

Highlights from pages 1 – 5 regarding use of **School District run Building & Inspection Departments**, the **problems** that develop (*including incompetence and malfeasance*) and the **Grand Jury recommendations**:

IN THE SUPREME COURT OF FLORIDA
Case No. SC19-240
THIRD INTERIM REPORT OF THE TWENTIETH STATEWIDE GRAND JURY

RECOMMENDATIONS FROM THE SECOND INTERIM REPORT

In our Second Interim Report, as part of a discussion about **systemic deficiencies** and **conflicts** between various state and local agencies regarding **emergency communication systems**, we made the following recommendation:

2. School Districts should be stripped of their authority to inspect their own construction, issue their own [Temporary Certificates of Occupancy], and issue final Certificates of Occupancy. Other local agencies are more than capable of performing independent inspections.

Since our Second Interim Report **we have received even more testimony and evidence**--both from government officials and from private business owners and contractors--**regarding just how negative and significant the impact of school district-run building departments can be on the timeliness and expense of large-scale construction projects.** **Having a building inspection department which is controlled by and answerable to a local school district makes it incredibly easy for school officials to hide deficiencies, spoof timelines and control the flow of information to the public** regarding the functionality and safety of our children's taxpayer-funded schools. This kind of conduct **leaves these construction projects ripe for fraud and other criminal misconduct.**

County and municipal building departments throughout the State of Florida are **staffed by Professionals** whose primary duty is **to ensure that construction or renovation** occurring within a community **complies with state and local safety regulations.** These agencies are more than capable of timely and properly inspecting schools, and in much of Florida, this is exactly what happens. A school is built or renovated, and **an independent county or municipal inspector** is **called in order to examine and vet the quality of the workmanship, materials used, design** and any number of other factors. If the building passes, the agency will issue a Certificate of Occupancy. If the building fails, the school district must address the deficiencies identified by the independent inspector and request a new inspection.

This simple and obvious workflow is completely turned on its head when local school districts take it upon themselves to staff and run their own building inspection departments, achieving direct control of institutions that are ostensibly tasked to independently vet new constructions and renovations. Inspectors and managers in these departments become directly answerable to the local school districts themselves. In this fashion, these **districts become "masters of their own reality"**, with the potential to control the outcome of the inspection process to suit their own needs, allowing them to **sweep all manner of incompetence and malfeasance in building and permitting processes under the rug**, safely out of the view of the communities these local school districts are supposed to serve.

In our Second Interim Report, for example, we pointed out how **Temporary Certificates of Occupancy (TCOs) were being issued** by district-run inspection offices in spite of the fact that the **buildings were not compliant with necessary safety standards.** But rushing the process is not the only way districts can interfere to suit their own ends. On the other side of the coin, this Grand Jury has seen examples of **district-run inspection regimes delaying projects** for literal years by imposing additional standards and criteria outside statutory requirements in an apparent effort to secure certain large-scale projects for preferred vendors. No matter how **the process is hijacked**, the **average voter is unlikely to ever hear about it** because the flow of information that would be coming from a county or municipal building department instead flows directly up to the district. Thus, any potentially damaging information will flow no further.

In both of these examples, **substantial additional costs ultimately fall to the taxpayers** of the State of Florida in the form of **higher taxes, cancelled improvements** that never materialize for want of funds, and any number of other budgetary deficiencies that ultimately undermine the quality of education provided to students. It is apparent to this Grand Jury that **district-run building, permitting and inspection regimes are unnecessary, inefficient, do not benefit taxpayers, and create substantial conflicts of interest** within school districts.

Recommendation

We recommend that the Florida Legislature pass a law **banning district-run building, permitting and inspection departments** in the State of Florida and **mandating that county and municipal agencies be the only issuers of both TCOs and permanent Certificates of Occupancy for schools** within their geographical jurisdictions.