Real Property Leases of School Board-Owned Property

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SOP Number	SOP-FAC-7511B
Responsible Office	Division of Facilities
Administering Office	Facility Planning & Real Estate Department
Effective Date	Sep 17, 2026
Review Cycle	At least annually and whenever Policy 7511, F.S. 1013.15, facilities standards, leasing requirements, or related Board policies and procedures change
Supersedes	Adopted
Approval	Mark Dorsett Mark Dorsett (Sep 17, 2026 06:33:29 EDT)

1. Purpose

This SOP establishes a consistent, transparent, and documented process for identifying School Board-owned land, facilities, and educational plants that may be available for lease; receiving and evaluating lease requests; coordinating school, regional, facilities, financial, operational, legal, and community considerations; negotiating lease or lease-purchase terms; obtaining School Board approval; authorizing occupancy and alteration/improvements; monitoring tenant performance; and closing or renewing agreements under School Board Policy 7511. The Division of Facilities oversees implementation, and Facility Planning & Real Estate administers the process in collaboration with School Administration and the Regional Offices

2. Authority and Related Materials

- School Board Policy 7511, Leasing of School Board-Owned Property.
- F.S. 768.28, Waiver of sovereign immunity in tort actions.
- F.S. 787.06(13), Human Trafficking / Anti-Coercion Affidavit Requirements for Nongovernmental Entities.
- F.S. 1012.32, 1012.465, 1012.467, and 1012.468 (Jessica Lunsford Act / Background Screening Requirements).
- F.S. 1013.10, Use of buildings and grounds, when applicable.

- F.S. 1013.15, Lease, rental, and lease-purchase of educational plants, ancillary plants, and auxiliary facilities and sites.
- F.S. 1013.28, Disposal of property.
- Applicable Florida Building Code, Florida Fire Prevention Code, State Requirements for Educational Facilities (SREF), accessibility requirements, zoning and land-use requirements, and environmental and life-safety standards.
- Applicable Board policies and procedures governing facilities use, procurement, real property, risk management, insurance, public records, records retention, safety, security, construction, finance, conflicts, and agenda publication.
- Current District-approved lease-rate schedule, insurance requirements matrix, standard lease agreement, lease request form, site review checklist, alteration/improvement request form, inspection documents, and related Facilities procedures.

3. Scope

This SOP applies when the District considers leasing School Board-owned land, facilities, educational plants, or portions thereof to a private person or entity, governmental agency, or qualified nonprofit community organization for terms exceeding one (1) year, including leases that contain an optional or binding purchase provision. It applies from identification of potentially available property or receipt of a request through screening, due diligence, negotiation, School Board action, occupancy, alteration/improvements, monitoring, renewal, termination, and closeout.

This SOP does not govern temporary, short-term community facility use rentals of School Board-owned property administered electronically through the District’s automated platform (governed under SOP-FAC-7511A). It also does not govern off-site venue or event contracts where the School Board or individual schools rent outside third-party facilities for school-sponsored functions such as proms, graduations, or homecoming events, nor does it govern real property leased by the District from an outside owner unless expressly incorporated by reference.

4. Definitions

Term	Definition
Alteration/ Improvement	A tenant-proposed physical change, improvement, installation, renovation, remodeling, attachment, or modification to leased property or a facility.
Board-owned property	Land, facilities, educational plants, ancillary or auxiliary areas, buildings, or portions thereof owned by the School Board.
Lease	A written, Board-approved agreement granting a tenant the right to occupy or use identified Board-owned property for a specified term, rent, purpose, and conditions.

Term	Definition
Lease-purchase agreement	A lease authorized by the Board that includes an optional or binding purchase of the leased land, facility, or educational plant under Board-approved terms.
Insurance requirements	The current District-approved schedule of coverage types, minimum limits, endorsements, additional-insured requirements, and other risk-transfer conditions applicable to tenants based on the nature and risk of the use in accordance with the appropriate departmental guidelines.
Operating expenses	Maintenance, utilities, custodial services, security, waste services, repairs, inspections, taxes or assessments if applicable, and other costs arising from the tenant's use, as allocated in the lease.
Tenant / Lessee	The person, entity, governmental agency, or qualified nonprofit community organization approved to use Board-owned property under a lease.
Underutilized property	Board-owned property for which all or a defined portion is not presently required at its full available capacity for educational or District operational purposes, as documented through the review required by this SOP.
Unused property	Board-owned property or a defined portion that is not currently in active educational or District operational use.

5. Roles and Responsibilities

Role	Responsibility
Superintendent or designee	Reviews and recommends proposed leases for Board consideration, authorizes designated staff actions, and resolves executive-level issues.
Division of Facilities	Owns and oversees this SOP; provides executive direction; confirms Facilities recommendations; resolves escalated property and operational issues; and authorizes submission of lease recommendations for executive and Board consideration.
Facility Planning & Real Estate Department	Administers this SOP; maintains intake and the master lease file; identifies and evaluates property; coordinates school, regional, legal, financial, operational, technical, and stakeholder review; leads property due diligence and rent analysis; determines market-rate consideration and annual adjustments; coordinates negotiation and agenda development; collects payments, and remits funds to Finance; monitors

Role	Responsibility
	lease milestones and property obligations; and coordinates renewal, termination, and closeout.
Office of the General Counsel	Reviews legal authority, title restrictions, and statutory compliance; drafts or approves the legal form of all lease and lease-purchase agreements; and assists with dispute resolution and default enforcement.
School Administration	Identifies site impacts and educational needs; confirms current and anticipated use; evaluates scheduling, student access, supervision, traffic, parking, safety, utilities, custodial and maintenance impacts; coordinates site access; monitors day-to-day tenant activity; and promptly reports concerns.
Regional Offices	Validate school-based needs and projected program impacts; coordinate communication and provide guidance on issues between Facility Planning & Real Estate and School Administration; review recommendations affecting schools; and escalate unresolved operational or community concerns.
Physical Plant Operations (PPO)	Reviews maintenance, utilities, custodial, building systems, work orders, access, operating costs, and tenant alteration/improvement requests; performs or coordinates inspections; and issues written technical approval when designated as the "Operations Department" under Policy 7511.
Pre-Construction	Reviews plans for tenant alteration/improvements, design criteria, code and SREF compliance, scope, constructability, schedule, permitting, licensed-professional requirements, inspections, and closeout, as assigned.
Finance	Receives and posts lease revenue and fee payments remitted by FP&RE; maintains general ledger accounting; and executes internal budget and account distributions.
Risk Management	Maintains or validates the insurance requirements and reviews coverage, limits, endorsements, additional-insured status, indemnification, and claims.
Safety and Security	Reviews proposed site use for security and life-safety impacts; establishes emergency access and physical security controls; determines security staffing; and verifies tenant compliance with statutory background screening requirements (Jessica Lunsford Act) and campus badging when required.

Role	Responsibility
Sustainability & Compliance	Conducts environmental reviews and Environmental Site Assessments (ESAs); evaluates environmental, hazardous material, and regulatory compliance; and provides historical utility consumption and rate benchmarks (electricity, cooling, water) to establish utility cost-recovery calculations.
Tenant / Lessee	Uses the property only as authorized; pays rent and assigned expenses; maintains insurance and other assurances; protects District property; complies with law, policy, agreement terms, access and safety requirements; obtains written approval before alteration/improvements; and reports incidents and deficiencies.

6. Standards

- The School Board may lease Board-owned land, facilities, or educational plants to any person or entity for a term, rental amount, and under conditions determined to be in the Board's best interests.
- A lease may include an optional or binding provision allowing the lessee to purchase the leased land, facility, or educational plant under terms and conditions determined to be in the Board's best interests.
- The use of School Board-owned facilities or property must be governed by a lease agreement containing terms and conditions acceptable to the Board.
- When applicable, the lease agreement must provide that maintenance, utilities, and other operating expenses are the responsibility of the entity using the facility or property.
- Before a lease or lease-purchase agreement is executed, the School Board must consider its approval at an action meeting. A final copy of the proposed agreement must be available for public inspection and review following legally required notice.
- School facilities and property that are unused or underutilized for educational purposes may be made available to private entities, government agencies, or qualified nonprofit community organizations.
- A tenant may alter a leased facility only with prior written approval from the Operations Department. Alterations must be completed at the tenant's expense, comply with School District design criteria, and be based on plans approved in writing by the Operations Department.

7. Procedure

7.1 Identify potentially available property

1. Facility Planning & Real Estate may initiate a review based on facilities planning data, enrollment and program projections, property inventories, a school or Regional Office referral, a government or community inquiry, or another documented District need.

2. School Administration shall describe the property's current use, school schedule, enrollment and program needs, student and staff access, shared spaces, utilities, maintenance conditions, parking, traffic, security, and any known commitments.
3. The Regional Office shall review the school's information, identify anticipated regional or program needs, and document its recommendation or concerns.
4. Facility Planning & Real Estate shall evaluate title and property information, physical boundaries, access, zoning and land use, restrictions, future capital needs, and whether all or a defined portion may be considered unused or underutilized.
5. The Division of Facilities shall provide the final determination whether the property is confirmed as an available property for leasing. A preliminary availability determination does not commit the property or authorize occupancy.

7.2 Receive and log a lease request

1. A prospective tenant or sponsoring District office shall submit an approved lease request form to FP&RE in accordance with the departmental Business Practice Bulletin (BPB). The request shall identify the applicant, organizational status, authorized representative, requested property, proposed use, requested term and hours, anticipated occupants and attendance, services or alteration/improvements needed, funding, and community or educational benefit.
2. Facility Planning & Real Estate shall date-stamp the request, assign a tracking number, acknowledge receipt, open the master lease file, and screen the submission for completeness.
3. The applicant shall provide organizational documents, financial information, references, insurance information, proposed operating plan, security and access needs, executed statutory affidavits (including the Anti-Coercion Affidavit under F.S. 787.06(13)), and other information reasonably required for review.
4. Facility Planning & Real Estate shall notify the applicable School Administration and Regional Office and identify the response date and required areas of review. No applicant may directly negotiate site conditions with a school or begin using the property.

7.3 Conduct preliminary eligibility and impact screening

1. Facility Planning & Real Estate shall confirm that the proposed tenant and use fall within Policy 7511 and that another facility-use, procurement, partnership, or property-disposition process is not more appropriate.
2. School Administration and the Regional Office shall jointly evaluate whether the proposal conflicts with instruction, school programs, student services, planned growth, testing, extracurricular activities, emergency operations, traffic, parking, supervision, or community commitments.
3. PPO, Safety and Security, Sustainability & Compliance, Risk Management, Finance, Pre-Construction, Technology, or other offices shall provide subject-matter screening when affected.
4. Facility Planning & Real Estate shall consolidate the findings and recommend that the request proceed, be revised, be placed on hold, or be declined. The Division of Facilities shall review recommendations involving material school, property, financial, safety, or community impacts.

5. A decline or hold notice shall be documented and shall not create a right to reconsideration, negotiation, or use.

7.4 Complete property, operational, financial, and legal due diligence

1. Facility Planning & Real Estate shall define the proposed premises and coordinate a site plan, legal description or other sufficient property description, access rights, shared areas, parking, utilities, and any restrictions or easements.
2. Facility Planning & Real Estate and Finance shall evaluate market valuations, sub-market comparables, and utility cost-recovery benchmarks and prepare a documented calculation of base rent, operating-cost charges, utilities, deposits, and other fees. The analysis shall include market information or valuation when warranted, anticipated costs and revenue, proposed concessions or in-kind consideration, capital needs, and the basis for determining that the financial terms are in the Board's best interests.
3. Any below-market concessions/in-kind consideration, or other deviation from the market valuation shall be separately identified, supported by written justification, and routed for the administrative and Board approvals applicable to the transaction.
4. School Administration, PPO, and other affected offices shall estimate incremental utilities, custodial, maintenance, security, technology, waste, and other operating requirements and identify which costs must be assigned to the tenant.
5. Risk Management shall apply the current insurance requirements matrix based on the proposed use and risk and document the required coverage types, limits, endorsements, additional-insured status, evidence of coverage, and other risk-transfer conditions.
6. Safety and Security shall establish incident reporting, emergency access, and physical security controls, and shall enforce mandatory Level 2 background screening and Jessica Lunsford Act badging requirements when tenant operations involve shared campus access or occur during student occupancy.
7. Pre-Construction and PPO shall document facility condition and identify code, accessibility, environmental, life-safety, repair, alteration/improvement, permit, and inspection requirements.
8. General Counsel shall review legal authority, title or use restrictions, the proposed transaction structure, proposed rate or insurance deviations, and whether an optional or binding purchase provision or another unusual term requires additional process or analysis.

7.5 Negotiate and prepare the lease agreement

1. Facility Planning & Real Estate shall serve as the District's lead coordinator for negotiations. General Counsel shall prepare or approve the agreement, and no other office may promise terms or bind the Board.
2. The agreement shall incorporate the approved premises, use, term, rent structure and escalation terms, rent, payment schedule, deposits, operating expenses, utilities, maintenance, security, access, District entry, insurance, indemnification, alteration/improvements, signage, assignment or sublease restrictions, compliance, records, default, remedies, termination, restoration, and closeout requirements, as applicable.
3. The agreement shall require continuous compliance with the approved insurance requirements, timely evidence of coverage and renewals, required endorsements and additional-insured

status, and notice and remedies for lapse, cancellation, nonrenewal, or material reduction of coverage.

4. School Administration and the Regional Office shall review site-operating provisions. PPO and Pre-Construction shall review property, maintenance, utility, alteration/improvement, inspection, and restoration provisions. Risk Management shall approve insurance and risk-transfer provisions; and Safety and Security and other affected offices shall approve provisions within their authority.
5. If the agreement contains an optional or binding purchase provision, Facility Planning & Real Estate and General Counsel shall coordinate all additional valuation, title, financial, property-disposition, statutory, and Board requirements before recommendation.
6. Facility Planning & Real Estate shall maintain a review matrix showing all comments, resolutions, required approvals, rate and insurance determinations, and final recommendations.

7.6 Obtain approval and execute the agreement

1. Facility Planning & Real Estate shall prepare the agenda package and obtain Division of Facilities approval before executive routing. The item shall explain the property, tenant, proposed use, term, rent, operating-cost allocation, educational and community impacts, due diligence, best-interest basis, and material risks or conditions.
2. General Counsel shall confirm that the proposed agreement is in final form and legally sufficient. The Board Office and originating office shall ensure due public notice and public availability of the final agreement for the action meeting as required by law, confirming that the tenant has submitted a fully executed Anti-Coercion Affidavit pursuant to Florida law.
3. The School Board shall consider whether to approve the lease or lease-purchase agreement. Staff shall not represent the transaction as final before Board action.
4. After approval, the agreement shall be signed by all required parties. Facility Planning & Real Estate shall distribute the executed agreement and a responsibilities summary to the tenant and affected offices.
5. No occupancy or use may begin until the effective date, and all pre-occupancy conditions are satisfied.

7.7 Complete pre-occupancy requirements

1. Facility Planning & Real Estate shall conduct a readiness meeting with the tenant, School Administration, Regional Office, PPO, Safety and Security, Risk Management, and other affected offices.
2. The tenant shall provide all rent, deposits, operating-cost payments or assurances due before occupancy and a certificate of insurance and endorsements demonstrating compliance with the insurance requirements matrix and the executed lease.
3. Risk Management shall verify the insurer, policy period, coverage types, limits, endorsements, additional-insured status, and any other required evidence before occupancy is authorized.
4. The tenant shall provide emergency contacts, facility access lists, applicable permits, licenses, and verified statutory background screening clearance and badging records (Jessica Lunsford Act) for required personnel. PPO and School Administration shall document baseline conditions of the premises, issue keys or access credentials, record initial utility meters where

applicable, verify equipment, photograph existing conditions, and designate approved access routes.

5. Safety, fire, building, environmental, accessibility, or other inspections required by the agreement or applicable law shall be completed before occupancy.
6. Facility Planning & Real Estate shall issue written notice to proceed or occupancy authorization only after the readiness checklist is complete.

7.8 Review and approve tenant alteration/improvements

1. The tenant shall submit a written alteration/improvement request before design, permitting, procurement, construction, installation, or site work begins. The request shall include scope, plans, specifications, schedule, licensed professionals and contractors, permits, funding, insurance, utility and operational impacts, and proposed ownership or removal at closeout.
2. Facility Planning & Real Estate shall coordinate the request with School Administration, the Regional Office, PPO, Pre-Construction, Safety and Security, Sustainability & Compliance, Risk Management, Technology, General Counsel, and other affected offices.
3. Pre-Construction shall determine the required design review, District design criteria, SREF and code requirements, permits, licensed-professional involvement, inspections, construction controls, and closeout documents. PPO shall review building systems, maintenance, utilities, access, and operational impacts.
4. The department designated by the Division of Facilities as the Operations Department under Policy 7511 shall issue or coordinate the required written approval. Approval may include conditions and does not shift costs to the District unless expressly authorized in writing.
5. The tenant shall not begin work until it receives written approval and all required permits and notices to proceed. District representatives may inspect the work, stop unauthorized or unsafe work, require corrections, and require restoration.
6. Upon completion, the tenant shall provide inspection approvals, as-built documents, warranties, permits, releases, and other required closeout records before the altered area is accepted for use.

7.9 Monitor lease compliance and site operations

1. Facility Planning & Real Estate shall maintain a lease calendar for rent, operating-cost charges, deposits, insurance expiration and renewal, reporting, inspections, notice, alteration/improvement, renewal, and expiration milestones.
2. School Administration shall monitor routine site conditions and promptly report unauthorized use, access, disruption, safety concerns, damage, utility or maintenance issues, complaints, and conflicts with school operations. The Regional Office shall assist with unresolved school-impact concerns.
3. Finance shall monitor payments and report delinquency. Risk Management shall monitor required evidence of insurance and report any lapse, cancellation, nonrenewal, inadequate limit, missing endorsement, or material reduction in coverage. PPO, Safety and Security, and other offices shall monitor assigned obligations and report deficiencies to Facility Planning & Real Estate.
4. A tenant shall provide renewal evidence before insurance expiration. A lapse or deficiency shall be addressed immediately under the lease, which may include suspension of access or

use, notice to cure, procurement of coverage at the tenant's expense when authorized, or other contractual remedies.

5. Facility Planning & Real Estate shall document the issue, coordinate notice and corrective action with General Counsel and the authorized office, and track resolution. Immediate safety or security concerns shall be addressed under emergency procedures without awaiting ordinary lease review.
6. Only an authorized written amendment approved through the required process may change the premises, use, term, rent, expenses, insurance, alterations/improvements, or other material conditions.

7.10 Renew, terminate, or close the lease

1. Facility Planning & Real Estate shall begin renewal review sufficiently before the contractual notice date and obtain updated input from School Administration, the Regional Office, PPO, Finance, Risk Management, Safety and Security, General Counsel, and other affected offices.
2. Renewal shall be based on continuing property availability, educational and operational needs, tenant performance, payment history, property condition, updated rent and cost analysis, risk, and the Board's best interests. A renewal requiring Board approval shall follow section 7.6.
3. For expiration or termination, Facility Planning & Real Estate shall coordinate notice, access termination, final payments, utility reconciliation, property inspection, removal or acceptance of alteration/improvements, repair and restoration, return of keys and records, and resolution of outstanding obligations.
4. School Administration and PPO shall document final condition. Finance shall reconcile amounts due, and General Counsel shall advise on defaults, claims, remedies, releases, and unresolved obligations.
5. Facility Planning & Real Estate shall close the master lease file only after required closeout actions are documented or transferred to the office responsible for continued enforcement.
6. Any formal extension or renewal of an existing lease with a nongovernmental entity shall require submission of an updated Anti-Coercion Affidavit pursuant to F.S. 787.06(13).

8. Records

- Facility Planning & Real Estate shall maintain the master Policy 7511 lease file, including property-availability reviews, requests, statutory affidavits (including Anti-Coercion Affidavits), organizational information, school and Regional Office input, due diligence, market valuation and comparable analyses, utility cost-recovery documentation, proposed concessions or in-kind consideration and approvals, the applicable insurance requirements matrix version, certificates and endorsements, Risk Management determinations, site and condition records, review matrices, negotiations, agenda materials, Board action, executed agreements and amendments, pre-occupancy documents, alteration/improvement requests and approvals, monitoring records, notices, inspections, renewals, termination, restoration, and closeout.
- School Administration, Regional Offices, PPO, Pre-Construction, Finance, Risk Management, Safety and Security, Sustainability & Compliance, General Counsel, and other coordinating offices shall retain their subject-matter records under applicable retention schedules, legal holds, privileges, exemptions, and confidentiality requirements.

9. Training and Monitoring

- Facility Planning & Real Estate shall provide role-based guidance to School Administration, Regional Offices, Facilities staff, Finance, Risk Management, Safety and Security, and other affected personnel regarding intake, availability review, market-rate leasing requirements, insurance requirements, site impacts, agreements, alteration/improvements, monitoring, escalation, and records.
- Facility Planning & Real Estate shall provide accessible training, guidance, and outreach materials to community organizations and prospective tenants regarding the leasing process, eligibility requirements, application procedures, rent and cost-recovery calculations, statutory background screening and anti-coercion compliance, insurance requirements, tenant responsibilities, approval timelines, and applicable BPBs.
- School and regional leaders shall be informed that they may provide operational input and monitor approved site use but may not independently lease property, negotiate binding terms, establish or modify rental rates or insurance requirements, authorize occupancy, or approve tenant alteration/improvements.
- Facility Planning & Real Estate shall monitor request volume, processing time, leased inventory, rent and cost recovery, rate deviations, insurance compliance, inspections, alteration/improvements, tenant deficiencies, school impacts, renewals, terminations, and corrective actions and shall report material trends to the Division of Facilities.

10. Recommendations: BPB Development

Business Practice Bulletins developed under this SOP should provide position-level instructions for intake, property-availability review, school and Regional Office consultation, response targets, approvals, market-rate valuations, operating-cost calculations, documentation of rent concessions or in-kind consideration, statutory affidavit verification (including Anti-Coercion and Jessica Lunsford Act compliance), the current insurance requirements matrix, certificate and endorsement verification, renewal and lapse response, site documentation, agreement routing, pre-occupancy controls, alteration/improvements, inspections, closeout, delinquency, escalation, records, training, and review.

Facility Planning & Real Estate coordinates the BPB framework, with coordinating offices maintaining standard instructions within their designated authority:

Facility Planning & Real Estate maintains standard workflows for property intake, market comps, rent analysis, negotiations, Board item routing, billing, collections, lease monitoring, and closeout.

Finance maintains procedures for revenue receipting, general ledger posting, and internal budget and account distributions.

Risk Management maintains insurance matrix updates, certificate and endorsement verification, and coverage lapse response procedures.

Safety and Security establishes procedures for site security evaluations, emergency access protocols, and Level 2 background screening / campus badging verification.

Sustainability & Compliance maintains protocols for environmental site reviews (ESAs) and historical utility consumption and rate benchmark calculations.

Physical Plant Operations & Pre-Construction maintains procedures for site condition inspections, tenant alteration/improvement reviews, permitting verification, code/SREF compliance, and restoration sign-offs.

School Administration and Regional Offices establishes site-review, school operational coordination, and escalation steps; and the other affected offices should approve instructions within their authority.

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