

By the Committee on Education; and Senators Bean, Broxson,
Mayfield, Brandes, Baxley, and Garcia

581-03345-17

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

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26 Be It Enacted by the Legislature of the State of Florida:

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

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30 1013.101 Shared use agreements.-

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

46 (2) DEFINITIONS.-As used in this section, the term:

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

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

57 (c) "Shared use agreement" means a written agreement
58 between a school district and a government or nongovernmental

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59 entity which defines the roles, responsibilities, terms, and
60 conditions for community use of a school-owned facility for
61 recreation or other purposes.

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

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

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

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

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

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

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88 1. Demonstrate that it has an active partnership with a
89 local governmental agency or nonprofit organization or that the
90 funds will be used to open school facilities for use by the
91 public;

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

94 3. Abide by the conditions for receiving assistance;

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

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

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

104 (5) REPORT.—By December 31, 2017, the department shall
105 submit an electronic report to the President of the Senate and
106 the Speaker of the House of Representatives on the grants that
107 have been disbursed or are in the process of being disbursed.
108 The department shall submit a final report on the grant
109 disbursements by June 30, 2018.

110 Section 2. Shared Use Task Force.—The Shared Use Task
111 Force, a task force as defined in s. 20.03, Florida Statutes, is
112 created within the Department of Education. The task force is
113 created to identify barriers in creating shared use agreements
114 and to make recommendations to facilitate the shared use of
115 school facilities generally and in high-need communities.

116 (1) The task force is composed of 7 members appointed by

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117 the department, as follows:

118 (a) Two representatives from school districts, including 1
119 representative from school districts 1 through 33 and 1
120 representative from school districts 34 through 67;

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

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

124 (d) Two representatives from recreational organizations.

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

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

132 (4) The department shall provide the task force with staff
133 necessary to assist the task force in the performance of its
134 duties.

135 (5) The task force shall submit a report of its findings
136 and recommendations to the President of the Senate and the
137 Speaker of the House of Representatives by October 1, 2017. Upon
138 submission of the report, the task force shall expire.

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

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