



Florida Educational Facilities Planners Association 2024 Winter Conference DOE Legislative Update

Facilities Programs & Contacts

Office of Educational Facilities (OEF)

- Mark Weigly, Interim Director
- Doris Parker, Administrative Assistant
- Violet Brown, Sr. Educational Program Director
 - Educational plant survey (public schools and Florida colleges)
 - District facilities work plan
 - Special Facility Construction Account
 - Educational Facilities Information System (EFIS)
- Mark Weigly, Architect, LEED AP, FCP, Ed. Fac. Const. Planning Manager
 - New Building Codes
 - Plans Review for new construction and building remodel/renovation
 - Building Disposal (Castaldi's)
 - Auditor General Report Reviews and Closeouts

OEF Managers



Mark Weigly

Architect, LEED AP, FCP,
Educational Facilities
Construction Planning Manager
Phone: 850-245-9269
Email: mark.weigly@fldoe.org



Violet Brown

Senior Educational Program
Director
Phone: 850-245-9232
Email: violet.brown@fldoe.org

Construction Planning & Training

Area of Responsibility

- **Plans Review, Building Codes:**
 - Don Whitehead and James Mitchell
 - 30 Day turnaround by Statutes, usually less
 - Free service provided by OEF
- **Comprehensive Plan Amendment Reviews, Legislative Analysis & Tracking:**
 - Morgan Runion
- **Castaldi Reports, Cost of Construction:**
 - Mark Weigly
- **Training (OSHA, Defensive Driving, Health & Safety):**
 - Annabelle Wright
- **Training: SREF 23 Hr., Chapter V SREF, Fire Safety:**
 - Don Whitehead and Kristen Griffin

Planning / Evaluation Team

Area of Responsibility

- **District Validations/K-12 Surveys:**
 - Violet Brown, Mark Jeter, Jasmin Richardson
- **Work Plan:**
 - Martha Chauncey
- **District PPL:**
 - Courtney Carlos
- **Special Facilities:**
 - Violet Brown
- **EFIS Technical:**
 - Kimberly Knowles
- **Florida Colleges (PPL, Validations, Surveys, etc)**

Other FDOE Offices & Programs

- **Division of Finance and Operations**
 - Office of Funding and Financial Reporting
 - 850-245-5139
 - Emergency Management
 - Peter Newman, Director – 850-245-9989
 - Transportation
 - Robert Manspeaker – 850-245-9928
- **Florida College System**
 - Financial Policy & Facilities Planning & Budgeting
 - Vacant, Director, Facilities Planning & Budgeting
 - Alexander Jordan, Deputy Director, Facilities Planning & Budgeting
 - 850-245-9490

Interagency Programs

- **Green Schools Awards Program**
 - Don Whitehead, Safe and Efficient Facilities Design Manager, Office of Educational Facilities
- **Domestic Security Coordinating Group**
 - Florida Department of Law Enforcement
 - Educational Focus Group
 - Advisory and funding recommendations
Mark Weigly

Fixed Capital Outlay (FCO)

Fixed Capital Outlay Office

Sandra Sidwell, Director

Administer the FCO funds established by the Florida constitution and statutes

Make monthly cash disbursements

Prepare the Commissioner's Annual K-20 FCO Legislative Budget Request

Collect cost of construction reports, compute average costs and forward reports to the Auditor General

PECO Appropriations Projections

*Per January 11, 2024 PECO Revenue Estimating Conference
(in millions)*

<u>Projects</u>	<u>2023-24</u>	<u>2024-2025</u>	<u>2025-2026</u>
Non-Bonded	\$ 1146.0	\$ 1048.4	\$ 875.5
Bonded	<u>\$ 0.0</u>	<u>\$ 0.0</u>	<u>\$ 0.0</u>
Total	\$ 1146.0	\$ 1048.4	\$ 484.5

2023 - 2024 Appropriation*

(in millions)

	PECO & GR	CO&DS**	Total
K-12	\$ 436.0	\$ 112.0	\$ 548.0
Colleges	\$ 223.8	\$ 0.0	\$ 223.8
SUS	\$ 622.0	\$ 0.0	\$ 622.0
FSDB	\$ 4.6	\$ 0.0	\$ 4.6
DBS	\$ 0.6	\$ 0.0	\$ 0.6
PBS	\$ 0.0	\$ 0.0	\$ 0.0
Other	<u>\$ 61.4</u>	<u>\$ 0.0</u>	<u>\$ 61.4</u>
Total	\$1348.4	\$ 112.0	\$ 1460.4

* Excludes appropriations for debt service

** CO&DS distributions will be made to the public school districts and Florida colleges based upon instructional units



Fixed Capital Outlay SFCA

(in millions)

DISTRICT	APPROPRIATION
Gadsden (year 2 of 2)	\$ 32.8
Gilchrist (year 1 of 3)	\$ 13.4
Glades (year 2 of 2)	\$ 16.5
Glades Cost Increase	\$ 18.5
Hendry (year 1 of 3)	\$ 30.2
Putnam (year 2 of 2)	\$ 32.6
Putnam Cost Increase	\$ 27.2
Wakulla (Year 1 of 3)	22.5

Other Facilities Related Items

Castaldi Reports

- Submittals should be in Adobe PDF format.
- Submit through a secure file share appliance.
- Will provide cursory reviews at any time.

Construction Planning & Training

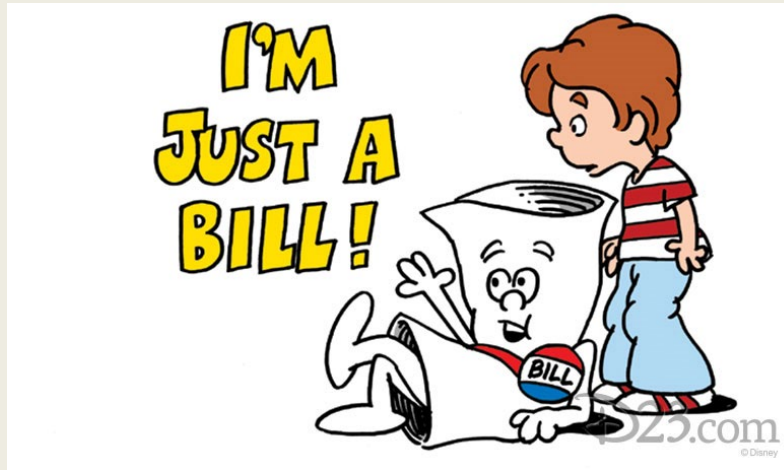
Plan Review Submittals

- Service the state provides at no cost to the districts
- Submit Plans
 - Digital format in Adobe PDF
 - Through TIBCO File Transfer Appliance
- 208A
 - Work in Progress
- Plans Review Turnaround
 - 30 days

Legislative Update

2024 Legislative Session

- Session began January 9th, 2024
 - October 2023 – Committees begin meeting for 2024 Session



2024 Legislative Session

- SB 44 – Public Restroom Requirements
 - Requires hook at sitting height in toilet rooms of all public restroom facilities.
- SB 124 – Sudden Cardiac Arrest Informational Posters
 - Would require posters to be publicly displayed in an accessible area of a business or state agency.
- SB 198/HB 245 – Construction Materials Mining Activities
 - Limits ground vibration allowance within 1 mile of residentially zoned areas.

2024 Legislative Session

- SB 222/HB 217 – College Campus Facilities in Areas of Critical State Concern
 - Allows 340 bed dormitories to be built for Florida college System institutions and 50 additional beds for employees, educators, health care workers, and first responders to be built.
 - Allows state grants and capital improvement fees to be used for construction, debt service, maintenance, and operation of such dormitories. (only in Senate bill)

2024 Legislative Session

- SB 246/HB 109 – Conversion Charter Schools
 - Adds municipalities to the list of those allowed to apply to convert a charter school.
 - Removes requirement that at least 50% of the teachers at the school support the conversion.
 - Adds that a municipality may submit an application for conversion for any or all public schools within its jurisdictional boundary as part of a single application for approval.
 - Adds that DOE and DMS must designate vacant school district real property as surplus if the school district has experienced a decline in student enrollment of 1% or more for at least 2 consecutive years.

2024 Legislative Session

- SB 246/HB 109 – Conversion Charter Schools (continued) (House version only)
 - Land designated surplus must first be offered to approved charter schools and charter school governing boards within the school district.
 - If the charter schools and charter school governing boards do not request use of the surplus property within 6 months, the real property shall be made available for affordable housing within the county pursuant to FS 1001.43(12).

2024 Legislative Session

- SB 432/HB 441 – Cardiac and Medical Emergencies on School Grounds
 - Each public school must have at least one operational AED on school grounds.
 - Each defibrillator must be stored in a location that is easily accessible to anyone at any time during the school day and any other time students are on school grounds, including outside of the school year.
 - Must not be placed in the school’s athletic facilities.
- SB 486/HB 1157 – Florida School for Competitive Academics
 - Authorizes the school’s board to change the name of the school.

2024 Legislative Session

- SB 522/HB 501 – Tallahassee Community College
 - Renaming the college as Tallahassee State College.
- CS SB 612/CS HB 481 – Building Construction Regulations and System Warranties
 - Prevailing party attorney fees
 - Warranties on HVAC systems
- SB 674/HB 779 – United States-produced Iron and Steel in Public Works Projects

2024 Legislative Session

- SB 762/HB 945 – Heat Illness Prevention
 - Requires employers to have outdoor heat exposure safety program that has been approved by DACS and DOH.
- SB 1492/HB 433 – Employment Regulations
 - Prohibiting a political subdivision from requiring employers to meet or provide heat exposure requirements beyond those required by law.
 - Prohibiting a political subdivision from giving preference to or considering or seeking information from an employer in a competitive solicitation based on or relating to an employers heat exposure requirements.

2024 Legislative Session

- SB 1492/HB 433 – Employment Regulations (Contd.)
 - If OSHA has not adopted requirements regulating workplace heat exposure by July 1, 2028, the Department of Commerce must adopt by rule statewide workplace heat exposure requirements. (HB 433)
 - Such rules must be consistent with the standards of OSHA in effect at the time. (HB 433)
 - Local government may not mandate or impose heat exposure requirements on an employer, an employee, a contractor, or a subcontractor. (HB 433)

2024 Legislative Session

- SB 1120/HB 901 – Display of Flags by Governmental Entities
 - Government entity may not erect or display a flag that represents a political viewpoint, including, but not limited to, a politically partisan, racial, sexual orientation and gender, or political ideology viewpoint.
 - Government entity includes public schools, public colleges, and public universities.

2024 Legislative Session

- SB 1122/HB 395 – Protection of Historic Monuments and Memorials
 - Preservation of all historic monuments and memorials from removal, damage, or destruction.
 - A local government may only relocate a historical monument or memorial temporarily due to construction. Once completed the monument or memorial shall be placed back at the original location or as close as possible.
 - Local government includes school districts or other public educational institutions.
 - Applies to any monuments or memorials that have been removed, damaged, or destroyed on or after October 1, 2020 (SB only).

2024 Legislative Session

- SB 1344/HB 483 – Computer Science/Education
 - Only HB 483 has facilities impact
 - Section 14. revises FS 553.865 Private Spaces
 - (HB 1521 – Facility Requirements Based on Sex, 2023 session)
 - Expands definition of “K-12 educational institution or facility”.
- SB 1472/HB 1655 – Video Cameras in Public School Classrooms
 - Requires cameras in self-contained classrooms in public and charter schools with various requirements (recording, archiving, confidentiality, etc).

2024 Legislative Session

- SB 1796/HB 1635 – Local Government Impact Fees and Exactions
 - Requires local governments that impose nonmonetary exactions to provide a specified amount of compensation.
 - Requires that any impact fee be collected only if the property subject to the fee receives the service for which the fee is assessed or will within the spending period.
 - Establish impact fee zones or districts to ensure the impact fee is expended to provide additional capital facilities within the appropriate zone or district and to help alleviate impacts generated by the new residential or commercial construction subject to the fee.
 - Limits dollar amount of impact fees that local governments may adopt, collect, or administer based on land use. (HB 1635)

2024 Legislative Session

- CS SB 7002 – Deregulation of Public Schools/School District Finance and Budgets, Facilities, and Administration and Oversight
 - Charter schools and Hope schools which receive surplus lands may not sell or dispose of such facilities or property. (page 17-19)
 - Eliminates class size accountability. (page 19)
 - Adds “plants, ancillary plants, and auxiliary facilities” to the list of lease and rental of sites. (page 34-37)
 - Minimum term lease of 40 years no longer applies to district school boards. (page 40)

2024 Legislative Session

- CS SB 7002 – Deregulation of Public Schools/School District Finance and Budgets, Facilities, and Administration and Oversight (Continued)
 - Specifies that proceeds from a sale or lease shall be used by the BOT for a Florida College System institution or State University receiving the proceeds for fixed capital outlay purposes. (page 40)
 - FS 1013.21 – Reduction in relocatables is repealed (pg 43)
 - Specifies that each Florida College System and state university are to complete an educational plant survey every 5 years. (page 44)
 - Removes DOE space validation. (page 46)

2024 Legislative Session

- CS SB 7002 – Deregulation of Public Schools/School District Finance and Budgets, Facilities, and Administration and Oversight (Continued)
 - School district requirements are specified that “before the adoption of the district school budget, each district school board shall prepare a tentative district educational facilities plan that includes long-range planning for facilities needs. (page 50)
 - The first year of the educational facilities plan constitutes the capital outlay budget. (page 57)

2024 Legislative Session

- CS SB 7002 – Deregulation of Public Schools/School District Finance and Budgets, Facilities, and Administration and Oversight (Continued)
 - Removes designated planning timeframes of 5-year, 10-year, and 20-year periods, removes requirement for consistency with the comprehensive plan and removes requirement to place new schools geographically consistent with growth. (page 50)
 - Construction can occur on leased land with a lease for the duration of life of the constructed facility. (page 58)
 - 20 year building = 20 year lease, no longer 40 year requirement

2024 Legislative Session

- CS SB 7002 – Deregulation of Public Schools/School District Finance and Budgets, Facilities, and Administration and Oversight (Continued)
 - Revises 1013.385 to allow districts to operate in a facility on the same basis as a charter school pursuant to FS 1002.33(18). (page 60)
 - School boards may not be required to build more emergency-shelter space than identified as needed in the Statewide Emergency Shelter Plan. (page 60)
 - Revises OEF requirement from must to shall review district facilities projects and identify opportunities to maximize construction savings. (page 61)

2024 Legislative Session

- CS SB 7002 – Deregulation of Public Schools/School District Finance and Budgets, Facilities, and Administration and Oversight (Continued)
 - Allows Florida College System institutions and state universities to not use registered architects for projects <\$50,000. (page 62)
 - Removes prototype requirement for districts. (page 62)
 - Remodeling projects must be based on the recommendations of a survey... or for district school boards, as indicated by the relative need as determined by FISH and the COFTE enrollment in the district. (page 65)

2024 Legislative Session

- CS SB 7002 – Deregulation of Public Schools/School District Finance and Budgets, Facilities, and Administration and Oversight (Continued)
 - Requires 1/10th of a FCS or SUS institution annual allocation must be spent on correcting unsafe, unhealthy, or unsanitary conditions. (page 65)
 - Special Facilities: (page 67-69)
 - Survey recommendation requirement eliminated.
 - School board recommends and DOE approves.
 - School board must have an approved site.
 - School board shall have a list of facilities that do not exceed the norm for net sq ft occupancy under SREF.
 - Eliminates cost per student station

2024 Legislative Session

- HB 7039 – Education
 - Specifies that each Florida College System and state university are to complete an educational plant survey every 5 years. (page 55)
 - Removes DOE space validation. (page 57)
 - Revises 1013.385 to allow districts to operate in a facility on the same basis as a charter school pursuant to FS 1002.33(18). (page 61)
 - Cost per student station, FS1013.64, exempt until July 1, 2028. (page 65)

2024 Legislative Session

- HB 7039 – Education (continued)
 - Clarifies the authority of district school boards to adopt exceptions to SREF, provided that any exceptions to requirements for public shelter design criteria, when applicable, remain subject to the concurrence of the applicable local emergency management agency or the DEM.
 - A district may not be required to build more emergency-shelter space than identified as needed in the statewide emergency shelter plan.
 - Removes the requirement for the district to monitor and report the impact of change orders on its district educational facilities plan.

2024 Legislative Session

- HB 7039 – Education (continued)
 - Repeals requirements regarding the reduction in relocatables and required annual progress report.
 - Broadens scope of properties a district school board can lease or lease-purchase to include educational plants, ancillary plants, and auxiliary facilities.
 - Removes the requirement that a board must acquire a lease of at least 40 years to construct or place a facility but retains the requirement that the lease be as long as the expected lifespan of the facility.

2024 Legislative Session

- Session should end March 8th, 2024
- **All of these are a moving target and are not final.**



Lead Testing Program

- Voluntary School and Child Care Lead Testing and Reduction Grant Program
 - This program was put in place to sample drinking water in School and Child Care Facilities to determine if there are any potential problems with a lead exceedance in the drinking water. The testing and retesting procedures are free.
- DEP: <https://floridadep.gov/water/source-drinking-water/content/voluntary-lead-testing-program-schools-and-childcare-facilities>
- EPA: <https://www.epa.gov/dwcapacity/wiin-grant-voluntary-school-and-child-care-lead-testing-and-reduction-grant-program#:~:text=The%20Water%20Infrastructure%20Improvements%20for,c ontamination%20in%20drinking%20water%20at>

Lead Testing Program

- Contacts:
- Florida Rural Water Association
- Erica Manz - erica@frwa.net
- Florida Department of Environmental Protection,
Division of Water Resource Management
- Alicia Galloway – Alicia.Galloway@FloridaDEP.gov

OEF Contacts

- Mark Weigly
 - 850-245-9296 mark.weigly@fldoe.org
- Violet Brown
 - 850-245-9232 violet.brown@fldoe.org
- Martha Chauncey
 - 850-245-9513 martha.chauncey@fldoe.org