

1 A bill to be entitled
 2 An act relating to education funding; amending s.
 3 1011.71, F.S.; providing for the calculation and
 4 payment of capital outlay funding to charter schools;
 5 providing that enterprise resource software may be
 6 acquired by certain means; amending s. 1013.62, F.S.;
 7 revising eligibility requirements for charter school
 8 capital outlay funding; revising charter school
 9 funding allocations; revising the list of approved
 10 uses of charter school capital outlay funds; amending
 11 s. 1013.64, F.S.; providing that a school district may
 12 not receive funds from the Special Facility
 13 Construction Account under certain circumstances;
 14 revising the criteria for a request for funding;
 15 authorizing the request for a preapplication review to
 16 take place at any time; providing exceptions; revising
 17 the time period for completion of the review;
 18 providing that certain capital outlay full-time
 19 equivalent student enrollment estimates be determined
 20 by specified estimating conferences; requiring surveys
 21 to be cooperatively prepared by certain entities and
 22 approved by the Department of Education; prohibiting
 23 certain consultants from specified employment and
 24 compensation; requiring the cost per student station
 25 to include certain cost overruns; requiring a school
 26 district to levy the maximum millage against certain

27 | property value or raise a specified amount from the
 28 | school capital outlay surtax under certain
 29 | circumstances; reducing the required millage to be
 30 | budgeted for a project; requiring certain plans to be
 31 | finalized by a specified date; requiring a
 32 | representative of the department to chair the Special
 33 | Facility Construction Committee; prohibiting district
 34 | school boards from using certain funds for new
 35 | construction of educational plant space that exceeds
 36 | maximum thresholds for cost per student station after
 37 | a specified date; prohibiting new construction
 38 | initiated after a specified date by a district school
 39 | board from exceeding the maximum thresholds; providing
 40 | that school districts that exceed the maximum
 41 | thresholds are ineligible for certain allocations for
 42 | a specified period; revising the costs included in
 43 | calculating the maximum thresholds; requiring the
 44 | department to conduct a study of the total cost per
 45 | student station and provide a report to the Governor
 46 | and Legislature by a certain date; providing an
 47 | effective date.

48 |
 49 | Be It Enacted by the Legislature of the State of Florida:

50 |
 51 | Section 1. Subsection (2) of section 1011.71, Florida
 52 | Statutes, is amended to read:

53 1011.71 District school tax.—

54 (2) In addition to the maximum millage levy as provided in

55 subsection (1), each school board may levy not more than 1.5

56 mills against the taxable value for school purposes for district

57 schools, including charter schools. A charter school shall be

58 provided an amount equal to the remaining balance of funding

59 needed to achieve the amount of the state funding allocation

60 provided in s. 1013.62 after the amount of state appropriations

61 is deducted. Annually, by December 30, the department shall

62 calculate the amount of payments to eligible charter schools

63 using the certified taxable value and millage rate as provided

64 in the TRIM notice pursuant to s. 200.065 and certify to each

65 school district the amount the school district must pay to each

66 charter school based on the remaining balance of funding needed

67 to achieve the amount of the state funding allocation as

68 provided in s. 1013.62 after the amount of state appropriations

69 is deducted. School districts shall make payments to charter

70 schools no later than February 1 of each year, beginning on

71 February 1, 2017, for the 2016-2017 fiscal year. Revenues

72 retained by a school district after payments are made to charter

73 schools may be used by the school district ~~at the discretion of~~

74 ~~the school board,~~ to fund:

75 (a) New construction and remodeling projects, as set forth

76 in s. 1013.64(3)(b) and (6)(b) and included in the district's

77 educational plant survey pursuant to s. 1013.31, without regard

78 to prioritization, sites and site improvement or expansion to

79 new sites, existing sites, auxiliary facilities, athletic
 80 facilities, or ancillary facilities.

81 (b) Maintenance, renovation, and repair of existing school
 82 plants or of leased facilities to correct deficiencies pursuant
 83 to s. 1013.15(2).

84 (c) The purchase, lease-purchase, or lease of school
 85 buses.

86 (d) The purchase, lease-purchase, or lease of new and
 87 replacement equipment; computer hardware, including electronic
 88 hardware and other hardware devices necessary for gaining access
 89 to or enhancing the use of electronic content and resources or
 90 to facilitate the access to and the use of a school district's
 91 digital classrooms plan pursuant to s. 1011.62, excluding
 92 software other than the operating system necessary to operate
 93 the hardware or device; and enterprise resource software
 94 applications that are classified as capital assets in accordance
 95 with definitions of the Governmental Accounting Standards Board,
 96 have a useful life of at least 5 years, and are used to support
 97 districtwide administration or state-mandated reporting
 98 requirements. Enterprise resource software may be acquired by
 99 annual license fees, maintenance fees, or lease agreements.

100 (e) Payments for educational facilities and sites due
 101 under a lease-purchase agreement entered into by a district
 102 school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not
 103 exceeding, in the aggregate, an amount equal to three-fourths of
 104 the proceeds from the millage levied by a district school board

105 pursuant to this subsection. The three-fourths limit is waived
 106 for lease-purchase agreements entered into before June 30, 2009,
 107 by a district school board pursuant to this paragraph.

108 (f) Payment of loans approved pursuant to ss. 1011.14 and
 109 1011.15.

110 (g) Payment of costs directly related to complying with
 111 state and federal environmental statutes, rules, and regulations
 112 governing school facilities.

113 (h) Payment of costs of leasing relocatable educational
 114 facilities, of renting or leasing educational facilities and
 115 sites pursuant to s. 1013.15(2), or of renting or leasing
 116 buildings or space within existing buildings pursuant to s.
 117 1013.15(4).

118 (i) Payment of the cost of school buses when a school
 119 district contracts with a private entity to provide student
 120 transportation services if the district meets the requirements
 121 of this paragraph.

122 1. The district's contract must require that the private
 123 entity purchase, lease-purchase, or lease, and operate and
 124 maintain, one or more school buses of a specific type and size
 125 that meet the requirements of s. 1006.25.

126 2. Each such school bus must be used for the daily
 127 transportation of public school students in the manner required
 128 by the school district.

129 3. Annual payment for each such school bus may not exceed
 130 10 percent of the purchase price of the state pool bid.

131 4. The proposed expenditure of the funds for this purpose
 132 must have been included in the district school board's notice of
 133 proposed tax for school capital outlay as provided in s.
 134 200.065(10).

135 (j) Payment of the cost of the opening day collection for
 136 the library media center of a new school.
 137

138 Section 2. Subsections (1) and (2) of section 1013.62,
 139 Florida Statutes, are amended to read:

140 1013.62 Charter schools capital outlay funding.—

141 (1) In each year in which funds are appropriated for
 142 charter school capital outlay purposes, the Commissioner of
 143 Education shall allocate the funds among eligible charter
 144 schools.

145 (a) To be eligible for a funding allocation, a charter
 146 school must:

147 1.a. Have been in operation for 2 ~~3~~ or more years;

148 b. Have no more than two consecutive school grades lower
 149 than "B" unless the school serves a student population at least
 150 50 percent of which is eligible for free or reduced-price meals
 151 under the National School Lunch Act ~~Be governed by a governing~~
 152 ~~board established in the state for 3 or more years which~~
 153 ~~operates both charter schools and conversion charter schools~~
 154 ~~within the state;~~

155 c. Have an annual audit that does not reveal any of the
 156 financial emergency conditions provided in s. 218.503(1) for the

157 most recent fiscal year for which such audit results are
 158 available ~~Be an expanded feeder chain of a charter school within~~
 159 ~~the same school district that is currently receiving charter~~
 160 ~~school capital outlay funds;~~

161 d. Have received final approval from its sponsor pursuant
 162 to s. 1002.33 for operation during that fiscal year; and

163 e. Serve students in facilities that are not provided by
 164 the charter school's sponsor; or

165 ~~d. Have been accredited by the Commission on Schools of~~
 166 ~~the Southern Association of Colleges and Schools; or~~

167 ~~e. Serve students in facilities that are provided by a~~
 168 ~~business partner for a charter school in the workplace pursuant~~
 169 ~~to s. 1002.33(15)(b).~~

170 2.a. Be part of a high-performing charter school system
 171 pursuant to s. 1002.332; ~~Have financial stability for future~~
 172 ~~operation as a charter school.~~

173 ~~3. Have satisfactory student achievement based on state~~
 174 ~~accountability standards applicable to the charter school.~~

175 ~~b.4.~~ Have received final approval from its sponsor
 176 pursuant to s. 1002.33 for operation during that fiscal year;
 177 and-

178 ~~c.5.~~ Serve students in facilities that are not provided by
 179 the charter school's sponsor.

180 ~~(b) The first priority for charter school capital outlay~~
 181 ~~funding is to allocate to charter schools that received funding~~
 182 ~~in the 2005-2006 fiscal year an allocation of the same amount~~

183 ~~per capital outlay full-time equivalent student, up to the~~
 184 ~~lesser of the actual number of capital outlay full-time~~
 185 ~~equivalent students in the current year, or the capital outlay~~
 186 ~~full-time equivalent students in the 2005-2006 fiscal year.~~
 187 ~~After calculating the first priority, the second priority is to~~
 188 ~~allocate excess funds remaining in the appropriation in an~~
 189 ~~amount equal to the per capital outlay full-time equivalent~~
 190 ~~student amount in the first priority calculation to eligible~~
 191 ~~charter schools not included in the first priority calculation~~
 192 ~~and to schools in the first priority calculation with growth~~
 193 ~~greater than the 2005-2006 capital outlay full-time equivalent~~
 194 ~~students. After calculating the first and second priorities,~~
 195 ~~excess funds remaining in the appropriation must be allocated to~~
 196 ~~all eligible charter schools.~~

197 (b)-(e) A charter school's allocation may not exceed one-
 198 fortieth one-fifteenth of the cost per student station specified
 199 in s. 1013.64(6)(b) or the amount of revenue per fixed capital
 200 outlay full-time equivalent student generated by the school
 201 district's levy of 1.5 mills pursuant to s. 1011.71(2),
 202 whichever is less. Before releasing capital outlay funds to a
 203 school district on behalf of the charter school, the Department
 204 of Education must ensure that the district school board and the
 205 charter school governing board enter into a written agreement
 206 that provides for the reversion of any unencumbered funds and
 207 all equipment and property purchased with public education funds
 208 to the ownership of the district school board, as provided for

209 in subsection (3) if the school terminates operations. Any funds
 210 recovered by the state shall be deposited in the General Revenue
 211 Fund.

212 (c)~~(d)~~ A charter school is not eligible for a funding
 213 allocation if it was created by the conversion of a public
 214 school and operates in facilities provided by the charter
 215 school's sponsor for a nominal fee, or at no charge, or if it is
 216 directly or indirectly operated by the school district.

217 (d)~~(e)~~ Unless otherwise provided in the General
 218 Appropriations Act, the state funding allocation for each
 219 eligible charter school shall be ~~is~~ determined by multiplying
 220 the school's projected student enrollment by one-fortieth ~~one-~~
 221 ~~fifteenth~~ of the cost-per-student station specified in s.
 222 1013.64(6)(b) for an elementary, middle, or high school, as
 223 appropriate. If the funds appropriated are not sufficient, the
 224 charter school shall receive funding to achieve one-fortieth of
 225 the cost per student station or the amount of revenue per fixed
 226 capital outlay full-time equivalent student generated by the
 227 school district's levy of 1.5 mills pursuant to s. 1011.71(2),
 228 whichever is less, from the revenues generated by the school
 229 district levy of ad valorem property taxes ~~the commissioner~~
 230 ~~shall prorate the available funds among eligible charter~~
 231 ~~schools. However,~~ A charter school or charter lab school may not
 232 receive state charter school capital outlay funds or local ad
 233 valorem capital outlay funds greater than the one-fortieth ~~one-~~
 234 ~~fifteenth~~ cost per student station formula if the charter

235 school's combination of state charter school capital outlay
 236 funds, capital outlay funds calculated through the reduction in
 237 the administrative fee provided in s. 1002.33(20), and capital
 238 outlay funds allowed in s. 1002.32(9)(e) and (h) exceeds the
 239 one-fortieth ~~one-fifteenth~~ cost per student station formula.

240 (e) ~~(f)~~ Funds shall be distributed on the basis of the
 241 capital outlay full-time equivalent membership by grade level,
 242 which is calculated by averaging the results of the second and
 243 third enrollment surveys. The Department of Education shall
 244 distribute capital outlay funds monthly, beginning in the first
 245 quarter of the fiscal year, based on one-twelfth of the amount
 246 the department reasonably expects the charter school to receive
 247 during that fiscal year. The commissioner shall adjust
 248 subsequent distributions as necessary to reflect each charter
 249 school's actual student enrollment as reflected in the second
 250 and third enrollment surveys. The commissioner shall establish
 251 the intervals and procedures for determining the projected and
 252 actual student enrollment of eligible charter schools.

253 (2) A charter school's governing body may use charter
 254 school capital outlay funds received pursuant to this section
 255 and s. 1011.71(2) for the following purposes:

- 256 (a) Purchase of real property.
- 257 (b) Construction of school facilities.
- 258 (c) Purchase, lease-purchase, or lease of permanent or
 259 relocatable school facilities.
- 260 (d) Purchase of vehicles to transport students to and from

261 the charter school.

262 (e) Renovation, repair, and maintenance of school
 263 facilities that the charter school owns or is purchasing through
 264 a lease-purchase or long-term lease of 5 years or longer.

265 ~~(f) Effective July 1, 2008, purchase, lease-purchase, or~~
 266 ~~lease of new and replacement equipment, and enterprise resource~~
 267 ~~software applications that are classified as capital assets in~~
 268 ~~accordance with definitions of the Governmental Accounting~~
 269 ~~Standards Board, have a useful life of at least 5 years, and are~~
 270 ~~used to support schoolwide administration or state-mandated~~
 271 ~~reporting requirements.~~

272 (f)(g) Payment of the cost of premiums for property and
 273 casualty insurance necessary to insure the school facilities.

274 (g)(h) Purchase, lease-purchase, or lease of driver's
 275 education vehicles; motor vehicles used for the maintenance or
 276 operation of plants and equipment; security vehicles; or
 277 vehicles used in storing or distributing materials and
 278 equipment.

279 (h) Purchase, lease-purchase, or lease of new and
 280 replacement equipment; computer hardware, including electronic
 281 hardware and other hardware devices necessary for gaining access
 282 to or enhancing the use of electronic content and resources or
 283 to facilitate the access to and the use of a charter school's
 284 digital classrooms plan pursuant to s. 1011.62, excluding
 285 software other than the operating system necessary to operate
 286 the hardware or device; and enterprise resource software

287 applications that are classified as capital assets in accordance
 288 with definitions of the Governmental Accounting Standards Board,
 289 have a useful life of at least 5 years, and are used to support
 290 schoolwide administration or state-mandated reporting
 291 requirements. Enterprise resource software may be acquired by
 292 annual license fees, maintenance fees, or lease agreement.

293 (i) Payment of the cost of the opening day collection for
 294 the library media center of a new school.

295
 296 Conversion charter schools may use capital outlay funds received
 297 through the reduction in the administrative fee provided in s.
 298 1002.33(20) for renovation, repair, and maintenance of school
 299 facilities that are owned by the sponsor.

300 Section 3. Paragraphs (a) and (b) of subsection (2) and
 301 paragraphs (b), (c), (d), and (e) of subsection (6) of section
 302 1013.64, Florida Statutes, are amended to read:

303 1013.64 Funds for comprehensive educational plant needs;
 304 construction cost maximums for school district capital
 305 projects.—Allocations from the Public Education Capital Outlay
 306 and Debt Service Trust Fund to the various boards for capital
 307 outlay projects shall be determined as follows:

308 (2)(a) The department shall establish, as a part of the
 309 Public Education Capital Outlay and Debt Service Trust Fund, a
 310 separate account, in an amount determined by the Legislature, to
 311 be known as the "Special Facility Construction Account." The
 312 Special Facility Construction Account shall be used to provide

313 necessary construction funds to school districts which have
 314 urgent construction needs but which lack sufficient resources at
 315 present, and cannot reasonably anticipate sufficient resources
 316 within the period of the next 3 years, for these purposes from
 317 currently authorized sources of capital outlay revenue. A school
 318 district requesting funding from the Special Facility
 319 Construction Account shall submit one specific construction
 320 project, not to exceed one complete educational plant, to the
 321 Special Facility Construction Committee. A No district may not
 322 ~~shall~~ receive funding for more than one approved project in any
 323 3-year period or while any portion of the district's
 324 participation requirement remains outstanding. The first year of
 325 the 3-year period shall be the first year a district receives an
 326 appropriation. The department shall encourage a construction
 327 program that reduces the average size of schools in the
 328 district. The request must meet the following criteria to be
 329 considered by the committee:

- 330 1. The project must be deemed a critical need and must be
 331 recommended for funding by the Special Facility Construction
 332 Committee. Before ~~Prior to~~ developing construction plans for the
 333 proposed facility, the district school board must request a
 334 preapplication review by the Special Facility Construction
 335 Committee or a project review subcommittee convened by the chair
 336 of the committee to include two representatives of the
 337 department and two staff members from school districts not
 338 eligible to participate in the program. The request for a

339 preapplication review may be made at any time; however, for
340 inclusion in the Department of Education's next annual capital
341 outlay legislative budget request, the request for a
342 preapplication review must be made before February 1 of the
343 fiscal year before the legislative budget request. Within 90 60
344 days after receiving the preapplication review request, the
345 committee or subcommittee must meet in the school district to
346 review the project proposal and existing facilities. To
347 determine whether the proposed project is a critical need, the
348 committee or subcommittee shall consider, at a minimum, the
349 capacity of all existing facilities within the district as
350 determined by the Florida Inventory of School Houses; the
351 district's pattern of student growth; the district's existing
352 and projected capital outlay full-time equivalent student
353 enrollment as determined by the demographic, revenue, and
354 education estimating conferences established in s. 216.136
355 ~~department~~; the district's existing satisfactory student
356 stations; the use of all existing district property and
357 facilities; grade level configurations; and any other
358 information that may affect the need for the proposed project.

359 2. The construction project must be recommended in the
360 most recent survey or survey amendment cooperatively prepared
361 ~~surveys~~ by the district and the department, and approved by the
362 department under the rules of the State Board of Education. If a
363 district employs a consultant in the preparation of a survey or
364 survey amendment, the consultant may not be employed by or

365 receive compensation from a third party that designs or
 366 constructs a project recommended by the survey.

367 3. The construction project must appear on the district's
 368 approved project priority list under the rules of the State
 369 Board of Education.

370 4. The district must have selected and had approved a site
 371 for the construction project in compliance with s. 1013.36 and
 372 the rules of the State Board of Education.

373 5. The district shall have developed a district school
 374 board adopted list of facilities that do not exceed the norm for
 375 net square feet occupancy requirements under the State
 376 Requirements for Educational Facilities, using all possible
 377 programmatic combinations for multiple use of space to obtain
 378 maximum daily use of all spaces within the facility under
 379 consideration.

380 6. Upon construction, the total cost per student station,
 381 including change orders, may ~~must~~ not exceed the cost per
 382 student station as provided in subsection (6), except for cost
 383 overruns created by a disaster as defined in s. 252.34 or an
 384 unforeseeable circumstance beyond the district's control as
 385 determined by the Special Facility Construction Committee.

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

390 8. For construction projects for which Special Facility

391 Construction Account funding is sought before the 2019-2020
 392 fiscal year, the district shall, at the time of the request and
 393 for a continuing period necessary to meet the district's
 394 participation requirement under subparagraph 11. ~~of 3 years,~~
 395 levy the maximum millage against their nonexempt assessed
 396 property value as allowed in s. 1011.71(2) or shall raise an
 397 equivalent amount of revenue from the school capital outlay
 398 surtax authorized under s. 212.055(6). Beginning with the 2019-
 399 2020 fiscal year, for construction projects for which Special
 400 Facility Construction Account funding is sought, the district
 401 shall, for a minimum of 3 years before the request and for a
 402 continuing period necessary to meet the district's participation
 403 requirement under subparagraph 11., levy the maximum millage
 404 against their nonexempt assessed property value as allowed in s.
 405 1011.71(2) or raise an equivalent amount of revenue from the
 406 school capital outlay surtax authorized under s. 212.055(6). Any
 407 district with a new or active project, funded under the
 408 provisions of this subsection, shall be required to budget no
 409 more than the value of 1.0 mill ~~1.5 mills~~ per year to the
 410 project until the district's ~~to satisfy the annual~~ participation
 411 requirement relating to the local discretionary capital
 412 improvement millage authorized under s. 1011.71(2) or the
 413 equivalent amount of revenue from the school capital outlay
 414 surtax authorized under s. 212.055(6) is satisfied ~~in the~~
 415 ~~Special Facility Construction Account.~~

416 9. If a contract has not been signed 90 days after the

417 advertising of bids, the funding for the specific project shall
 418 revert to the Special Facility New Construction Account to be
 419 reallocated to other projects on the list. However, an
 420 additional 90 days may be granted by the commissioner.

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

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

435 12. Final phase III plans must be certified by the
 436 district school board as complete and in compliance with the
 437 building and life safety codes before June 1 of the year the
 438 application is made ~~prior to August 1.~~

439 (b) The Special Facility Construction Committee shall be
 440 composed of the following: two representatives of the Department
 441 of Education, a representative from the Governor's office, a
 442 representative selected annually by the district school boards,

443 and a representative selected annually by the superintendents. A
 444 representative of the department shall chair the committee.

445 (6)

446 (b)1. A district school board may ~~must~~ not use funds from
 447 the following sources: Public Education Capital Outlay and Debt
 448 Service Trust Fund; School District and Community College
 449 District Capital Outlay and Debt Service Trust Fund; Classrooms
 450 First Program funds provided in s. 1013.68; nonvoted 1.5-mill
 451 levy of ad valorem property taxes provided in s. 1011.71(2);
 452 Classrooms for Kids Program funds provided in s. 1013.735;
 453 District Effort Recognition Program funds provided in s.
 454 1013.736; and ~~or~~ High Growth District Capital Outlay Assistance
 455 Grant Program funds provided in s. 1013.738 for any new
 456 construction of educational plant space with a total cost per
 457 student station, including change orders, that equals more than:

- 458 a. \$17,952 for an elementary school,
- 459 b. \$19,386 for a middle school, or
- 460 c. \$25,181 for a high school,

461
 462 (January 2006) as adjusted annually to reflect increases or
 463 decreases in the Consumer Price Index.

464 2. Effective July 1, 2017, in addition to the funding
 465 sources listed in subparagraph 1., a district school board may
 466 not use funds from the following sources: nonvoted 1.5-mill levy
 467 of ad valorem property taxes provided in s. 1011.71(3); proceeds
 468 received through the provisions of s. 1011.73 and s. 9, Art. VII

469 of the State Constitution; funds provided by school district
 470 bonds; sales surtax funds authorized in s. 212.055; impact fees
 471 authorized in s. 163.31801; and funds received pursuant to s.
 472 212.20(6)(d)6.a., for any new construction of educational plant
 473 space with a total cost per student station, including change
 474 orders, that equals more than the current adjusted amounts
 475 provided in sub-subparagraphs 1.a.-c., which shall subsequently
 476 be adjusted annually to reflect increases or decreases in the
 477 Consumer Price Index.

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

484 (c)1. Except as otherwise provided, new construction
 485 initiated by a district school board may ~~after June 30, 1997,~~
 486 ~~must~~ not exceed the cost per student station as provided in
 487 paragraph (b).

488 2. New construction initiated by a district school board
 489 on or after July 1, 2017, may not exceed the cost per student
 490 station provided in paragraph (b). A district that exceeds the
 491 cost per student station provided in paragraph (b) is ineligible
 492 for allocations from the Public Capital Outlay and Debt Service
 493 Trust Fund for the next 3 years in which the district would have
 494 received allocations had the violation not occurred.

495 (d) The department shall:

496 1. Compute for each calendar year the statewide average

497 construction costs for facilities serving each instructional

498 level, for relocatable educational facilities, for

499 administrative facilities, and for other ancillary and auxiliary

500 facilities. The department shall compute the statewide average

501 costs per student station for each instructional level.

502 2. Annually review the actual completed construction costs

503 of educational facilities in each school district. For any

504 school district in which the total actual cost per student

505 station, including change orders, exceeds the statewide limits

506 established in paragraph (b), the school district shall report

507 to the department the actual cost per student station and the

508 reason for the school district's inability to adhere to the

509 limits established in paragraph (b). The department shall

510 collect all such reports and shall report to the Governor, the

511 President of the Senate, and the Speaker of the House of

512 Representatives by December 31 of each year a summary of each

513 school district's spending in excess of the cost per student

514 station provided in paragraph (b) as reported by the school

515 districts.

516

517 Cost per student station includes contract costs, legal and

518 administrative costs, fees of architects and engineers,

519 furniture and equipment, site costs, ~~and~~ site improvement costs,

520 and offsite improvement costs. Cost per student station does not

521 include the cost of purchasing or leasing the site for the
 522 construction or the cost of related offsite improvements.

523 (e) The department shall conduct a study, in consultation
 524 with the Office of Economic and Demographic Research, of the
 525 total cost per student station amounts under paragraph (b) using
 526 the most recent available information. The department shall
 527 report the final results of the analysis to the Governor, the
 528 President of the Senate, and the Speaker of the House of
 529 Representatives by March 1, 2017 ~~The restrictions of this~~
 530 ~~subsection on the cost per student station of new construction~~
 531 ~~do not apply to a project funded entirely from proceeds received~~
 532 ~~by districts through provisions of ss. 212.055 and 1011.73 and~~
 533 ~~s. 9, Art. VII of the State Constitution, if the school board~~
 534 ~~approves the project by majority vote.~~

535 Section 4. This act shall take effect July 1, 2016.