



265974

576-04050-17

Proposed Committee Substitute by the Committee on Appropriations  
(Appropriations Subcommittee on Pre-K - 12 Education)

A bill to be entitled

An act relating to the shared use of public school playground facilities; creating s. 1013.101, F.S.; providing legislative findings and intent; defining terms; requiring the Department of Education to provide specified assistance to school districts; providing department responsibilities; specifying funding allocation guidelines; requiring the department to annually post information regarding specified allocations on its website and report to the Legislature; requiring the department to develop an application process for school districts; requiring funding priority to be given to high-need communities; requiring reports to the Legislature by specified dates; creating the Shared Use Task Force within the department; specifying the purpose and membership of the task force; providing requirements for electing a task force chair and vice chair and conducting its meetings; requiring the department to provide the task force with necessary staff; requiring the task force to submit a report to the Legislature by a specified date; providing for expiration of the task force; providing for rulemaking; providing an effective date.

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

Section 1. Section 1013.101, Florida Statutes, is created



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28 to read:

29 1013.101 Shared use agreements.—

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

45 (2) DEFINITIONS.—As used in this section, the term:

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

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

56 (c) "Shared use agreement" means a written agreement



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57 between a school district and a government or nongovernmental  
58 entity which defines the roles, responsibilities, terms, and  
59 conditions for community use of a school-owned facility for  
60 recreation or other purposes.

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

68 (4) DEPARTMENT RESPONSIBILITIES.—The department shall:

69 (a) Establish guidelines for funding eligibility consistent  
70 with this section, promote the availability of the funding  
71 statewide, provide technical assistance to applicants, evaluate  
72 applicants, determine allowable expenses, and disburse funding.

73 (b) Annually post on its website and report to the  
74 President of the Senate and the Speaker of the House of  
75 Representatives the expenditure of the funds used to administer  
76 this section, including the total amount of funding distributed,  
77 the school districts that received funding, the amount of  
78 funding each school district received, and the department's  
79 evaluation results.

80 (c) Develop an application process for school districts to  
81 receive funding. The application must require that a school  
82 district:

83 1. Demonstrate that it has an active partnership with a  
84 local governmental agency or nonprofit organization;

85 2. Agree to fully implement its shared use project within



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86 the grant period;

87 3. Abide by the conditions for receiving assistance;

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

90 5. Collect and provide data and other information required  
91 by the department for monitoring, accountability, and evaluation  
92 purposes.

93 (d) Give funding priority to high-need communities. In  
94 consultation with the Shared Use Task Force, the department may  
95 establish additional criteria for funding priorities consistent  
96 with this section.

97 (5) REPORT.—By December 31, 2017, the department shall  
98 submit an electronic report to the President of the Senate and  
99 the Speaker of the House of Representatives on the grants that  
100 have been disbursed or are in the process of being disbursed.  
101 The department shall submit a final report on the grant  
102 disbursements by June 30, 2018.

103 Section 2. Shared Use Task Force.—The Shared Use Task  
104 Force, a task force as defined in s. 20.03, Florida Statutes, is  
105 created within the Department of Education. The task force is  
106 created to identify barriers in creating shared use agreements  
107 and to make recommendations to facilitate the shared use of  
108 school facilities generally and in high-need communities.

109 (1) The task force is composed of 7 members appointed by  
110 the department, as follows:

111 (a) Two representatives from school districts, including 1  
112 representative from school districts 1 through 33 and 1  
113 representative from school districts 34 through 67;

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



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

117 (d) Two representatives from recreational organizations.

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

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

125 (4) The department shall provide the task force with staff  
126 necessary to assist the task force in the performance of its  
127 duties.

128 (5) The task force shall submit a report of its findings  
129 and recommendations to the President of the Senate and the  
130 Speaker of the House of Representatives by October 1, 2017. Upon  
131 submission of the report, the task force shall expire.

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

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