disclosure, and
259 conflicts of interest.

260 2. Those laws relating to the student assessment program
261 and school grading system, including chapter 1008.

262 3. Those laws relating to the provision of services to
263 students with disabilities.

264 4. Those laws relating to civil rights, including s.
265 1000.05, relating to discrimination.

266 5. Those laws relating to student health, safety, and
267 welfare.

268 6. Section 1001.42(4)(f), relating to the uniform opening
269 date for public schools.

270 7. Section 1003.03, governing maximum class size, except
271 that the calculation for compliance pursuant to s. 1003.03 is
272 the average at the school level for a participating school.

273 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
274 compensation and salary schedules.

275 9. Section 1012.33(5), relating to workforce reductions

276 for annual contracts for instructional personnel. This
277 subparagraph does not apply to at-will employees.

278 10. Section 1012.335, relating to annual contracts for
279 instructional personnel hired on or after July 1, 2011. This
280 subparagraph does not apply to at-will employees.

281 11. Section 1012.34, relating to personnel evaluation
282 procedures and criteria.

283 12. Those laws pertaining to educational facilities,
284 including chapter 1013, ~~except that s. 1013.20, relating to~~
285 ~~covered walkways for relocatables,~~ is eligible for exemption.

286 13. Those laws pertaining to participating school
287 districts, including this section and ss. 1011.69(2) and
288 1012.28(8).

289 **Section 11. Section 1013.03, Florida Statutes, is amended
290 to read:**

291 1013.03 Functions of the department and the Board of
292 Governors.—The functions of the Department of Education as it
293 pertains to educational facilities of school districts and
294 Florida College System institutions and of the Board of
295 Governors as it pertains to educational facilities of state
296 universities shall include, but not be limited to, the
297 following:

298 (1) Each district school board and Florida College System
299 institution board of trustees shall establish recommended
300 minimum and maximum square footage standards for different

301 functions and areas and procedures for determining the gross
302 square footage for each educational facility to be funded in
303 whole or in part by the state, including public broadcasting
304 stations but excluding postsecondary special purpose laboratory
305 space. The gross square footage determination standards may be
306 exceeded when the core facility space of an educational facility
307 is constructed or renovated to accommodate the future addition
308 of classrooms to meet projected increases in student enrollment.
309 The department and the Board of Governors shall encourage
310 multiple use of facilities and spaces in educational plants.

311 (2) Each district school board and Florida College System
312 institution board of trustees shall establish, for the purpose
313 of determining need, equitably uniform utilization standards for
314 all types of like space, regardless of the level of education.
315 These standards shall also establish, for postsecondary
316 education classrooms, a minimum room utilization rate of 40
317 hours per week and a minimum station utilization rate of 60
318 percent. These rates shall be subject to increase based on
319 national norms for utilization of postsecondary education
320 classrooms.

321 (3) ~~Require boards to submit other educational plant~~
322 ~~inventories data and statistical data or information relevant to~~
323 ~~construction, capital improvements, and related costs.~~

324 (3)-(4) The department and the Board of Governors shall
325 require each board and other appropriate agencies to submit

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326 complete and accurate financial data as to the amounts of funds
327 from all sources that are available and spent for construction
328 and capital improvements. The commissioner shall prescribe the
329 format and the date for the submission of this data and any
330 other educational facilities data. If any district does not
331 submit the required educational facilities fiscal data by the
332 prescribed date, the Commissioner of Education shall notify the
333 district school board of this fact and, if appropriate action is
334 not taken to immediately submit the required report, the
335 district school board shall be directed to proceed pursuant to
336 s. 1001.42(13) (b). If any Florida College System institution or
337 university does not submit the required educational facilities
338 fiscal data by the prescribed date, the same policy prescribed
339 in this subsection for school districts shall be implemented.

340 (4) (5) The department and the Board of Governors shall
341 administer, under the supervision of the Commissioner of
342 Education, the Public Education Capital Outlay and Debt Service
343 Trust Fund and the School District and Community College
344 District Capital Outlay and Debt Service Trust Fund.

345 ~~(6) Develop, review, update, revise, and recommend a~~
346 ~~mandatory portion of the Florida Building Code for educational~~
347 ~~facilities construction and capital improvement by Florida~~
348 ~~College System institution boards and district school boards.~~

349 ~~(7) Provide training, technical assistance, and building~~
350 ~~code interpretation for requirements of the mandatory Florida~~

351 Building Code for the educational facilities construction and
352 capital improvement programs of the Florida College System
353 institution boards and district school boards and, upon request,
354 approve phase III construction documents for remodeling,
355 renovation, or new construction of educational plants or
356 ancillary facilities, except that university boards of trustees
357 shall approve specifications and construction documents for
358 their respective institutions pursuant to guidelines of the
359 Board of Governors. The Department of Management Services may,
360 upon request, provide similar services for the Florida School
361 for the Deaf and the Blind and shall use the Florida Building
362 Code and the Florida Fire Prevention Code.

363 (8) Provide minimum criteria, procedures, and training to
364 boards to conduct educational plant surveys and document the
365 determination of future needs.

366 (9) Make available to boards technical assistance,
367 awareness training, and research and technical publications
368 relating to lifesafety, casualty, sanitation, environmental,
369 maintenance, and custodial issues; and, as needed, technical
370 assistance for survey, planning, design, construction,
371 operation, and evaluation of educational and ancillary
372 facilities and plants, facilities administrative procedures
373 review, and training for new administrators.

374 (10) (a) Review and validate surveys proposed or amended by
375 the boards and recommend to the Commissioner of Education, or

376 the Chancellor of the State University System, as appropriate,
377 for approval, surveys that meet the requirements of this
378 chapter.

379 1. The term "validate" as applied to surveys by school
380 districts means to review inventory data as submitted to the
381 department by district school boards; provide for review and
382 inspection, where required, of student stations and aggregate
383 square feet of inventory changed from satisfactory to
384 unsatisfactory or changed from unsatisfactory to satisfactory;
385 compare new school inventory to allocation limits provided by
386 this chapter; review cost projections for conformity with cost
387 limits set by s. 1013.64(6); compare total capital outlay full-
388 time equivalent enrollment projections in the survey with the
389 department's projections; review facilities lists to verify that
390 student station and auxiliary facility space allocations do not
391 exceed the limits provided by this chapter and related rules;
392 review and confirm the application of uniform facility
393 utilization factors, where provided by this chapter or related
394 rules; utilize the documentation of programs offered per site,
395 as submitted by the board, to analyze facility needs; confirm
396 that need projections for career and adult educational programs
397 comply with needs documented by the Department of Education; and
398 confirm the assignment of full-time student stations to all
399 space except auxiliary facilities, which, for purposes of
400 exemption from student station assignment, include the

401 following:

402 a. Cafeterias.

403 b. Multipurpose dining areas.

404 c. Media centers.

405 d. Auditoriums.

406 e. Administration.

407 f. Elementary, middle, and high school resource rooms, up
408 to the number of such rooms recommended for the applicable
409 occupant and space design capacity of the educational plant in
410 the State Requirements for Educational Facilities, beyond which
411 student stations must be assigned.

412 g. Elementary school skills labs, up to the number of such
413 rooms recommended for the applicable occupant and space design
414 capacity of the educational plant in the State Requirements for
415 Educational Facilities, beyond which student stations must be
416 assigned.

417 h. Elementary school art and music rooms.

418
419 The Commissioner of Education may grant a waiver from the
420 requirements of this subparagraph if a district school board
421 determines that such waiver will make possible a substantial
422 savings of funds or will be advantageous to the welfare of the
423 educational system. The district school board shall present a
424 full statement to the commissioner which sets forth the facts
425 that warrant the waiver. If the commissioner denies a request

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426 for a waiver, the district school board may appeal such decision
427 to the State Board of Education.

428 2. The term "validate" as applied to surveys by Florida
429 College System institutions and universities means to review and
430 document the approval of each new site and official designation,
431 where applicable; review the inventory database as submitted by
432 each board to the department, including noncareer, and total
433 capital outlay full-time equivalent enrollment projections per
434 site and per college; provide for the review and inspection,
435 where required, of student stations and aggregate square feet of
436 space changed from satisfactory to unsatisfactory; utilize and
437 review the documentation of programs offered per site submitted
438 by the boards as accurate for analysis of space requirements and
439 needs; confirm that needs projected for career and adult
440 educational programs comply with needs documented by the
441 Department of Education; compare new facility inventory to
442 allocations limits as provided in this chapter; review cost
443 projections for conformity with state averages or limits
444 designated by this chapter; compare student enrollment
445 projections in the survey to the department's projections;
446 review facilities lists to verify that area allocations and
447 space factors for generating space needs do not exceed the
448 limits as provided by this chapter and related rules; confirm
449 the application of facility utilization factors as provided by
450 this chapter and related rules; and review, as submitted,

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451 documentation of how survey recommendations will implement the
452 detail of current campus master plans and integrate with local
453 comprehensive plans and development regulations.

454 (5) ~~(b)~~ The department and Board of Governors shall
455 recommend priority of projects to be funded.

456 (6) ~~(11)~~ The department and Board of Governors shall
457 prepare the commissioner's comprehensive fixed capital outlay
458 legislative budget request and provide annually an estimate of
459 the funds available for developing required 3-year priority
460 lists. This amount shall be based upon the average percentage
461 for the 5 prior years of funds appropriated by the Legislature
462 for fixed capital outlay to each level of public education:
463 public schools, Florida College System institutions, and
464 universities.

465 (7) ~~(12)~~ The department and Board of Governors shall
466 perform any other functions that may be involved in educational
467 facilities construction and capital improvement which shall
468 ensure that the intent of the Legislature is implemented.

469 **Section 12.** Section 1013.04, Florida Statutes, is
470 repealed.

471 **Section 13. Subsection (1), paragraph (a) of subsection**
472 **(3), and subsection (8) of section 1013.12, Florida Statutes,**
473 **are amended to read:**

474 1013.12 Casualty, safety, sanitation, and firesafety
475 standards and inspection of property.—

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(1) FIRESAFETY.—The State Board of Education shall adopt and administer rules prescribing standards for the safety and health of occupants of educational and ancillary plants as a part of ~~State Requirements for Educational Facilities or~~ the Florida Building Code for educational facilities construction as provided in s. 1013.37, except that the State Fire Marshal in consultation with the Department of Education shall adopt uniform firesafety standards for educational and ancillary plants and educational facilities, as provided in s. 633.206(1) (b), and a firesafety evaluation system to be used as an alternate firesafety inspection standard for existing educational and ancillary plants and educational facilities. The uniform firesafety standards and the alternate firesafety evaluation system shall be administered and enforced by fire officials certified by the State Fire Marshal under s. 633.216. These standards must be used by all public agencies when inspecting public educational and ancillary plants, and the firesafety standards must be used by county, municipal, or independent special fire control district inspectors when performing firesafety inspections of public educational and ancillary plants and educational facilities. In accordance with such standards, each board shall prescribe policies and procedures establishing a comprehensive program of safety and sanitation for the protection of occupants of public educational and ancillary plants. Such policies must contain procedures for

501 periodic inspections as prescribed in this section or chapter
502 633 and for withdrawal of any educational and ancillary plant,
503 or portion thereof, from use until unsafe or unsanitary
504 conditions are corrected or removed.

505 (3) INSPECTION OF EDUCATIONAL PROPERTY BY OTHER PUBLIC
506 AGENCIES.—

507 (a) A safety or sanitation inspection of any educational
508 or ancillary plant may be made at any time by ~~the Department of~~
~~Education or any other~~ state or local agency authorized or
510 required to conduct such inspections by either general or
511 special law. Each agency conducting inspections shall use the
512 standards ~~adopted by the Commissioner of Education in lieu of,~~
513 ~~and to the exclusion of, any other inspection standards~~
514 prescribed either by statute or administrative rule. The agency
515 shall submit a copy of the inspection report to the board.

516 (8) ADDITIONAL STANDARDS.—In addition to any other rules
517 adopted under this section or s. 633.206, the State Fire Marshal
~~in consultation with the Department of Education~~ shall adopt and
519 administer rules prescribing the following standards for the
520 safety and health of occupants of educational and ancillary
521 plants:

522 (a) The designation of serious life-safety hazards,
523 including, but not limited to, nonfunctional fire alarm systems,
524 nonfunctional fire sprinkler systems, doors with padlocks or
525 other locks or devices that preclude egress at any time,

526 inadequate exits, hazardous electrical system conditions,
527 potential structural failure, and storage conditions that create
528 a fire hazard.

529 (b) The proper placement of functional smoke and heat
530 detectors and accessible, unexpired fire extinguishers.

531 (c) The maintenance of fire doors without doorstops or
532 wedges improperly holding them open.

533 **Section 14. Section 1013.20, Florida Statutes, is amended
534 to read:**

535 1013.20 Inspections Standards for relocatables used as
536 classroom space; ~~inspections~~.—

537 ~~(1) The State Board of Education shall adopt rules~~
538 ~~establishing standards for relocatables intended for long-term~~
539 ~~use as classroom space at a public elementary school, middle~~
540 ~~school, or high school. "Long-term use" means the use of~~
541 ~~relocatables at the same educational plant for a period of 4~~
542 ~~years or more. Each relocatable acquired by a district school~~
543 ~~board after the effective date of the rules and intended for~~
544 ~~long-term use must comply with the standards. Relocatables that~~
545 ~~fail to meet the standards may not be used as classrooms. The~~
546 ~~standards shall protect the health, safety, and welfare of~~
547 ~~occupants by requiring compliance with the Florida Building Code~~
548 ~~or the State Requirements for Educational Facilities for~~
549 ~~existing relocatables, as applicable, to ensure the safety and~~
550 ~~stability of construction and onsite installation; fire and~~

551 moisture protection; air quality and ventilation; appropriate
552 wind resistance; and compliance with the requirements of the
553 Americans with Disabilities Act of 1990. If appropriate and
554 where relocatables are not scheduled for replacement, the
555 standards must also require relocatables to provide access to
556 the same technologies available to similar classrooms within the
557 main school facility and, if appropriate, and where relocatables
558 are not scheduled for replacement, to be accessible by adequate
559 covered walkways. A relocatable that is subject to this section
560 and does not meet the standards shall not be reported as
561 providing satisfactory student stations in the Florida Inventory
562 of School Houses.

563 (2) Annual inspections for all satisfactory relocatables
564 designed for classroom use or being occupied by students are
565 required for: foundations; tie-downs; structural integrity;
566 weatherproofing; HVAC; electrical; plumbing, if applicable;
567 fire safety; and accessibility. Reports shall be filed with the
568 district school board and posted in each respective relocatable
569 in order to facilitate corrective action.

570 **Section 15. Subsection (1) of section 1013.31, Florida
571 Statutes, is amended to read:**

572 1013.31 Educational plant survey; need assessment
573 criteria; PECO project funding.—

574 (1) At least every 5 years, each Florida College System
575 institution and state university board shall arrange for an

576 educational plant survey, to aid in formulating plans for
577 housing the educational program and student population, faculty,
578 administrators, staff, and auxiliary and ancillary services of
579 the district or campus, including consideration of the local
580 comprehensive plan. The Department of Education shall document
581 the need for additional career and adult education programs and
582 the continuation of existing programs before facility
583 construction or renovation related to career or adult education
584 may be included in the educational plant survey of a school
585 district or Florida College System institution that delivers
586 career or adult education programs. Information used by the
587 Department of Education to establish facility needs must
588 include, but need not be limited to, labor market data, needs
589 analysis, and information submitted by the Florida College
590 System institution.

591 (a) Survey preparation and required data.—Each survey must
592 be conducted by the Florida College System institution or state
593 university board or an agency employed by the board. Surveys
594 must be reviewed and approved by the board, and a file copy must
595 be submitted to the Department of Education or the Chancellor of
596 the State University System, as appropriate. The survey report
597 must include at least an inventory of existing educational and
598 ancillary plants, including safe access facilities;
599 recommendations for existing educational and ancillary plants;
600 recommendations for new educational or ancillary plants,

601 including the general location of each in coordination with the
602 land use plan and safe access facilities; campus master plan
603 update and detail for Florida College System institutions; and
604 such other information as may be required by the Department of
605 Education. This report may be amended, if conditions warrant, at
606 the request of the department or commissioner.

607 (b) Required need assessment criteria for district,
608 Florida College System institution, state university, and
609 Florida School for the Deaf and the Blind plant surveys.—
610 Educational plant surveys must use uniform data sources and
611 criteria specified in this paragraph. Each revised educational
612 plant survey and each new educational plant survey supersedes
613 previous surveys.

614 1. Each survey of a special facility, joint-use facility,
615 or cooperative career education facility must be based on
616 capital outlay full-time equivalent student enrollment data
617 prepared by the department for school districts and Florida
618 College System institutions and by the Chancellor of the State
619 University System for universities. A survey of space needs of a
620 joint-use facility shall be based upon the respective space
621 needs of the school districts, Florida College System
622 institutions, and universities, as appropriate. Projections of a
623 school district's facility space needs may not exceed the norm
624 space and occupant design criteria ~~established by the State~~
625 ~~Requirements for Educational Facilities.~~

626 2. Each Florida College System institution's survey must
627 reflect the capacity of existing facilities as specified in the
628 inventory maintained by the Department of Education. Projections
629 of facility space needs must comply with standards for
630 determining space needs as specified by rule of the State Board
631 of Education. The 5-year projection of capital outlay student
632 enrollment must be consistent with the annual report of capital
633 outlay full-time student enrollment prepared by the Department
634 of Education.

635 3. Each state university's survey must reflect the
636 capacity of existing facilities as specified in the inventory
637 maintained and validated by the Chancellor of the State
638 University System. Projections of facility space needs must be
639 consistent with standards for determining space needs as
640 specified by regulation of the Board of Governors. The projected
641 capital outlay full-time equivalent student enrollment must be
642 consistent with the 5-year planned enrollment cycle for the
643 State University System approved by the Board of Governors.

644 4. The district educational facilities plan of a school
645 district and the educational plant survey of a Florida College
646 System institution, state university, or the Florida School for
647 the Deaf and the Blind may include space needs that deviate from
648 approved standards for determining space needs if the deviation
649 is justified by the district or institution and approved by the
650 department or the Board of Governors, as appropriate, as

651 necessary for the delivery of an approved educational program.

652 (c) ~~Review and validation.—The Department of Education~~
653 shall review and validate the surveys of school districts and
654 Florida College System institutions, and the Chancellor of the
655 State University System shall review and validate the surveys of
656 universities, and any amendments thereto for compliance with the
657 requirements of this chapter and shall recommend those in
658 compliance for approval by the State Board of Education or the
659 Board of Governors, as appropriate. The commissioner may
660 condition the receipt of fixed capital outlay funds provided
661 from general revenue or from state trust funds by district
662 school boards until such time as the district school board
663 submits a survey that accurately projects facilities needs ~~as~~
664 ~~indicated by the Florida Inventory of School Houses,~~ as compared
665 with the district's capital outlay full-time equivalent
666 enrollment, as determined by the department.

667 (d) ~~Periodic update of Florida Inventory of School~~
668 ~~Houses.—School districts shall periodically update their~~
669 ~~inventory of educational facilities as new capacity becomes~~
670 ~~available and as unsatisfactory space is eliminated. The State~~
671 ~~Board of Education shall adopt rules to determine the timeframe~~
672 ~~in which districts must provide a periodic update.~~

673 **Section 16. Subsection (3) of section 1013.33, Florida**
674 **Statutes, is amended to read:**

675 1013.33 Coordination of planning with local governing

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676 bodies.—

677 (3) A board and the local governing body must share and
678 coordinate information related to existing and planned school
679 facilities; proposals for development, redevelopment, or
680 additional development; and infrastructure required to support
681 the school facilities, concurrent with proposed development. A
682 school board shall use information produced by the demographic,
683 revenue, and education estimating conferences pursuant to s.
684 216.136 when preparing the district educational facilities plan
685 pursuant to s. 1013.35, as modified and agreed to by the local
686 governments, when provided by interlocal agreement, ~~and the~~
687 ~~Office of Educational Facilities,~~ in consideration of local
688 governments' population projections, to ensure that the district
689 educational facilities plan not only reflects enrollment
690 projections but also considers applicable municipal and county
691 growth and development projections. The projections must be
692 apportioned geographically with assistance from the local
693 governments using local government trend data and the school
694 district student enrollment data. A school board is precluded
695 from siting a new school in a jurisdiction where the school
696 board has failed to provide the annual educational facilities
697 plan for the prior year required pursuant to s. 1013.35 unless
698 the failure is corrected.

699 **Section 17. Section 1013.35, Florida Statutes, is amended
700 to read:**

701 1013.35 School district educational facilities plan;
702 definitions; preparation, adoption, and amendment; long-term
703 work programs.—

704 ~~(1) DEFINITIONS. As used in this section, the term:~~

705 ~~(a) "Adopted educational facilities plan" means the~~
706 ~~comprehensive planning document that is adopted annually by the~~
707 ~~district school board as provided in subsection (2) and that~~
708 ~~contains the educational plant survey.~~

709 ~~(b) "District facilities work program" means the 5-year~~
710 ~~listing of capital outlay projects adopted by the district~~
711 ~~school board as provided in subparagraph (2)(a)2. and paragraph~~
712 ~~(2)(b) as part of the district educational facilities plan,~~
713 ~~which is required in order to:~~

714 ~~1. Properly maintain the educational plant and ancillary~~
715 ~~facilities of the district.~~

716 ~~2. Provide an adequate number of satisfactory student~~
717 ~~stations for the projected student enrollment of the district in~~
718 ~~K-12 programs.~~

719 ~~(c) "Tentative educational facilities plan" means the~~
720 ~~comprehensive planning document prepared annually by the~~
721 ~~district school board and submitted to the Office of Educational~~
722 ~~Facilities and the affected general-purpose local governments.~~

723 ~~(2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL~~
724 ~~FACILITIES PLAN.—~~

725 ~~(1)(a) Annually, before prior to the adoption of the~~

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726 district school budget, each district school board shall prepare
727 a tentative district educational facilities plan that includes
728 long-range planning for facilities needs over 5-year, 10-year,
729 and 20-year periods. The district school board shall submit the
730 tentative facilities plan to the department. The plan must be
731 developed in coordination with the general purpose local
732 governments and be consistent with the local government
733 comprehensive plans. The school board's plan for provision of
734 new schools must meet the needs of all growing communities in
735 the district, ranging from small rural communities to large
736 urban cities. The plan must include:

737 1. Projected student populations apportioned
738 geographically at the local level. The projections must be based
739 on information produced by the demographic, revenue, and
740 education estimating conferences pursuant to s. 216.136, where
741 available, as modified by the district based on development data
742 and agreement with the local governments and the Office of
743 Educational Facilities. The projections must be apportioned
744 geographically with assistance from the local governments using
745 local development trend data and the school district student
746 enrollment data.

747 2. An inventory of existing school facilities. Any
748 anticipated expansions or closures of existing school sites over
749 the 5-year, 10-year, and 20-year periods must be identified. The
750 inventory must include an assessment of areas proximate to

751 existing schools and identification of the need for improvements
752 to infrastructure, safety, including safe access routes, and
753 conditions in the community. The plan must also provide a
754 listing of major repairs and renovation projects anticipated
755 over the period of the plan.

756 3. Projections of facilities space needs, which may not
757 exceed the norm space and occupant design criteria established
758 in the State Requirements for Educational Facilities.

759 4. Information on leased, loaned, and donated space and
760 relocatables used for conducting the district's instructional
761 programs.

762 5. The general location of public schools proposed to be
763 constructed over the 5-year, 10-year, and 20-year time periods,
764 including a listing of the proposed schools' site acreage needs
765 and anticipated capacity and maps showing the general locations.
766 The school board's identification of general locations of future
767 school sites must be based on the school siting requirements of
768 s. 163.3177(6)(a) and policies in the comprehensive plan which
769 provide guidance for appropriate locations for school sites.

770 6. The identification of options deemed reasonable and
771 approved by the school board which reduce the need for
772 additional permanent student stations. Such options may include,
773 but need not be limited to:

- 774 a. Acceptable capacity;
- 775 b. Redistricting;

776 e. ~~Busing;~~
777 d. ~~Year-round schools;~~
778 e. ~~Charter schools;~~
779 f. ~~Magnet schools; and~~
780 g. ~~Public-private partnerships.~~

781 7. ~~The criteria and method, jointly determined by the~~
782 ~~local government and the school board, for determining the~~
783 ~~impact of proposed development to public school capacity.~~

784 (b) ~~The plan must also include a financially feasible~~
785 ~~district facilities work program for a 5-year period. The work~~
786 ~~program must include:~~

787 1. ~~A schedule of major repair and renovation projects~~
788 ~~necessary to maintain the educational facilities and ancillary~~
789 ~~facilities of the district.~~

790 2. ~~A schedule of capital outlay projects necessary to~~
791 ~~ensure the availability of satisfactory student stations for the~~
792 ~~projected student enrollment in K-12 programs. This schedule~~
793 ~~shall consider:~~

794 a. ~~The locations, capacities, and planned utilization~~
795 ~~rates of current educational facilities of the district. The~~
796 ~~capacity of existing satisfactory facilities, as reported in the~~
797 ~~Florida Inventory of School Houses must be compared to the~~
798 ~~capital outlay full-time equivalent student enrollment as~~
799 ~~determined by the department, including all enrollment used in~~
800 ~~the calculation of the distribution formula in s. 1013.64.~~

801 b. The proposed locations of planned facilities, whether
802 those locations are consistent with the comprehensive plans of
803 all affected local governments, and recommendations for
804 infrastructure and other improvements to land adjacent to
805 existing facilities. The provisions of ss. 1013.33(6), (7), and
806 (8) and 1013.36 must be addressed for new facilities planned
807 within the first 3 years of the work plan, as appropriate.

808 c. Plans for the use and location of relocatable
809 facilities, leased facilities, and charter school facilities.

810 d. Plans for multitrack scheduling, grade level
811 organization, block scheduling, or other alternatives that
812 reduce the need for additional permanent student stations.

813 e. Information concerning average class size and
814 utilization rate by grade level within the district which will
815 result if the tentative district facilities work program is
816 fully implemented.

817 f. The number and percentage of district students planned
818 to be educated in relocatable facilities during each year of the
819 tentative district facilities work program. For determining
820 future needs, student capacity may not be assigned to any
821 relocatable classroom that is scheduled for elimination or
822 replacement with a permanent educational facility in the current
823 year of the adopted district educational facilities plan and in
824 the district facilities work program adopted under this section.
825 Those relocatable classrooms clearly identified and scheduled

826 for replacement in a school board adopted, financially feasible,
827 5-year district facilities work program shall be counted at zero
828 capacity at the time the work program is adopted and approved by
829 the school board. However, if the district facilities work
830 program is changed and the relocatable classrooms are not
831 replaced as scheduled in the work program, the classrooms must
832 be reentered into the system and be counted at actual capacity.
833 Relocatable classrooms may not be perpetually added to the work
834 program or continually extended for purposes of circumventing
835 this section. All relocatable classrooms not identified and
836 scheduled for replacement, including those owned, lease-
837 purchased, or leased by the school district, must be counted at
838 actual student capacity. The district educational facilities
839 plan must identify the number of relocatable student stations
840 scheduled for replacement during the 5-year survey period and
841 the total dollar amount needed for that replacement.

842 g. Plans for the closure of any school, including plans
843 for disposition of the facility or usage of facility space, and
844 anticipated revenues.

845 h. Projects for which capital outlay and debt service
846 funds accruing under s. 9(d), Art. XII of the State Constitution
847 are to be used shall be identified separately in priority order
848 on a project priority list within the district facilities work
849 program.

850 3. The projected cost for each project identified in the

851 ~~district facilities work program. For proposed projects for new~~
852 ~~student stations, a schedule shall be prepared comparing the~~
853 ~~planned cost and square footage for each new student station, by~~
854 ~~elementary, middle, and high school levels, to the low, average,~~
855 ~~and high cost of facilities constructed throughout the state~~
856 ~~during the most recent fiscal year for which data is available~~
857 ~~from the Department of Education.~~

858 4. ~~A schedule of estimated capital outlay revenues from~~
859 ~~each currently approved source which is estimated to be~~
860 ~~available for expenditure on the projects included in the~~
861 ~~district facilities work program.~~

862 5. ~~A schedule indicating which projects included in the~~
863 ~~district facilities work program will be funded from current~~
864 ~~revenues projected in subparagraph 4.~~

865 6. ~~A schedule of options for the generation of additional~~
866 ~~revenues by the district for expenditure on projects identified~~
867 ~~in the district facilities work program which are not funded~~
868 ~~under subparagraph 5. Additional anticipated revenues may~~
869 ~~include Classrooms First funds.~~

870 (e) ~~To the extent available, the tentative district~~
871 ~~educational facilities plan shall be based on information~~
872 ~~produced by the demographic, revenue, and education estimating~~
873 ~~conferences pursuant to s. 216.136.~~

874 (2) ~~(d)~~ Provision shall be made for public comment
875 concerning the tentative district educational facilities plan.

876 (e) The district school board shall coordinate with each
877 affected local government to ensure consistency between the
878 tentative district educational facilities plan and the local
879 government comprehensive plans of the affected local governments
880 during the development of the tentative district educational
881 facilities plan.

882 (3) (f) Not less than once every 5 years, the district
883 school board shall have an audit conducted of the district's
884 educational planning and construction activities. An operational
885 audit conducted by the Auditor General pursuant to s. 11.45
886 satisfies this requirement.

887 (4) (3) SUBMITTAL OF TENTATIVE DISTRICT EDUCATIONAL
888 FACILITIES PLAN TO LOCAL GOVERNMENT.—The district school board
889 shall submit a copy of its tentative district educational
890 facilities plan to all affected local governments before prior
891 ~~to~~ adoption by the board. The affected local governments shall
892 review the tentative district educational facilities plan and
893 comment to the district school board on the consistency of the
894 plan with the local comprehensive plan, whether a comprehensive
895 plan amendment will be necessary for any proposed educational
896 facility, and whether the local government supports a necessary
897 comprehensive plan amendment. If the local government does not
898 support a comprehensive plan amendment for a proposed
899 educational facility, the matter shall be resolved pursuant to
900 the interlocal agreement when required by ss. 163.3177(6) (h),

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901 163.31777, and 1013.33(2). The process for the submittal and
902 review shall be detailed in the interlocal agreement when
903 required pursuant to ss. 163.3177(6)(h), 163.31777, and
904 1013.33(2).

905 (5)(4) ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN.

906 Annually, the district school board shall consider and adopt the
907 tentative district educational facilities plan ~~completed~~
908 pursuant to subsection (2). Upon giving proper notice to the
909 public and local governments and opportunity for public comment,
910 the district school board may amend the plan to revise the
911 priority of projects, to add or delete projects, to reflect the
912 impact of change orders, or to reflect the approval of new
913 revenue sources which may become available. The adopted district
914 educational facilities plan shall:

915 (a) Be a complete, balanced, and financially feasible
916 capital outlay financial plan for the district.

917 (b) Set forth the proposed commitments and planned
918 expenditures of the district to address the educational
919 facilities needs of its students and to adequately provide for
920 the maintenance of the educational plant and ancillary
921 facilities, including safe access ways from neighborhoods to
922 schools.

923 (6)(5) EXECUTION OF ADOPTED DISTRICT EDUCATIONAL
924 FACILITIES PLAN.—The first year of the adopted district
925 educational facilities plan shall constitute the capital outlay

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926 budget required in s. 1013.61. The adopted district educational
927 facilities plan shall include the information required in
928 subparagraphs (2)(b)1., 2., and 3., based upon projects actually
929 funded in the plan.

930 **Section 18. Section 1013.356, Florida Statutes, is amended
931 to read:**

932 1013.356 Local funding for educational facilities benefit
933 districts or community development districts.—Upon confirmation
934 by a district school board of the commitment of revenues by an
935 educational facilities benefit district or community development
936 district necessary to construct and maintain an educational
937 facility ~~contained within an individual district facilities work~~
938 ~~program or~~ proposed by an approved charter school or a charter
939 school applicant, the following funds shall be provided to the
940 educational facilities benefit district or community development
941 district annually, beginning with the next fiscal year after
942 confirmation until the district's financial obligations are
943 completed:

944 (1) All educational facilities impact fee revenue
945 collected for new development within the educational facilities
946 benefit district or community development district. Funds
947 provided under this subsection shall be used to fund the
948 construction and capital maintenance costs of educational
949 facilities.

950 (2) For construction and capital maintenance costs not

951 covered by the funds provided under subsection (1), an annual
952 amount contributed by the district school board equal to one-
953 half of the remaining costs of construction and capital
954 maintenance of the educational facility. Any construction costs
955 above the cost-per-student criteria established in s.
956 1013.64(6)(b)1. shall be funded exclusively by the educational
957 facilities benefit district or the community development
958 district. Funds contributed by a district school board shall not
959 be used to fund operational costs.
960
961 Educational facilities funded pursuant to this act may be
962 constructed on land that is owned by any person after the
963 district school board has acquired from the owner of the land a
964 long-term lease for the use of this land for a period of not
965 less than 40 years or the life expectancy of the permanent
966 facilities constructed thereon, whichever is longer. All
967 interlocal agreements entered into pursuant to this act shall
968 provide for ownership of educational facilities funded pursuant
969 to this act to revert to the district school board if such
970 facilities cease to be used for public educational purposes
971 prior to 40 years after construction or prior to the end of the
972 life expectancy of the educational facilities, whichever is
973 longer.

974 **Section 19. Subsection (5) of section 1013.37, Florida**
975 **Statutes, is renumbered as subsection (3), paragraphs (a) and**

976 **(e) of subsection (1) and subsections (2), (3), and (4) of that**
977 **section are amended to read:**

978 1013.37 State uniform building code for public educational
979 facilities construction.—

980 (1) UNIFORM BUILDING CODE.—A uniform statewide building
981 code for the planning and construction of public educational and
982 ancillary plants by district school boards and Florida College
983 System institution district boards of trustees shall be adopted
984 by the Florida Building Commission within the Florida Building
985 Code, pursuant to s. 553.73. Included in this code must be flood
986 plain management criteria in compliance with the rules and
987 regulations in 44 C.F.R. parts 59 and 60, and subsequent
988 revisions thereto which are adopted by the Federal Emergency
989 Management Agency. It is also the responsibility of the
990 department to develop, as a part of the uniform building code,
991 standards relating to:

992 (a) Prefabricated facilities or factory-built facilities
993 that are designed to be portable, relocatable, demountable, or
994 reconstructible; are used primarily as classrooms; and do not
995 fall under the provisions of ss. 320.822-320.862. Such standards
996 must permit boards to contract with the Department of Business
997 and Professional Regulation for factory inspections by certified
998 building code inspectors to certify conformance with applicable
999 law and rules. ~~The standards must comply with the requirements~~
1000 ~~of s. 1013.20 for relocatable facilities intended for long-term~~

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1001 ~~use as classroom space, and~~ The relocatable facilities shall be
1002 designed subject to missile impact criteria of Section
1003 423(24)(d)(1) of the Florida Building Code when located in the
1004 windborne debris region.

1005 (e) The performance of life-cycle cost analyses on
1006 alternative architectural and engineering designs to evaluate
1007 their energy efficiencies.

1008 1. The life-cycle cost analysis must consist of the sum
1009 of:

1010 a. The reasonably expected fuel costs over the life of the
1011 building which are required to maintain illumination, water
1012 heating, temperature, humidity, ventilation, and all other
1013 energy-consuming equipment in a facility; and

1014 b. The reasonable costs of probable maintenance, including
1015 labor and materials, and operation of the building.

1016 2. For computation of the life-cycle costs, the department
1017 shall develop standards that must include, but need not be
1018 limited to:

1019 a. The orientation and integration of the facility with
1020 respect to its physical site.

1021 b. The amount and type of glass employed in the facility
1022 and the directions of exposure.

1023 c. The effect of insulation incorporated into the facility
1024 design and the effect on solar utilization of the properties of
1025 external surfaces.

1026 d. The variable occupancy and operating conditions of the
1027 facility and subportions of the facility.

1028 e. An energy-consumption analysis of the major equipment
1029 of the facility's heating, ventilating, and cooling system;
1030 lighting system; and hot water system and all other major
1031 energy-consuming equipment and systems as appropriate.

1032 3. Life-cycle cost criteria published by the Department of
1033 Education for use in evaluating projects.

1034 3.4. Standards for construction materials and systems
1035 based on life-cycle costs that consider initial costs,
1036 maintenance costs, custodial costs, operating costs, and life
1037 expectancy. The standards may include multiple acceptable
1038 materials. It is the intent of the Legislature to require
1039 district school boards to comply with these standards when
1040 expending funds from the Public Education Capital Outlay and
1041 Debt Service Trust Fund or the School District and Community
1042 College District Capital Outlay and Debt Service Trust Fund and
1043 to prohibit district school boards from expending local capital
1044 outlay revenues for any project that includes materials or
1045 systems that do not comply with these standards, unless the
1046 district school board submits evidence that alternative
1047 materials or systems meet or exceed standards developed by the
1048 department.

1049
1050 It is not a purpose of the Florida Building Code to inhibit the

1051 use of new materials or innovative techniques; nor may it
1052 specify or prohibit materials by brand names. The code must be
1053 flexible enough to cover all phases of construction so as to
1054 afford reasonable protection for the public safety, health, and
1055 general welfare. The department may secure the service of other
1056 state agencies or such other assistance as it finds desirable in
1057 recommending to the Florida Building Commission revisions to the
1058 code.

1059 (2) APPROVAL.—

1060 (a) Before a contract has been let for the construction,
1061 the department, the district school board, the Florida College
1062 System institution board, or its authorized review agent must
1063 approve the phase III construction documents. A district school
1064 board or a Florida College System institution board may reuse
1065 prototype plans on another site, provided the facilities list
1066 and phase III construction documents have been updated for the
1067 new site and for compliance with the Florida Building Code and
1068 the Florida Fire Prevention Code and any laws relating to
1069 firesafety, health and sanitation, casualty safety, and
1070 requirements for the physically handicapped which are in effect
1071 at the time a construction contract is to be awarded.

1072 (b) In reviewing plans for approval, ~~the department~~, the
1073 district school board, the Florida College System institution
1074 board, or its review agent as authorized in s. 1013.38, shall
1075 take into consideration:

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1076 1. The need for the new facility.

1077 2. The educational and ancillary plant planning.

1078 3. The architectural and engineering planning.

1079 4. The location on the site.

1080 5. Plans for future expansion.

1081 6. The type of construction.

1082 7. Sanitary provisions.

1083 8. Conformity to Florida Building Code standards.

1084 9. The structural design and strength of materials

1085 proposed to be used.

1086 10. The mechanical design of any heating, air-

1087 conditioning, plumbing, or ventilating system. Typical heating,

1088 ventilating, and air-conditioning systems preapproved by the

1089 department for specific applications may be used in the design

1090 of educational facilities.

1091 11. The electrical design of educational plants.

1092 12. The energy efficiency and conservation of the design.

1093 13. Life-cycle cost considerations.

1094 14. The design to accommodate physically handicapped

1095 persons.

1096 15. The ratio of net to gross square footage.

1097 16. The proposed construction cost per gross square foot.

1098 17. Conformity with the Florida Fire Prevention Code.

1099 (c) The district school board or the Florida College

1100 System institution board may not occupy a facility until the

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1101 project has been inspected to verify compliance with statutes,
1102 rules, and codes affecting the health and safety of the
1103 occupants. Verification of compliance with rules, statutes, and
1104 codes for nonoccupancy projects such as roofing, paving, site
1105 improvements, or replacement of equipment may be certified by
1106 the architect or engineer of record, and verification of
1107 compliance for other projects may be made by an inspector
1108 certified by the department or certified pursuant to chapter 468
1109 who is not the architect or engineer of record. The board shall
1110 maintain a record of the project's completion and permanent
1111 archive of phase III construction documents, including any
1112 addenda and change orders to the project. The boards shall
1113 provide project data to the department, as requested, for
1114 purposes and reports needed by the Legislature.

1115 (3) ~~REVIEW PROCEDURE.~~ The Commissioner of Education shall
1116 cooperate with the Florida Building Commission in addressing all
1117 questions, disputes, or interpretations involving the provisions
1118 of the Florida Building Code which govern the construction of
1119 public educational and ancillary facilities, and any objections
1120 to decisions made by the inspectors or the department must be
1121 submitted in writing.

1122 (4) ~~BIENNIAL REVIEW AND UPDATE; DISSEMINATION.~~ The
1123 department shall biennially review and recommend to the Florida
1124 Building Commission updates and revisions to the provisions of
1125 the Florida Building Code which govern the construction of

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1126 ~~public educational and ancillary facilities. The department~~
1127 ~~shall publish and make available to each board at no cost copies~~
1128 ~~of the State Requirements for Educational Facilities and each~~
1129 ~~amendment and revision thereto. The department shall make~~
1130 ~~additional copies available to all interested persons at a price~~
1131 ~~sufficient to recover costs.~~

1132 **Section 20. Paragraph (a) of subsection (1) and subsection**
1133 **(2) of section 1013.371, Florida Statutes, are amended to read:**

1134 1013.371 Conformity to codes.—

1135 (1) CONFORMITY TO FLORIDA BUILDING CODE AND FLORIDA FIRE
1136 PREVENTION CODE REQUIRED FOR APPROVAL.—

1137 (a) Except as otherwise provided in paragraph (b), all
1138 public educational and ancillary plants constructed by a board
1139 must conform to the Florida Building Code and the Florida Fire
1140 Prevention Code, and the plants are exempt from all other state
1141 building codes; county, municipal, or other local amendments to
1142 the Florida Building Code and local amendments to the Florida
1143 Fire Prevention Code; building permits, and assessments of fees
1144 for building permits, except as provided in s. 553.80;
1145 ordinances; road closures; and impact fees or service
1146 availability fees. Any inspection by local or state government
1147 must be based on the Florida Building Code and the Florida Fire
1148 Prevention Code. Each board shall provide for periodic
1149 inspection of the proposed educational plant during each phase
1150 of construction to determine compliance with the Florida

1151 Building Code and, the Florida Fire Prevention Code, ~~and the~~
1152 ~~State Requirements for Educational Facilities.~~

1153 (2) ENFORCEMENT BY BOARD.—It is the responsibility of each
1154 board to ensure that all plans and educational and ancillary
1155 plants meet the standards of the Florida Building Code and the
1156 Florida Fire Prevention Code and to provide for the enforcement
1157 of these codes in the areas of its jurisdiction. Each board
1158 shall provide for the proper supervision and inspection of the
1159 work. Each board may employ a chief building official and such
1160 other inspectors, who have been certified pursuant to chapter
1161 468, and a fire official and such other inspectors, who have
1162 been certified pursuant to chapter 633, and such personnel as
1163 necessary to administer and enforce the provisions of such
1164 codes. Boards may also use local building department inspectors
1165 who are certified by the department to enforce the Florida
1166 Building Code ~~and the State Requirements for Educational~~
1167 ~~Facilities.~~ Boards may also use local county, municipal, or
1168 independent special fire control district firesafety inspectors
1169 who are certified by the State Fire Marshal to conduct reviews
1170 of site plans and inspections and to enforce the Florida Fire
1171 Prevention Code. Plans or facilities that fail to meet the
1172 standards of the Florida Building Code or the Florida Fire
1173 Prevention Code may not be approved. When planning for and
1174 constructing an educational, auxiliary, or ancillary facility, a
1175 board must use construction materials and systems that meet

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1176 standards adopted pursuant to s. 1013.37(1)(e)3. and ~~4~~. If the
1177 planned or actual construction of a facility deviates from the
1178 adopted standards, the board must, at a public hearing, quantify
1179 and compare the costs of constructing the facility with the
1180 proposed deviations and in compliance with the adopted standards
1181 and the Florida Building Code. The board must explain the reason
1182 for the proposed deviations and compare how the total
1183 construction costs and projected life-cycle costs of the
1184 facility or component system of the facility would be affected
1185 by implementing the proposed deviations rather than using
1186 materials and systems that meet the adopted standards.

1187 **Section 21. Subsections (3) and (4) of section 1013.41,
1188 Florida Statutes, are amended to read:**

1189 1013.41 SMART schools; Classrooms First; legislative
1190 purpose.—

1191 (3) SCHOOL DISTRICT EDUCATIONAL FACILITIES PLAN.—It is the
1192 purpose of the Legislature to create s. 1013.35, requiring each
1193 school district annually to adopt an educational facilities plan
1194 that provides an integrated long-range facilities plan,
1195 including the survey of projected needs and the 5-year work
1196 program. The purpose of the educational facilities plan is to
1197 keep the district school board, local governments, and the
1198 public fully informed as to whether the district is using sound
1199 policies and practices that meet the essential needs of students
1200 and that warrant public confidence in district operations. The

1201 educational facilities plan will be monitored by the department
1202 ~~the Office of Educational Facilities, which will also apply~~
1203 ~~performance standards pursuant to s. 1013.04.~~

1204 ~~(4) OFFICE OF EDUCATIONAL FACILITIES. It is the purpose of~~
1205 ~~the Legislature to require the Office of Educational Facilities~~
1206 ~~to assist school districts in building SMART schools utilizing~~
1207 ~~functional and frugal practices. The Office of Educational~~
1208 ~~Facilities must review district facilities work programs and~~
1209 ~~projects and identify opportunities to maximize design and~~
1210 ~~construction savings; develop school district facilities work~~
1211 ~~program performance standards; and provide for review and~~
1212 ~~recommendations to the Governor, the Legislature, and the State~~
1213 ~~Board of Education.~~

1214 **Section 22. Subsection (4) of section 1013.45, Florida**
1215 **Statutes, is amended to read:**

1216 1013.45 Educational facilities contracting and
1217 construction techniques for school districts and Florida College
1218 System institutions.—

1219 (4) Except as otherwise provided in this section and s.
1220 481.229, the services of a registered architect must be used for
1221 the development of plans for the erection, enlargement, or
1222 alteration of any educational facility. The services of a
1223 registered architect are not required for a minor renovation
1224 project for which the construction cost is less than \$50,000 or
1225 for the placement or hookup of relocatable educational

1226 facilities that conform to standards adopted under s. 1013.37.
1227 However, boards must provide compliance with building code
1228 requirements and ensure that these structures are adequately
1229 anchored for wind resistance as required by law. ~~A district~~
1230 ~~school board shall reuse existing construction documents or~~
1231 ~~design criteria packages if such reuse is feasible and~~
1232 ~~practical. If a school district's 5-year educational facilities~~
1233 ~~work plan includes the construction of two or more new schools~~
1234 ~~for students in the same grade group and program, such as~~
1235 ~~elementary, middle, or high school, the district school board~~
1236 ~~must require that prototype design and construction be used for~~
1237 ~~the construction of these schools.~~ Notwithstanding s. 287.055, a
1238 board may purchase the architectural services for the design of
1239 educational or ancillary facilities under an existing contract
1240 agreement for professional services held by a district school
1241 board in the State of Florida, provided that the purchase is to
1242 the economic advantage of the purchasing board, ~~the services~~
1243 ~~conform to the standards prescribed by rules of the State Board~~
1244 ~~of Education, and such reuse is not without notice to, and~~
1245 ~~permission from, the architect of record whose plans or design~~
1246 ~~criteria are being reused. Plans must be reviewed for compliance~~
1247 ~~with the State Requirements for Educational Facilities. Rules~~
1248 ~~adopted under this section must establish uniform~~
1249 ~~prequalification, selection, bidding, and negotiation procedures~~
1250 ~~applicable to construction management contracts and the design~~

1251 build process. This section does not supersede any small, woman-
1252 owned, or minority-owned business enterprise preference program
1253 adopted by a board. Except as otherwise provided in this
1254 section, the negotiation procedures applicable to construction
1255 management contracts and the design-build process must conform
1256 to the requirements of s. 287.055. A board may not modify any
1257 rules regarding construction management contracts or the design-
1258 build process.

1259 **Section 23. Section 1013.451, Florida Statutes, is**
1260 **repealed.**

1261 **Section 24. Paragraph (a) of subsection (3) of section**
1262 **1013.62, Florida Statutes, is amended to read:**

1263 1013.62 Charter schools capital outlay funding.—

1264 (3) If the school board levies the discretionary millage
1265 authorized in s. 1011.71(2), the department shall use the
1266 following calculation methodology to determine the amount of
1267 revenue that a school district must distribute to each eligible
1268 charter school:

1269 (a) Reduce the total discretionary millage revenue by the
1270 school district's annual debt service obligation incurred as of
1271 March 1, 2017, which has not been subsequently retired, and any
1272 amount of participation requirement pursuant to s.
1273 1013.64(2)(a)5. ~~s. 1013.64(2)(a)8.~~ that is being satisfied by
1274 revenues raised by the discretionary millage.

1276 By October 1 of each year, each school district shall certify to
1277 the department the amount of debt service and participation
1278 requirement that complies with the requirement of paragraph (a)
1279 and can be reduced from the total discretionary millage revenue.
1280 The Auditor General shall verify compliance with the
1281 requirements of paragraph (a) and s. 1011.71(2)(e) during
1282 scheduled operational audits of school districts.

1283 **Section 25. Paragraph (e) of subsection (1), paragraphs
1284 (a) and (b) of subsection (2), paragraphs (b) and (d) of
1285 subsection (3), paragraph (b) of subsection (5), and paragraphs
1286 (b) and (d) of subsection (6) of section 1013.64, Florida
1287 Statutes, are amended to read:**

1288 1013.64 Funds for comprehensive educational plant needs;
1289 construction cost maximums for school district capital
1290 projects.—Allocations from the Public Education Capital Outlay
1291 and Debt Service Trust Fund to the various boards for capital
1292 outlay projects shall be determined as follows:

1293 (1)

1294 (e) Remodeling projects shall be based on the
1295 recommendations of a survey pursuant to s. 1013.31 or, for
1296 district school boards, as indicated by the relative need as the
1297 capital outlay full-time equivalent enrollment in the district.

1298 (2)(a) The department shall establish, as a part of the
1299 Public Education Capital Outlay and Debt Service Trust Fund, a
1300 separate account, in an amount determined by the Legislature, to

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1301 be known as the "Special Facility Construction Account." The
1302 Special Facility Construction Account shall be used to provide
1303 necessary construction funds to school districts which have
1304 urgent construction needs but which lack sufficient resources at
1305 present, and cannot reasonably anticipate sufficient resources
1306 within the period of the next 3 years, for these purposes from
1307 currently authorized sources of capital outlay revenue. A school
1308 district requesting funding from the Special Facility
1309 Construction Account shall submit one specific construction
1310 project, not to exceed one complete educational plant, to the
1311 Special Facility Construction Committee. A district may not
1312 receive funding for more than one approved project in any 3-year
1313 period or while any portion of the district's participation
1314 requirement is outstanding. The first year of the 3-year period
1315 shall be the first year a district receives an appropriation.
1316 The department shall encourage a construction program that
1317 reduces the average size of schools in the district. The request
1318 must meet the following criteria to be considered by the
1319 committee:

1320 1. The project must be deemed a critical need and must be
1321 recommended for funding by the Special Facility Construction
1322 Committee. Before developing construction plans for the proposed
1323 facility, the district school board must request a
1324 preapplication review by the Special Facility Construction
1325 Committee or a project review subcommittee convened by the chair

1326 of the committee to include two representatives of the
1327 department and two staff members from school districts not
1328 eligible to participate in the program. A school district may
1329 request a preapplication review at any time; however, if the
1330 district school board seeks inclusion in the department's next
1331 annual capital outlay legislative budget request, the
1332 preapplication review request must be made before February 1.
1333 Within 90 days after receiving the preapplication review
1334 request, the committee or subcommittee must meet in the school
1335 district to review the project proposal and existing facilities.
1336 To determine whether the proposed project is a critical need,
1337 the committee or subcommittee shall consider, at a minimum, the
1338 capacity of all existing facilities ~~within the district as~~
1339 ~~determined by the Florida Inventory of School Houses;~~ the
1340 district's pattern of student growth; the district's existing
1341 and projected capital outlay full-time equivalent student
1342 enrollment as determined by the demographic, revenue, and
1343 education estimating conferences established in s. 216.136; the
1344 district's existing satisfactory student stations; the use of
1345 all existing district property and facilities; grade level
1346 configurations; and any other information that may affect the
1347 need for the proposed project.

1348 2. ~~The construction project must be recommended in the~~
1349 ~~most recent survey or survey amendment cooperatively prepared by~~
1350 ~~the district and the department, and approved by the department~~

1351 under the rules of the State Board of Education. If a district
1352 employs a consultant in the preparation of a survey or survey
1353 amendment, the consultant may not be employed by or receive
1354 compensation from a third party that designs or constructs a
1355 project recommended by the survey.

1356 2.3. The construction project must appear on the
1357 district's approved project priority list under the rules of the
1358 State Board of Education.

1359 3.4. The district must have selected and had approved a
1360 site for the construction project in compliance with s. 1013.36
1361 and the rules of the State Board of Education.

1362 5. The district shall have developed a district school
1363 board adopted list of facilities that do not exceed the norm for
1364 net square feet occupancy requirements under the State
1365 Requirements for Educational Facilities, using all possible
1366 programmatic combinations for multiple use of space to obtain
1367 maximum daily use of all spaces within the facility under
1368 consideration.

1369 6. Upon construction, the total cost per student station,
1370 including change orders, must not exceed the cost per student
1371 station as provided in subsection (6) unless approved by the
1372 Special Facility Construction Committee. At the discretion of
1373 the committee, costs that exceed the cost per student station
1374 for special facilities may include legal and administrative
1375 fees, the cost of site improvements or related offsite

1376 ~~improvements, the cost of complying with public shelter and~~
1377 ~~hurricane hardening requirements, cost overruns created by a~~
1378 ~~disaster as defined in s. 252.34(2), costs of security~~
1379 ~~enhancements approved by the school safety specialist, and~~
1380 ~~unforeseeable circumstances beyond the district's control.~~

1381 4.7. There shall be an agreement signed by the district
1382 school board stating that it will advertise for bids within 30
1383 days of receipt of its encumbrance authorization from the
1384 department.

1385 5.8. For construction projects for which Special
1386 Facilities Construction Account funding is sought before the
1387 2019-2020 fiscal year, the district shall, at the time of the
1388 request and for a continuing period necessary to meet the
1389 district's participation requirement, levy the maximum millage
1390 against its nonexempt assessed property value as allowed in s.
1391 1011.71(2) or shall raise an equivalent amount of revenue from
1392 the school capital outlay surtax authorized under s. 212.055(6).
1393 Beginning with construction projects for which Special
1394 Facilities Construction Account funding is sought in the 2019-
1395 2020 fiscal year, the district shall, for a minimum of 3 years
1396 before submitting the request and for a continuing period
1397 necessary to meet its participation requirement, levy the
1398 maximum millage against the district's nonexempt assessed
1399 property value as authorized under s. 1011.71(2) or shall raise
1400 an equivalent amount of revenue from the school capital outlay

1401 surtax authorized under s. 212.055(6). Any district with a new
1402 or active project, funded under the provisions of this
1403 subsection, shall be required to budget no more than the value
1404 of 1 mill per year to the project until the district's
1405 participation requirement relating to the local discretionary
1406 capital improvement millage or the equivalent amount of revenue
1407 from the school capital outlay surtax is satisfied.

1408 6.9. If a contract has not been signed 90 days after the
1409 advertising of bids, the funding for the specific project shall
1410 revert to the Special Facility New Construction Account to be
1411 reallocated to other projects on the list. However, an
1412 additional 90 days may be granted by the commissioner.

1413 7.10. The department shall certify the inability of the
1414 district to fund the ~~survey-recommended~~ project over a
1415 continuous 3-year period using projected capital outlay revenue
1416 derived from s. 9(d), Art. XII of the State Constitution, as
1417 amended, paragraph (3)(a) of this section, and s. 1011.71(2).

1418 8.11. The district shall have on file with the department
1419 an adopted resolution acknowledging its commitment to satisfy
1420 its participation requirement, which is equivalent to all
1421 unencumbered and future revenue acquired from s. 9(d), Art. XII
1422 of the State Constitution, as amended, paragraph (3)(a) of this
1423 section, and s. 1011.71(2), in the year of the initial
1424 appropriation and for the 2 years immediately following the
1425 initial appropriation.

1426 9.12. Phase I plans must be approved by the district
1427 school board as being in compliance with the building and life
1428 safety codes before June 1 of the year the application is made.

1429 (b) The Special Facility Construction Committee shall be
1430 composed of the following: one representative ~~two~~
1431 ~~representatives~~ of the Department of Education, a representative
1432 from the Governor's office, a representative of the Legislature,
1433 a representative selected annually by the district school boards
1434 who is from a school district that is not eligible for special
1435 facility funding, and a representative selected annually by the
1436 superintendents who is from a school district that is not
1437 eligible for special facility funding. A representative of the
1438 department shall chair the committee.

1439 (3)

1440 (b) The capital outlay full-time equivalent membership
1441 shall be determined by counting the reported unweighted full-
1442 time equivalent student membership for the second and third
1443 surveys with each survey limited to 0.5 full-time equivalent
1444 student membership per student and comparing the results on a
1445 school-by-school basis ~~with the Florida Inventory of School~~
1446 ~~Houses~~.

1447 (d) Funds accruing to a district school board from the
1448 provisions of this section shall be expended on needed projects
1449 ~~as shown by survey or surveys under the rules of the State Board~~
1450 ~~of Education~~.

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1451 (5) District school boards shall identify each fund source
1452 and the use of each proportionate to the project cost, as
1453 identified in the bid document, to assure compliance with this
1454 section. The data shall be submitted to the department, which
1455 shall track this information as submitted by the boards. PECO
1456 funds shall not be expended as indicated in the following:

1457 (b) PECO funds shall not be used for the construction of
1458 football fields, bleachers, site lighting for athletic
1459 facilities, tennis courts, stadiums, racquetball courts, or any
1460 other competition-type facilities not required for physical
1461 education curriculum. Regional or intradistrict football
1462 stadiums may be constructed with these funds provided a minimum
1463 of two high schools and two middle schools are assigned to the
1464 facility ~~and the stadiums are survey recommended~~. Sophisticated
1465 auditoria shall be limited to magnet performing arts schools,
1466 with all other schools using basic lighting and sound systems as
1467 determined by rule. Local funds shall be used for enhancement of
1468 athletic and performing arts facilities.

1469 (6)

1470 (b)1. A district school board may not use funds from the
1471 following sources: Public Education Capital Outlay and Debt
1472 Service Trust Fund; School District and Community College
1473 District Capital Outlay and Debt Service Trust Fund; Classrooms
1474 First Program funds provided in s. 1013.68; nonvoted 1.5-mill
1475 levy of ad valorem property taxes provided in s. 1011.71(2);

1476 Classrooms for Kids Program funds provided in s. 1013.735;
1477 District Effort Recognition Program funds provided in s.
1478 1013.736; or High Growth District Capital Outlay Assistance
1479 Grant Program funds provided in s. 1013.738 to pay for any
1480 portion of the cost of any new construction of educational plant
1481 space with a total cost per student station, including change
1482 orders, which exceeds:
1483 a. \$17,952 for an elementary school;
1484 b. \$19,386 for a middle school; or
1485 c. \$25,181 for a high school,
1486
1487 (January 2006) as adjusted annually to reflect increases or
1488 decreases using a construction specific market index in the
1489 ~~Consumer Price Index. The department, in conjunction with the~~
1490 ~~Office of Economic and Demographic Research, shall review and~~
1491 ~~adjust the cost per student station limits to reflect actual~~
1492 ~~construction costs by January 1, 2020, and annually thereafter.~~
1493 ~~The adjusted cost per student station shall be used by the~~
1494 ~~department for computation of the statewide average costs per~~
1495 ~~student station for each instructional level pursuant to~~
1496 ~~paragraph (d). The department shall also collaborate with the~~
1497 ~~Office of Economic and Demographic Research to select an~~
1498 ~~industry-recognized construction index to replace the Consumer~~
1499 ~~Price Index by January 1, 2020, adjusted annually to reflect~~
1500 ~~changes in the construction index.~~

1501 2. School districts shall maintain accurate documentation
1502 related to the costs of all new construction of educational
1503 plant space reported to the Department of Education pursuant to
1504 paragraph (d). The Auditor General shall review the
1505 documentation maintained by the school districts and verify
1506 compliance with the limits under this paragraph during its
1507 scheduled operational audits of the school district.

1508 3. Except for educational facilities and sites subject to
1509 a lease-purchase agreement entered pursuant to s. 1011.71(2)(e)
1510 or funded solely through local impact fees, in addition to the
1511 funding sources listed in subparagraph 1., a district school
1512 board may not use funds from any sources for new construction of
1513 educational plant space with a total cost per student station,
1514 including change orders, which equals more than the current
1515 adjusted amounts provided in sub-subparagraphs 1.a.-c. However,
1516 if a contract has been executed for architectural and design
1517 services or for construction management services before July 1,
1518 2017, a district school board may use funds from any source for
1519 the new construction of educational plant space and such funds
1520 are exempt from the total cost per student station requirements.

1521 4. A district school board must not use funds from the
1522 Public Education Capital Outlay and Debt Service Trust Fund or
1523 the School District and Community College District Capital
1524 Outlay and Debt Service Trust Fund for any new construction of
1525 an ancillary plant that exceeds 70 percent of the average cost

1526 per square foot of new construction for all schools.

1527 ~~(d) The department shall:~~

1528 ~~1. Compute for each calendar year the statewide average~~
1529 ~~construction costs for facilities serving each instructional~~
1530 ~~level, for relocatable educational facilities, for~~
1531 ~~administrative facilities, and for other ancillary and auxiliary~~
1532 ~~facilities. The department shall compute the statewide average~~
1533 ~~costs per student station for each instructional level.~~

1534 ~~2. Annually review the actual completed construction costs~~
1535 ~~of educational facilities in each school district. For any~~
1536 ~~school district in which the total actual cost per student~~
1537 ~~station, including change orders, exceeds the statewide limits~~
1538 ~~established in paragraph (b), the school district shall report~~
1539 ~~to the department the actual cost per student station and the~~
1540 ~~reason for the school district's inability to adhere to the~~
1541 ~~limits established in paragraph (b). The department shall~~
1542 ~~collect all such reports and shall provide these reports to the~~
1543 ~~Auditor General for verification purposes.~~

1544

1545 ~~Cost per student station includes contract costs, fees of~~
1546 ~~architects and engineers, and the cost of furniture and~~
1547 ~~equipment. Cost per student station does not include the cost of~~
1548 ~~purchasing or leasing the site for the construction, legal and~~
1549 ~~administrative costs, or the cost of related site or offsite~~
1550 ~~improvements. Cost per student station also does not include the~~

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1551 ~~cost for securing entries, checkpoint construction, lighting~~
1552 ~~specifically designed for entry point security, security~~
1553 ~~cameras, automatic locks and locking devices, electronic~~
1554 ~~security systems, fencing designed to prevent intruder entry~~
1555 ~~into a building, bullet-proof glass, or other capital~~
1556 ~~construction items approved by the school safety specialist to~~
1557 ~~ensure building security for new educational, auxiliary, or~~
1558 ~~ancillary facilities.~~

1559 **Section 26. Subsection (6) of section 1013.68, Florida**
1560 **Statutes, is amended to read:**

1561 1013.68 Classrooms First Program; uses.—

1562 (6) School districts may enter into interlocal agreements
1563 to lend their Classrooms First Program funds as provided in
1564 paragraph (2) (c). A school district or multiple school districts
1565 that receive cash proceeds may, after considering their own new
1566 construction needs ~~outlined in their 5-year district facilities~~
1567 ~~work program~~, lend their Classrooms First Program funds to
1568 another school district that has need for new facilities. The
1569 interlocal agreement must be approved by the Commissioner of
1570 Education and must outline the amount of the funds to be lent,
1571 the term of the loan, the repayment schedule, and any interest
1572 amount to be repaid in addition to the principal amount of the
1573 loan.

1574 **Section 27. Paragraph (b) of subsection (3) of section**
1575 **1013.735, Florida Statutes, is amended to read:**

1576 1013.735 Classrooms for Kids Program.—

1577 (3) USE OF FUNDS.—In order to increase capacity to reduce
1578 class size, a district school board shall expend the funds
1579 received pursuant to this section only to:

1580 (b) Purchase or lease-purchase relocatable facilities ~~that~~
1581 ~~are in excess of relocatables identified in the district's 5-~~
1582 ~~year work program adopted prior to March 15, 2003.~~

1583 **Section 28.** This act shall take effect July 1, 2026.