Senator Diaz moved the following:

**Senate Amendment (with title amendment)**

Delete lines 2334 - 2528

and insert:

6. Upon construction, the total cost per student station, including change orders, must not exceed the cost per student station as provided in subsection (6) unless approved except for cost overruns created by a disaster as defined in s. 252.34 or an unforeseeable circumstance beyond the district’s control as determined by the Special Facility Construction Committee.

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

8. For construction projects for which Special Facilities
Construction Account funding is sought before the 2019-2020
fiscal year, the district shall, at the time of the request and
for a continuing period necessary to meet the district’s
participation requirement, levy the maximum millage against its
nonexempt assessed property value as allowed in s. 1011.71(2) or
shall raise an equivalent amount of revenue from the school
capital outlay surtax authorized under s. 212.055(6). Beginning
with construction projects for which Special Facilities
Construction Account funding is sought in the 2019-2020 fiscal
year, the district shall, for a minimum of 3 years before
submitting the request and for a continuing period necessary to
meet its participation requirement, levy the maximum millage
against the district’s nonexempt assessed property value as
authorized under s. 1011.71(2) or shall raise an equivalent
amount of revenue from the school capital outlay surtax
authorized under s. 212.055(6). Any district with a new or
active project, funded under the provisions of this subsection,
shall be required to budget no more than the value of 1 mill per
year to the project until the district’s participation
requirement relating to the local discretionary capital
improvement millage or the equivalent amount of revenue from the
school capital outlay surtax is satisfied.

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

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

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

12. Phase I Final phase III plans must be approved certified by the district school board as being complete and in compliance with the building and life safety codes before June 1 of the year the application is made.

(6)

(b)1. A district school board may not use funds from the following sources: Public Education Capital Outlay and Debt Service Trust Fund; School District and Community College District Capital Outlay and Debt Service Trust Fund; Classrooms First Program funds provided in s. 1013.68; nonvoted 1.5-mill levy of ad valorem property taxes provided in s. 1011.71(2); Classrooms for Kids Program funds provided in s. 1013.735; District Effort Recognition Program funds provided in s. 1013.736; or High Growth District Capital Outlay Assistance
Grant Program funds provided in s. 1013.738 for any new
construction of educational plant space with a total cost per
student station, including change orders, that equals more
than:
   a. $17,952 for an elementary school;
   b. $19,386 for a middle school;
   c. $25,181 for a high school,
(January 2006) as adjusted annually to reflect increases or
decreases in the Consumer Price Index. These restrictions do not
apply to school districts eligible for the sparsity supplement
pursuant to s. 1011.62(7). The department, in conjunction with
the Office of Economic and Demographic Research, shall review
and revise the cost per student station limits to reflect actual
construction costs by December 1, 2019, and every 3 years
thereafter. The adjusted cost per student station shall be used
by the department for computation of the statewide average costs
per student station for each instructional level pursuant to
paragraph (d). The department shall also collaborate with the
Office of Economic and Demographic Research to select an
industry-recognized construction index to replace the Consumer
Price Index by December 1, 2019, adjusted annually to reflect
changes in the construction index.

2. School districts shall maintain accurate documentation
related to the costs of all new construction of educational
plant space reported to the Department of Education pursuant to
paragraph (d). The Auditor General shall review the
documentation maintained by the school districts and verify
compliance with the limits under this paragraph during its
The department shall make the final determination on district compliance based on the recommendation of the Auditor General.

3. Effective July 1, 2017, In addition to the funding sources listed in subparagraph 1., a district school board may not use funds from any sources for new construction of educational plant space with a total cost per student station, including change orders, which equals more than the current adjusted amounts provided in sub-subparagraphs 1.a.-c. which shall subsequently be adjusted annually to reflect increases or decreases in the Consumer Price Index. However, if a contract has been executed for architectural and design services or for construction management services before July 1, 2017, a district school board may use funds from any source for the new construction of educational plant space and such funds are exempt from the total cost per student station requirements.

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

(c) Except as otherwise provided, new construction for which a contract has been executed for architectural and design services or for construction management services by a district school board on or after July 1, 2017, may not exceed the cost per student station as provided in paragraph (b). A school district that exceeds the cost per student station provided in paragraph (b), as determined by the Auditor General, shall be
subject to sanctions. If the Auditor General determines that the
cost per student station overage is de minimus or due to
extraordinary circumstances outside the control of the district,
the sanctions shall not apply. The sanctions are as follows:

1. The school district shall be ineligible for allocations
from the Public Education Capital Outlay and Debt Service Trust
Fund for the next 3 years in which the school district would
have received allocations had the violation not occurred.

2. The school district shall be subject to the supervision
of a district capital outlay oversight committee. The oversight
committee is authorized to approve all capital outlay
expenditures of the school district, including new construction,
renovations, and remodeling, for 3 fiscal years following the
violation.

   a. Each oversight committee shall be composed of the
   following:

   (I) One appointee of the Commissioner of Education who has
   significant financial management, school facilities
   construction, or related experience.

   (II) One appointee of the office of the state attorney with
   jurisdiction over the district.

   (III) One appointee of the Chief Financial Officer who is a
   licensed certified public accountant.

   b. An appointee to the oversight committee may not be
   employed by the school district; be a relative, as defined in s.
   1002.33(24)(a)2., of any school district employee; or be an
elected official. Each appointee must sign an affidavit
attesting to these conditions and affirming that no conflict of
interest exists in his or her oversight role.
(d) The department shall:

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

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

Cost per student station includes contract costs, legal and administrative costs, fees of architects and engineers, furniture and equipment, and site improvement costs, related offsite improvement costs, the cost of complying with public shelter and hurricane hardening requirements, and the cost of any security enhancements, including, but not limited to, the cost for securing entries, checkpoint construction, lighting specifically designed for entry point security, security cameras, automatic locks and locking devices, electronic security systems, fencing designed to prevent intruder entry into a building, bulletproof glass, or other capital
construction items approved by the school safety specialist to
ensure building security for new educational, auxiliary, or
ancillary facilities. Cost per student station does not include
the cost of purchasing or leasing the site for the construction
or the cost of related offsite improvements. Cost per student
station also does not include the cost for securing entries,
checkpoint construction, lighting specifically designed for
entry point security, security cameras, automatic locks and
locking devices, electronic security systems, fencing designed
to prevent intruder entry into a building, bullet-proof glass,
or other capital construction items approved by the school
safety specialist to ensure building security for new
educational, auxiliary, or ancillary facilities; costs for these
items must be below 2 percent per student station.

And the title is amended as follows:

Delete lines 246 - 264

and insert:

F.S.; revising the information required to be included
in a school district’s request to receive certain
funding; providing that specified restrictions do not
apply to certain school districts; requiring the
department, in conjunction with the Office of Economic
and Demographic Research, to review and revise the
limits on the cost per student station, based on
certain factors; requiring the department to use the
adjusted cost per student station for each
instructional level; requiring the department to

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collaborate with the office to select a certain index by a specified date; deleting obsolete language; deleting a requirement that specified school districts be subject to sanctions under certain circumstances; revising the costs that may be included and that may not be included in calculating the cost per student station; amending chapter 2018-6, L.O.F.;