

**STATE BOARD OF EDUCATION**  
**Action Item**  
September 29, 2014

**SUBJECT:** Approval of Amendment to Rule 6A-2.0010, Educational Facilities

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**PROPOSED BOARD ACTION**

For Approval

**AUTHORITY FOR STATE BOARD ACTION**

Article XII, § 9(d)(10), Constitution of the State of Florida

Sections 159.835, 159.845, 381.006, 1001.02(1), 1011.60, 1013.02(2), 1013.12(1), 1013.20, 1013.28, 1013.31, 1013.36, and 1013.37, Florida Statutes

**EXECUTIVE SUMMARY**

The amendment specifies that district school boards and Florida College System institution boards of trustees must deposit the proceeds from the sale of land or other real property into the account used to fund the original acquisition, or if the original fund source was by donation or is not known, into the account for proceeds from the sale of real property. The amendment updates the publication's finance chapter to define the roles of the Office of Educational Facilities and the Fixed Capital Outlay Office of the Bureau of School Business Services with respect to public educational facilities finance programs, to remove an obsolete provision requiring universities to purchase an insurance policy guarantying the payment of all principal and interest payable under a lease-purchase agreement and to make other clarifying and technical revisions. The amendment adopts the most recent compilation of 29 C.F.R. Parts 1910 and 1926 by the Occupational Safety and Health Administration, Department of Labor. The amendment revises certain forms adopted by reference in the rule to update form numbers, to add instructions and to update office contact information. The amendment adopts new form OEF SFCA-10A Special Facilities Construction Account (SFCA) District School Board Resolution. The amendment eliminates the incorporation of the Charter School Capital Outlay Plan, which is a subject addressed in a separate rule. The amendment makes other revisions necessary to update or clarify the text of the rule or incorporated documents.

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**Supporting Documentation Included:** Proposed Rule 6A-2.0010, Educational Facilities. State Requirements for Educational Facilities, 2014 and revised forms are available upon request or from the Department's website at: <http://www.fldoe.org/board/meetings/>

**Facilitator:** Linda Champion, Deputy Commissioner, Finance and Operations

### **6A-2.0010 Educational Facilities.**

State Board of Education requirements adopted pursuant to Chapter 120, F.S., to implement the State Uniform Building Code for Public Educational Facilities Construction in Chapter 1013, F.S., are contained in Section 423 of the Florida Building Code and the Florida Department of Education publication, “State Requirements for Educational Facilities ~~2014~~ ~~2012~~” (effective November 2014)

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01898>), which is hereby incorporated by reference. All educational and ancillary facilities constructed by a school board or Florida college board shall comply with “State Requirements for Educational Facilities ~~2014~~, ~~2012~~”. Copies of “State Requirements for Educational Facilities ~~2014~~ ~~2012~~” are available from the Office of Educational Facilities, Florida Department of Education, 325 West Gaines Street, Room 1054, Tallahassee, Florida 32399-0400, at a cost to be determined by the Commissioner, but which shall not exceed actual cost, or from the Department of Education’s website at: <http://www.fldoe.org/edfacil> in PDF format. In addition, ~~to the State Requirements for Educational Facilities 2012~~, Rule 14-15.002, F.A.C.

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01654>) (effective June 2012), and the following manuals incorporated therein are incorporated by reference in this rule: Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, May 2011 Edition; AASHTO Load and Resistance Factor Design (LRFD) Bridge Design Specifications, 5th Edition (2010); Department of Transportation, Office of Maintenance, Bridge Load Rating Manual; and Department of Transportation Drainage Manual. Rule 14-15.002, F.A.C., may be obtained from the Department of Transportation, 605 Suwannee Street, Tallahassee, Florida 32399-0450 or from the web link provided above. In addition, the following documents and forms are also incorporated by reference as part of this rule: Chapter XVII – Occupational Safety and Health Administration, Department of Labor, 29 CFR Parts 1910 and 1926 (~~7-1-14~~ ~~7-1-11~~ Edition)

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01594>),

FCO 352 – Capital Outlay Request Encumbrance Authorization (effective November 2014)

(<http://www.flrules.org/Gateway/reference.asp?No=Ref- ----->),

FCO 400 – Qualified Public Educational Facility Bond – Application (effective November 2014)

(<http://www.flrules.org/Gateway/reference.asp?No=Ref- ----->),

FCO 410 – Qualified Zone Academy Bond Program Application (effective November 2014)

(<http://www.flrules.org/Gateway/reference.asp?No=Ref- ----->),

FCO 442 – FDOE Project Disbursement Report (effective November 2014)

(<http://www.flrules.org/Gateway/reference.asp?No=Ref- ----->),

FCO 564FC – Cost of Construction Report – Florida College System (effective November 2014)

(<http://www.flrules.org/Gateway/reference.asp?No=Ref- ----->),

FCO 564PS – Cost of Construction Report – Public Schools (effective November 2014)

(<http://www.flrules.org/Gateway/reference.asp?No=Ref- ----->),

OEF 110A – Project Implementation Information (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01899>),

OEF 110B – Certificate of Occupancy (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01900>),

OEF 208 – Letter of Transmittal (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01901>),

OEF 208A – Facility Space Chart/Net and Gross Square Footage (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01902>),

OEF 209 – Certificate of Final Inspection (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01903>),

OEF 216FCC – Capital Outlay Bond Issue (COBI) Amendment (Florida Colleges System) (effective November 2014 ~~2012~~)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01904>),

OEF 216PS – Capital Outlay Bond Issue (COBI) Amendment (Districts) (effective November-~~2014~~ 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01905>),

OEF 217 FCC – Request to State Board of Education for Approval of Order of Priority for Expenditure of State Capital Outlay Funds (Florida Colleges System) (effective November-~~2014~~ 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01906>),

OEF 217PS – Request to State Board of Education for Approval of Order of Priority ~~Priorities~~ for Expenditure of State Capital Outlay Funds (Public Schools) (effective November-~~2014~~ 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01907>),

OEF 220 – Building Permit Application (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01908>),

OEF 226 – Annual Facility Maintenance Permit (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01909>),

~~OEF 352 – Capital Outlay Request Eneumbrance Authorization (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01910>),~~

~~OEF 400 – Qualified Public Educational Facility Bond – Application (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01911>),~~

~~OEF 410 – Qualified Zone Academy Bond Program Application (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01912>),~~

~~OEF 442 – DOE Project Disbursement Report (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01913>),~~

~~OEF 564CC – 2011 Report of Cost of Construction – Florida Colleges (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01914>),~~

~~OEF 564PS – 2011 Report of Cost of Construction – Public Schools (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01915>),~~

OEF FISH CERT – Florida Inventory of School Houses Certification of Facilities Data (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01916>),

OEF LCCA-1 – Life Cycle Cost Analysis (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01917>),

OEF SCOA-1 FCC – Sample Resolution Requesting Issuance of Capital Outlay Bonds (COBI) for Florida Colleges System (effective November-2014 ~~2012~~)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01918>),

OEF SCOA-1PS – Sample Resolution Requesting Issuance of Capital Outlay Bonds (COBI) for Public Schools (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01919>), and

OEF SFCA-10A – Special Facilities Construction Account (SFCA) District School Board Resolution (Effective November 2014)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref- -----> ).

Charter School Capital Outlay Plan (effective November 2012)  
(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01920>).

Rulemaking Authority Article XII, §9(d)(10), Fla. Const.; 159.835, 159.845, 381.006, 1001.02(1), 1010.01, 1010.02, 1011.01, 1011.06, 1011.09, 1011.60, 1013.02(2), 1013.03, 1013.12(1), 1013.20, 1013.28, 1013.31, 1013.36, 1013.37 FS. Law Implemented 159.834, 159.844, 163.31777, 381.006(16), 553.79, 553.80, 633.206 ~~633.022~~, 1001.02, 1001.453, 1010.01, 1010.02, 1011.01, 1011.06, 1011.09, 1011.60, 1011.74, 1013.01, 1013.03, 1013.12(1), 1013.14, 1013.15, 1013.20, 1013.28, 1013.31, 1013.33, 1013.35, 1013.36, 1013.37, 1013.371, 1013.372, 1013.38, 1013.40, 1013.45, 1013.60, 1013.61, 1013.64, 1013.735, 1013.736, 1013.737 FS. History–New 10-30-94, Amended 4-28-97, Formerly 6A-2.0111, Amended 1-5-00, Formerly 6-2.001, Amended 8-22-05, 7-2-06, 2-12-08, 12-15-09, 11-19-12,