

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K - 12

BILL: SJR 976

INTRODUCER: Senator Stargel

SUBJECT: Charter Schools

DATE: February 1, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hand	Klebacha	ED	Pre-meeting
2.			AED	
3.			RC	

I. Summary:

SJR 976 substantially amends Article IX, of the Florida Constitution, to require the State Board of Education to direct the Department of Education to establish a statewide system for the approval of charter schools within Florida, as provided by law.

The joint resolution, if passed by 3/5ths vote of each House of the Legislature, will be voted on at the general election in November 2016. The joint resolution, by its express terms, would apply upon approval of the voters – at least 60% of those voting on the measure.

II. Present Situation:

The Florida Constitution provides that the school board shall operate, control and supervise all free public schools within the school district.¹ As part of the state’s program of public education, the Legislature created public schools called charter schools.²

The terms and conditions for the operation of the school are set forth in a performance contract or “charter.”³ The charter must be signed by the governing board of the charter school and the sponsor.⁴

District school boards and universities are authorized to sponsor charter schools.⁵ A district school board may sponsor a charter school in the county over which the district school board has

¹ Art. IX, s. 1, Fla. Const.

² Section 1002.33(1), F.S.

³ Section 1002.33(6)(h), F.S.

⁴ Section 1002.33(7), F.S.

⁵ Section 1002.33(5)(a), F.S.

jurisdiction.⁶ A state university may grant a charter to a lab school, and shall be considered the school's sponsor.⁷

Charter schools are exempt from many laws and regulations applicable to traditional public schools to encourage the use of innovative learning methods.⁸ One of the guiding principles of charter schools is to “meet high standards of student achievement while providing parents flexibility to choose among diverse educational opportunities within the state’s public school system.”⁹

III. Effect of Proposed Changes:

SJR 976 substantially amends Article IX, of the Florida Constitution, to require the State Board of Education to direct the Department of Education to establish a statewide system for the approval of charter schools within Florida, as provided by law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Not determined.

C. Government Sector Impact:

Each constitutional amendment is required to be published in a newspaper of general circulation in each county, once in the sixth week and once in the tenth week preceding the general election. Costs for advertising vary depending on the length of the amendment.

⁶ *Id.*

⁷ *Id.* Such school shall be considered a charter lab school. *Id.*

⁸ Section 1002.33(2)(b)3, and (16), F.S.

⁹ Section 1002.33(2)(a)1, F.S.

VI. Technical Deficiencies:

The resolution does not specify the entity that would sponsor, and thus ultimately enter into a contract with, charter schools approved pursuant to the statewide system.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends Article IX of the Florida Constitution.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.