

By Senator Wasserman Schultz

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1                                   A bill to be entitled  
2           An act relating to educational facilities;  
3           amending ss. 235.15, 235.185, F.S.; allowing  
4           each school district to modify the capacity for  
5           a district facility so that it varies from the  
6           capacity reported in the Florida Inventory of  
7           School Houses report; providing criteria and  
8           procedures for making such modifications;  
9           repealing s. 235.2157, F.S., which requires  
10          schools that are placed under architectural  
11          contract after a specified date to be small  
12          schools; providing an effective date.

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

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16           Section 1. Paragraph (b) of subsection (1) of section  
17 235.15, Florida Statutes, is amended to read:

18           235.15 Educational plant survey; localized need  
19 assessment; PECO project funding.--

20           (1) At least every 5 years, each board, including the  
21 Board of Regents, shall arrange for an educational plant  
22 survey, to aid in formulating plans for housing the  
23 educational program and student population, faculty,  
24 administrators, staff, and auxiliary and ancillary services of  
25 the district or campus, including consideration of the local  
26 comprehensive plan. The Division of Workforce Development  
27 shall document the need for additional career and adult  
28 education programs and the continuation of existing programs  
29 before facility construction or renovation related to career  
30 or adult education may be included in the educational plant  
31 survey of a school district or community college that delivers

1 career or adult education programs. Information used by the  
2 Division of Workforce Development to establish facility needs  
3 must include, but need not be limited to, labor market data,  
4 needs analysis, and information submitted by the school  
5 district or community college.

6 (b) Required need assessment criteria for district,  
7 community college, and state university plant surveys.--Each  
8 educational plant survey completed after December 31, 1997,  
9 must use uniform data sources and criteria specified in this  
10 paragraph. Each educational plant survey completed after June  
11 30, 1995, and before January 1, 1998, must be revised, if  
12 necessary, to comply with this paragraph. Each revised  
13 educational plant survey and each new educational plant survey  
14 supersedes previous surveys.

15 1. Each school district's educational plant survey  
16 must reflect the capacity of existing satisfactory facilities  
17 as reported in the Florida Inventory of School Houses("FISH  
18 Report"). Each district, however, may modify the capacity for  
19 a district facility which was reported in the FISH Report by  
20 adjusting the utilization rates used to calculate the  
21 capacity; however, the proposed modified utilization rate must  
22 be submitted to the department for review and approval. The  
23 department shall grant a variance to the FISH utilization  
24 rates if a requested utilization rate does not vary more than  
25 20 percent from the rate used by the department to determine  
26 any facility capacity, as reported in the FISH Report, and the  
27 request for variance is based on defined factors, including,  
28 but not limited to, school improvement initiatives,  
29 instructional needs such as class-size reduction, team  
30 teaching, and course offering requirements. Upon approval of  
31 the proposed modified capacity, the department shall revise

1 the FISH Report to include the adjusted capacities. The  
2 adjusted capacities must then be the basis for determining the  
3 district's student station needs. Projections of facility  
4 space needs may not exceed the norm space and occupant design  
5 criteria established by the State Requirements for Educational  
6 Facilities. Existing and projected capital outlay full-time  
7 equivalent student enrollment must be consistent with data  
8 prepared by the department and must include all enrollment  
9 used in the calculation of the distribution formula in s.  
10 235.435(3). All satisfactory relocatable classrooms, including  
11 those owned, lease-purchased, or leased by the school  
12 district, shall be included in the school district inventory  
13 of gross capacity of facilities and must be counted at actual  
14 student capacity for purposes of the inventory. For future  
15 needs determination, student capacity shall not be assigned to  
16 any relocatable classroom that is scheduled for elimination or  
17 replacement with a permanent educational facility in the  
18 adopted 5-year educational plant survey and in the district  
19 facilities work program adopted under s. 235.185. Those  
20 relocatables clearly identified and scheduled for replacement  
21 in a school board adopted financially feasible 5-year district  
22 facilities work program shall be counted at zero capacity at  
23 the time the work program is adopted and approved by the  
24 school board. However, if the district facilities work program  
25 is changed or altered and the relocatables are not replaced as  
26 scheduled in the work program, they must then be reentered  
27 into the system for counting at actual capacity. Relocatables  
28 may not be perpetually added to the work program and  
29 continually extended for purposes of circumventing the intent  
30 of this section. All remaining relocatable classrooms,  
31 including those owned, lease-purchased, or leased by the

1 school district, shall be counted at actual student capacity.  
2 The educational plant survey shall identify the number of  
3 relocatable student stations scheduled for replacement during  
4 the 5-year survey period and the total dollar amount needed  
5 for that replacement. All district educational plant surveys  
6 revised after July 1, 1998, shall include information on  
7 leased space used for conducting the district's instructional  
8 program, in accordance with the recommendations of the  
9 department's report authorized in s. 235.056. A definition of  
10 satisfactory relocatable classrooms shall be established by  
11 rule of the department.

12         2. Each survey of a special facility, joint-use  
13 facility, or cooperative vocational education facility must be  
14 based on capital outlay full-time equivalent student  
15 enrollment data prepared by the department for school  
16 districts, by the Division of Community Colleges for community  
17 colleges, and by the Board of Regents for state universities.  
18 A survey of space needs of a joint-use facility shall be based  
19 upon the respective space needs of the school districts,  
20 community colleges, and universities, as appropriate.  
21 Projections of a school district's facility space needs may  
22 not exceed the norm space and occupant design criteria  
23 established by the State Requirements for Educational  
24 Facilities.

25         3. Each community college's survey must reflect the  
26 capacity of existing facilities as specified in the inventory  
27 maintained by the Division of Community Colleges. Projections  
28 of facility space needs must comply with standards for  
29 determining space needs as specified by rule of the State  
30 Board of Education. The 5-year projection of capital outlay  
31 student enrollment must be consistent with the annual report

1 of capital outlay full-time student enrollment prepared by the  
2 Division of Community Colleges.

3 4. Each state university's survey must reflect the  
4 capacity of existing facilities as specified in the inventory  
5 maintained and validated by the Board of Regents. Projections  
6 of facility space needs must be consistent with standards for  
7 determining space needs approved by the Board of Regents. The  
8 projected capital outlay full-time equivalent student  
9 enrollment must be consistent with the 5-year planned  
10 enrollment cycle for the State University System approved by  
11 the Board of Regents.

12 5. The educational plant survey of a school district,  
13 community college, or state university may include space needs  
14 that deviate from approved standards for determining space  
15 needs if the deviation is justified by the district or  
16 institution and approved by the department or the Board of  
17 Regents, as appropriate, as necessary for the delivery of an  
18 approved educational program.

19 Section 2. Paragraph (a) of subsection (2) of section  
20 235.185, Florida Statutes, is amended to read:

21 235.185 School district facilities work program;  
22 definitions; preparation, adoption, and amendment; long-term  
23 work programs.--

24 (2) PREPARATION OF TENTATIVE DISTRICT FACILITIES WORK  
25 PROGRAM.--

26 (a) Annually, prior to the adoption of the district  
27 school budget, each school board shall prepare a tentative  
28 district facilities work program that includes:

29 1. A schedule of major repair and renovation projects  
30 necessary to maintain the educational plant and ancillary  
31 facilities of the district.

1           2. A schedule of capital outlay projects necessary to  
2 ensure the availability of satisfactory student stations for  
3 the projected student enrollment in K-12 programs. This  
4 schedule shall consider:

5           a. The locations, capacities, and planned utilization  
6 rates of current educational facilities of the district. The  
7 capacities and utilization rates must include any applicable  
8 adjustments as provided for in s. 235.15(1)(b)1.

9           b. The proposed locations of planned facilities.

10           c. Plans for the use and location of relocatable  
11 facilities, leased facilities, and charter school facilities.

12           d. Plans for multitrack scheduling, grade level  
13 organization, block scheduling, or other alternatives that  
14 reduce the need for permanent student stations.

15           e. Information concerning average class size and  
16 utilization rate by grade level within the district that will  
17 result if the tentative district facilities work program is  
18 fully implemented. The average shall not include exceptional  
19 student education classes or prekindergarten classes.

20           f. The number and percentage of district students  
21 planned to be educated in relocatable facilities during each  
22 year of the tentative district facilities work program.

23           g. Plans for the closure of any school, including  
24 plans for disposition of the facility or usage of facility  
25 space, and anticipated revenues.

26           3. The projected cost for each project identified in  
27 the tentative district facilities work program. For proposed  
28 projects for new student stations, a schedule shall be  
29 prepared comparing the planned cost and square footage for  
30 each new student station, by elementary, middle, and high  
31 school levels, to the low, average, and high cost of

1 facilities constructed throughout the state during the most  
2 recent fiscal year for which data is available from the  
3 Department of Education.

4 4. A schedule of estimated capital outlay revenues  
5 from each currently approved source which is estimated to be  
6 available for expenditure on the projects included in the  
7 tentative district facilities work program.

8 5. A schedule indicating which projects included in  
9 the tentative district facilities work program will be funded  
10 from current revenues projected in subparagraph 4.

11 6. A schedule of options for the generation of  
12 additional revenues by the district for expenditure on  
13 projects identified in the tentative district facilities work  
14 program which are not funded under subparagraph 5. Additional  
15 anticipated revenues may include effort index grants, SIT  
16 Program awards, and Classrooms First funds.

17 Section 3. Section 235.2157, Florida Statutes, is  
18 repealed.

19 Section 4. This act shall take effect July 1, 2001.

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22 SENATE SUMMARY

23 Allows each school district to modify the capacity for  
24 educational facilities in the district so that it varies  
25 from the capacity reported in the Florida Inventory of  
26 School Houses Report. Provides criteria and procedures  
27 for making such modifications. Repeals s. 235.2157, F.S.,  
28 which requires schools that are placed under  
29 architectural contract after July 1, 2003, to be small  
30 schools, as defined in that section.  
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