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LEGISLATIVE ACTION

Senate

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House

Senator Davis moved the following:

Senate Amendment (with title amendment)

Between lines 63 and 64
insert:

Section 2. Subsection (1) of section 1013.31, Florida
Statutes, is amended to read:

1013.31 Educational plant survey; localized need
assessment; PECO project funding.—

(1) At least every 5 years, each board shall arrange for an
educational plant survey, to aid in formulating plans for
housing the educational program and student population, faculty,



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administrators, staff, and auxiliary and ancillary services of the district, charter school, or campus, including consideration of the local comprehensive plan. The Department of Education shall document the need for additional career and adult education programs and the continuation of existing programs before facility construction or renovation related to career or adult education may be included in the educational plant survey of a school district, charter school governing board, or Florida College System institution that delivers career or adult education programs. Information used by the Department of Education to establish facility needs must include, but need not be limited to, labor market data, needs analysis, and information submitted by the school district, charter school governing board, or Florida College System institution.

(a) *Educational plant survey and localized need assessment for capital outlay purposes.*—A survey recommendation is not required when a district or a charter school governing board uses funds from the following sources for educational, auxiliary, and ancillary plant capital outlay purposes:

1. The local capital outlay improvement fund, consisting of funds that come from and are a part of the district's or charter school governing board's basic operating budget;

2. A taxpayer-approved bond referendum, to fund construction of an educational, auxiliary, or ancillary plant facility;

3. One-half cent sales surtax revenue;

4. One cent local governmental surtax revenue;

5. Impact fees;

6. Private gifts or donations; and



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41 7. The district school tax levied pursuant to s.
42 1011.71(2).

43 (b) *Survey preparation and required data.*—Each survey shall
44 be conducted by the board or an agency employed by the board.
45 Surveys shall be reviewed and approved by the board, and a file
46 copy shall be submitted to the Department of Education or the
47 Chancellor of the State University System, as appropriate. The
48 survey report shall include at least an inventory of existing
49 educational and ancillary plants, including safe access
50 facilities; recommendations for existing educational and
51 ancillary plants; recommendations for new educational or
52 ancillary plants, including the general location of each in
53 coordination with the land use plan and safe access facilities;
54 campus master plan update and detail for Florida College System
55 institutions; the utilization of school plants based on an
56 extended school day or year-round operation; and such other
57 information as may be required by the Department of Education.
58 This report may be amended, if conditions warrant, at the
59 request of the department or commissioner.

60 (c) *Required need assessment criteria for district, charter*
61 *school governing board, or Florida College System institution,*
62 *state university, and Florida School for the Deaf and the Blind*
63 *plant surveys.*—Educational plant surveys must use uniform data
64 sources and criteria specified in this paragraph. Each revised
65 educational plant survey and each new educational plant survey
66 supersedes previous surveys.

67 1. The school district's or charter school governing
68 board's survey must be submitted as a part of the ~~district~~
69 educational facilities plan defined in s. 1013.35. To ensure



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that the data reported to the Department of Education as required by this section is correct, the department shall annually conduct an onsite review of 5 percent of the facilities reported for each school district or charter school governing board completing a new survey that year. If the department's review finds the data reported by a district or a charter school governing board is less than 95 percent accurate, within 1 year from the time of notification by the department the district or charter school governing board must submit revised reports correcting its data. If a district or a charter school governing board fails to correct its reports, the commissioner may direct that future fixed capital outlay funds be withheld until such time as the district or the charter school governing board has corrected its reports so that they are not less than 95 percent accurate.

2. Each survey of a special facility, joint-use facility, or cooperative career education facility must be based on capital outlay full-time equivalent student enrollment data prepared by the department for school districts, charter school governing boards, and Florida College System institutions and by the Chancellor of the State University System for universities. A survey of space needs of a joint-use facility shall be based upon the respective space needs of the school districts, charter school governing boards, Florida College System institutions, and universities, as appropriate. Projections of a school district's or charter school governing board's facility space needs may not exceed the norm space and occupant design criteria established by the State Requirements for Educational Facilities.



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3. Each Florida College System institution's survey must reflect the capacity of existing facilities as specified in the inventory maintained by the Department of Education. Projections of facility space needs must comply with standards for determining space needs as specified by rule of the State Board of Education. The 5-year projection of capital outlay student enrollment must be consistent with the annual report of capital outlay full-time student enrollment prepared by the Department of Education.

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

5. The ~~district~~ educational facilities plan of a school ~~district~~ and the educational plant survey of a Florida College System institution, state university, or the Florida School for the Deaf and the Blind may include space needs that deviate from approved standards for determining space needs if the deviation is justified by the district, the charter school governing board, or the institution and approved by the department or the Board of Governors, as appropriate, as necessary for the delivery of an approved educational program.

(d) *Review and validation.*—The Department of Education shall review and validate the surveys of school districts,



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charter school governing boards, and Florida College System institutions, and the Chancellor of the State University System shall review and validate the surveys of universities, and any amendments thereto for compliance with the requirements of this chapter and shall recommend those in compliance for approval by the State Board of Education or the Board of Governors, as appropriate. Annually, the department shall perform an in-depth analysis of a representative sample of each survey of recommended needs for five districts and five charter school governing boards selected by the commissioner from among districts and charter school governing boards with the largest need-to-revenue ratio. For the purpose of this subsection, the need-to-revenue ratio is determined by dividing the total 5-year cost of projects listed on the ~~district~~ survey by the total 5-year fixed capital outlay revenue projections from state and local sources as determined by the department. The commissioner may direct fixed capital outlay funds provided from general revenue or from state trust funds to be withheld from districts and charter school governing boards until such time as the survey accurately projects facilities needs.

(e) *Periodic update of Florida Inventory of School Houses.*— School districts shall periodically update their inventory of educational facilities as new capacity becomes available and as unsatisfactory space is eliminated. The State Board of Education shall adopt rules to determine the timeframe in which districts must provide a periodic update.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 4



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157 and insert:
158 act; amending s. 1013.31, F.S.; providing that certain
159 provisions relating to educational plant surveys and
160 need assessments apply to charter schools; requiring
161 the Department of Education to review surveys of
162 charter school governing boards in addition to those
163 of other specified institutions; amending s. 1013.62,
164 F.S.; deleting obsolete