

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: CS/SB 1738

INTRODUCER: Education Pre-K - 12 Committee and Senator Yarborough

SUBJECT: Educational Facilities

DATE: February 5, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Bouck	ED	Fav/CS
2.			AED	
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1738 requires the Office of Educational Facilities and the Office of Safe Schools within the Department of Education (DOE) to coordinate a review of the State Requirements for Educational Facilities and develop recommendations intended to improve teacher and student safety and accountability through a school's physical plant. The bill:

- Directs the DOE to collaborate with a state university with relevant research experience, district facilities directors, representatives of the Florida Building Commission, and sheriffs or police chiefs to conduct the review.
- Requires the DOE to transmit the recommendations and any comments to the Florida Building Commission as part of DOE's next biennial review, with copies provided to specified state officials.

The bill takes effect July 1, 2026.

II. Present Situation:

Educational Facilities Building Code Framework

Florida law provides for a uniform statewide building code for the planning and construction of public educational and ancillary plants by district school boards and Florida College System institution boards of trustees, and directs the Florida Building Commission to adopt that code

within the Florida Building Code.¹ As part of the uniform building code, the Department of Education (DOE) is responsible for developing standards relating to the sanitation of educational and ancillary plants and the health and safety of occupants, among other facility standards.²

Before a construction contract is let for an educational facility project, the DOE, a district school board, a Florida College System institution board, or an authorized review agent must approve the phase III construction documents.³ A district school board or Florida College System institution board may not occupy a facility until the project has been inspected to verify compliance with statutes, rules, and codes affecting the health and safety of occupants.⁴ The Commissioner of Education must cooperate with the Florida Building Commission in addressing questions, disputes, or interpretations involving the Florida Building Code provisions governing public educational and ancillary facilities.⁵

The DOE must biennially review and recommend to the Florida Building Commission updates and revisions to the provisions of the Florida Building Code governing the construction of public educational and ancillary facilities.⁶ The DOE must also publish and make available to each board, at no cost, copies of the State Requirements for Educational Facilities (SREF) and amendments and revisions to the SREF.⁷

Separately, the DOE's functions related to educational facilities include developing and recommending a mandatory portion of the Florida Building Code for educational facilities construction and capital improvement by district school boards and Florida College System institution boards of trustees, and providing training, technical assistance, and building code interpretation for those requirements.⁸

State Requirements for Educational Facilities

By rule, the State Board of Education (SBE) incorporates by reference the DOE publication titled "State Requirements for Educational Facilities 2014," and provides that educational and ancillary facilities constructed by a school board or Florida college board must comply with the SREF.⁹

Florida Building Commission

The Florida Building Commission is created within the Department of Business and Professional Regulation.¹⁰ The commission must adopt an updated Florida Building Code every 3 years through the statutory code update process.¹¹

¹ Section 1013.37(1), F.S.

² Section 1013.37(1)(b)-(c), F.S.

³ Section 1013.37(2)(a), F.S.

⁴ Section 1013.37(2)(c), F.S.

⁵ Section 1013.37(3), F.S.

⁶ Section 1013.37(4), F.S.

⁷ Section 1013.37(4), F.S.

⁸ Section 1013.03(6)-(7), F.S.

⁹ Rule 6A-2.0010, F.A.C.

¹⁰ Section 553.74(1), F.S.

¹¹ Section 553.73(7)(a), F.S.

DOE Offices Implicated by Educational Facilities and School Safety

Within the DOE, the Office of Educational Facilities is responsible for validating educational plant surveys and verifying Florida Inventory of School Houses (FISH) data, and must provide technical assistance to public school districts when requested.¹²

Florida law also creates the Office of Safe Schools within the DOE to serve as a central repository for best practices, training standards, and compliance oversight in matters regarding school safety and security, including prevention, intervention, and emergency preparedness planning.¹³ The Office of Safe Schools must establish and update a school security risk assessment tool for use by school districts and provide annual training on assessing physical site security and completing the risk assessment tool.¹⁴

Districts must conduct an annual school security risk assessment at each public school using the Florida Safe Schools Assessment Tool (FSSAT).¹⁵ The FSSAT addresses physical security measures and is related to the security risk assessment requirement.¹⁶

III. Effect of Proposed Changes:

CS/SB 1738 requires the Office of Educational Facilities and the Office of Safe Schools within the Department of Education (DOE) to collaborate with specified entities to review the State Requirements for Educational Facilities and develop recommendations intended to improve teacher and student safety and accountability through a school's physical plant. Specifically, the bill:

- Requires the DOE to collaborate with:
 - At least one state university with research experience in the design and construction of educational facilities.
 - District facilities directors.
 - Representatives of the Florida Building Commission.
 - Sheriffs or police chiefs.
- Requires the review to include:
 - Recommended changes in new construction and renovations that may reduce misconduct between teachers and students and between students, including physical and sexual abuse, inappropriate relationships with students, bullying, and harassment.
 - An evaluation of physical plant configurations, including lighting, windows, doors, mirrors, and cameras, to increase observability of adult-student interactions, create opportunities for interruption, reduce student isolation, and maintain access control over spaces.
- Requires the DOE to transmit the recommendations, together with any DOE comments, to the Florida Building Commission as part of DOE's next biennial review, with copies

¹² Section 1001.20(4)(c), F.S.

¹³ Section 1001.212, F.S.

¹⁴ Section 1001.212(1), F.S.

¹⁵ Section 1006.07(6)(a)4., F.S.

¹⁶ Section 1006.1493(2), F.S.

provided to the Governor, the State Fire Marshal, the President of the Senate, and the Speaker of the House of Representatives.

The bill specifies that the review must be conducted in a manner that does not conflict with, diminish, or compromise physical plant hardening requirements for school safety, which must prioritize the creation of a secure, layered environment designed to prevent, detect, delay, and respond to threats.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an undesignated section of Florida Law.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K – 12 on February 3, 2026:

The committee substitute:

- Removes the requirement that the Department of Education’s review include an examination of crime prevention through environmental design principles and a designated practitioner.
- Requires the review to be conducted in a manner that does not conflict with, diminish, or compromise physical plant hardening requirements for school safety, prioritizing the creation of a secure, layered environment designed to prevent, detect, delay, and respond to threats.

B. Amendments:

None.