

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Education & Employment
 2 Committee

3 Representative Rizo offered the following:

4

5 **Amendment (with directory and title amendments)**

6 Remove lines 405-469 and insert:

7 restrictions, and site planning processes imposed upon public
 8 schools that are not charter schools, including such provisions
 9 that are established by interlocal agreement. An interlocal
 10 agreement entered into by a school district for the development
 11 of only its own schools, including provisions relating to the
 12 extension of infrastructure, may be used by charter schools. A
 13 charter school may not be subject to any land use regulation
 14 requiring a change to a local government comprehensive plan or
 15 requiring a development order or development permit, as those
 16 terms are defined in s. 163.3164, that would not be required for

Amendment No. 4

17 | a public school in the same location. The agency having
18 | jurisdiction for inspection of a facility and issuance of a
19 | certificate of occupancy or use shall be the local municipality
20 | or, if in an unincorporated area, the county governing
21 | authority. If an official or employee of the local governing
22 | authority refuses to comply with this paragraph, the aggrieved
23 | school or entity has an immediate right to bring an action in
24 | circuit court to enforce its rights by injunction. An aggrieved
25 | party that receives injunctive relief may be awarded attorney
26 | fees and court costs.

27 | (c) Any facility, or portion thereof, used to house a
28 | charter school whose charter has been approved by the sponsor
29 | and the governing board, pursuant to subsection (7), ~~is shall be~~
30 | exempt from ad valorem taxes pursuant to s. 196.1983. Any
31 | library, community service, museum, performing arts, theatre,
32 | cinema, or church facility; ~~any facility or land owned by a~~
33 | ~~Florida College System institution or, college, and university;~~
34 | any similar public institutional facilities; and any facility
35 | recently used to house a school or a child care facility
36 | licensed under s. 402.305 may provide space to charter schools
37 | within their facilities under their preexisting zoning and land
38 | use designations without obtaining a special exception,
39 | rezoning, or a land use change.

40 | (f) To the extent that charter school facilities are
41 | specifically created to mitigate the educational impact created

465071 - h0865-line 405.docx

Published On: 2/27/2022 5:55:25 PM

Amendment No. 4

42 by the development of new residential dwelling units, pursuant
43 to subparagraph (2)(c)4., a proportionate share of costs per
44 student station ~~some of or all~~ of the educational impact fees
45 required to be paid in connection with the new residential
46 dwelling units must ~~may~~ be designated ~~instead~~ for the
47 construction of the charter school facilities that will mitigate
48 the student station impact, including charter school facilities
49 described in subparagraph (10)(e)7. Such facilities shall be
50 built to the State Requirements for Educational Facilities and
51 shall be owned by a public or nonprofit entity. The local school
52 district retains the right to monitor and inspect such
53 facilities to ensure compliance with the State Requirements for
54 Educational Facilities. If a facility ceases to be used for
55 public educational purposes, either the facility shall revert to
56 the school district subject to any debt owed on the facility, or
57 the owner of the facility shall have the option to refund all
58 educational impact fees utilized for the facility to the school
59 district. The district and the owner of the facility may
60 contractually agree to another arrangement for the facilities if
61 the facilities cease to be used for educational purposes. The
62 owner of property planned or approved for new residential
63 dwelling units and the entity levying educational impact fees
64 shall enter into an agreement that designates the educational
65 impact fees that will be allocated for the charter school
66 student stations and that ensures the timely construction of the

465071 - h0865-line 405.docx

Published On: 2/27/2022 5:55:25 PM

Amendment No. 4

67 charter school student stations concurrent with the expected
68 occupancy of the residential units. The application for use of
69 educational impact fees shall include an approved charter school
70 application. To assist the school district in forecasting
71 student station needs, the entity levying the impact fees shall
72 notify the affected district of any agreements it has approved
73 for the purpose of mitigating student station impact from the
74 new residential dwelling units. Any entity contributing toward
75 the construction of such facilities shall receive a credit
76 toward any impact fees or exactions imposed for public
77 educational facilities to the extent that the entity has not
78 received credit for such contribution pursuant to s.
79 163.3180(6)(h)2.

80 (20) SERVICES.—

81 (a)1. A sponsor shall provide certain administrative and
82 educational services to charter schools. These services shall
83 include contract management services; full-time equivalent and
84 data reporting services; exceptional student education
85 administration services; services related to eligibility and
86 reporting duties required to ensure that school lunch services
87 under the National School Lunch Program, consistent with the
88 needs of the charter school, are provided by the sponsor at the
89 request of the charter school, that any funds due to the charter
90 school under the National School Lunch Program be paid to the
91 charter school as soon as the charter school begins serving food

465071 - h0865-line 405.docx

Published On: 2/27/2022 5:55:25 PM

Amendment No. 4

92 | under the National School Lunch Program, and that the charter
93 | school is paid at the same time and in the same manner under the
94 | National School Lunch Program as other public schools serviced
95 | by the sponsor or the school district; test administration
96 | services, including payment of the costs of state-required or
97 | district-required student assessments; processing of teacher
98 | certificate data services; and information services, including
99 | equal access to the sponsor's student information systems that
100 | are used by public schools in the district in which the charter
101 | school is located or by schools in the sponsor's portfolio of
102 | charter schools if the sponsor is not a school district. Student
103 | performance data for each student in a charter school,
104 | including, but not limited to, FCAT scores, standardized test
105 | scores, previous public school student report cards, and student
106 | performance measures, shall be provided by the sponsor to a
107 | charter school in the same manner provided to other public
108 | schools in the district or by schools in the sponsor's portfolio
109 | of charter schools if the sponsor is not a school district.

110 | 2. A sponsor may withhold an administrative fee for the
111 | provision of such services which shall be a percentage of the
112 | available funds defined in paragraph (17)(b) calculated based on
113 | weighted full-time equivalent students. If the charter school
114 | serves 75 percent or more exceptional education students as
115 | defined in s. 1003.01(3), the percentage shall be calculated
116 | based on unweighted full-time equivalent students. The

465071 - h0865-line 405.docx

Published On: 2/27/2022 5:55:25 PM

Amendment No. 4

117 administrative fee shall be calculated as follows:

118 a. Up to 5 percent for:

119 (I) Enrollment of up to and including 250 students in a
120 charter school as defined in this section.

121 (II) Enrollment of up to and including 500 students within
122 a charter school system which meets all of the following:

123 (A) Includes conversion charter schools and nonconversion
124 charter schools.

125 (B) Has all of its schools located in the same county.

126 (C) Has a total enrollment exceeding the total enrollment
127 of at least one school district in this state.

128 (D) Has the same governing board for all of its schools.

129 (E) Does not contract with a for-profit service provider
130 for management of school operations.

131 (III) Enrollment of up to and including 250 students in a
132 virtual charter school.

133 b. Up to 2 percent for enrollment of up to and including
134 250 students in a high-performing charter school as defined in
135 s. 1002.331.

136 c. Up to 2 percent for enrollment of up to and including
137 250 students in an exceptional student education center that
138 meets the requirements of the rules adopted by the State Board
139 of Education pursuant to s. 1008.3415(3).

140 3. A sponsor may not charge charter schools any additional
141 fees or surcharges for administrative and educational services

Amendment No. 4

142 in addition to the maximum percentage of administrative fees
143 withheld pursuant to this paragraph. A sponsor may not charge or
144 withhold any administrative fee against a charter school for any
145 funds specifically allocated by the Legislature for teacher
146 compensation.

147 4. A sponsor shall provide to the department by September
148 15 of each year the total amount of funding withheld from
149 charter schools pursuant to this subsection for the prior fiscal
150 year. The department must include the information in the report
151 required under sub-sub-subparagraph (5)(b)1.k.(III).

152

153

154

D I R E C T O R Y A M E N D M E N T

155

Remove lines 89-90 and insert:

156

of subsection (8), paragraph (p) of subsection (9), paragraphs
157 (a), (c), and (f) of subsection (18), and paragraph (a) of
158 subsection (20) of section

159

160

161

T I T L E A M E N D M E N T

162

Remove lines 41-52 and insert:

163

communications media technology; authorizing charter

164

schools to use certain interlocal agreements;

165

prohibiting a charter school from being subject to

166

certain land use regulations if such regulations would

Amendment No. 4

167 not be required for certain public schools; providing
168 that specified facilities may provide space to charter
169 schools under existing zoning and land use
170 designations without obtaining a special exception,
171 rezoning, or a land use change; requiring a specified
172 proportionate share of certain educational impact fees
173 to be designated for the construction of certain
174 charter school facilities; providing credits toward
175 certain impact fees or exactions for certain entities;
176 providing that a sponsor may not charge or withhold
177 administrative fees for certain allocations; requiring
178 the Office of Program
179